

FIRST CONFERENCE REPORT

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

House Bill No. 4526, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2012; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

Recommends:

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

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

(attached)

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

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2012; to provide for certain conditions on

appropriations; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

Chuck Moss

Roger Kahn

Joe Haveman

John Moolenaar

Richard LeBlanc

Glenn Anderson

Conferees for the House

Conferees for the Senate

**SUBSTITUTE FOR
HOUSE BILL NO. 4526**

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2012; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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ARTICLE I
DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT
PART 1
LINE-ITEM APPROPRIATIONS
FOR FISCAL YEAR 2011-2012
Sec. 101. Subject to the conditions set forth in this article,

1 the amounts listed in this part are appropriated for the department
 2 of agriculture and rural development for the fiscal year ending
 3 September 30, 2012, from the funds indicated in this part. The
 4 following is a summary of the appropriations in this part:

5 **DEPARTMENT OF AGRICULTURE**

6 APPROPRIATION SUMMARY

7	Full-time equated unclassified positions.....	2.0	
8	Full-time equated classified positions.....	441.0	
9	GROSS APPROPRIATION.....		\$ 72,219,300
10	Interdepartmental grant revenues:		
11	IDG from LARA (LCC), liquor quality testing fees		197,600
12	IDG from MDNRE, biosolids.....		100,000
13	Total interdepartmental grants and intradepartmental		
14	transfers		297,600
15	ADJUSTED GROSS APPROPRIATION.....		\$ 71,921,700
16	Federal revenues:		
17	USDA, multiple grants.....		10,873,300
18	EPA, multiple grants.....		1,635,700
19	HHS-FDA.....		1,203,900
20	United States department of labor.....		471,800
21	Total federal revenues.....		14,184,700
22	Special revenue funds:		
23	Total local revenues.....		0
24	Private - slow-the-spread foundation.....		83,300
25	Private - commodity group revenue.....		88,000
26	Total private revenues.....		171,300

1	Agricultural preservation fund.....	2,031,100
2	Agriculture equine industry development fund.....	3,773,300
3	Agriculture pollution prevention fund.....	100
4	Animal welfare fund.....	144,500
5	Commodity inspection fees.....	832,400
6	Consumer and industry food safety education fund.....	290,200
7	Dairy and food safety fund.....	3,006,600
8	Freshwater protection fund.....	5,094,100
9	Gasoline inspection and testing fund.....	2,747,800
10	Grain dealer fee fund.....	222,500
11	Horticulture fund.....	72,800
12	Industry support funds.....	535,300
13	Licensing and inspection fees.....	4,188,800
14	Migrant housing inspection fees.....	114,200
15	Migratory labor housing fund.....	29,000
16	Nonretail liquor fees.....	716,800
17	Refined petroleum fund.....	3,870,900
18	Testing fees.....	447,500
19	Weights and measures regulation fees.....	745,100
20	Total other state restricted revenues.....	28,863,000
21	State general fund/general purpose.....	\$ 28,702,700
22	Sec. 102. EXECUTIVE	
23	Full-time equated unclassified positions.....	2.0
24	Full-time equated classified positions.....	26.0
25	Commissions and boards.....	\$ 23,800
26	Unclassified positions--2.0 FTE positions.....	213,300
27	Executive direction--8.0 FTE positions.....	1,050,600

1	Management services--15.0 FTE positions	981,100
2	Statistical reporting service--1.0 FTE positions	158,300
3	Emergency management--2.0 FTE positions	243,600
4	Accounting service center	<u>878,300</u>
5	GROSS APPROPRIATION	\$ 3,549,000
6	Appropriated from:	
7	Special revenue funds:	
8	Private - commodity group revenue	88,000
9	Industry support funds	40,500
10	Nonretail liquor fees	8,800
11	Refined petroleum fund	57,800
12	State general fund/general purpose	\$ 3,353,900
13	Sec. 103. DEPARTMENTWIDE	
14	Rent and building occupancy charges	\$ <u>991,900</u>
15	GROSS APPROPRIATION	\$ 991,900
16	Appropriated from:	
17	Federal revenues:	
18	USDA, multiple grants	224,600
19	EPA, multiple grants	174,100
20	HHS-FDA	43,300
21	Special revenue funds:	
22	Agricultural preservation fund	22,700
23	Freshwater protection fund	33,500
24	Licensing and inspection fees	156,800
25	Nonretail liquor fees	28,800
26	Refined petroleum fund	257,200
27	State general fund/general purpose	\$ 50,900

1	Sec. 104. INFORMATION AND TECHNOLOGY	
2	Information technology services and projects	\$ <u>1,303,400</u>
3	GROSS APPROPRIATION.....	\$ 1,303,400
4	Appropriated from:	
5	Interdepartmental grant revenues:	
6	IDG from LARA (LCC), liquor quality testing fees	2,800
7	Special revenue funds:	
8	Agricultural preservation fund.....	200
9	Agriculture equine industry development fund.....	93,600
10	Freshwater protection fund.....	100
11	Gasoline inspection testing fund.....	27,400
12	Licensing and inspection fees.....	28,300
13	Nonretail liquor fees.....	500
14	State general fund/general purpose.....	\$ 1,150,500
15	Sec. 105. FOOD AND DAIRY	
16	Full-time equated classified positions..... 104.0	
17	Food safety and quality assurance--81.0 FTE positions	\$ 9,931,600
18	Milk safety and quality assurance--23.0 FTE positions	<u>3,037,900</u>
19	GROSS APPROPRIATION.....	\$ 12,969,500
20	Appropriated from:	
21	Federal revenues:	
22	USDA, multiple grants.....	234,900
23	HHS-FDA.....	451,600
24	Special revenue funds:	
25	Consumer and industry food safety education fund	290,200
26	Dairy and food safety fund.....	3,006,600
27	State general fund/general purpose.....	\$ 8,986,200

1	Sec. 106. ANIMAL INDUSTRY	
2	Full-time equated classified positions.....	64.0
3	Animal disease prevention and response--64.0 FTE	
4	positions	\$ <u>8,889,400</u>
5	GROSS APPROPRIATION.....	\$ 8,889,400
6	Appropriated from:	
7	Federal revenues:	
8	USDA, multiple grants.....	1,233,500
9	HHS-FDA.....	40,600
10	Special revenue funds:	
11	Animal welfare fund.....	144,500
12	Licensing and inspection fees.....	113,100
13	State general fund/general purpose.....	\$ 7,357,700
14	Sec. 107. PESTICIDE AND PLANT PEST MANAGEMENT	
15	Full-time equated classified positions.....	99.0
16	Pesticide and plant pest management--88.0 FTE	
17	positions	\$ 10,612,700
18	Emerald ash borer control program--7.0 FTE positions .	1,822,600
19	Producer security/grain dealers--4.0 FTE positions ...	<u>543,400</u>
20	GROSS APPROPRIATION.....	\$ 12,978,700
21	Appropriated from:	
22	Federal revenues:	
23	USDA, multiple grants.....	2,942,100
24	EPA, multiple grants.....	738,800
25	HHS-FDA.....	109,200
26	Special revenue funds:	
27	Private - slow-the-spread foundation.....	83,300

1	Commodity inspection fees.....	832,400
2	Grain dealers fee fund.....	222,500
3	Horticulture fund.....	72,800
4	Industry support funds.....	336,300
5	Licensing and inspection fees.....	3,808,700
6	State general fund/general purpose.....	\$ 3,832,600
7	Sec. 108. ENVIRONMENTAL STEWARDSHIP	
8	Full-time equated classified positions.....	43.0
9	Environmental stewardship--18.0 FTE positions.....	\$ 6,133,800
10	Michigan agriculture environmental assurance program--	
11	3.0 FTE positions	552,600
12	Farmland and open space preservation--9.0 FTE	
13	positions	958,200
14	Local conservation districts.....	100
15	Migrant labor housing--6.0 FTE positions.....	1,162,300
16	Right-to-farm--3.0 FTE positions.....	519,000
17	Intercounty drain--4.0 FTE positions.....	<u>425,000</u>
18	GROSS APPROPRIATION.....	\$ 9,751,000
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	IDG from MDNRE, biosolids.....	100,000
22	Federal revenues:	
23	USDA, multiple grants.....	1,000,000
24	EPA, multiple grants.....	361,200
25	United States department of labor.....	471,800
26	Special revenue funds:	
27	Agricultural preservation fund.....	958,200

1	Agriculture pollution prevention fund.....		100
2	Freshwater protection fund.....		5,060,500
3	Migrant housing inspection fees.....		114,200
4	Migratory labor housing fund.....		29,000
5	State general fund/general purpose.....	\$	1,656,000
6	Sec. 109. LABORATORY PROGRAM		
7	Full-time equated classified positions.....	94.0	
8	Laboratory services--42.0 FTE positions.....	\$	5,564,600
9	USDA monitoring--13.0 FTE positions.....		2,452,000
10	Consumer protection program--39.0 FTE positions.....		<u>5,571,300</u>
11	GROSS APPROPRIATION.....	\$	13,587,900
12	Appropriated from:		
13	Interdepartmental grant revenues:		
14	IDG from LARA (LCC), liquor quality testing fees.....		194,800
15	Federal revenues:		
16	USDA, multiple grants.....		2,474,700
17	EPA, multiple grants.....		361,600
18	HHS-FDA.....		559,200
19	Special revenue funds:		
20	Agriculture equine industry development fund.....		557,800
21	Gasoline inspection and testing fund.....		2,720,400
22	Licensing and inspection fees.....		81,900
23	Refined petroleum fund.....		3,555,900
24	Testing fees.....		447,500
25	Weights and measures regulation fees.....		745,100
26	State general fund/general purpose.....	\$	1,889,000
27	Sec. 110. AGRICULTURE DEVELOPMENT		

1	Full-time equated classified positions.....	8.0	
2	Agriculture development--5.0 FTE positions.....		\$ 2,040,300
3	Grape and wine program--3.0 FTE positions.....		<u>736,300</u>
4	GROSS APPROPRIATION.....		\$ 2,776,600
5	Appropriated from:		
6	Federal revenues:		
7	USDA, multiple grants.....		1,513,500
8	Special revenue funds:		
9	Industry support funds.....		158,500
10	Nonretail liquor fees.....		678,700
11	State general fund/general purpose.....		\$ 425,900
12	Sec. 111. FAIRS AND EXPOSITIONS		
13	Full-time equated classified positions.....	3.0	
14	Fairs and racing--3.0 FTE positions.....		\$ 331,300
15	Purses and supplements - fairs/licensed tracks.....		611,400
16	Licensed tracks - light horse racing.....		34,100
17	Standardbred breeders' awards.....		250,000
18	Standardbred purses and supplements - licensed tracks		461,600
19	Standardbred sire stakes.....		209,000
20	Standardbred training and stabling.....		9,300
21	Thoroughbred owners' awards.....		31,900
22	Thoroughbred supplements - licensed tracks.....		309,600
23	Thoroughbred breeder's awards.....		309,600
24	Thoroughbred sire stakes.....		214,100
25	Distribution of outstanding winning tickets.....		<u>350,000</u>
26	GROSS APPROPRIATION.....		\$ 3,121,900
27	Appropriated from:		

1	Special revenue funds:	
2	Agriculture equine industry development fund.....	3,121,900
3	State general fund/general purpose.....	\$ 0
4	Sec. 112. CAPITAL OUTLAY	
5	Farmland and open space development acquisition.....	\$ <u>2,300,000</u>
6	GROSS APPROPRIATION.....	\$ 2,300,000
7	Appropriated from:	
8	Federal revenues:	
9	USDA, multiple grants.....	1,250,000
10	Special revenue funds:	
11	Agriculture preservation fund.....	1,050,000
12	State general fund/general purpose.....	\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2011-2012

GENERAL SECTIONS

17 Sec. 201. Pursuant to section 30 of article IX of the state
18 constitution of 1963, total state spending from state resources
19 under part 1 for fiscal year 2011-2012 is \$57,565,700.00 and state
20 spending from state resources to be paid to local units of
21 government for fiscal year 2011-2012 is \$1,500,000.00. The itemized
22 statement below identifies appropriations from which spending to
23 local units of government will occur:

DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

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

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

5 Sec. 203. As used in this article:

6 (a) "Department" means the department of agriculture and rural
7 development.

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

9 (c) "EPA" means the United States environmental protection
10 agency.

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

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

14 (f) "IDG" means interdepartmental grant.

15 (g) "LARA" means the Michigan department of licensing and
16 regulatory affairs.

17 (h) "MDEQ" means the Michigan department of environmental
18 quality.

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

20 Sec. 204. The civil service commission shall bill departments
21 and agencies at the end of the first fiscal quarter for the charges
22 authorized by section 5 of article XI of the state constitution of
23 1963. Payments shall be made for the total amount of the billing by
24 the end of the second fiscal quarter.

25 Sec. 206. (1) In addition to the funds appropriated in part 1,
26 there is appropriated an amount not to exceed \$5,000,000.00 for
27 federal 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 (2) In addition to the funds appropriated in part 1, there is
5 appropriated an amount not to exceed \$6,000,000.00 for state
6 restricted contingency funds. These funds are not available for
7 expenditure until they have been transferred to another line item
8 in this article under section 393(2) of the management and budget
9 act, 1984 PA 431, MCL 18.1393.

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

22 Sec. 207. (1) The department shall maintain a searchable
23 website accessible by the public at no cost that includes, but is
24 not limited to, all of the following:

- 25 (a) Fiscal year-to-date expenditures by category.
26 (b) Fiscal year-to-date expenditures by appropriation unit.
27 (c) Fiscal year-to-date payments to a selected vendor,

1 including the vendor name, payment date, payment amount, and
2 payment description.

3 (d) The number of active department employees by job
4 classification.

5 (e) Job specifications and wage rates.

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

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 shall 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. 228. Not later than November 15, the department shall
22 prepare and transmit a report that provides for estimates of the
23 total general fund/general purpose appropriation lapses at the
24 close of the fiscal year. This report shall summarize the projected
25 year-end general fund/general purpose appropriation lapses by major
26 departmental program or program areas. The report shall be
27 transmitted to the office of the state budget, the chairpersons of

1 the senate and house of representatives standing committees on
2 appropriations, and the senate and house fiscal agencies.

3 Sec. 229. Within 14 days after the release of the executive
4 budget recommendation, the department shall provide the state
5 budget director, the senate and house appropriations chairs, the
6 senate and house appropriations subcommittees on agriculture and
7 rural development, respectively, and the senate and house fiscal
8 agencies with an annual report on estimated state restricted fund
9 balances, state restricted fund projected revenues, and state
10 restricted fund expenditures for the fiscal years ending September
11 30, 2011 and September 30, 2012.

12 EXECUTIVE

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

18 (a) Management services publications.

19 (b) Management services audit and licensing functions.

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

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

23 (e) Laboratory support testing for testing horses in draft
24 horse pulling contests at county fairs when local jurisdictions
25 request state assistance.

26 (f) Laboratory support analyses to determine foreign

1 substances in horses engaged in racing or pulling contests at
2 tracks.

3 (g) Laboratory support analyses of food, livestock, and
4 agricultural products for disease, foreign products for disease,
5 toxic materials, foreign substances, and quality standards.

6 (h) Laboratory support test samples for other agencies and
7 organizations.

8 (i) Fruit and vegetable inspection at shipping and termination
9 points and processing plants.

10 (2) The department shall notify the senate and house
11 appropriations subcommittees on agriculture and the senate and
12 house fiscal agencies 30 days prior to proposing changes in fees
13 authorized under this section or under section 5 of 1915 PA 91, MCL
14 285.35.

15 (3) Annually, before February 1, the department shall provide
16 a report to the senate and house appropriations subcommittees on
17 agriculture and the senate and house fiscal agencies detailing all
18 the fees charged by the department under the authorization provided
19 in this section, including, but not limited to, rates, number of
20 individuals paying each fee, and the revenue generated by each fee
21 in the previous fiscal year.

22 Sec. 302. Of the funds appropriated in part 1 that are other
23 than line-item grants, the department shall not provide grants to
24 local government agencies, institutions of higher education, or
25 nonprofit organizations unless the department provides notice of
26 the grant to the senate and house appropriations subcommittees on
27 agriculture at least 10 days before the grant is issued. The grants

1 shall be used to support research or other related activities for
2 the purpose of enhancing the agricultural industries in this state.

3 **FOOD AND DAIRY**

4 Sec. 402. Not later than April 1, 2012, the department shall
5 provide a report to the senate and house appropriations
6 subcommittees on agriculture and the senate and house fiscal
7 agencies describing significant food-borne outbreaks and
8 emergencies, including any enforcement actions taken related to
9 food safety during the 2010-2011 fiscal year.

10 **ANIMAL INDUSTRY**

11 Sec. 450. From the funds appropriated in section 106 for the
12 bovine tuberculosis program, the department shall reimburse the
13 department of natural resources for those costs associated with
14 monitoring and testing wildlife for bovine tuberculosis that are
15 necessary to support the department goals and are jointly agreed to
16 by the department and the department of natural resources to be in
17 excess of efforts necessary to effectively plan and execute the
18 eradication of bovine tuberculosis from Michigan's wild free-
19 ranging deer herd.

20 Sec. 451. From the funds appropriated in section 106 for
21 bovine tuberculosis, the department shall pay for all whole herd
22 testing costs and individual animal testing costs in the modified
23 accredited zone to maintain split-state status requirements. These
24 costs include indemnity and compensation for injury causing death
25 or downer to animals.

1 Sec. 453. (1) Of the funds appropriated in part 1, the
2 department may provide for indemnity as provided for pursuant to
3 the animal industry act, 1988 PA 466, MCL 287.701 to 287.746, not
4 to exceed \$100,000.00 per order from any line item for the fiscal
5 year ending September 30, 2012. Before the department provides for
6 an indemnification under this section, the department shall report
7 the reason for the indemnification, the amount of the
8 indemnification, and to whom the indemnification is to be paid. The
9 report shall be given to each member of the senate and house
10 appropriations subcommittees on agriculture and to the senate and
11 house fiscal agencies and to the state budget director.

12 (2) The department of agriculture and rural development shall
13 make an indemnification payment for the fair market value of
14 livestock killed by a wolf, coyote, or cougar, if the kill is
15 verified by the department of natural resources. The fair market
16 value of the livestock shall be determined pursuant to the
17 indemnification procedures prescribed in the animal industry act,
18 1988 PA 466, MCL 287.701 to 287.745. In addition to the funds
19 appropriated in part 1, the department of agriculture and rural
20 development is authorized to expend the funds received from the
21 department of natural resources to reimburse the department of
22 agriculture and rural development for all indemnification payments
23 made pursuant to this subsection.

24 Sec. 454. The department shall use its resources to
25 collaborate with the United States department of agriculture to
26 obtain TB-free status for the area of the Lower Peninsula that is
27 zoned as modified accredited advanced. The department shall also

1 aggressively work toward eradicating bovine TB in the modified
2 accredited zone. The department shall also convene a workgroup to
3 work toward eradicating bovine TB in the modified accredited zone.

4 Sec. 456. Of the funds appropriated in part 1, no funds shall
5 be used to enforce the mandatory electronic animal identification
6 program for any domestic animals other than cattle until specific
7 procedures and guidelines for electronic animal identification are
8 outlined in statute.

9 Sec. 457. On or before October 15, 2011, and on a quarterly
10 basis thereafter, the department shall report to the senate and
11 house agriculture committees, the senate and house appropriations
12 subcommittees on agriculture, and the senate and house fiscal
13 agencies on the department's progress toward meeting the USDA
14 requirements as outlined in the March 2007 bovine TB program
15 review. The report shall include, but is not limited to,
16 information and data on: wildlife risk mitigation plan
17 implementation in the modified accredited zone; implementation of a
18 movement certificate process; progress toward annual surveillance
19 test requirements set out in the June 2007 MOU; efforts to work
20 with slaughter facilities in Michigan, as well as those that
21 slaughter a significant number of animals from Michigan;
22 educational programs and information for Michigan's livestock
23 community; any other item the legislature should be aware of that
24 will promote or hinder efforts to achieve bovine TB-free status for
25 Michigan.

26 Sec. 458. From the funds appropriated in section 106 for
27 animal industry, the department shall provide inspection and

1 testing of aquaculture facilities and aquaculture researchers as
2 provided under section 7 of the Michigan aquaculture development
3 act, 1996 PA 199, MCL 286.877. It is the intent of the legislature
4 that the department shall work with aquaculture facilities and
5 aquaculture researchers to identify, contain, and eradicate viral
6 hemorrhagic septicemia in this state.

7 **PESTICIDE AND PLANT PEST MANAGEMENT**

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

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

18 **ENVIRONMENTAL STEWARDSHIP**

19 Sec. 601. The part 1 appropriation line item environmental
20 stewardship shall be used to support department agriculture
21 pollution prevention programs, including groundwater and freshwater
22 protection programs under part 87 of the Michigan natural resources
23 and environmental protection act, 1994 PA 451, MCL 324.8701 to
24 324.8717, and technical assistance in implementing conservation
25 grants available under the federal farm bill of 2008.

1 Sec. 606. The department shall actively search for all
2 possible funding sources to be used to match federal funds in the
3 USDA environmental quality incentives program.

4 Sec. 607. (1) It is the intent of the legislature that the
5 department continue its activities in support of intercounty
6 drainage districts as provided in chapter 5 of the drain code of
7 1956, 1956 PA 40, MCL 280.101 to 280.106.

8 (2) The department shall work with representatives of
9 intercounty drainage districts to develop a mutually agreeable
10 method of funding department costs associated with the intercounty
11 drainage program.

12 AGRICULTURE DEVELOPMENT

13 Sec. 706. Not later than April 1, 2012, the department shall
14 provide a report to the senate and house appropriations
15 subcommittees on agriculture and the senate and house fiscal
16 agencies describing the department's agriculture development and
17 export market development activities. The report shall identify
18 grants awarded during the prior fiscal year, including a
19 description of federal or private funds made available as a result
20 of department activities.

21 Sec. 709. (1) Not later than April 1, 2012, the department
22 shall provide a report to the senate and house appropriations
23 subcommittees on agriculture and the senate and house fiscal
24 agencies describing the activities of the grape and wine industry
25 council established under section 303 of the Michigan liquor
26 control act of 1998, 1998 PA 58, MCL 436.1303.

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

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

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

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

10 **FAIRS AND EXPOSITIONS**

11 Sec. 801. All appropriations from the agricultural equine
12 industry development fund shall be spent on equine-related
13 purposes. No funds from the agriculture equine industry development
14 fund shall be expended for nonequine-related purposes without prior
15 approval of the legislature.

16 Sec. 802. All appropriations from the agriculture equine
17 industry development fund, except for the racing commission and
18 laboratory analysis program appropriations, shall be reduced
19 proportionately if revenues to the agriculture equine industry
20 development fund decline during the fiscal year ending September
21 30, 2011 to a level lower than the amounts appropriated in section
22 108.

23 Sec. 803. In the event there is no live thoroughbred race meet
24 in 2011 or 2012, all purse money and program money appropriated for
25 the thoroughbred industry in fiscal year 2010-2011 and fiscal year
26 2011-2012 shall be held in escrow for a period not to exceed 18

1 months, or until a thoroughbred race meet license is applied for
2 and granted by the Michigan gaming control board. In the event
3 there is no thoroughbred meet in 2011 or 2012, the purse pool
4 distribution order to be issued by the Michigan gaming control
5 board in 2012 that delineates distribution between the thoroughbred
6 meet that has been held at pinnacle race course and the joint
7 thoroughbred/quarterhorse meet held in Mt. Pleasant shall be the
8 same distribution formula as issued in 2011, with the thoroughbred
9 portion being held in escrow.

10 Sec. 804. The Michigan gaming control board shall use actual
11 expenditure data in determining the actual regulatory costs of
12 conducting racing dates and shall provide that data to the senate
13 and house of representatives appropriations subcommittees on
14 agriculture and general government and the senate and house fiscal
15 agencies. The Michigan gaming control board shall not be reimbursed
16 for more than the actual regulatory cost of conducting race dates.
17 If a certified horsemen's organization funds more than the actual
18 regulatory cost, the balance shall remain in the agriculture equine
19 industry development fund to be used to fund subsequent race dates
20 conducted by race meeting licensees with which the certified
21 horsemen's organization has contracts. If a certified horsemen's
22 organization funds less than the actual regulatory costs of the
23 additional horse racing dates, the Michigan gaming control board
24 shall reduce the number of future race dates conducted by race
25 meeting licensees with which the certified horsemen's organization
26 has contracts. Prior to the reduction in the number of authorized
27 race dates due to budget deficits, the executive director of the

1 Michigan gaming control board shall provide notice to the certified
2 horsemen's organizations with an opportunity to respond with
3 alternatives. In determining actual costs, the Michigan gaming
4 control board shall take into account that each specific breed may
5 require different regulatory mechanisms.

6 **CAPITAL OUTLAY**

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

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

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

1 PART 2A
2 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS
3 FOR FISCAL YEAR 2012-2013

4 **GENERAL SECTIONS**

5 Sec. 1201. It is the intent of the legislature to provide
6 appropriations for the fiscal year ending on September 30, 2013 for
7 the line items listed in part 1. The fiscal year 2012-2013
8 appropriations are anticipated to be the same as those for fiscal
9 year 2011-2012, except that the line items will be adjusted for
10 changes in caseload and related costs, federal fund match rates,
11 economic factors, and available revenue. These adjustments will be
12 determined after the January 2012 consensus revenue estimating
13 conference.

14 ARTICLE IV
15 DEPARTMENT OF COMMUNITY HEALTH
16 PART 1
17 LINE-ITEM APPROPRIATIONS
18 FOR FISCAL YEAR 2011-2012

19 Sec. 101. Subject to the conditions set forth in this article,
20 the amounts listed in this part are appropriated for the department
21 of community health for the fiscal year ending September 30, 2012,
22 from the funds indicated in this part. The following is a summary
23 of the appropriations in this part:

24 **DEPARTMENT OF COMMUNITY HEALTH**
25 **APPROPRIATION SUMMARY**

1	Full-time equated unclassified positions.....	6.0	
2	Full-time equated classified positions.....	3,634.2	
3	Average population	893.0	
4	GROSS APPROPRIATION.....		\$ 14,241,316,400
5	Interdepartmental grant revenues:		
6	Total interdepartmental grants and intradepartmental		
7	transfers		6,569,400
8	ADJUSTED GROSS APPROPRIATION.....		\$ 14,234,747,000
9	Federal revenues:		
10	Total federal revenues.....		8,986,611,000
11	Special revenue funds:		
12	Total local revenues.....		250,605,900
13	Total private revenues.....		96,494,700
14	Merit award trust fund.....		86,744,500
15	Total other state restricted revenues.....		2,043,107,400
16	State general fund/general purpose.....		\$ 2,771,183,500
17	Sec. 102. DEPARTMENTWIDE ADMINISTRATION		
18	Full-time equated unclassified positions.....	6.0	
19	Full-time equated classified positions.....	175.2	
20	Director and other unclassified--6.0 FTE positions ...		\$ 583,900
21	Departmental administration and management--165.2 FTE		
22	positions		21,787,400
23	Worker's compensation program.....		8,754,700
24	Rent and building occupancy.....		9,252,200
25	Developmental disabilities council and projects--10.0		
26	FTE positions		<u>2,855,700</u>
27	GROSS APPROPRIATION.....		\$ 43,233,900

1	Appropriated from:	
2	Federal revenues:	
3	Total federal revenues.....	13,632,700
4	Special revenue funds:	
5	Total private revenues.....	35,100
6	Total other state restricted revenues.....	749,500
7	State general fund/general purpose.....	\$ 28,816,600
8	Sec. 103. MENTAL HEALTH/SUBSTANCE ABUSE SERVICES	
9	ADMINISTRATION AND SPECIAL PROJECTS	
10	Full-time equated classified positions..... 111.5	
11	Mental health/substance abuse program administration--	
12	110.5 FTE positions	\$ 17,586,800
13	Gambling addiction--1.0 FTE position.....	3,000,000
14	Protection and advocacy services support.....	194,400
15	Community residential and support services.....	1,777,200
16	Federal and other special projects.....	2,497,200
17	Family support subsidy.....	19,470,500
18	Housing and support services.....	<u>9,306,800</u>
19	GROSS APPROPRIATION.....	\$ 53,832,900
20	Appropriated from:	
21	Federal revenues:	
22	Total federal revenues.....	37,101,600
23	Special revenue funds:	
24	Total private revenues.....	390,000
25	Total other state restricted revenues.....	3,000,000
26	State general fund/general purpose.....	\$ 13,341,300
27	Sec. 104. COMMUNITY MENTAL HEALTH/SUBSTANCE ABUSE	

1 **SERVICES PROGRAMS**

2	Full-time equated classified positions.....	9.5	
3	Medicaid mental health services.....		\$ 2,149,977,900
4	Community mental health non-Medicaid services.....		273,908,100
5	Medicaid adult benefits waiver.....		32,056,100
6	Mental health services for special populations.....		5,842,800
7	Medicaid substance abuse services.....		46,709,700
8	CMHSP, purchase of state services contracts.....		134,201,900
9	Civil service charges.....		1,499,300
10	Federal mental health block grant--2.5 FTE positions .		15,397,500
11	State disability assistance program substance abuse		
12	services		2,018,800
13	Community substance abuse prevention, education, and		
14	treatment programs		81,737,500
15	Children's waiver home care program.....		18,944,800
16	Nursing home PAS/ARR-OBRA--7.0 FTE positions.....		12,179,300
17	Children with serious emotional disturbance waiver...		<u>8,188,000</u>
18	GROSS APPROPRIATION.....		\$ 2,782,661,700
19	Appropriated from:		
20	Interdepartmental grant revenues:		
21	Interdepartmental grant from the department of human		
22	services		2,769,000
23	Federal revenues:		
24	Total federal revenues.....		1,584,568,500
25	Special revenue funds:		
26	Total local revenues.....		25,228,900
27	Total other state restricted revenues.....		22,314,900

1	State general fund/general purpose.....	\$ 1,147,780,400
2	Sec. 105. STATE PSYCHIATRIC HOSPITALS AND FORENSIC	
3	MENTAL HEALTH SERVICES	
4	Total average population	893.0
5	Full-time equated classified positions.....	2,194.2
6	Caro regional mental health center - psychiatric	
7	hospital - adult--468.3 FTE positions.....	\$ 56,772,200
8	Average population	185.0
9	Kalamazoo psychiatric hospital - adult--483.1 FTE	
10	positions	54,782,400
11	Average population	189.0
12	Walter P. Reuther psychiatric hospital - adult--433.3	
13	FTE positions	52,297,800
14	Average population	234.0
15	Hawthorn center - psychiatric hospital - children and	
16	adolescents--230.9 FTE positions.....	27,075,900
17	Average population	75.0
18	Center for forensic psychiatry--578.6 FTE positions ..	66,767,900
19	Average population	210.0
20	Revenue recapture.....	750,000
21	IDEA, federal special education.....	120,000
22	Special maintenance.....	332,500
23	Purchase of medical services for residents of	
24	hospitals and centers	445,600
25	Gifts and bequests for patient living and treatment	
26	environment	<u>1,000,000</u>
27	GROSS APPROPRIATION.....	\$ 260,344,300

1	Appropriated from:		
2	Interdepartmental grant revenues:		
3	Federal revenues:		
4	Total federal revenues.....		29,921,200
5	Special revenue funds:		
6	CMHSP, purchase of state services contracts.....		134,201,900
7	Other local revenues.....		17,494,500
8	Total private revenues.....		1,000,000
9	Total other state restricted revenues.....		15,948,400
10	State general fund/general purpose.....	\$	61,778,300
11	Sec. 106. PUBLIC HEALTH ADMINISTRATION		
12	Full-time equated classified positions.....	91.7	
13	Public health administration--7.3 FTE positions.....	\$	1,557,200
14	Healthy Michigan fund programs.....		5,000,000
15	Minority health grants and contracts--3.0 FTE		
16	positions.....		612,700
17	Promotion of healthy behaviors.....		975,900
18	Vital records and health statistics--81.4 FTE		
19	positions.....		<u>9,442,800</u>
20	GROSS APPROPRIATION.....	\$	17,588,600
21	Appropriated from:		
22	Interdepartmental grant revenues:		
23	Interdepartmental grant from the department of human		
24	services.....		1,171,500
25	Federal revenues:		
26	Total federal revenues.....		4,887,900
27	Special revenue funds:		

1	Total private revenues.....	300,000
2	Total other state restricted revenues.....	9,974,700
3	State general fund/general purpose.....	\$ 1,254,500
4	Sec. 107. HEALTH POLICY	
5	Full-time equated classified positions.....	66.8
6	Emergency medical services program state staff--	23.0
7	FTE positions	\$ 4,850,300
8	Emergency medical services grants and services.....	660,000
9	Health policy administration--24.4 FTE positions.....	4,150,800
10	Nurse education and research program--3.0 FTE	
11	positions	744,200
12	Certificate of need program administration--14.0 FTE	
13	positions	2,071,100
14	Rural health services--1.0 FTE position.....	1,410,300
15	Michigan essential health provider.....	872,700
16	Primary care services--1.4 FTE positions.....	<u>2,886,900</u>
17	GROSS APPROPRIATION.....	\$ 17,646,300
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	Interdepartmental grant from the department of	
21	treasury, Michigan state hospital finance authority.	116,300
22	Interdepartmental grant from the department of	
23	licensing and regulatory affairs.....	2,040,700
24	Federal revenues:	
25	Total federal revenues.....	5,432,600
26	Special revenue funds:	
27	Total local revenues.....	100,000

1	Total private revenues.....	255,000
2	Total other state restricted revenues.....	6,232,600
3	State general fund/general purpose.....	\$ 3,469,100
4	Sec. 108. INFECTIOUS DISEASE CONTROL	
5	Full-time equated classified positions.....	50.7
6	AIDS prevention, testing, and care programs--	12.7 FTE
7	positions	\$ 59,449,300
8	Immunization local agreements.....	11,975,200
9	Immunization program management and field support--	
10	15.0 FTE positions	1,786,300
11	Pediatric AIDS prevention and control--	1.0 FTE
12	position	1,231,400
13	Sexually transmitted disease control local agreements	3,360,700
14	Sexually transmitted disease control management and	
15	field support--22.0 FTE positions.....	<u>3,743,300</u>
16	GROSS APPROPRIATION.....	\$ 81,546,200
17	Appropriated from:	
18	Federal revenues:	
19	Total federal revenues.....	43,541,200
20	Special revenue funds:	
21	Total private revenues.....	27,707,700
22	Total other state restricted revenues.....	7,470,600
23	State general fund/general purpose.....	\$ 2,826,700
24	Sec. 109. LABORATORY SERVICES	
25	Full-time equated classified positions.....	111.0
26	Laboratory services--111.0 FTE positions.....	\$ <u>17,183,900</u>
27	GROSS APPROPRIATION.....	\$ 17,183,900

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	Interdepartmental grant from the department of	
4	environmental quality	471,900
5	Federal revenues:	
6	Total federal revenues.....	2,092,300
7	Special revenue funds:	
8	Total other state restricted revenues.....	8,267,600
9	State general fund/general purpose.....	\$ 6,352,100
10	Sec. 110. EPIDEMIOLOGY	
11	Full-time equated classified positions.....	126.7
12	AIDS surveillance and prevention program.....	\$ 2,254,100
13	Asthma prevention and control--2.6 FTE positions.....	856,900
14	Bioterrorism preparedness--66.6 FTE positions.....	49,286,900
15	Epidemiology administration--40.0 FTE positions.....	8,202,000
16	Lead abatement program--7.0 FTE positions.....	2,647,700
17	Newborn screening follow-up and treatment services--	
18	10.5 FTE positions	5,337,800
19	Tuberculosis control and prevention.....	<u>867,000</u>
20	GROSS APPROPRIATION.....	\$ 69,452,400
21	Appropriated from:	
22	Federal revenues:	
23	Total federal revenues.....	61,271,300
24	Special revenue funds:	
25	Total private revenues.....	25,000
26	Total other state restricted revenues.....	6,367,900
27	State general fund/general purpose.....	\$ 1,788,200

1	Sec. 111. LOCAL HEALTH ADMINISTRATION AND GRANTS		
2	Full-time equated classified positions.....	2.0	
3	Essential local public health services.....		\$ 37,386,100
4	Implementation of 1993 PA 133, MCL 333.17015.....		20,000
5	Local health services--2.0 FTE positions.....		500,000
6	Medicaid outreach cost reimbursement to local health		
7	departments		<u>9,000,000</u>
8	GROSS APPROPRIATION.....		\$ 46,906,100
9	Appropriated from:		
10	Federal revenues:		
11	Total federal revenues.....		9,500,000
12	Special revenue funds:		
13	Total local revenues.....		5,150,000
14	State general fund/general purpose.....		\$ 32,256,100
15	Sec. 112. CHRONIC DISEASE AND INJURY PREVENTION AND		
16	HEALTH PROMOTION		
17	Full-time equated classified positions.....	75.5	
18	Cancer prevention and control program--12.0 FTE		
19	positions		\$ 14,298,200
20	Chronic disease control and health promotion		
21	administration--33.4 FTE positions.....		5,950,100
22	Diabetes and kidney program--12.2 FTE positions.....		1,777,600
23	Public health traffic safety coordination--1.0 FTE		
24	position		87,500
25	Smoking prevention program--14.0 FTE positions.....		2,075,000
26	Violence prevention--2.9 FTE positions.....		<u>2,123,200</u>
27	GROSS APPROPRIATION.....		\$ 26,311,600

1	Appropriated from:		
2	Federal revenues:		
3	Total federal revenues.....		23,884,200
4	Special revenue funds:		
5	Total private revenues.....		61,600
6	Total other state restricted revenues.....		649,700
7	State general fund/general purpose.....	\$	1,716,100
8	Sec. 113. FAMILY, MATERNAL, AND CHILDREN'S HEALTH		
9	SERVICES		
10	Full-time equated classified positions.....	55.1	
11	Childhood lead program--6.0 FTE positions.....		\$ 1,598,400
12	Dental programs--3.0 FTE positions.....		992,000
13	Dental program for persons with developmental		
14	disabilities		151,000
15	Family, maternal, and children's health services		
16	administration--43.6 FTE positions.....		6,047,700
17	Family planning local agreements.....		9,085,700
18	Local MCH services.....		7,018,100
19	Pregnancy prevention program.....		602,100
20	Prenatal care outreach and service delivery support ..		3,794,200
21	Special projects--2.5 FTE positions.....		8,397,800
22	Sudden infant death syndrome program.....		<u>321,300</u>
23	GROSS APPROPRIATION.....	\$	38,008,300
24	Appropriated from:		
25	Federal revenues:		
26	Total federal revenues.....		32,846,800
27	Special revenue funds:		

1	Total local revenues.....		75,000
2	State general fund/general purpose.....	\$	5,086,500
3	Sec. 114. WOMEN, INFANTS, AND CHILDREN FOOD AND		
4	NUTRITION PROGRAM		
5	Full-time equated classified positions.....	45.0	
6	Women, infants, and children program administration		
7	and special projects--45.0 FTE positions.....	\$	15,900,800
8	Women, infants, and children program local agreements		
9	and food costs		<u>253,825,500</u>
10	GROSS APPROPRIATION.....	\$	269,726,300
11	Appropriated from:		
12	Federal revenues:		
13	Total federal revenues.....		211,112,500
14	Special revenue funds:		
15	Total private revenues.....		58,613,800
16	State general fund/general purpose.....	\$	0
17	Sec. 115. CHILDREN'S SPECIAL HEALTH CARE SERVICES		
18	Full-time equated classified positions.....	47.8	
19	Children's special health care services		
20	administration--45.0 FTE positions.....	\$	5,245,700
21	Bequests for care and services--2.8 FTE positions....		1,511,400
22	Outreach and advocacy.....		3,773,500
23	Nonemergency medical transportation.....		2,679,300
24	Medical care and treatment.....		<u>294,056,500</u>
25	GROSS APPROPRIATION.....	\$	307,266,400
26	Appropriated from:		
27	Federal revenues:		

1	Total federal revenues.....	175,308,200
2	Special revenue funds:	
3	Total private revenues.....	996,800
4	Total other state restricted revenues.....	3,843,600
5	State general fund/general purpose.....	\$ 127,117,800
6	Sec. 116. CRIME VICTIM SERVICES COMMISSION	
7	Full-time equated classified positions.....	13.0
8	Grants administration services--13.0 FTE positions ...	\$ 1,811,300
9	Justice assistance grants.....	19,106,100
10	Crime victim rights services grants.....	<u>16,570,000</u>
11	GROSS APPROPRIATION.....	\$ 37,487,400
12	Appropriated from:	
13	Federal revenues:	
14	Total federal revenues.....	23,467,200
15	Special revenue funds:	
16	Total other state restricted revenues.....	14,020,200
17	State general fund/general purpose.....	\$ 0
18	Sec. 117. OFFICE OF SERVICES TO THE AGING	
19	Full-time equated classified positions.....	43.5
20	Office of services to aging administration--43.5 FTE	
21	positions	\$ 6,408,800
22	Community services.....	35,314,400
23	Nutrition services.....	35,430,200
24	Foster grandparent volunteer program.....	2,233,600
25	Retired and senior volunteer program.....	627,300
26	Senior companion volunteer program.....	1,604,400
27	Employment assistance.....	3,792,500

1	Respite care program.....		<u>5,868,700</u>
2	GROSS APPROPRIATION.....	\$	91,279,900
3	Appropriated from:		
4	Federal revenues:		
5	Total federal revenues.....		57,159,200
6	Special revenue funds:		
7	Total private revenues.....		677,500
8	Merit award trust fund.....		4,468,700
9	Total other state restricted revenues.....		1,400,000
10	State general fund/general purpose.....	\$	27,574,500
11	Sec. 118. MEDICAL SERVICES ADMINISTRATION		
12	Full-time equated classified positions.....	415.0	
13	Medical services administration--415.0 FTE positions .	\$	65,057,000
14	Facility inspection contract.....		132,800
15	MIChild administration.....		<u>4,327,800</u>
16	GROSS APPROPRIATION.....	\$	69,517,600
17	Appropriated from:		
18	Federal revenues:		
19	Total federal revenues.....		47,476,900
20	Special revenue funds:		
21	Total local revenues.....		105,900
22	Total private revenues.....		100,000
23	Total other state restricted revenues.....		110,100
24	State general fund/general purpose.....	\$	21,724,700
25	Sec. 119. MEDICAL SERVICES		
26	Hospital services and therapy.....	\$	1,273,299,300
27	Hospital disproportionate share payments.....		45,000,000

1	Physician services.....	303,223,900
2	Medicare premium payments.....	409,169,400
3	Pharmaceutical services.....	338,717,500
4	Home health services.....	6,791,100
5	Hospice services.....	139,637,700
6	Transportation.....	16,009,800
7	Auxiliary medical services.....	6,252,100
8	Dental services.....	162,930,800
9	Ambulance services.....	10,900,000
10	Long-term care services.....	1,686,454,600
11	Medicaid home- and community-based services waiver...	229,921,000
12	Adult home help services.....	289,032,800
13	Personal care services.....	14,421,500
14	Program of all-inclusive care for the elderly.....	30,707,800
15	Health plan services.....	4,093,812,400
16	MIChild program.....	51,753,100
17	Plan first family planning waiver.....	13,089,200
18	Medicaid adult benefits waiver.....	105,877,700
19	Special indigent care payments.....	88,518,500
20	Federal Medicare pharmaceutical program.....	185,599,300
21	Maternal and child health.....	20,279,500
22	Subtotal basic medical services program.....	9,521,399,000
23	School-based services.....	91,296,500
24	Special Medicaid reimbursement.....	339,382,000
25	Subtotal special medical services payments.....	<u>430,678,500</u>
26	GROSS APPROPRIATION.....	\$ 9,952,077,500
27	Appropriated from:	

1	Federal revenues:	
2	Total federal revenues.....	6,579,215,500
3	Special revenue funds:	
4	Total local revenues.....	68,249,700
5	Total private revenues.....	6,332,200
6	Merit award trust fund.....	82,275,800
7	Total other state restricted revenues.....	1,940,891,700
8	State general fund/general purpose.....	\$ 1,275,112,600
9	Sec. 120. INFORMATION TECHNOLOGY	
10	Information technology services and projects.....	\$ 33,521,400
11	Michigan Medicaid information system.....	<u>25,723,700</u>
12	GROSS APPROPRIATION.....	\$ 59,245,100
13	Appropriated from:	
14	Federal revenues:	
15	Total federal revenues.....	44,191,200
16	Special revenue funds:	
17	Total other state restricted revenues.....	1,865,900
18	State general fund/general purpose.....	\$ 13,188,000

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

GENERAL SECTIONS

23 Sec. 201. Pursuant to section 30 of article IX of the state
 24 constitution of 1963, total state spending from state resources
 25 under part 1 for fiscal year 2011-2012 is \$4,901,035,400.00 and

1 state spending from state resources to be paid to local units of
 2 government for fiscal year 2011-2012 is \$1,417,739,700.00. The
 3 itemized statement below identifies appropriations from which
 4 spending to local units of government will occur:

5 DEPARTMENT OF COMMUNITY HEALTH

6 MENTAL HEALTH/SUBSTANCE ABUSE SERVICES ADMINISTRATION

7 AND SPECIAL PROJECTS

8 Community residential and support services \$ 258,500

9 Housing and support services 599,800

10 COMMUNITY MENTAL HEALTH/SUBSTANCE ABUSE SERVICES PROGRAMS

11 State disability assistance program substance abuse

12 services \$ 2,018,000

13 Community substance abuse prevention, education, and

14 treatment programs 14,576,700

15 Medicaid mental health services 702,753,600

16 Community mental health non-Medicaid services 273,908,100

17 Mental health services for special populations 5,842,800

18 Medicaid adult benefits waiver 10,854,200

19 Medicaid substance abuse services 15,815,900

20 Children's waiver home care program 5,906,800

21 Nursing home PASARR 2,717,200

22 HEALTH POLICY, REGULATION, AND PROFESSIONS

23 Primary care services \$ 88,900

24 INFECTIOUS DISEASE CONTROL

25 AIDS prevention, testing, and care programs \$ 1,000,000

26 Sexually transmitted disease control local agreements 175,200

27 LABORATORY SERVICES

1	Laboratory services.....	\$	13,700
2	LOCAL HEALTH ADMINISTRATION AND GRANTS		
3	Implementation of 1993 PA 133, MCL 333.17015	\$	8,000
4	Essential local public health services		32,256,100
5	CHRONIC DISEASE AND INJURY PREVENTION AND HEALTH PROMOTION		
6	Cancer prevention and control program.....	\$	450,000
7	Chronic disease control and health promotion		
8	administration		75,000
9	FAMILY, MATERNAL, AND CHILDREN'S HEALTH SERVICES		
10	Childhood lead program.....	\$	51,100
11	Prenatal care outreach and service delivery support ..		1,500,000
12	CHILDREN'S SPECIAL HEALTH CARE SERVICES		
13	Medical care and treatment.....	\$	1,409,900
14	Outreach and advocacy.....		1,237,500
15	MEDICAL SERVICES		
16	Dental services.....	\$	2,536,000
17	Long-term care services.....		285,952,300
18	Transportation.....		2,971,900
19	Medicaid adult benefits waiver.....		6,246,800
20	Hospital services and therapy.....		4,965,500
21	Physician services.....		3,774,800
22	OFFICE OF SERVICES TO THE AGING		
23	Community services.....	\$	12,233,500
24	Nutrition services.....		8,787,000
25	Foster grandparent volunteer program.....		679,800
26	Retired and senior volunteer program.....		175,000
27	Senior companion volunteer program.....		215,000

1	Respite care program.....	5,384,800
2	CRIME VICTIM SERVICES COMMISSION	
3	Crime victim rights services grants.....	\$ <u>10,300,000</u>
4	TOTAL OF PAYMENTS TO LOCAL UNITS	
5	OF GOVERNMENT.....	\$ 1,417,739,700

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

9 Sec. 203. As used in this article:

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

11 (b) "CMHSP" means a community mental health services program
12 as that term is defined in section 100a of the mental health code,
13 1974 PA 258, MCL 330.1100a.

14 (c) "Current fiscal year" means the fiscal year ending
15 September 30, 2012.

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

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

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

19 (g) "EPSDT" means early and periodic screening, diagnosis, and
20 treatment.

21 (h) "Federal health care reform legislation" means the patient
22 protection and affordable care act, Public Law 111-148, and the
23 health care and education reconciliation act of 2010, Public Law
24 111-152.

25 (i) "Federal poverty level" means the poverty guidelines
26 published annually in the federal register by the United States
27 department of health and human services under its authority to

1 revise the poverty line under 42 USC 9902.

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

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

6 (l) "HEDIS" means healthcare effectiveness data and information
7 set.

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

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

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

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

13 (q) "MIChild" means the program described in section 1670.

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

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

23 (t) "Title XVIII" and "Medicare" mean title XVIII of the
24 social security act, 42 USC 1395 to 1395kkk.

25 (u) "Title XIX" and "Medicaid" mean title XIX of the social
26 security act, 42 USC 1396 to 1396w-5.

27 (v) "Title XX" means title XX of the social security act, 42

1 USC 1397 to 1397m-5.

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

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

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

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

26 Sec. 208. Unless otherwise specified, the departments shall
27 use the Internet to fulfill the reporting requirements of this

1 article. This requirement may include transmission of reports via
2 electronic mail to the recipients identified for each reporting
3 requirement, or it may include placement of reports on the Internet
4 or Intranet site.

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

15 Sec. 210. The director shall take all reasonable steps to
16 ensure that businesses in deprived and depressed communities
17 compete for and perform contracts to provide services or supplies,
18 or both. The director shall strongly encourage firms with which the
19 department contracts to subcontract with certified businesses in
20 depressed and deprived communities for services, supplies, or both.

21 Sec. 211. If the revenue collected by the department from fees
22 and collections exceeds the amount appropriated in part 1, the
23 revenue may be carried forward with the approval of the state
24 budget director into the subsequent fiscal year. The revenue
25 carried forward under this section shall be used as the first
26 source of funds in the subsequent fiscal year.

27 Sec. 212. (1) On or before February 1 of the current fiscal

1 year, the department shall report to the house and senate
2 appropriations subcommittees on community health, the house and
3 senate fiscal agencies, and the state budget director on the
4 detailed name and amounts of federal, restricted, private, and
5 local sources of revenue that support the appropriations in each of
6 the line items in part 1.

7 (2) Upon the release of the next fiscal year executive budget
8 recommendation, the department shall report to the same parties in
9 subsection (1) on the amounts and detailed sources of federal,
10 restricted, private, and local revenue proposed to support the
11 total funds appropriated in each of the line items in part 1 of the
12 next fiscal year executive budget proposal.

13 Sec. 213. The state departments, agencies, and commissions
14 receiving tobacco tax funds and healthy Michigan funds from part 1
15 shall report by April 1 of the current fiscal year to the senate
16 and house appropriations committees, the senate and house fiscal
17 agencies, and the state budget director on the following:

18 (a) Detailed spending plan by appropriation line item
19 including description of programs and a summary of organizations
20 receiving these funds.

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

23 (c) Eligibility criteria for program participation and maximum
24 benefit levels where applicable.

25 (d) Outcome measures used to evaluate programs, including
26 measures of the effectiveness of these programs in improving the
27 health of Michigan residents.

1 (e) Any other information considered necessary by the house of
2 representatives or senate appropriations committees or the state
3 budget director.

4 Sec. 215. (1) The department shall report to the house and
5 senate appropriations subcommittees on the budget for the
6 department, the joint committee on administrative rules, and the
7 senate and house fiscal agencies by no later than April 1 of the
8 current fiscal year on each specific policy change made by the
9 department to implement a public act affecting that department that
10 took effect during the preceding calendar year.

11 (2) Funds appropriated in part 1 shall not be used by the
12 department to adopt a rule that will apply to a small business and
13 that will have a disproportionate economic impact on small
14 businesses because of the size of those businesses if the
15 department fails to reduce the disproportionate economic impact of
16 the rule on small businesses as provided under section 40 of the
17 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

18 (3) As used in this section:

19 (a) "Rule" means that term as defined under section 7 of the
20 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

21 (b) "Small business" means that term as defined under section
22 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
23 24.207a.

24 Sec. 216. (1) In addition to funds appropriated in part 1 for
25 all programs and services, there is appropriated for write-offs of
26 accounts receivable, deferrals, and for prior year obligations in
27 excess of applicable prior year appropriations, an amount equal to

1 total write-offs and prior year obligations, but not to exceed
2 amounts available in prior year revenues.

3 (2) The department's ability to satisfy appropriation
4 deductions in part 1 shall not be limited to collections and
5 accruals pertaining to services provided in the current fiscal
6 year, but shall also include reimbursements, refunds, adjustments,
7 and settlements from prior years.

8 Sec. 218. The department shall include the following in its
9 annual list of proposed basic health services as required in part
10 23 of the public health code, 1978 PA 368, MCL 333.2301 to
11 333.2321:

12 (a) Immunizations.

13 (b) Communicable disease control.

14 (c) Sexually transmitted disease control.

15 (d) Tuberculosis control.

16 (e) Prevention of gonorrhoea eye infection in newborns.

17 (f) Screening newborns for the conditions listed in section
18 5431 of the public health code, 1978 PA 368, MCL 333.5431, or
19 recommended by the newborn screening quality assurance advisory
20 committee created under section 5430 of the public health code,
21 1978 PA 368, MCL 333.5430.

22 (g) Community health annex of the Michigan emergency
23 management plan.

24 (h) Prenatal care.

25 Sec. 219. (1) The department may contract with the Michigan
26 public health institute for the design and implementation of
27 projects and for other public health-related activities prescribed

1 in section 2611 of the public health code, 1978 PA 368, MCL
2 333.2611. The department may develop a master agreement with the
3 institute to carry out these purposes for up to a 3-year period.
4 The department shall report to the house and senate appropriations
5 subcommittees on community health, the house and senate fiscal
6 agencies, and the state budget director on or before January 1 of
7 the current fiscal year all of the following:

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

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

12 (c) The expected project duration.

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

16 (2) On or before September 30 of the current fiscal year, the
17 department shall provide to the same parties listed in subsection
18 (1) a copy of all reports, studies, and publications produced by
19 the Michigan public health institute, its subcontractors, or the
20 department with the funds appropriated in part 1 and allocated to
21 the Michigan public health institute.

22 Sec. 223. The department may establish and collect fees for
23 publications, videos and related materials, conferences, and
24 workshops. Collected fees shall be used to offset expenditures to
25 pay for printing and mailing costs of the publications, videos and
26 related materials, and costs of the workshops and conferences. The
27 department shall not collect fees under this section that exceed

1 the cost of the expenditures.

2 Sec. 259. From the funds appropriated in part 1 for
3 information technology, departments and agencies shall pay user
4 fees to the department of technology, management, and budget for
5 technology-related services and projects. The user fees shall be
6 subject to provisions of an interagency agreement between the
7 department and agencies and the department of technology,
8 management, and budget.

9 Sec. 264. (1) Upon submission of a Medicaid waiver, a Medicaid
10 state plan amendment, or a similar proposal to the centers for
11 Medicare and Medicaid services, the department shall notify the
12 house and senate appropriations subcommittees on community health
13 and the house and senate fiscal agencies of the submission.

14 (2) The department shall provide written or verbal biannual
15 reports to the senate and house appropriations subcommittees on
16 community health and the senate and house fiscal agencies
17 summarizing the status of any new or ongoing discussions with the
18 centers for Medicare and Medicaid services or the federal
19 department of health and human services regarding potential or
20 future Medicaid waiver applications.

21 Sec. 265. The department and agencies receiving appropriations
22 in part 1 shall receive and retain copies of all reports funded
23 from appropriations in part 1. Federal and state guidelines for
24 short-term and long-term retention of records shall be followed.
25 The department may electronically retain copies of reports unless
26 otherwise required by federal and state guidelines.

27 Sec. 266. (1) Due to the current budgetary problems in this

1 state, out-of-state travel for the fiscal year ending September 30,
2 2012 shall be limited to situations in which 1 or more of the
3 following conditions apply:

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

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

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

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

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

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

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

24 Sec. 267. 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. 270. Within 180 days after receipt of the notification

1 from the attorney general's office of a legal action in which
2 expenses had been recovered pursuant to section 106(4) of the
3 social welfare act, 1939 PA 280, MCL 400.106, or any other statute
4 under which the department has the right to recover expenses, the
5 department shall submit a written report to the house and senate
6 appropriations subcommittees on community health, the house and
7 senate fiscal agencies, and the state budget office which includes,
8 at a minimum, all of the following:

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

10 (b) The program or service for which the money was originally
11 expended.

12 (c) Details on the disposition of the funds recovered such as
13 the appropriation or revenue account in which the money was
14 deposited.

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

16 Sec. 276. Funds appropriated in part 1 shall not be used by a
17 principal executive department, state agency, or authority to hire
18 a person to provide legal services that are the responsibility of
19 the attorney general. This prohibition does not apply to legal
20 services for bonding activities and for those activities that the
21 attorney general authorizes.

22 Sec. 282. (1) The department, through its organizational units
23 responsible for departmental administration, operation, and
24 finance, shall establish uniform definitions, standards, and
25 instructions for the classification, allocation, assignment,
26 calculation, recording, and reporting of administrative costs by
27 the following entities:

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

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

6 (2) By May 15 of the current fiscal year, the department shall
7 provide a written draft of its proposed definitions, standards, and
8 instructions to the house of representatives and senate
9 appropriations subcommittees on community health, the house and
10 senate fiscal agencies, and the state budget director.

11 Sec. 287. Not later than November 15, 2011, the department
12 shall prepare and transmit a report that provides for estimates of
13 the total general fund/general purpose appropriation lapses at the
14 close of the previous fiscal year. This report shall summarize the
15 projected year-end general fund/general purpose appropriation
16 lapses by major departmental program or program areas. The report
17 shall be transmitted to the office of the state budget, the
18 chairpersons of the senate and house of representatives standing
19 appropriations committees, and the senate and house fiscal
20 agencies.

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

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

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

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

1 payment description.

2 (d) The number of active department employees by job
3 classification.

4 (e) Job specifications and wage rates.

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

8 Sec. 294. 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. 295. The department shall explore program and other
16 service areas, including eligibility determination, where
17 privatization may lead to increased efficiencies and budgetary
18 savings.

19 Sec. 296. 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 on community health,
23 respectively, and the senate and house fiscal agencies with an
24 annual report on estimated state restricted fund balances, state
25 restricted fund projected revenues, and state restricted fund
26 expenditures for the fiscal years ending September 30, 2011 and
27 September 30, 2012.

1 COMMUNITY MENTAL HEALTH/SUBSTANCE ABUSE SERVICES PROGRAMS

2 Sec. 401. Funds appropriated in part 1 are intended to support
3 a system of comprehensive community mental health services under
4 the full authority and responsibility of local CMHSPs or PIHPs. The
5 department shall ensure that each CMHSP or PIHP provides all of the
6 following:

7 (a) A system of single entry and single exit.

8 (b) A complete array of mental health services that includes,
9 but is not limited to, all of the following services: residential
10 and other individualized living arrangements, outpatient services,
11 acute inpatient services, and long-term, 24-hour inpatient care in
12 a structured, secure environment.

13 (c) The coordination of inpatient and outpatient hospital
14 services through agreements with state-operated psychiatric
15 hospitals, units, and centers in facilities owned or leased by the
16 state, and privately-owned hospitals, units, and centers licensed
17 by the state pursuant to sections 134 through 149b of the mental
18 health code, 1974 PA 258, MCL 330.1134 to 330.1149b.

19 (d) Individualized plans of service that are sufficient to
20 meet the needs of individuals, including those discharged from
21 psychiatric hospitals or centers, and that ensure the full range of
22 recipient needs is addressed through the CMHSP's or PIHP's program
23 or through assistance with locating and obtaining services to meet
24 these needs.

25 (e) A system of case management or care management to monitor
26 and ensure the provision of services consistent with the

1 individualized plan of services or supports.

2 (f) A system of continuous quality improvement.

3 (g) A system to monitor and evaluate the mental health
4 services provided.

5 (h) A system that serves at-risk and delinquent youth as
6 required under the provisions of the mental health code, 1974 PA
7 258, MCL 330.1001 to 330.2106.

8 Sec. 402. (1) From funds appropriated in part 1, final
9 authorizations to CMHSPs or PIHPs shall be made upon the execution
10 of contracts between the department and CMHSPs or PIHPs. The
11 contracts shall contain an approved plan and budget as well as
12 policies and procedures governing the obligations and
13 responsibilities of both parties to the contracts. Each contract
14 with a CMHSP or PIHP that the department is authorized to enter
15 into under this subsection shall include a provision that the
16 contract is not valid unless the total dollar obligation for all of
17 the contracts between the department and the CMHSPs or PIHPs
18 entered into under this subsection for the current fiscal year does
19 not exceed the amount of money appropriated in part 1 for the
20 contracts authorized under this subsection.

21 (2) The department shall immediately report to the senate and
22 house appropriations subcommittees on community health, the senate
23 and house fiscal agencies, and the state budget director if either
24 of the following occurs:

25 (a) Any new contracts with CMHSPs or PIHPs that would affect
26 rates or expenditures are enacted.

27 (b) Any amendments to contracts with CMHSPs or PIHPs that

1 would affect rates or expenditures are enacted.

2 (3) The report required by subsection (2) shall include
3 information about the changes and their effects on rates and
4 expenditures.

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

10 (2) Funds appropriated in part 1 for mental health services
11 for special populations shall not be utilized for services provided
12 to illegal immigrants, fugitive felons, and individuals who are not
13 residents of this state. The department shall maintain contracts
14 with recipients of multicultural services grants that mandate
15 grantees establish that recipients of services are legally residing
16 in the United States. An exception to the contractual provision
17 shall be allowed to address individuals presenting with emergent
18 mental health conditions.

19 (3) The department shall require an annual report from the
20 independent organizations that receive mental health services for
21 special populations funding. The annual report, due January 1 of
22 the current fiscal year, shall include specific information on
23 services and programs provided, the client base to which the
24 services and programs were provided, information on any wrap around
25 services provided, and the expenditures for those services. The
26 department shall provide the annual reports to the senate and house
27 appropriations subcommittees on community health and the senate and

1 house fiscal agencies.

2 Sec. 404. (1) Not later than May 31 of the current fiscal
3 year, the department shall provide a report on the community mental
4 health services programs to the members of the house and senate
5 appropriations subcommittees on community health, the house and
6 senate fiscal agencies, and the state budget director that includes
7 the information required by this section.

8 (2) The report shall contain information for each CMHSP or
9 PIHP and a statewide summary, each of which shall include at least
10 the following information:

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

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

15 (c) Financial information that, minimally, includes a
16 description of funding authorized; expenditures by client group and
17 fund source; and cost information by service category, including
18 administration. Service category includes all department-approved
19 services.

20 (d) Data describing service outcomes that includes, but is not
21 limited to, an evaluation of consumer satisfaction, consumer
22 choice, and quality of life concerns including, but not limited to,
23 housing and employment.

24 (e) Information about access to community mental health
25 services programs that includes, but is not limited to, the
26 following:

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

1 (ii) The number of people who requested services but did not
2 receive services.

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

5 (g) An analysis of information provided by CMHSPs in response
6 to the needs assessment requirements of the mental health code,
7 1974 PA 258, MCL 330.1001 to 330.2106, including information about
8 the number of individuals in the service delivery system who have
9 requested and are clinically appropriate for different services.

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

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

15 (i) The amount of the contract, organized by type of service
16 provided.

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

18 (iii) Administrative costs for services provided to CMHSPs or
19 PIHPs.

20 (j) Information on the community mental health Medicaid
21 managed care program, including, but not limited to, both of the
22 following:

23 (i) Expenditures by each CMHSP or PIHP organized by Medicaid
24 eligibility group, including per eligible individual expenditure
25 averages.

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

1 (k) An estimate of the number of direct care workers in local
2 residential settings and paraprofessional and other nonprofessional
3 direct care workers in settings where skill building, community
4 living supports and training, and personal care services are
5 provided by CMHSPs or PIHPs as of September 30 of the prior fiscal
6 year employed directly or through contracts with provider
7 organizations.

8 (3) The department shall include data reporting requirements
9 listed in subsection (2) in the annual contract with each
10 individual CMHSP or PIHP.

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

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

21 (2) The department shall reimburse all licensed substance
22 abuse programs eligible to participate in the program at a rate
23 equivalent to that paid by the department of human services to
24 adult foster care providers. Programs accredited by department-
25 approved accrediting organizations shall be reimbursed at the
26 personal care rate, while all other eligible programs shall be
27 reimbursed at the domiciliary care rate.

1 Sec. 407. (1) The amount appropriated in part 1 for substance
2 abuse prevention, education, and treatment grants shall be expended
3 for contracting with coordinating agencies. Coordinating agencies
4 shall work with CMHSPs or PIHPs to coordinate care and services
5 provided to individuals with severe and persistent mental illness
6 and substance abuse diagnoses.

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

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

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

24 Sec. 408. (1) By April 1 of the current fiscal year, the
25 department shall report the following data from the prior fiscal
26 year on substance abuse prevention, education, and treatment
27 programs to the senate and house appropriations subcommittees on

1 community health, the senate and house fiscal agencies, and the
2 state budget office:

3 (a) Expenditures stratified by coordinating agency, by central
4 diagnosis and referral agency, by fund source, by subcontractor, by
5 population served, and by service type. Additionally, data on
6 administrative expenditures by coordinating agency shall be
7 reported.

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

10 (c) Number of services provided by central diagnosis and
11 referral agency, by subcontractor, and by service type.
12 Additionally, data on length of stay, referral source, and
13 participation in other state programs.

14 (d) Collections from other first- or third-party payers,
15 private donations, or other state or local programs, by
16 coordinating agency, by subcontractor, by population served, and by
17 service type.

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

21 Sec. 410. The department shall assure that substance abuse
22 treatment is provided to applicants and recipients of public
23 assistance through the department of human services who are
24 required to obtain substance abuse treatment as a condition of
25 eligibility for public assistance.

26 Sec. 411. (1) The department shall ensure that each contract
27 with a CMHSP or PIHP requires the CMHSP or PIHP to implement

1 programs to encourage diversion of individuals with serious mental
2 illness, serious emotional disturbance, or developmental disability
3 from possible jail incarceration when appropriate.

4 (2) Each CMHSP or PIHP shall have jail diversion services and
5 shall work toward establishing working relationships with
6 representative staff of local law enforcement agencies, including
7 county prosecutors' offices, county sheriffs' offices, county
8 jails, municipal police agencies, municipal detention facilities,
9 and the courts. Written interagency agreements describing what
10 services each participating agency is prepared to commit to the
11 local jail diversion effort and the procedures to be used by local
12 law enforcement agencies to access mental health jail diversion
13 services are strongly encouraged.

14 Sec. 412. The department shall contract directly with the
15 Salvation Army harbor light program to provide non-Medicaid
16 substance abuse services.

17 Sec. 418. On or before the tenth of each month, the department
18 shall report to the senate and house appropriations subcommittees
19 on community health, the senate and house fiscal agencies, and the
20 state budget director on the amount of funding paid to PIHPs to
21 support the Medicaid managed mental health care program in the
22 preceding month. The information shall include the total paid to
23 each PIHP, per capita rate paid for each eligibility group for each
24 PIHP, and number of cases in each eligibility group for each PIHP,
25 and year-to-date summary of eligibles and expenditures for the
26 Medicaid managed mental health care program.

27 Sec. 424. Each PIHP that contracts with the department to

1 provide services to the Medicaid population shall adhere to the
2 following timely claims processing and payment procedure for claims
3 submitted by health professionals and facilities:

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

9 (b) A PIHP shall state in writing to the health professional
10 or facility any defect in the claim within 30 days after receipt of
11 the claim.

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

16 Sec. 428. Each PIHP shall provide, from internal resources,
17 local funds to be used as a bona fide part of the state match
18 required under the Medicaid program in order to increase capitation
19 rates for PIHPs. These funds shall not include either state funds
20 received by a CMHSP for services provided to non-Medicaid
21 recipients or the state matching portion of the Medicaid capitation
22 payments made to a PIHP.

23 Sec. 435. A county required under the provisions of the mental
24 health code, 1974 PA 258, MCL 330.1001 to 330.2106, to provide
25 matching funds to a CMHSP for mental health services rendered to
26 residents in its jurisdiction shall pay the matching funds in equal
27 installments on not less than a quarterly basis throughout the

1 fiscal year, with the first payment being made by October 1 of the
2 current fiscal year.

3 Sec. 458. By April 15 of the current fiscal year, the
4 department shall provide each of the following to the house and
5 senate appropriations subcommittees on community health, the house
6 and senate fiscal agencies, and the state budget director:

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

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

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

21 Sec. 462. (1) With the exception of administrative costs, in
22 order to implement the fiscal year 2011-2012 funding reduction to
23 the community mental health non-Medicaid services line, the
24 department shall further implement the funding formula that was
25 partially implemented during fiscal year 2009-2010 in which the
26 funding reduction does not exceed 4% for each CMHSP.

27 (2) The department may convene a workgroup including CMHSPs

1 regarding the allocation of the current fiscal year administrative
2 reduction of up to \$3,400,000.00.

3 Sec. 468. To foster a more efficient administration of and to
4 integrate care in publicly funded mental health and substance abuse
5 services, the department shall maintain criteria for the
6 incorporation of a city, county, or regional substance abuse
7 coordinating agency into a local community mental health authority
8 that will encourage those city, county, or regional coordinating
9 agencies to incorporate as local community mental health
10 authorities. If necessary, the department may make accommodations
11 or adjustments in formula distribution to address administrative
12 costs related to the maintenance of the criteria under this section
13 and to the incorporation of the additional coordinating agencies
14 into local community mental health authorities provided that all of
15 the following are satisfied:

16 (a) The department provides funding for the administrative
17 costs incurred by coordinating agencies incorporating into
18 community mental health authorities. The department shall not
19 provide more than \$75,000.00 to any coordinating agency for
20 administrative costs.

21 (b) The accommodations or adjustments favor coordinating
22 agencies who voluntarily elect to integrate with local community
23 mental health authorities.

24 (c) The accommodations or adjustments do not negatively affect
25 other coordinating agencies.

26 Sec. 470. (1) For those substance abuse coordinating agencies
27 that have voluntarily incorporated into community mental health

1 authorities and accepted funding from the department for
2 administrative costs incurred pursuant to section 468, the
3 department shall establish written expectations for those CMHSPs,
4 PIHPs, and substance abuse coordinating agencies and counties with
5 respect to the integration of mental health and substance abuse
6 services. At a minimum, the written expectations shall provide for
7 the integration of those services as follows:

8 (a) Coordination and consolidation of administrative functions
9 and redirection of efficiencies into service enhancements.

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

12 (c) Alignment of coordinating agencies and PIHPs boundaries to
13 maximize opportunities for collaboration and integration of
14 administrative functions and clinical activities.

15 (2) By May 1 of the current fiscal year, the department shall
16 report to the house and senate appropriations subcommittees on
17 community health, the house and senate fiscal agencies, and the
18 state budget office on the impact and effectiveness of this section
19 and the status of the integration of mental health and substance
20 abuse services.

21 Sec. 474. The department shall ensure that each contract with
22 a CMHSP or PIHP requires the CMHSP or PIHP to provide each
23 recipient and his or her family with information regarding the
24 different types of guardianship and the alternatives to
25 guardianship. A CMHSP or PIHP shall not, in any manner, attempt to
26 reduce or restrict the ability of a recipient or his or her family
27 from seeking to obtain any form of legal guardianship without just

1 cause.

2 Sec. 490. (1) The department shall continue a workgroup to
3 develop a plan to maximize uniformity and consistency in the
4 standards required of providers contracting directly with PIHPs,
5 CMHSPs, and substance abuse coordinating agencies. These standards
6 shall apply to community living supports, personal care services,
7 substance abuse services, skill-building services, and other
8 similar supports and services providers who contract with PIHPs,
9 CMHSPs, and substance abuse coordinating agencies or their
10 contractors.

11 (2) The workgroup shall include representatives of the
12 department, PIHPs, CMHSPs, substance abuse coordinating agencies,
13 and affected providers. The standards shall include, but are not
14 limited to, contract language, training requirements for direct
15 support staff, performance indicators, financial and program
16 audits, and billing procedures.

17 (3) The department shall provide a status report on the
18 workgroup's efforts to the senate and house appropriations
19 subcommittees on community health, the senate and house fiscal
20 agencies, and the state budget director by June 1 of the current
21 fiscal year.

22 Sec. 491. The department shall explore changes in program
23 policy in the habilitation supports waiver for persons with
24 developmental disabilities that would permit the movement of a slot
25 that has become available to a county that has demonstrated a
26 greater need for the services.

27 Sec. 492. If a CMHSP has entered into an agreement with a

1 county or county sheriff to provide mental health services to the
2 inmates of the county jail, the department shall not prohibit the
3 use of state general fund/general purpose dollars by CMHSPs to
4 provide mental health services to inmates of a county jail.

5 Sec. 494. (1) In order to avoid duplication of efforts, the
6 department shall utilize applicable national accreditation review
7 criteria to determine compliance with corresponding state
8 requirements for CMHSPs, PIHPs, or subcontracting provider agencies
9 that have been reviewed and accredited by a national accrediting
10 entity for behavioral health care services.

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

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

24 (4) As used in this section, "national accrediting entity"
25 means the joint commission on accreditation of healthcare
26 organizations, the commission on accreditation of rehabilitation
27 facilities, the council of accreditation, or other appropriate

1 entity, as approved by the department.

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

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

11 Sec. 496. CMHSPs and PIHPs are permitted to offset state
12 funding reductions by limiting the administrative component of
13 their contracts with providers and case management to a maximum of
14 9%.

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

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

19 Sec. 601. The department shall continue a revenue recapture
20 project to generate additional revenues from third parties related
21 to cases that have been closed or are inactive. A portion of
22 revenues collected through project efforts may be used for
23 departmental costs and contractual fees associated with these
24 retroactive collections and to improve ongoing departmental
25 reimbursement management functions.

26 Sec. 602. Unexpended and unencumbered amounts and accompanying

1 expenditure authorizations up to \$1,000,000.00 remaining on
2 September 30 of the current fiscal year from the amounts
3 appropriated in part 1 for gifts and bequests for patient living
4 and treatment environments shall be carried forward for 1 fiscal
5 year. The purpose of gifts and bequests for patient living and
6 treatment environments is to use additional private funds to
7 provide specific enhancements for individuals residing at state-
8 operated facilities. Use of the gifts and bequests shall be
9 consistent with the stipulation of the donor. The expected
10 completion date for the use of gifts and bequests donations is
11 within 3 years unless otherwise stipulated by the donor.

12 Sec. 605. (1) The department shall not implement any closures
13 or consolidations of state hospitals, centers, or agencies until
14 CMHSPs or PIHPs have programs and services in place for those
15 individuals currently in those facilities and a plan for service
16 provision for those individuals who would have been admitted to
17 those facilities.

18 (2) All closures or consolidations are dependent upon adequate
19 department-approved CMHSP and PIHP plans that include a discharge
20 and aftercare plan for each individual currently in the facility. A
21 discharge and aftercare plan shall address the individual's housing
22 needs. A homeless shelter or similar temporary shelter arrangements
23 are inadequate to meet the individual's housing needs.

24 (3) Four months after the certification of closure required in
25 section 19(6) of the state employees' retirement act, 1943 PA 240,
26 MCL 38.19, the department shall provide a closure plan to the house
27 and senate appropriations subcommittees on community health and the

1 state budget director.

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

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

16 Sec. 608. Effective October 1, 2011, the department, in
17 consultation with the department of technology, management, and
18 budget, may maintain a bid process to identify 1 or more private
19 contractors to provide food service and custodial services for the
20 administrative areas at any state hospital identified by the
21 department as capable of generating savings through the outsourcing
22 of such services.

23 PUBLIC HEALTH ADMINISTRATION

24 Sec. 650. The department shall report to the senate and house
25 appropriations subcommittees on community health by April 1 of the
26 current fiscal year on its criteria and methodology used to derive

1 the information provided to residents in the annual Michigan fish
2 advisory.

3 Sec. 653. The department shall maintain plans to address
4 potential state public health emergencies.

5 HEALTH POLICY

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

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

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

22 Sec. 713. The department shall continue support of
23 multicultural agencies that provide primary care services from the
24 funds appropriated in part 1.

25 INFECTIOUS DISEASE CONTROL

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

6 LOCAL HEALTH ADMINISTRATION AND GRANTS

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

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

24 Sec. 904. (1) Funds appropriated in part 1 for essential local
25 public health services shall be prospectively allocated to local
26 health departments to support immunizations, infectious disease

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

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

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

15 **CHRONIC DISEASE AND INJURY PREVENTION AND HEALTH PROMOTION**

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

20 **FAMILY, MATERNAL, AND CHILDREN'S HEALTH SERVICES**

21 Sec. 1103. Beginning January 3, 2012, the department shall
22 annually issue to the legislature, and to the public on the
23 Internet, a report providing estimated public funds administered by
24 the department for family planning, sexually transmitted infection
25 prevention and treatment, and pregnancies and births, as well as

1 demographics collected by the department as self-reported by
2 individuals utilizing those services.

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

11 (a) Funding allocations.

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

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

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

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

24 Sec. 1106. Each family planning program receiving federal
25 title X family planning funds under 42 USC 300 to 300a-8 shall be
26 in compliance with all performance and quality assurance indicators
27 that the office of family planning within the United States

1 department of health and human services specifies in the family
2 planning annual report. An agency not in compliance with the
3 indicators shall not receive supplemental or reallocated funds.

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

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

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

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

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

5 Sec. 1133. The department shall release infant mortality rate
6 data to all local public health departments 72 hours or more before
7 releasing infant mortality rate data to the public.

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

15 (a) The department of education.

16 (b) The department of community health.

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

19 (d) The mental health and substance abuse administration in
20 the department of community health.

21 (e) The department of human services.

22 (f) The department of state police.

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

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

6 **WOMEN, INFANTS, AND CHILDREN FOOD AND NUTRITION PROGRAM**

7 Sec. 1153. The department shall ensure that individuals
8 residing in rural communities have sufficient access to the
9 services offered through the WIC program.

10 **CHILDREN'S SPECIAL HEALTH CARE SERVICES**

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

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

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

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

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

20 Sec. 1204. By October 1, 2011, the department shall report to
21 the senate and house appropriations committees on community health
22 and the senate and house fiscal agencies on its plan for enrolling
23 Medicaid eligible children's special health care services
24 recipients in the Medicaid health plans. The report shall include
25 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) The office of services to the aging shall
18 require each region to report to the office of services to the
19 aging and to the legislature home-delivered meals waiting lists
20 based upon standard criteria. Determining criteria shall include
21 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 Sec. 1420. If funds become available, the department shall
17 create a pilot project to establish an aging care management
18 services program with services provided solely by nurses. This
19 pilot project shall be established in a county with a population
20 greater than 150,000 but less than 250,000.

21 MEDICAL SERVICES

22 Sec. 1601. The cost of remedial services incurred by residents
23 of licensed adult foster care homes and licensed homes for the aged
24 shall be used in determining financial eligibility for the
25 medically needy. Remedial services include basic self-care and
26 rehabilitation training for a resident.

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

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

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

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

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

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

21 Sec. 1607. (1) An applicant for Medicaid, whose qualifying
22 condition is pregnancy, shall immediately be presumed to be
23 eligible for Medicaid coverage unless the preponderance of evidence
24 in her application indicates otherwise. The applicant who is
25 qualified as described in this subsection shall be allowed to
26 select or remain with the Medicaid participating obstetrician of
27 her choice.

1 (2) An applicant qualified as described in subsection (1)
2 shall be given a letter of authorization to receive Medicaid
3 covered services related to her pregnancy. All qualifying
4 applicants shall be entitled to receive all medically necessary
5 obstetrical and prenatal care without preauthorization from a
6 health plan. All claims submitted for payment for obstetrical and
7 prenatal care shall be paid at the Medicaid fee-for-service rate in
8 the event a contract does not exist between the Medicaid
9 participating obstetrical or prenatal care provider and the managed
10 care plan. The applicant shall receive a listing of Medicaid
11 physicians and managed care plans in the immediate vicinity of the
12 applicant's residence.

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

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

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

1 (6) The department shall mandate enrollment of women, whose
2 qualifying condition is pregnancy, into Medicaid managed care
3 plans.

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

8 Sec. 1611. (1) For care provided to medical services
9 recipients with other third-party sources of payment, medical
10 services reimbursement shall not exceed, in combination with such
11 other resources, including Medicare, those amounts established for
12 medical services-only patients. The medical services payment rate
13 shall be accepted as payment in full. Other than an approved
14 medical services co-payment, no portion of a provider's charge
15 shall be billed to the recipient or any person acting on behalf of
16 the recipient. Nothing in this section shall be considered to
17 affect the level of payment from a third-party source other than
18 the medical services program. The department shall require a
19 nonenrolled provider to accept medical services payments as payment
20 in full.

21 (2) Notwithstanding subsection (1), medical services
22 reimbursement for hospital services provided to dual
23 Medicare/medical services recipients with Medicare part B coverage
24 only shall equal, when combined with payments for Medicare and
25 other third-party resources, if any, those amounts established for
26 medical services-only patients, including capital payments.

27 Sec. 1620. (1) For fee-for-service recipients who do not

1 reside in nursing homes, the pharmaceutical dispensing fee shall be
2 \$2.75 or the pharmacy's usual or customary cash charge, whichever
3 is less. For nursing home residents, the pharmaceutical dispensing
4 fee shall be \$3.00 or the pharmacy's usual or customary cash
5 charge, whichever is less.

6 (2) The department shall require a prescription co-payment for
7 Medicaid recipients of \$1.00 for a generic drug and \$3.00 for a
8 brand-name drug, except as prohibited by federal or state law or
9 regulation.

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

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

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

23 Sec. 1630. Medicaid coverage for adult dental and podiatric
24 services shall continue at not less than the level in effect on
25 October 1, 2002, except that reasonable utilization limitations may
26 be adopted in order to prevent excess utilization.

27 Sec. 1631. (1) The department shall require co-payments on

1 dental, podiatric, and vision services provided to Medicaid
2 recipients, except as prohibited by federal or state law or
3 regulation.

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

7 (a) Two dollars for a physician office visit.

8 (b) Three dollars for a hospital emergency room visit.

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

11 (d) 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. 1642. The department shall allow ambulatory surgery
17 centers in this state to fully participate in the Medicaid program.

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

25 (2) If the treating hospital determines that the recipient
26 will require further medical service or hospitalization beyond the
27 point of stabilization, that hospital shall receive authorization

1 from the recipient's HMO prior to admitting the recipient.

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

6 Sec. 1659. The following sections of this article are the only
7 ones that shall apply to the following Medicaid managed care
8 programs, including the comprehensive plan, MIChoice long-term care
9 plan, and the mental health, substance abuse, and developmentally
10 disabled services program: 404, 411, 418, 428, 474, 494, 1607,
11 1657, 1662, 1689, 1699, 1740, 1764, 1787, 1815, 1820, 1835, 1850,
12 and 1853.

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

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

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

1 contractors.

2 Sec. 1670. (1) The appropriation in part 1 for the MICHild
3 program is to be used to provide comprehensive health care to all
4 children under age 19 who reside in families with income at or
5 below 200% of the federal poverty level, who are uninsured and have
6 not had coverage by other comprehensive health insurance within 6
7 months of making application for MICHild benefits, and who are
8 residents of this state. The department shall develop detailed
9 eligibility criteria through the medical services administration
10 public concurrence process, consistent with the provisions of this
11 article. Health coverage for children in families between 150% and
12 200% of the federal poverty level shall be provided through a
13 state-based private health care program.

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

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

26 (4) To be eligible for the MICHild program, a child must be
27 residing in a family with an adjusted gross income of less than or

1 equal to 200% of the federal poverty level. The department's
2 verification policy shall be used to determine eligibility.

3 (5) The department shall enter into a contract to obtain
4 MICHild services from any HMO, dental care corporation, or any
5 other entity that offers to provide the managed health care
6 benefits for MICHild services at the MICHild capitated rate. As
7 used in this subsection:

8 (a) "Dental care corporation", "health care corporation",
9 "insurer", and "prudent purchaser agreement" mean those terms as
10 defined in section 2 of the prudent purchaser act, 1984 PA 233, MCL
11 550.52.

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

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

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

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

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

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

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

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

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

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

27 Sec. 1684. The department shall submit a report by September

1 30 of the current fiscal year to the house and senate
2 appropriations subcommittees on community health, the house and
3 senate fiscal agencies, and the state budget director that will
4 identify by waiver agent, Medicaid home- and community-based
5 services waiver costs by administration, case management, and
6 direct services.

7 Sec. 1685. All nursing home rates, class I and class III,
8 shall have their respective fiscal year rate set 30 days prior to
9 the beginning of their rate year. Rates may take into account the
10 most recent cost report prepared and certified by the preparer,
11 provider corporate owner or representative as being true and
12 accurate, and filed timely, within 5 months of the fiscal year end
13 in accordance with Medicaid policy. If the audited version of the
14 last report is available, it shall be used. Any rate factors based
15 on the filed cost report may be retroactively adjusted upon
16 completion of the audit of that cost report.

17 Sec. 1689. (1) Priority in enrolling additional individuals in
18 the Medicaid home- and community-based services waiver program
19 shall be given to those who are currently residing in nursing homes
20 or who are eligible to be admitted to a nursing home if they are
21 not provided home- and community-based services. The department
22 shall use screening and assessment procedures to assure that no
23 additional Medicaid eligible individuals are admitted to nursing
24 homes who would be more appropriately served by the Medicaid home-
25 and community-based services waiver program. It is the intent of
26 the legislature that when an individual is transferred from a
27 nursing home to the home- and community-based services waiver

1 program, the funding to cover that individual's home- and
2 community-based services waiver program costs shall be transferred
3 from the long-term care services line item to the Medicaid home-
4 and community-based services waiver line item. These funds are not
5 available for expenditure until they have been transferred to
6 another line item in this article under section 393(2) of the
7 management and budget act, 1984 PA 431, MCL 18.1393.

8 (2) Within 60 days of the end of each fiscal year, the
9 department shall provide a report to the senate and house
10 appropriations subcommittees on community health and the senate and
11 house fiscal agencies that details existing and future allocations
12 for the home- and community-based services waiver program by
13 regions as well as the associated expenditures. The report shall
14 include information regarding the net cost savings from moving
15 individuals from a nursing home to the home- and community-based
16 services waiver program, the number of individuals transitioned
17 from nursing homes to the home- and community-based services waiver
18 program, the number of individuals on waiting lists by region for
19 the program, and the amount of funds transferred during the fiscal
20 year. The report shall also include the number of Medicaid
21 individuals served and the number of days of care for the home- and
22 community-based services waiver program and in nursing homes.

23 (3) The department shall develop a system to collect and
24 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 (4) The department shall maintain any policies, guidelines,
8 procedures, standards, and regulations in order to limit the self-
9 determination option with respect to the home- and community-based
10 services waiver program to those services furnished by approved
11 home-based service providers meeting provider qualifications
12 established in the waiver and approved by the centers for Medicare
13 and Medicaid services.

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

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

26 (a) Finance activities within the medical services
27 administration related to this project.

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

4 (c) Offset general fund costs associated with the medical
5 services program.

6 Sec. 1693. The special Medicaid reimbursement appropriation in
7 part 1 may be increased if the department submits a medical
8 services state plan amendment pertaining to this line item at a
9 level higher than the appropriation. The department is authorized
10 to appropriately adjust financing sources in accordance with the
11 increased appropriation.

12 Sec. 1694. The department shall distribute \$1,122,300.00 to an
13 academic health care system that includes a children's hospital
14 that has a high indigent care volume.

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

22 (2) The department shall allocate \$45,000,000.00 in DSH
23 funding using the distribution methodology used in fiscal year
24 2003-2004.

25 (3) By September 30 of the current fiscal year, the department
26 shall report to the senate and house appropriations subcommittees
27 on community health and the senate and house fiscal agencies on the

1 new distribution of funding to each eligible hospital from the GME
2 and DSH pools.

3 (4) The department shall form a workgroup on DSH funding
4 consisting of representatives from hospitals and hospital systems
5 receiving DSH funding and the Michigan health and hospital
6 association. The workgroup shall work to derive a new DSH formula
7 or formulas designed to provide equitable payments to qualifying
8 hospitals. The department shall report to the senate and house
9 appropriations subcommittees on community health and the senate and
10 house fiscal agencies on the results of the workgroup's efforts by
11 March 1 of the current fiscal year.

12 Sec. 1712. (1) Subject to the availability of funds, the
13 department shall implement a rural health initiative. Available
14 funds shall first be allocated as an outpatient adjustor payment to
15 be paid directly to hospitals in rural counties in proportion to
16 each hospital's Medicaid and indigent patient population.
17 Additional funds, if available, shall be allocated for
18 defibrillator grants, emergency medical technician training and
19 support, or other similar programs.

20 (2) Except as otherwise specified in this section, "rural"
21 means a county, city, village, or township with a population of not
22 more than 30,000, including those entities if located within a
23 metropolitan statistical area.

24 Sec. 1718. The department shall provide each Medicaid adult
25 home help beneficiary or applicant with the right to a fair hearing
26 when the department or its agent reduces, suspends, terminates, or
27 denies adult home help services. If the department takes action to

1 reduce, suspend, terminate, or deny adult home help services, it
2 shall provide the beneficiary or applicant with a written notice
3 that states what action the department proposes to take, the
4 reasons for the intended action, the specific regulations that
5 support the action, and an explanation of the beneficiary's or
6 applicant's right to an evidentiary hearing and the circumstances
7 under which those services will be continued if a hearing is
8 requested.

9 Sec. 1724. The department shall allow licensed pharmacies to
10 purchase injectable drugs for the treatment of respiratory
11 syncytial virus for shipment to physicians' offices to be
12 administered to specific patients. If the affected patients are
13 Medicaid eligible, the department shall reimburse pharmacies for
14 the dispensing of the injectable drugs and reimburse physicians for
15 the administration of the injectable drugs.

16 Sec. 1740. From the funds appropriated in part 1 for health
17 plan services, the department shall assure that all GME funds
18 continue to be promptly distributed to qualifying hospitals using
19 the methodology developed in consultation with the graduate medical
20 education advisory group during fiscal year 2006-2007.

21 Sec. 1741. The department shall continue to provide nursing
22 homes the opportunity to receive interim payments upon their
23 request. The department may disapprove requests or discontinue
24 interim payments that result in financial risk to this state. The
25 department shall make reasonable efforts to ensure that the interim
26 payments are as similar in amount to expected cost-settled
27 payments.

1 Sec. 1756. The department shall develop a plan to expand and
2 improve the beneficiary monitoring program. The department shall
3 submit this plan to the house and senate appropriations
4 subcommittees on community health, the house and senate fiscal
5 agencies, and the state budget director by April 1 of the current
6 fiscal year.

7 Sec. 1757. The department shall direct the department of human
8 services to obtain proof from all Medicaid recipients that they are
9 legal United States citizens or otherwise legally residing in this
10 country and that they are residents of this state before approving
11 Medicaid eligibility.

12 Sec. 1764. The department shall annually certify rates paid to
13 Medicaid health plans as being actuarially sound in accordance with
14 federal requirements and shall provide a copy of the rate
15 certification and approval immediately to the house and senate
16 appropriations subcommittees on community health and the house and
17 senate fiscal agencies.

18 Sec. 1770. In conjunction with the consultation requirements
19 of the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and
20 except as otherwise provided in this section, the department shall
21 attempt to make the effective date for a proposed Medicaid policy
22 bulletin or adjustment to the Medicaid provider manual on October
23 1, January 1, April 1, or July 1 after the end of the consultation
24 period. The department may provide an effective date for a proposed
25 Medicaid policy bulletin or adjustment to the Medicaid provider
26 manual other than provided for in this section if necessary to be
27 in compliance with federal or state law, regulations, or rules or

1 with an executive order of the governor.

2 Sec. 1775. If the state's application for a waiver to
3 implement managed care for dual Medicare/Medicaid eligible is
4 approved by the federal government, by April 1, 2012 the department
5 shall provide a report to the senate and house appropriations
6 subcommittees on community health and the senate and house fiscal
7 agencies. This report shall include information on the amount of
8 Medicare funding that would be provided to the state, the number of
9 individuals who would be enrolled in the program, which health
10 plans would be among those providing the services, and the
11 estimated savings from the new program.

12 Sec. 1777. From the funds appropriated in part 1 for long-term
13 care services, the department shall permit, in accordance with
14 applicable federal and state law, nursing homes to use dining
15 assistants to feed eligible residents if legislation to permit the
16 use of dining assistants is enacted into law. The department shall
17 not be responsible for costs associated with training dining
18 assistants.

19 Sec. 1787. The department shall require the managed care
20 enrollment broker to maintain telephone numbers of Medicaid
21 beneficiaries and provide each Medicaid health plan with the
22 telephone number of that health plan's enrollees on a monthly
23 basis.

24 Sec. 1793. The department shall consider the development of a
25 pilot project that focuses on the prevention of preventable
26 hospitalizations from nursing homes.

27 Sec. 1804. The department, in cooperation with the department

1 of human services, shall work with the federal public assistance
2 reporting information system to identify Medicaid recipients who
3 are veterans and who may be eligible for federal veterans health
4 care benefits or other benefits.

5 Sec. 1815. From the funds appropriated in part 1 for health
6 plan services, the department shall not implement a capitation
7 withhold as part of the overall capitation rate schedule that
8 exceeds the 0.19% withhold administered during fiscal year 2008-
9 2009.

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

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

26 (3) The department shall continue to comply with state and
27 federal law and shall not initiate an action that negatively

1 impacts beneficiary safety.

2 (4) As used in this section, "national accrediting entity"
3 means the national committee for quality assurance, the utilization
4 review accreditation committee, or other appropriate entity, as
5 approved by the department.

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

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

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

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

1 (3) The department shall provide a report by April 1 of the
2 current fiscal year to the senate and house appropriations
3 subcommittees on community health and the senate and house fiscal
4 agencies detailing the percentage of claims for Medicaid
5 reimbursement provided to the department that were initially
6 rejected in the first quarter of fiscal year 2011-2012.

7 Sec. 1835. The department shall develop and implement
8 processes to report rejected and accepted encounters to Medicaid
9 health plans. The department shall further enhance encounter data
10 reporting processes and program rules that make each health plan's
11 encounter data as complete as possible, provide a fair measure of
12 acuity for each health plan's enrolled population for risk
13 adjustment purposes, and minimize health plan administrative
14 expenses.

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

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

25 Sec. 1842. (1) Subject to the availability of funds, the
26 department shall adjust the hospital outpatient Medicaid
27 reimbursement rate for qualifying hospitals as provided in this

1 section. The Medicaid reimbursement rate for qualifying hospitals
2 shall be adjusted to provide each qualifying hospital with its
3 actual cost of delivering outpatient services to Medicaid
4 recipients.

5 (2) As used in this section, "qualifying hospital" means a
6 hospital that has not more than 50 staffed beds and is either
7 located outside a metropolitan statistical area or in a
8 metropolitan statistical area but within a city, village, or
9 township with a population of not more than 12,000 according to the
10 official 2000 federal decennial census and within a county with a
11 population of not more than 165,000 according to the official 2000
12 federal decennial census.

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

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

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

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

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

26 (3) The department shall report the results of the workgroup's
27 efforts to the senate and house appropriations subcommittees on

1 community health, the senate and house fiscal agencies, and the
2 state budget director by April 1 of the current fiscal year.

3 (4) It is the intent of the legislature that the report
4 required under subsection (3) be used as a possible basis for the
5 establishment of new graduate medical education funding formulas in
6 fiscal year 2012-2013.

7 Sec. 1847. The department shall meet with the Michigan
8 association of ambulance services to discuss the possible structure
9 of an ambulance quality assurance assessment program.

10 Sec. 1849. (1) The department shall use at least 50% of the
11 funds allocated for voluntary in-home visiting services for
12 evidence-based models or models that conform to a promising
13 approach that are in the process of being evaluated through a
14 process that meets the requirements described in subsection (2)
15 with the goal of being evidence-based by January 1, 2013.

16 (2) As used in this section:

17 (a) "Evidence-based" means a model or practice that meets all
18 of the following requirements:

19 (i) The model or practice is governed by a program manual or
20 protocol that specifies the purpose, rigorous evaluation
21 requirements, and duration and frequency of service that
22 constitutes the model.

23 (ii) Scientific research using methods that meet scientific
24 standards, evaluated using either randomized controlled research
25 designs, or quasi-experimental research designs with equivalent
26 comparison groups. The effects of such programs must have been
27 demonstrated with 2 or more separate client samples that the

1 program improves client outcomes central to the purpose of the
2 program; and the model or practice monitors program implementation
3 for fidelity to the specified model.

4 (b) "In-home visiting services" means a service delivery
5 strategy that is carried out in the homes of families or children
6 from conception to school age that provides culturally sensitive
7 face-to-face visits by nurses, or other professional or
8 paraprofessionals trained to promote positive parenting practices,
9 enhance the socio-emotional and cognitive development of children,
10 improve health of the family, and empower the family to be self-
11 sufficient.

12 (3) By February 1 of the current fiscal year, the department
13 shall submit to the house and senate appropriations subcommittees
14 on community health an annual report on evidence-based voluntary
15 in-home visiting services, including a full accounting of
16 administrative expenditures from the prior fiscal year, and a
17 summary detailing the demographic characteristics of Medicaid
18 families served.

19 (4) No later than September 30, 2011, the department shall
20 submit a report to the senate and house appropriations
21 subcommittees on community health on its plan to establish an
22 integrated benefit for Medicaid evidence-based home visitation
23 services to be provided by Medicaid health plans for eligible
24 beneficiaries. The report shall include information on the
25 potential methods used to assure continuity of care and continuity
26 of ongoing relationships with providers and their potential
27 effectiveness. It is the intent of the legislature that the

1 integrated benefit must be provided by evidence-based service
2 delivery models or practices in a manner that achieves fidelity to
3 the evidence-based model.

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

11 Sec. 1853. The department shall form a workgroup composed of
12 representatives from the Medicaid HMOs and the Michigan association
13 of health plans to develop revisions to the process of
14 automatically assigning new Medicaid recipients to HMOs if they do
15 not choose an HMO upon enrollment. The department shall report on
16 the results of the workgroup's findings to the senate and house
17 appropriations subcommittees on community health and the senate and
18 house fiscal agencies by March 1 of the current fiscal year.

19 Sec. 1854. The department may work with a provider of kidney
20 dialysis services and renal care as authorized under section 2703
21 of the patient protection and affordable care act, Public Law 111-
22 148, to develop a chronic condition health home program for
23 Medicaid enrollees identified with chronic kidney disease and who
24 are beginning dialysis. If initiated, the department shall develop
25 metrics that evaluate program effectiveness and submit a report to
26 the senate and house appropriations subcommittees on community
27 health. Metrics shall include cost savings and clinical outcomes.

1 Sec. 1855. The department may consider the feasibility of a
 2 revenue-neutral, financially risk-averse Medicaid patient
 3 optimization solution for the support of emergency department
 4 redirection for non-emergent patients.

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

7 **ONE-TIME BASIS ONLY**

8 Sec. 1901. For the state fiscal year ending September 30,
 9 2012, there is appropriated from general fund/general purpose
 10 revenue, on a 1-time basis only, \$22,100,000.00 and federal revenue
 11 for the following purposes:

12	Mental health services for special populations	\$	3,000,000
13	Healthy Michigan fund programs		3,000,000
14	Primary care services - island health clinics		300,000
15	Hospital services and therapy - graduate medical		
16	education		17,129,400
17	Hospital services and therapy - rural and sole		
18	community hospitals		<u>29,533,400</u>
19	GROSS APPROPRIATION	\$	52,962,800

20 Appropriated from:

21 Federal revenues:

22	Federal revenues		30,862,800
23	State general fund/general purpose	\$	22,100,000

24 Sec. 1902. From the funds appropriated in section 1901 for
 25 healthy Michigan fund programs, \$900,000.00 shall be allocated for
 26 cancer prevention and control.

1 Sec. 1903. (1) From the funds appropriated in section 1901 for
2 hospital services and therapy - rural and sole community hospitals,
3 \$10,000,000.00 general fund/general purpose revenue and any
4 associated federal match shall be awarded to hospitals that meet
5 criteria established by the department for services to low-income
6 rural residents.

7 (2) No hospital or hospital system shall receive more than
8 5.0% of the total funding referenced in subsection (1).

9 (3) The department shall report to the senate and house
10 appropriations subcommittees on community health and the senate and
11 house fiscal agencies on the distribution of funds referenced in
12 subsection (1) by April 1 of the current fiscal year.

13

PART 2A

14

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

15

FOR FISCAL YEAR 2012-2013

16

GENERAL SECTIONS

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Sec. 2001. It is the intent of the legislature to provide
appropriations for the fiscal year ending on September 30, 2013 for
the line items listed in part 1. The fiscal year 2012-2013
appropriations are anticipated to be the same as those for fiscal
year 2011-2012, except that the line items will be adjusted for
changes in caseload and related costs, federal fund match rates,
economic factors, and available revenue. These adjustments will be
determined after the January 2012 consensus revenue estimating
conference.

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ARTICLE V
DEPARTMENT OF CORRECTIONS
PART 1
LINE-ITEM APPROPRIATIONS
FOR FISCAL YEAR 2011-2012

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, 2012, 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	45,917	
Full-time equated unclassified positions.....	16.0	
Full-time equated classified positions.....	15,552.8	
GROSS APPROPRIATION.....		\$ 1,936,573,800
Appropriated from:		
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		943,800
ADJUSTED GROSS APPROPRIATION.....		\$ 1,935,630,000
Federal revenues:		
Total federal revenues.....		7,995,100
Special revenue funds:		
Total local revenues.....		447,300

1	Total private revenues.....		0
2	Total other state restricted revenues.....		52,351,400
3	State general fund/general purpose.....	\$	1,874,836,200
4	Sec. 102. EXECUTIVE		
5	Full-time equated unclassified positions.....	16.0	
6	Full-time equated classified positions.....	46.0	
7	Unclassified positions--16.0 FTE positions.....	\$	1,192,600
8	Executive direction--46.0 FTE positions.....		5,411,100
9	Neal, et al. settlement agreement.....		<u>15,000,000</u>
10	GROSS APPROPRIATION.....	\$	21,603,700
11	Appropriated from:		
12	State general fund/general purpose.....	\$	21,603,700
13	Sec. 103. PLANNING AND COMMUNITY SUPPORT		
14	Full-time equated classified positions.....	12.0	
15	MPRI residential stability.....	\$	7,251,300
16	MPRI employment readiness.....		7,265,100
17	MPRI social support.....		4,861,000
18	MPRI health and behavioral health.....		3,357,700
19	MPRI operations support.....		3,848,400
20	MPRI reintegration, training, and employment.....		600,000
21	MPRI other projects.....		26,726,200
22	MPRI federal grants.....		1,035,000
23	Substance abuse testing and treatment services--12.0		
24	FTE positions		24,070,900
25	Residential services.....		18,075,500
26	Community corrections comprehensive plans and services		13,958,000
27	Regional jail program.....		100

1	Felony drunk driver jail reduction and community		
2	treatment program		1,440,100
3	County jail reimbursement program.....		<u>17,072,100</u>
4	GROSS APPROPRIATION.....	\$	129,561,400
5	Appropriated from:		
6	Federal revenues:		
7	DOJ, office of justice programs, RSAT.....		143,900
8	DOJ, prisoner reintegration.....		1,035,000
9	Special revenue funds:		
10	Jail reimbursement program fund.....		5,900,000
11	State general fund/general purpose.....	\$	122,482,500
12	Sec. 104. OPERATIONS SUPPORT ADMINISTRATION		
13	Full-time equated classified positions.....	152.9	
14	Operations support administration--45.0 FTE positions		\$ 4,110,700
15	New custody staff training.....		4,094,100
16	Compensatory buyout and union leave bank.....		100
17	Worker's compensation.....		16,278,900
18	Bureau of fiscal management--90.9 FTE positions.....		8,448,300
19	Office of legal services--6.0 FTE positions.....		2,345,100
20	Internal affairs--11.0 FTE positions.....		1,219,300
21	Rent.....		2,095,200
22	Equipment and special maintenance.....		2,425,500
23	Administrative hearings officers.....		2,682,900
24	Judicial data warehouse user fees.....		50,000
25	Interdepartmental grant to judiciary.....		1,000,000
26	Interdepartmental grant to corrections ombudsman.....		250,000
27	Sheriffs' coordinating and training office.....		500,000

1	Prosecutorial and detainer expenses		<u>4,051,000</u>
2	GROSS APPROPRIATION.....	\$	49,551,100
3	Appropriated from:		
4	Interdepartmental grant revenues:		
5	IDG-MDSP, Michigan justice training fund.....		313,200
6	Special revenue funds:		
7	Local corrections officer training fund.....		500,000
8	Correctional industries revolving fund.....		534,600
9	State general fund/general purpose.....	\$	48,203,300
10	Sec. 105. FIELD OPERATIONS ADMINISTRATION		
11	Full-time equated classified positions.....	2,161.9	
12	Field operations--2,007.9 FTE positions.....		\$ 184,553,200
13	Parole board operations--45.0 FTE positions.....		4,517,400
14	Parole/probation services.....		2,243,500
15	Community re-entry centers--48.0 FTE positions.....		14,269,300
16	Electronic monitoring center--61.0 FTE positions.....		<u>16,570,200</u>
17	GROSS APPROPRIATION.....	\$	222,153,600
18	Appropriated from:		
19	Special revenue funds:		
20	Local - community tether program reimbursement.....		447,300
21	Re-entry center offender reimbursements.....		141,600
22	Parole and probation oversight fees.....		6,300,000
23	Parole and probation oversight fees set-aside.....		2,649,500
24	Tether program participant contributions.....		2,033,800
25	State general fund/general purpose.....	\$	210,581,400
26	Sec. 106. CORRECTIONAL FACILITIES-ADMINISTRATION		
27	Average population	1,750	

1	Full-time equated classified positions.....	1,249.1	
2	Correctional facilities administration--29.0 FTE		
3	positions		\$ 8,186,400
4	Prison food service--394.0 FTE positions		56,718,200
5	Transportation--211.6 FTE positions		19,043,600
6	Central records--53.5 FTE positions		3,906,100
7	Inmate legal services.....		715,900
8	Loans to parolees.....		179,400
9	Housing inmates in federal institutions.....		793,900
10	Prison store operations--75.0 FTE positions		1,467,100
11	Prison industries operations--189.0 FTE positions		21,325,400
12	Federal school lunch program.....		712,800
13	Leased beds and alternatives to leased beds		10,000,100
14	Public works programs.....		10,000,000
15	Cost-effective housing initiative.....		47,906,300
16	Average population	1,750	
17	Inmate housing fund.....		(79,232,700)
18	Education program--252.0 FTE positions		<u>31,279,600</u>
19	GROSS APPROPRIATION.....		\$ 133,002,100
20	Appropriated from:		
21	Interdepartmental grant revenues:		
22	IDG-MDCH, forensic center food service		630,600
23	Federal revenues:		
24	DAG-FNS, national school lunch.....		712,800
25	DED-OESE, title 1.....		533,500
26	DED-OVAE, adult education.....		911,200
27	DED-OSERS.....		110,200

1	DED, vocational education equipment		283,100
2	DED, youthful offender/Specter grant		1,318,400
3	DOJ-BOP, federal prisoner reimbursement		211,100
4	DOJ-OJP, serious and violent offender reintegration		
5	initiative		10,400
6	DOJ, prison rape elimination act grant		1,037,900
7	SSA-SSI, incentive payment		144,300
8	Special revenue funds:		
9	Correctional industries revolving fund		21,325,400
10	Public works user fees		10,000,000
11	Resident stores		1,467,100
12	State general fund/general purpose	\$	94,306,100
13	Sec. 107. HEALTH CARE		
14	Full-time equated classified positions.....	1,690.0	
15	Health care administration--14.0 FTE positions		\$ 3,236,200
16	Prisoner health care services		93,095,500
17	Vaccination program		691,200
18	Interdepartmental grant to human services, eligibility		
19	specialists		100,000
20	Mental health services and support--546.0 FTE		
21	positions		55,069,200
22	Northern region clinical complexes--366.6 FTE		
23	positions		43,198,100
24	Southern region clinical complexes--763.4 FTE		
25	positions		<u>116,384,000</u>
26	GROSS APPROPRIATION	\$	311,774,200
27	Appropriated from:		

1	Special revenue funds:	
2	Prisoner health care copayments	354,900
3	State general fund/general purpose	\$ 311,419,300
4	Sec. 108. NORTHERN REGION CORRECTIONAL FACILITIES	
5	Average population	18,983
6	Full-time equated classified positions.....	4,282.9
7	Alger maximum correctional facility - Munising--265.0	
8	FTE positions	\$ 27,249,700
9	Average population	889
10	Baraga maximum correctional facility - Baraga--325.1	
11	FTE positions	31,829,200
12	Average population	884
13	Earnest C. Brooks correctional facility - Muskegon--	
14	447.0 FTE positions	45,545,500
15	Average population	2,440
16	Chippewa correctional facility - Kincheloe--467.4 FTE	
17	positions	47,846,400
18	Average population	2,282
19	Kinross correctional facility - Kincheloe--339.0 FTE	
20	positions	35,237,600
21	Average population	1,799
22	Marquette branch prison - Marquette--339.6 FTE	
23	positions	37,544,000
24	Average population	1,201
25	Newberry correctional facility - Newberry--263.9 FTE	
26	positions	26,091,500
27	Average population	978

1	Oaks correctional facility - Eastlake--306.0 FTE	
2	positions	34,317,200
3	Average population	1,156
4	Ojibway correctional facility - Marenisco--205.9 FTE	
5	positions	19,053,300
6	Average population	1,090
7	Central Michigan correctional facility - St. Louis--	
8	416.9 FTE positions	40,278,900
9	Average population	2,400
10	Pugsley correctional facility - Kingsley--216.0 FTE	
11	positions	20,464,400
12	Average population	1,158
13	Saginaw correctional facility - Freeland--312.8 FTE	
14	positions	31,952,400
15	Average population	1,480
16	St. Louis correctional facility - St. Louis--320.3 FTE	
17	positions	32,541,300
18	Average population	1,226
19	Northern region administration and support--58.0 FTE	
20	positions	<u>4,304,300</u>
21	GROSS APPROPRIATION.....	\$ 434,255,700
22	Appropriated from:	
23	Special revenue funds:	
24	State general fund/general purpose.....	\$ 434,255,700
25	Sec. 109. SOUTHERN REGION CORRECTIONAL FACILITIES	
26	Average population	25,184
27	Full-time equated classified positions.....	5,958.0

1	Bellamy Creek correctional facility - Ionia--394.4 FTE		
2	positions	\$	39,857,300
3	Average population		1,850
4	Carson City correctional facility - Carson City--455.1		
5	FTE positions		47,496,100
6	Average population		2,440
7	Cooper street correctional facility - Jackson--260.9		
8	FTE positions		28,092,100
9	Average population		1,799
10	G. Robert Cotton correctional facility - Jackson--		
11	402.5 FTE positions		39,548,100
12	Average population		1,841
13	Charles E. Egeler correctional facility - Jackson--		
14	355.3 FTE positions		39,929,200
15	Average population		1,376
16	Richard A. Handlon correctional facility - Ionia--		
17	233.4 FTE positions		24,033,900
18	Average population		1,373
19	Gus Harrison correctional facility - Adrian--444.7 FTE		
20	positions		45,738,200
21	Average population		2,342
22	Huron Valley correctional complex - Ypsilanti--559.7		
23	FTE positions		58,478,700
24	Average population		1,872
25	Ionia maximum correctional facility - Ionia--304.7 FTE		
26	positions		30,890,400
27	Average population		654

1	Lakeland correctional facility - Coldwater--262.8 FTE	
2	positions	24,877,200
3	Average population	1,336
4	Macomb correctional facility - New Haven--304.3 FTE	
5	positions	30,406,800
6	Average population	1,228
7	Maxey/Woodland Center correctional facility - Whitmore	
8	Lake--272.2 FTE positions	26,084,800
9	Average population	328
10	Michigan reformatory - Ionia--320.1 FTE positions	34,309,700
11	Average population	1,338
12	Mound correctional facility - Detroit--283.4 FTE	
13	positions	26,010,600
14	Average population	1,062
15	Parnall correctional facility - Jackson--266.2 FTE	
16	positions	27,548,800
17	Average population	1,678
18	Ryan correctional facility - Detroit--281.8 FTE	
19	positions	29,198,600
20	Average population	1,048
21	Thumb correctional facility - Lapeer--292.5 FTE	
22	positions	30,251,400
23	Average population	1,219
24	Special alternative incarceration program (Camp	
25	Cassidy Lake)--120.0 FTE positions.....	10,149,700
26	Average population	400
27	Southern region administration and support--144.0 FTE	

1	positions	<u>19,946,000</u>
2	GROSS APPROPRIATION.....	\$ 612,847,600
3	Appropriated from:	
4	Federal revenues:	
5	DOJ, state criminal alien assistance program.....	1,543,300
6	Special revenue funds:	
7	Public works user fees.....	358,700
8	State general fund/general purpose.....	\$ 610,945,600
9	Sec. 110. INFORMATION TECHNOLOGY	
10	Information technology services and projects.....	\$ <u>21,824,400</u>
11	GROSS APPROPRIATION.....	\$ 21,824,400
12	Appropriated from:	
13	Special revenue funds:	
14	Correctional industries revolving fund.....	159,600
15	Parole and probation oversight fees set-aside.....	626,200
16	State general fund/general purpose.....	\$ 21,038,600

17 PART 2
 18 PROVISIONS CONCERNING APPROPRIATIONS
 19 FOR FISCAL YEAR 2011-2012

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 2011-2012 is \$1,927,187,600.00 and
 24 state spending from state resources to be paid to local units of
 25 government for fiscal year 2011-2012 is \$89,893,500.00. The

1 itemized statement below identifies appropriations from which
 2 spending to local units of government will occur:

3 DEPARTMENT OF CORRECTIONS

4 Field operations - assumption of county probation

5 staff	\$ 53,642,400
6 Public service work projects	707,800
7 Community corrections comprehensive plans and services	13,958,000
8 Community corrections residential services	18,075,500
9 Community corrections public education and training ..	50,000
10 Felony drunk driver jail reduction and community	
11 treatment program	1,440,100
12 Community re-entry centers	2,019,600
13 Regional jail program	<u>100</u>
14 TOTAL	\$ 89,893,500

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

18 Sec. 203. As used in this article:

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

23 (b) "Cost per prisoner" means the sum total of the funds
 24 appropriated under part 1 for the following, divided by the
 25 projected prisoner population in fiscal year 2010-2011:

26 (i) Northern and southern region correctional facilities.

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

- 1 (iii) Northern and southern region clinical complexes.
2 (iv) Prisoner health care services.
3 (v) Health care administration.
4 (vi) Vaccination program.
5 (vii) Prison food service and federal school lunch program.
6 (viii) Transportation.
7 (ix) Inmate legal services.
8 (x) Correctional facilities administration.
9 (xi) Central records.
10 (xii) DOJ psychiatric plan.
11 (xiii) Worker's compensation.
12 (xiv) New custody staff training.
13 (xv) Prison store operations.
14 (xvi) Education services and federal education grants.
15 (xvii) Education program.
16 (c) "DAG" means the United States department of agriculture.
17 (d) "DAG-FNS" means the DAG food and nutrition service.
18 (e) "DED" means the United States department of education.
19 (f) "DED-OESE" means the DED office of elementary and
20 secondary education.
21 (g) "DED-OSERS" means the DED office of special education and
22 rehabilitative services.
23 (h) "DED-OVAE" means the DED office of vocational and adult
24 education.
25 (i) "Department" or "MDOC" means the Michigan department of
26 corrections.
27 (j) "DOJ" means the United States department of justice.

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

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

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

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

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

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

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

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

15 (s) "IDG" means interdepartmental grant.

16 (t) "IDT" means intradepartmental transfer.

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

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

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

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

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

26 (z) "Objective risk and needs assessment" means an evaluation
27 of an offender's criminal history; the offender's noncriminal

1 history; and any other factors relevant to the risk the offender
2 would present to the public safety, including, but not limited to,
3 having demonstrated a pattern of violent behavior, and a criminal
4 record that indicates a pattern of violent offenses.

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

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

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

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

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

19 (iv) Not been sentenced to a jail term for a new criminal
20 offense.

21 (v) 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 (vi) Obtained housing.

25 (cc) "Offender target population" means felons or
26 misdemeanants who would likely be sentenced to imprisonment in a
27 state correctional facility or jail, who would not likely increase

1 the risk to the public safety based on an objective risk and needs
2 assessment that indicates that the offender can be safely treated
3 and supervised in the community.

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

6 (i) A felon or misdemeanor who receives a sentencing
7 disposition that appears to be in place of incarceration in a state
8 correctional facility or jail, according to historical local
9 sentencing patterns.

10 (ii) A currently incarcerated felon or misdemeanor who is
11 granted early release from incarceration to a community corrections
12 program or who is granted early release from incarceration as a
13 result of a community corrections program.

14 (ee) "Programmatic success" means that the department program
15 or initiative has ensured that the offender has accomplished all of
16 the following:

17 (i) Obtained employment, has enrolled or participated in a
18 program of education or job training, or has investigated all bona
19 fide employment opportunities.

20 (ii) Obtained housing.

21 (iii) Obtained a state identification card.

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

23 (i) The arrest and conviction of a supervised individual for a
24 new offense while under community supervision.

25 (ii) The adjudication of a supervised individual for a
26 violation of the conditions of supervision while under community
27 supervision.

1 (iii) A sanction resulting from a violation of terms of
2 supervision that results in a return to prison without being
3 adjudicated.

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

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

8 (ii) "Serious mental illness" means that term as defined in
9 section 100d(3) of the mental health code, 1974 PA 328, MCL
10 330.1100d.

11 (jj) "SSA" means the United States social security
12 administration.

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

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

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

1 compensation rates for comparable medical professionals in the
2 private sectors who provide services to the general public to
3 estimate any disparity in compensation.

4 (2) Following the review, the department shall make
5 recommendations on changes needed to the state compensation plan
6 for health care professional positions and to department contracts
7 with health care providers so that compensation levels are
8 sufficient to ensure that needed health care professional positions
9 with vacancies are filled, that the department experiences adequate
10 retention levels for these positions, and that necessary health
11 care services are delivered in a timely manner to the prisoner
12 population. A report outlining these recommendations shall be
13 submitted to the senate and house appropriations subcommittees on
14 corrections, the senate and house fiscal agencies, and the state
15 budget office by May 1, 2011.

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

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

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

1 site.

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

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

20 (2) If a parolee or probationer has been ordered to pay
21 restitution, the department shall ensure that payment is a
22 condition of his or her community supervision. Restitution payments
23 shall be made as provided in section 22 of chapter XV of the code
24 of criminal procedure, 1927 PA 175, MCL 775.22. The department
25 shall collect not more than 50% of all money collected from
26 parolees and probationers for payments other than victim payments,
27 as that term is defined in section 22 of chapter XV of the code of

1 criminal procedure, 1927 PA 175, MCL 775.22.

2 (3) By April 1, the department shall provide the members of
3 the senate and house appropriations subcommittees on corrections,
4 the senate and house fiscal agencies, and the state budget director
5 with a report detailing the collection of fees under this section.
6 At minimum, this report shall include a categorical accounting of
7 all fees collected under this section.

8 Sec. 212. On a quarterly basis, each executive branch
9 department and agency receiving appropriations in part 1 shall
10 report on the number of full-time equated positions in pay status
11 by civil service classification to the senate and house
12 appropriations subcommittees on corrections and the senate and
13 house fiscal agencies. This report shall include a detailed
14 accounting of the long-term vacancies that exist within each
15 department. As used in this subsection, "long-term vacancy" means
16 any full-time equated position that has not been filled at any time
17 during the past 24 calendar months.

18 Sec. 213. By February 15, the department shall provide 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 with a report detailing non-general fund/general
22 purpose sources of revenue, including, but not limited to, federal
23 revenues, state restricted revenues, local and private revenues,
24 offender reimbursements and other payments, revolving funds, and 1-
25 time sources of revenue, whether or not those revenues were
26 appropriated. The report shall include statements detailing for
27 each account the total amount of revenue received during fiscal

1 year 2009-2010, the amount by which the revenue exceeded any
2 applicable appropriated fund source, the amount spent during fiscal
3 year 2009-2010, the account balance at the close of fiscal year
4 2009-2010, and the projected revenues and expenditures for fiscal
5 year 2010-2011.

6 Sec. 214. From the funds appropriated in part 1 for
7 information technology, the department shall pay user fees to the
8 department of technology, management, and budget for technology-
9 related services and projects. These user fees shall be subject to
10 provisions of an interagency agreement between the department and
11 the department of technology, management, and budget. It is the
12 intent of the legislature that the department consider using third-
13 party software and information technologies before contracting for
14 such services through the department of technology, management, and
15 budget.

16 Sec. 215. Amounts appropriated in part 1 for information
17 technology may be designated as work projects and carried forward
18 to support technology projects under the direction of the
19 department of technology, management, and budget. Funds designated
20 in this manner are not available for expenditure until approved as
21 work projects under section 451a of the management and budget act,
22 1984 PA 431, MCL 18.1451a.

23 Sec. 216. (1) Due to the current budgetary problems of this
24 state, out-of-state travel for the fiscal year ending September 30,
25 2012 shall be limited to situations in which 1 or more of the
26 following conditions apply:

27 (a) The travel is required by legal mandate or court order or

1 for law enforcement purposes.

2 (b) The travel is necessary to protect the health or safety of
3 Michigan citizens or visitors or to assist other states for similar
4 reasons.

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

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

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

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

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

20 Sec. 218. The department and agencies receiving appropriations
21 in part 1 shall receive and retain copies of all reports funded
22 from appropriations in part 1. Federal and state guidelines for
23 short-term and long-term retention of records shall be followed.
24 The department may electronically retain copies of reports unless
25 otherwise required by federal and state guidelines.

26 Sec. 219. Any contract for prisoner telephone services entered
27 into after the effective date of this article shall include a

1 condition that fee schedules for prisoner telephone calls,
2 including rates and any surcharges other than those necessary to
3 meet special equipment costs, be the same as fee schedules for
4 calls placed from outside of correctional facilities.

5 Sec. 220. Not later than November 15, the department shall
6 prepare and transmit a report that provides for estimates of the
7 total general fund/general purpose appropriation lapses at the
8 close of the fiscal year. This report shall summarize the projected
9 year-end general fund/general purpose appropriation lapses by major
10 departmental program or program areas. The report shall be
11 transmitted to the office of the state budget, the chairpersons of
12 the senate and house of representatives standing committees on
13 appropriations, and the senate and house fiscal agencies.

14 Sec. 221. (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.

1 Sec. 223. (1) In addition to the funds appropriated in part 1,
2 there is appropriated an amount not to exceed \$10,000,000.00 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 \$5,000,000.00 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 \$2,000,000.00 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 \$2,000,000.00 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. 224. By March 1, the department shall provide a
26 litigation report to the senate and house appropriations
27 subcommittees on corrections, the senate and house fiscal agencies,

1 and the state budget director. The report shall identify all
2 lawsuits adjudicated through the trial court phase in which the
3 department or an employee acting on behalf of the department was a
4 defendant and in which trial court proceedings resulted in a
5 decision of \$250,000.00 or more against the department.

6 Sec. 225. (1) The department shall make every effort to place
7 employees displaced by any reductions in force within other
8 positions in the department.

9 (2) It is the intent of the legislature that all employees
10 displaced by any reductions in force who are not placed within
11 other positions in the department be given priority in state
12 programs for job retraining or education, such as the no worker
13 left behind program.

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, 2011 and
22 September 30, 2012.

23 Sec. 235. It is the intent of the legislature that the
24 department reduce expenditures using the following strategies:

25 (a) Following the recommendations outlined in audit report
26 471-0130-08 of June 2009 issued by the Michigan office of the
27 auditor general, which found \$7,534,039.00 in known savings that

1 would have been achieved through cost-neutral operation of the
2 bureau of correctional industries, as follows:

3 (i) Finding 1 indicates that the bureau of correctional
4 industries has consistently failed to maintain profitable or cost-
5 neutral operations.

6 (ii) Finding 2 indicates that the bureau of correctional
7 industries had not developed or implemented a comprehensive
8 business plan.

9 (iii) Finding 3 indicates that the bureau of correctional
10 industries did not efficiently schedule and utilize its trucks and
11 drivers for delivery of products and services.

12 (iv) Finding 4 indicates that the bureau of correctional
13 industries had not established comprehensive policies and
14 procedures for setting prices and discounts for products and
15 services.

16 (b) Continuing the supply chain transformation (SCT) with the
17 new fiscal year beginning October 1, 2011. The SCT shall address
18 all goods and services delivered into the department, with special
19 focus in the following areas: food service, offender transport,
20 warehousing, prisoner stores, laundries, textiles, transportation,
21 reverse logistics, education, sex offender programming, assaultive
22 offender programming, Michigan state industries manufacturing and
23 related material, and capital and service purchase contracts under
24 development or due to expire. The department shall continually
25 detail its supply chain strategy and implementation plan including
26 tasks, timing, resources, costs, and benefits to be achieved. The
27 department shall provide quarterly cost and benefit savings report

1 information. The department shall contract with a world-class
2 supply chain external resource with the following capabilities:
3 demonstrated success working in a department of corrections
4 environment in the targeted supply chain areas of focus;
5 demonstrated expertise in defining, developing, and implementing
6 cross-functional infrastructures; continuous quality improvement
7 teams; stakeholder and communications outreach programs; six
8 sigma/lean tools and templates; hands-on supply chain; continuous
9 quality improvement and six sigma tool training; and positive
10 working relations and measurable, documented client satisfaction
11 results.

12 (c) Following the recommendations outlined in audit report
13 471-0620-07L of October 2008 issued by the Michigan office of the
14 auditor general, which found \$14,800,000.00 in estimated savings
15 that could be achieved through reforms of the department's staffing
16 and purchasing policies, as follows:

17 (i) Finding 1 indicates that the department needs to improve
18 its administration of custody officer staffing.

19 (ii) Finding 2 indicates that the department needs to pursue
20 additional cost-saving measures through future contract
21 negotiations and review of its organizational structure.

22 (iii) Finding 3 indicates that the department did not have a
23 formal process in place to negotiate prices for goods and services
24 purchased from Michigan state industries.

25 (d) Following the recommendations outlined in audit report
26 471-0623-07L of December 2008 issued by the Michigan office of the
27 auditor general, which found significant but indeterminate savings

1 could be achieved through reforms of prisoner transportation
2 policies, specifically, finding 4 indicates that the department
3 should continue to seek the cooperation of the state court
4 administrative office and its medical service providers to fully
5 use existing technology to conduct videoconferencing for court and
6 medical appointments.

7 Sec. 236. It is the intent of the legislature that from the
8 revenue resulting from the sale of the former Scott correctional
9 facility sufficient funds shall be appropriated to the department
10 to reimburse Michigan state industries for costs related to the
11 construction of the Industries Building, which was operated by
12 Michigan state industries on the site of the Scott correctional
13 facility.

14 Sec. 237. The department shall observe all requirements set
15 forth in statute and administrative rules related to procurement
16 requests and shall ensure that proper communication is maintained
17 with the department of technology, management, and budget regarding
18 the use of delegated purchasing authority granted by the department
19 of technology, management, and budget. The department shall not
20 pursue the procurement of any good or service on its own that falls
21 outside its delegated authority from the department of technology,
22 management, and budget. If any requests for proposal or requests
23 for qualifications are delayed due to the department's improper use
24 of purchasing authority under statute and administrative rules, the
25 department shall report on the improper use to the house and senate
26 appropriations subcommittees on corrections within 15 days after
27 determining that the improper use occurred. The report shall review

1 the purpose of the relevant procurement effort, explain why the
2 improper use of delegated authority occurred, and outline steps
3 being taken to ensure that improper use of delegated authority does
4 not occur again in the future.

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

8 Sec. 239. It is the intent of the legislature that the
9 department establish and maintain a management-to-staff ratio of 1
10 supervisor for each 5 employees at the department's central office
11 in Lansing and at both the northern and southern region
12 administration offices.

13 Sec. 240. On or before March 1, 2012, the department shall
14 solicit and evaluate proposals for services related to the audit of
15 vendor and contract payments and the recovery of improper payments.
16 The period covered by the proposed audit shall be not less than 3
17 prior fiscal years. On or before September 1, 2012, the department
18 shall provide to the house and senate committees on appropriations
19 and the house and senate fiscal agencies a complete report on the
20 results of the proposal solicitation and findings and amounts
21 recovered from subsequent recovery audits.

22 **EXECUTIVE**

23 Sec. 301. (1) For 3 years after a felony offender is released
24 from the department's jurisdiction, the department shall maintain
25 the offender's file on the offender tracking information system and
26 make it publicly accessible in the same manner as the file of the

1 current offender. However, the department shall immediately remove
2 the offender's file from the offender tracking information system
3 upon determination that the offender was wrongfully convicted and
4 the offender's file is not otherwise required to be maintained on
5 the offender tracking information system.

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

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

1 plan and, in coordination with the department, to identify funds
2 with which to implement the plan, as appropriate.

3 Sec. 304. The director of the department shall maintain a
4 staff savings initiative program to invite employees to submit
5 suggestions for saving costs for the department. The department
6 shall report semiannually to the senate and house appropriations
7 subcommittees on corrections, the senate and house fiscal agencies,
8 and the state budget director on the suggestions submitted under
9 this section, the implementation plan for those suggestions with
10 which the department agrees, and an explanation of any
11 disagreements with suggestions.

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

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

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

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

21 (d) The date of the suicide.

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

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

27 (g) Whether the prisoner had received a mental health

1 evaluation or assessment.

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

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

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

9 **PLANNING AND COMMUNITY SUPPORT**

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

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

22 (a) The provision of employment or employment services and job
23 training.

24 (b) The provision of housing assistance.

25 (c) Referral to mental health services.

26 (d) Referral to substance abuse services.

1 (e) Referral to public health services.

2 (f) Referral to education.

3 (g) Referral to any other services necessary for successful
4 reintegration.

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

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

13 (b) Allocations and planned expenditures for each project
14 funded and for each project to be funded, itemized by service to be
15 provided and service provider. The department shall provide an
16 amended report at least 60 days before making revisions to
17 allocations or planned expenditures.

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

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

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

10 (2) The department shall provide substance abuse treatment to
11 prisoners with priority given to those prisoners who are most in
12 need of treatment and who can best benefit from program
13 intervention based on the screening and assessment provided under
14 subsection (1).

15 Sec. 405. (1) In expending residential substance abuse
16 treatment services funds appropriated under this article, the
17 department shall ensure to the maximum extent possible that
18 residential substance abuse treatment services are available
19 statewide.

20 (2) By March 1, the department shall report to the senate and
21 house appropriations subcommittees on corrections, the senate and
22 house fiscal agencies, and the state budget director on the
23 allocation, distribution, and expenditure of all funds appropriated
24 by the substance abuse testing and treatment line item during
25 fiscal year 2010-2011 and projected for fiscal year 2011-2012. The
26 report shall include, but not be limited to, an explanation of an
27 anticipated year-end balance, the number of participants in

1 substance abuse programs, and the number of offenders on waiting
2 lists for residential substance abuse programs. Information
3 required under this subsection shall, where possible, be separated
4 by MDOC administrative region and by offender type, including, but
5 not limited to, a distinction between prisoners, parolees, and
6 probationers.

7 (3) By March 1, the department shall report to the senate and
8 house appropriations subcommittees on corrections, the senate and
9 house fiscal agencies, and the state budget director on substance
10 abuse testing and treatment program objectives, outcome measures,
11 and results, including program impact on offender success and
12 programmatic success as those terms are defined in section 203.

13 Sec. 405a. The department shall work cooperatively with MDCH and
14 substance abuse coordinating agencies in referring offenders as
15 appropriate to intensive substance abuse services, including
16 residential services.

17 Sec. 406. As a condition for expending any money appropriated
18 in part 1 for reinvestment in prisoner re-entry programs, the
19 department shall establish a pilot program with an allocation of at
20 least \$2,000,000.00 from the funding appropriated to prisoner
21 reintegration programs to contract with faith-based nonprofit
22 agencies with established programs that assist prisoners exiting
23 the prison system to reintegrate into the community. The department
24 shall report to the house and senate appropriations subcommittees
25 on corrections, the house and senate fiscal agencies, and the state
26 budget director by December 1 on the contracts awarded under the
27 pilot program, including the faith-based, nonprofit agencies

1 selected and the contract amounts awarded to each agency. The
2 department shall analyze and compare the success and failure rates
3 of prisoners served under the pilot program and those served
4 through other department reintegration programs and shall report
5 this information to the legislature during budget hearings on the
6 fiscal year 2012-2013 budget.

7 Sec. 407. (1) By June 30, the department shall place the 2011
8 statistical report on an Internet site. The statistical report
9 shall include, but not be limited to, the information as provided
10 in the 2004 statistical report.

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

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

18 Sec. 409. The office of community alternatives shall provide
19 and coordinate the delivery and implementation of services in
20 communities to facilitate successful offender reintegration into
21 the community. Programs and services to be offered shall include,
22 but are not limited to, technical assistance for comprehensive
23 corrections plan development, new program start-up funding, program
24 funding for those programs delivering services for eligible
25 offenders in geographic areas identified by the office of community
26 corrections as having a shortage of available services, technical
27 assistance, referral services for education, employment services,

1 and substance abuse and family counseling.

2 Sec. 410. (1) The funds included in part 1 for community
3 corrections comprehensive plans and services are to encourage the
4 development through technical assistance grants, implementation,
5 and operation of community corrections programs that enhance
6 offender success and that also may serve as an alternative to
7 incarceration in a state facility or jail. The comprehensive
8 corrections plans shall include an explanation of how the public
9 safety will be maintained, the goals for the local jurisdiction,
10 offender target populations intended to be affected, offender
11 eligibility criteria for purposes outlined in the plan, and how the
12 plans will meet the following objectives, consistent with section
13 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:

14 (a) Reduce admissions to prison of offenders who would likely
15 be sentenced to imprisonment, including probation violators.

16 (b) Improve the appropriate utilization of jail facilities,
17 the first priority of which is to open jail beds intended to house
18 otherwise prison-bound felons, and the second priority being to
19 appropriately utilize jail beds so that jail crowding does not
20 occur.

21 (c) Open jail beds through the increase of pretrial release
22 options.

23 (d) Reduce the readmission to prison of parole violators.

24 (e) Reduce the admission or readmission to prison of
25 offenders, including probation violators and parole violators, for
26 substance abuse violations.

27 (f) Contribute to offender success, as that term is defined in

1 section 203.

2 (2) The award of community corrections comprehensive plans and
3 residential services funds shall be based on criteria that include,
4 but are not limited to, the prison commitment rate by category of
5 offenders, trends in prison commitment rates and jail utilization,
6 historical trends in community corrections program capacity and
7 program utilization, and the projected impact and outcome of annual
8 policies and procedures of programs on offender success, prison
9 commitment rates, and jail utilization.

10 (3) Funds awarded for residential services in part 1 shall
11 provide for a per diem reimbursement of not more than \$47.50 for
12 nonaccredited facilities, or of not more than \$48.50 for facilities
13 that have been accredited by the American corrections association
14 or a similar organization as approved by the 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, 2011, 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. (1) Funds included in part 1 for the felony drunk
12 driver jail reduction and community treatment program are
13 appropriated for and may be expended for any of the following
14 purposes:

15 (a) To increase availability of treatment options to reduce
16 drunk driving and drunk driving-related deaths by addressing the
17 alcohol addiction of felony drunk drivers who otherwise likely
18 would be sentenced to jail or a combination of jail and other
19 sanctions.

20 (b) To divert from jail sentences or to reduce the length of
21 jail sentences for felony drunk drivers who otherwise would have
22 been sentenced to jail and whose recommended minimum sentence
23 ranges under sentencing guidelines established under chapter XVII
24 of the code of criminal procedure, 1927 PA 175, MCL 777.1 to
25 777.69, have upper limits of 18 months or less or the lower limit
26 of the sentencing range is 1 year or less and the upper limit of
27 the range is more than 18 months and the prior record variable is

1 less than 35 points, through funding programs that may be used in
2 lieu of incarceration and that increase the likelihood of
3 rehabilitation.

4 (c) To provide a policy and funding framework to make
5 additional jail space available for housing convicted felons whose
6 recommended minimum sentence ranges under sentencing guidelines
7 established under chapter XVII of the code of criminal procedure,
8 1927 PA 175, MCL 777.1 to 777.69, have lower limits of 12 months or
9 less and who likely otherwise would be sentenced to prison, with
10 the aim of enabling counties to meet or exceed amounts received
11 through the county jail reimbursement program during fiscal year
12 2002-2003 and reducing the numbers of felons sentenced to prison.

13 (2) Expenditure of funds included in part 1 for the felony
14 drunk driver jail reduction and community treatment program shall
15 be by grant awards consistent with standards developed by a
16 committee of the state community corrections advisory board. The
17 chairperson of the committee shall be the board member representing
18 county sheriffs. Remaining members of the committee shall be
19 appointed by the chairperson of the board.

20 (3) In developing annual standards, the committee shall
21 consult with interested agencies and associations. Standards
22 developed by the committee shall include application criteria,
23 performance objectives and measures, funding allocations, and
24 allowable uses of the funds, consistent with the purposes specified
25 in this section.

26 (4) Allowable uses of the funds shall include reimbursing
27 counties for transportation, treatment costs, and housing felony

1 drunk drivers during a period of assessment for treatment and case
2 planning. Reimbursements for housing during the assessment process
3 shall be at the rate of \$43.50 per day per offender, up to a
4 maximum of 5 days per offender.

5 (5) The standards developed by the committee shall assign each
6 county a maximum funding allocation based on the amount the county
7 received under the county jail reimbursement program in fiscal year
8 2001-2002 for housing felony drunk drivers whose recommended
9 minimum sentence ranges under the sentencing guidelines described
10 in subsection (1)(c) had upper limits of 18 months or less.

11 (6) Awards of funding under this section shall be provided
12 consistent with the local comprehensive corrections plans developed
13 under the community corrections act, 1988 PA 511, MCL 791.401 to
14 791.414. Funds awarded under this section may be used in
15 conjunction with funds awarded under grant programs established
16 under that act. Due to the need for felony drunk drivers to be
17 transitioned from county jails to community treatment services, it
18 is the intent of the legislature that local units of government
19 utilize funds received under this section to support county sheriff
20 departments.

21 (7) As used in this section, "felony drunk driver" means a
22 felon convicted of operating a motor vehicle under the influence of
23 intoxicating liquor or a controlled substance, or both, third or
24 subsequent offense, under section 625(9)(c) of the Michigan vehicle
25 code, 1949 PA 300, MCL 257.625, or its predecessor statute,
26 punishable as a felony.

27 Sec. 417. (1) By March 1, the department shall report to the

1 members of the senate and house appropriations subcommittees on
2 corrections, the senate and house fiscal agencies, and the state
3 budget director on each of the following programs from the previous
4 fiscal year:

5 (a) The county jail reimbursement program.

6 (b) The felony drunk driver jail reduction and community
7 treatment program.

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

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

12 (a) Program objectives and outcome measures, including, but
13 not limited to, the number of offenders who successfully completed
14 the program, and the number of offenders who successfully remained
15 in the community during the 3 years following termination from the
16 program.

17 (b) Expenditures by location.

18 (c) The impact on jail utilization.

19 (d) The impact on prison admissions.

20 (e) Other information relevant to an evaluation of the
21 program.

22 Sec. 418. (1) The department shall collaborate with the state
23 court administrative office on facilitating changes to Michigan
24 court rules that would require the court to collect at the time of
25 sentencing the state operator's license, state identification card,
26 or other documentation used to establish the identity of the
27 individual to be admitted to the department. The department shall

1 maintain those documents in the prisoner's personal file.

2 (2) The department shall collaborate with the Michigan
3 department of state to ensure that an achievable list of documents
4 necessary to obtain a state operator's license or state
5 identification card upon parole or release is developed and
6 presented to the prisoner so that application for identification
7 can begin prior to a prisoner's discharge or parole hearing. The
8 process for prisoners to acquire this documentation shall be part
9 of the department's operating procedure.

10 (3) The department shall cooperate with MDCH to create and
11 maintain a process by which prisoners can obtain their Michigan
12 birth certificates if necessary. The department shall describe a
13 process for obtaining birth certificates from other states, and in
14 situations where the prisoner's effort fails, the department shall
15 assist in obtaining the birth certificate.

16 (4) By March 1, the department shall report to the senate and
17 house appropriations subcommittees on corrections, the senate and
18 house fiscal agencies, the legislative corrections ombudsman, and
19 the state budget director on the plan for implementing all
20 necessary processes and policy changes in order to ensure
21 compliance with the requirements of this section.

22 Sec. 419. (1) The department shall provide weekly electronic
23 mail reports to the senate and house appropriations subcommittees
24 on corrections, the senate and house fiscal agencies, and the state
25 budget director on prisoner, parolee, and probationer populations
26 by facility, and prison capacities.

27 (2) The department shall provide monthly electronic mail

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

8 (a) Community residential program populations, separated by
9 centers and electronic monitoring.

10 (b) Parole populations.

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

13 (d) Prison and camp populations, with separate identification
14 of the number in special alternative incarceration and the number
15 of lifers.

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

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

23 (g) Prison intake and returns, including probation violators,
24 new court commitments, violators with new sentences, escaper new
25 sentences, total prison intake, returns from court with additional
26 sentences, community placement returns, technical parole violator
27 returns, and total returns to prison and camp.

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

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

19 Sec. 424. (1) From the funds appropriated in part 1 for
20 residential services, the department shall develop and implement,
21 in collaboration with the judiciary and as approved by the state
22 court administrative office, a demonstration project based on
23 evidence-based practices related to judicial and case management
24 interventions that have been proven to increase public safety for
25 high-risk, high-need probationers as determined by a validated risk
26 and need assessment instrument. As used in this section,
27 "probationer" means a circuit court probationer serving a probation

1 sentence for a crime.

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

9 (3) The primary goal of the demonstration project is to reduce
10 crime and revictimization by high-risk, high-need probationers. The
11 secondary goal of the demonstration project is to reduce
12 expenditures for long-term incarceration.

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

16 (a) Risk/needs assessment.

17 (b) Motivational techniques.

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

21 (5) The department shall implement the evidence-based practice
22 of collaborative case management and utilize the services of the
23 department and of local community corrections consistent with the
24 local comprehensive corrections plan developed under the community
25 corrections act, 1988 PA 511, MCL 791.401 to 791.414.

26 (6) The department shall assign a probation officer to the
27 demonstration project to supervise a specialized caseload for high-

1 risk, high-need probationers. All probation officers supervising a
2 specialized caseload under this section shall receive substantial
3 education and training on issues of substance abuse, mental health,
4 and drug and alcohol testing.

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

9 (8) The probation officer assigned to the demonstration
10 project shall comply with supervision requirements established for
11 the demonstration project by the field operations administration
12 deputy director.

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

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

24 (11) From the funds provided to the local jurisdiction for the
25 demonstration project, the department shall collaborate with the
26 local judiciary and the community corrections advisory board to
27 develop and implement an evaluation of the demonstration project

1 that will show the impact of the project on the arrests,
2 convictions, technical violations, and commitments to prison of the
3 demonstration project participants. This evaluation shall be
4 performed in accordance with department of corrections policy and
5 procedure on evaluation design in cooperation with the office of
6 research and planning.

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

12 (a) Demonstration project locations and participating courts.

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

15 (c) Evaluation status and methodology.

16 (d) Preliminary results, if any.

17 Sec. 426. The money appropriated in part 1 for prisoner
18 reintegration, training, and employment programs shall be
19 distributed to 1 or more Michigan-chartered 501(c)(3) nonprofit
20 corporations to expand existing business models, create new
21 business enterprises, or purchase capital equipment for expansion
22 of current business operations. Qualifying nonprofits must hire new
23 employees through the funding provided in this section, must
24 include at least 45% returning citizens, must have documented
25 entrepreneurial social enterprise expertise in creating employment
26 opportunities for parolees, and must presently have established
27 public utility asset recovery recycling programs. The programs

1 shall be administered by 1 or more Michigan-chartered corporations
2 that are exempt from taxation under section 501(c)(3) of the
3 internal revenue code, 26 USC 501(c)(3).

4 Sec. 429. It is the intent of the legislature that the
5 department work with other state departments and agencies to
6 implement the policy options provided to the state by the council
7 of state governments in January 2009 and March 2011.

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

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

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

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

18 Sec. 433. The department shall report quarterly on January 1,
19 2012, April 1, 2012, July 1, 2012, and September 30, 2012 to the
20 senate and house appropriations subcommittees on corrections, the
21 senate and house fiscal agencies, and the state budget director on
22 the status of any contracts entered into under the June 2009
23 request for proposals for the re-entry initiative project for
24 offenders with special needs. The report shall include information
25 on all of the following:

26 (a) The number of prisoners and participating parolees in each
27 of the target population subgroups, including medically fragile,

1 mentally ill, developmentally disabled, and youthful offenders.

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

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

7 Sec. 434. (1) It is the intent of the legislature that the
8 department, in coordination with the department of licensing and
9 regulatory affairs, Michigan state housing development authority,
10 nonprofit and faith-based organizations, and local government
11 officials, implement employment-related projects targeted toward
12 at-risk young adults who are disconnected from school and
13 employment, and probationers and parolees in high-crime
14 neighborhoods where the adult incarceration rate is at least 45%.

15 (2) The department shall identify high-crime neighborhoods
16 where the adult incarceration rate is at least 45% and in
17 consultation with the department of human services, the
18 superintendent of public instruction, and nonprofit and faith-based
19 organizations shall develop programs for recommendation to the
20 legislature that offer academic, counseling, and social support to
21 children of incarcerated parents.

22 **OPERATIONS AND SUPPORT ADMINISTRATION**

23 Sec. 501. From the funds appropriated in part 1 for
24 prosecutorial and detainer expenses, the department shall reimburse
25 counties for housing and custody of parole violators and offenders
26 being returned by the department from community placement who are

1 available for return to institutional status and for prisoners who
2 volunteer for placement in a county jail.

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

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

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

26 Sec. 505. The department shall train all custody staff in
27 effective and safe ways of handling prisoners with mental illness

1 and referring prisoners to mental health treatment programs. Mental
2 health awareness training shall be incorporated into the training
3 of new custody staff.

4 Sec. 506. Of the funds appropriated in part 1, \$250,000.00 is
5 appropriated to provide an interdepartmental grant to the
6 legislative corrections ombudsman for oversight activities.

7 Sec. 507. Of the funds appropriated in part 1, \$1,000,000.00
8 is appropriated as an interdepartmental grant to the judiciary for
9 the establishment of a pilot program for the use of swift-and-sure
10 jail sanctions as a response to certain probation violations.

11 **FIELD OPERATIONS ADMINISTRATION**

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

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

22 Sec. 602. (1) Of the amount appropriated in part 1 for field
23 operations, a sufficient amount shall be allocated for the
24 community service work program and shall be used for salaries and
25 wages and fringe benefit costs of community service coordinators
26 employed by the department to supervise offenders participating in

1 work crew assignments. Funds shall also be used to cover motor
2 transport division rates on state vehicles used to transport
3 offenders to community service work project sites.

4 (2) The community service work program shall provide offenders
5 with community service work of tangible benefit to a community
6 while fulfilling court-ordered community service work sanctions and
7 other postconviction obligations.

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

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

18 (2) Program participant contributions and local community
19 tether program reimbursement for the electronic tether program
20 appropriated in part 1 are related to program expenditures and may
21 be used to offset expenditures for this purpose.

22 (3) Included in the appropriation in part 1 is adequate
23 funding to implement the community tether program to be
24 administered by the department. The community tether program is
25 intended to provide sentencing judges and county sheriffs in
26 coordination with local community corrections advisory boards
27 access to the state's electronic tether program to reduce prison

1 admissions and improve local jail utilization. The department shall
2 determine the appropriate distribution of the tether units
3 throughout the state based upon locally developed comprehensive
4 corrections plans under the community corrections act, 1988 PA 511,
5 MCL 791.401 to 791.414.

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

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

18 Sec. 604. Community-placement prisoners and parolees shall
19 reimburse the department for the total costs of the program. As an
20 alternative method of payment, the department may develop a
21 community service work schedule for those individuals unable to
22 meet reimbursement requirements established by the department.

23 Sec. 606. It is the intent of the legislature that the
24 department shall ensure that parolees and probationers may timely
25 contact their parole or probation agents and maintain procedures
26 that preclude any necessity for an offender to have access to an
27 agent's home telephone number or other personal information

1 pertaining to the agent.

2 Sec. 608. By March 1, the department shall report to the
3 senate and house appropriations subcommittees on corrections, the
4 senate and house fiscal agencies, and the state budget director on
5 the use of electronic monitoring. At a minimum, the report shall
6 include all of the following:

7 (a) Details on the failure rate of parolees for whom GPS
8 tether is utilized, including the number and rate of parolee
9 technical violations, including specifying failures due to
10 committing a new crime that is uncharged but leads to parole
11 termination, and the number and rate of parolee violators with new
12 sentences.

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

17 (c) Monthly data on the number of offenders on active GPS
18 tether, passive GPS tether, radio frequency tether, and any other
19 type of tether.

20 Sec. 609. By March 1, the department shall report to the
21 senate and house appropriations subcommittees on corrections, the
22 senate and house fiscal agencies, and the state budget director on
23 the use of kiosk reporting stations. At a minimum, the report shall
24 include all of the following:

25 (a) Factors considered in determining whether an offender is
26 assigned to report at a kiosk.

27 (b) Information on the location, costs, safety features, and

1 other features of kiosks used for offender reporting.

2 (c) Information on demonstration project outcome measures.

3 (d) An evaluation of the kiosk reporting demonstration
4 project, including any need for improvement and an assessment of
5 the potential for expanded use of kiosk reporting stations.

6 Sec. 611. The department shall prepare by March 1, 2011
7 individual reports for the community re-entry program, the
8 electronic tether program, and the special alternative to
9 incarceration program. The reports shall be submitted to the house
10 and senate appropriations subcommittees on corrections, the house
11 and senate fiscal agencies, and the state budget director. Each
12 program's report shall include information on all of the following:

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

19 (b) Monthly participant unsuccessful terminations, including
20 cause.

21 (c) Number of successful terminations.

22 (d) End month population by facility/program.

23 (e) Average length of placement.

24 (f) Return to prison statistics.

25 (g) Description of each program location or locations,
26 capacity, and staffing.

27 (h) Sentencing guideline scores and actual sentence statistics

1 for participants, if applicable.

2 (i) Comparison with prior year statistics.

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

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

16 (2) To the extent policies or programs described in subsection
17 (1) are used, developed, or contracted for, the department may
18 request that funds appropriated in part 1 be transferred under
19 section 393(2) of the management and budget act, 1984 PA 431, MCL
20 18.1393, for their operation.

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

1 applicable provisions of prior budget acts for the department.

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

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

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

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

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

1 (e) The unduplicated number of offenders who participated in
2 substance abuse treatment programs, mental health treatment
3 programs, or both, while in prison, itemized by diagnosis.

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

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

18 HEALTH CARE

19 Sec. 801. The department shall not expend funds appropriated
20 under part 1 for any surgery, procedure, or treatment to provide or
21 maintain a prisoner's sex change unless it is determined medically
22 necessary by the chief medical officer of the department.

23 Sec. 802. As a condition of expenditure of the funds
24 appropriated in part 1, the department shall provide the senate and
25 house of representatives appropriations subcommittees on
26 corrections, the senate and house fiscal agencies, and the state

1 budget director with all of the following:

2 (a) Quarterly reports on physical and mental health care
3 detailing the average number of days between a prisoner's diagnosis
4 and commencement of treatment for that diagnosis, quarterly and
5 fiscal year-to-date expenditures itemized by vendor, allocations,
6 status of payments from contractors to vendors, and projected year-
7 end expenditures from accounts for prisoner health care, mental
8 health care, pharmaceutical services, and durable medical
9 equipment.

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

13 Sec. 803. For mental health contracts entered into by the
14 department, including those with the Michigan department of
15 community health, recognized performance standards and measures of
16 quality shall be utilized to conduct periodic performance reviews.
17 At least once every 3 years, the department shall renegotiate all
18 mental health contracts entered into under this section with the
19 goals of improving care and reducing costs.

20 Sec. 804. (1) The department shall report quarterly to the
21 senate and house appropriations subcommittees on corrections, the
22 senate and house fiscal agencies, and the state budget director on
23 prisoner health care utilization. The report shall include the
24 number of inpatient hospital days, outpatient visits, and emergency
25 room visits in the previous quarter and since October 1, 2009, by
26 facility.

27 (2) By March 1, the department shall report to the senate and

1 house appropriations subcommittees on corrections, the senate and
2 house fiscal agencies, and the state budget director on prisoners
3 receiving off-site inpatient medical care that would have received
4 care in a state correctional facility if beds were available. The
5 report shall include the number of prisoners receiving off-site
6 inpatient medical care and average length of stay in an off-site
7 facility during the period they would have received care in a state
8 correctional facility if beds were available, by month and
9 correctional facilities administration region.

10 Sec. 805. The bureau of health care services shall develop
11 information on hepatitis C and HIV prevention and the risks
12 associated with exposure to hepatitis C and HIV. The health care
13 providers shall disseminate this information verbally and in
14 writing to each prisoner at the health screening and full health
15 appraisal conducted at admissions, at the annual health care
16 screening 30 days before or after a prisoner's birthday, and prior
17 to release to the community by parole, transfer to community
18 residential placement, or discharge on the maximum sentence.

19 Sec. 806. (1) From the funds appropriated in part 1, the
20 department shall require a hepatitis C antibody test and an HIV
21 test for each prisoner prior to release to the community by parole,
22 transfer to community residential placement, or discharge on the
23 maximum sentence. The department shall require an HIV test and a
24 hepatitis C risk factor screening for each prisoner at the health
25 screening at admissions. If hepatitis C risk factors are
26 identified, the department shall offer the prisoner a hepatitis C
27 antibody test. An explanation of results of the tests shall be

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

4 (2) By March 1, the department shall report to the senate and
5 house appropriations subcommittees on corrections, the senate and
6 house appropriations subcommittees on community health, the senate
7 and house fiscal agencies, and the state budget director on the
8 number of offenders tested and the number of offenders testing
9 positive for HIV, the hepatitis C antibody, or both, at prison
10 admission and parole, transfer to community residential placement,
11 or discharge on the maximum sentence. The department shall keep
12 records of those offenders testing positive for HIV, the hepatitis
13 C antibody, or both, at prison admission, parole, transfer to
14 community residential placement, and discharge. These records shall
15 clearly state the date each test was performed.

16 (3) As a condition of expenditure of the funds appropriated in
17 part 1, the department shall keep records of the following:

18 (a) The number of offenders testing positive for the hepatitis
19 C antibody who do not receive treatment due to refusal of
20 treatment.

21 (b) Cost and duration of treatment by offender as allowable by
22 privacy law.

23 Sec. 807. The department shall ensure that all medications for
24 a prisoner be transported with that prisoner when the prisoner is
25 transferred from 1 correctional facility to another. Prisoners
26 being released shall be provided with at least a 30-day supply of
27 medication and a prescription for refills to allow for continuity

1 of care in the community.

2 Sec. 808. There are sufficient funds and FTEs appropriated in
3 part 1 to provide a full complement of nurses for clinical
4 complexes working regular pay hours, and it is the intent of the
5 legislature that sufficient nurses be hired or retained to limit
6 the use of overtime other-than-holiday pay.

7 Sec. 809. The department, in conjunction with efforts to
8 implement the MPRI, shall cooperate with the MDCH to share data and
9 information as they relate to prisoners being released who are HIV
10 positive or positive for the hepatitis C antibody. By March 1, the
11 department shall report to the senate and house appropriations
12 subcommittees on corrections, the senate and house fiscal agencies,
13 and the state budget director on all of the following:

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

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

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

24 Sec. 810. As a condition of expending appropriations in part
25 1, the department shall ensure each prisoner serving a sentence in
26 a state correctional facility, and each probationer placed at the
27 special alternative incarceration program under the special

1 alternative incarceration act, 1988 PA 287, MCL 798.11 to 798.18,
2 provides a sample for DNA identification profiling. The department
3 shall implement the requirements of this section in accordance with
4 the provisions of any relevant legislation enacted by the
5 legislature.

6 Sec. 812. (1) The department shall provide the department of
7 human services with a monthly list of prisoners newly committed to
8 the department of corrections. The department and the department of
9 human services shall enter into an interagency agreement under
10 which the department of human services provides the department of
11 corrections with monthly lists of newly committed prisoners who are
12 eligible for Medicaid benefits in order to maintain the process by
13 which Medicaid benefits are suspended rather than terminated. The
14 department shall assist prisoners who may be eligible for Medicaid
15 benefits after release from prison with the Medicaid enrollment
16 process prior to release from prison.

17 (2) The department shall provide the senate and house
18 appropriations subcommittees on corrections, the senate and house
19 fiscal agencies, and the state budget director with quarterly
20 updates on the utilization of Medicaid benefits for prisoners.

21 Sec. 813. The department shall monitor and document drug
22 utilization by department for prisoner health care services. As
23 part of this effort, the department shall examine drug utilization
24 patterns and cost-cutting strategies used by corrections systems in
25 other states. By March 1, 2011, the department shall provide a
26 report to the legislature detailing the department's drug
27 utilizations and drug utilization statistics for corrections

1 systems in other states.

2 Sec. 816. By April 1, the department shall provide the members
3 of the senate and house appropriations subcommittees on
4 corrections, the senate and house fiscal agencies, the state budget
5 director, and the legislative corrections ombudsman with a report
6 on pharmaceutical expenditures and prescribing practices. In
7 particular, the report shall provide the following information:

8 (a) A detailed accounting of expenditures on antipsychotic
9 medications.

10 (b) Any changes that have been made to the prescription drug
11 formularies.

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

15 **CORRECTIONAL FACILITIES ADMINISTRATION**

16 Sec. 902. From the funds appropriated in part 1, the
17 department shall allocate sufficient funds to develop a
18 demonstration children's visitation program. The demonstration
19 program shall teach parenting skills and arrange for day visitation
20 at these facilities for parents and their children, except for the
21 families of prisoners convicted of a crime involving criminal
22 sexual conduct in which the victim was less than 18 years of age or
23 involving child abuse.

24 Sec. 903. Except as otherwise provided in this section, the
25 department shall prohibit prisoners' access to or use of the
26 Internet or any similar system. Under adequate supervision and with

1 security precautions that ensure appropriate computer use by
2 prisoners, the department may allow a prisoner access to or use of
3 the Internet for the purposes of educational programming,
4 employment training, job searches, or other Internet-based programs
5 and services consistent with programming objectives, efficient
6 operations, and the safety and security of the institution.

7 Sec. 904. Any department employee who, in the course of his or
8 her job, is determined by a physician to have had a potential
9 exposure to the hepatitis B virus, shall receive a hepatitis B
10 vaccination upon request.

11 Sec. 905. (1) Savings in the inmate housing fund shall be
12 achieved through competitive bidding of facility operations or
13 other measures to reduce the custody, treatment, clinical, and
14 administrative costs associated with the housing of prisoners.
15 Savings shall be distributed as necessary into separate accounts
16 created to separately identify savings through specific cost
17 savings measures.

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

22 Sec. 906. It is the intent of the legislature that the
23 department maintain or expand upon existing public works
24 programming by contracting with local units of government or
25 private organizations. Any local unit of government or private
26 organization that contracts with the department for public works
27 services shall be responsible for financing the entire cost of such

1 an agreement.

2 Sec. 907. The department shall report by March 1 to the senate
3 and house appropriations subcommittees on corrections, the senate
4 and house fiscal agencies, and the state budget director on
5 academic/vocational programs. The report shall provide information
6 relevant to an assessment of the department's academic and
7 vocational programs, including, but not limited to, the following:

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

10 (b) The number of prisoners enrolled in each program, the
11 number of prisoners completing each program, the number of
12 prisoners who fail each program, the number of prisoners who do not
13 complete each program and the reason for not completing the
14 program, the number of prisoners transferred to another facility
15 while enrolled in a program and the reason for transfer, the number
16 of prisoners enrolled who are repeating the program by reason, and
17 the number of prisoners on waiting lists for each program, all
18 itemized by facility.

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

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

24 (e) An explanation of the value and purpose of each program,
25 e.g., to improve employability, reduce recidivism, reduce prisoner
26 idleness, or some combination of these and other factors.

27 (f) An identification of program outcomes for each academic

1 and vocational program.

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

5 (h) The number of prisoners not paroled at their earliest
6 release date due to lack of a GED, and the reason those prisoners
7 have not obtained a GED.

8 Sec. 910. The department shall allow the Michigan Braille
9 transcribing fund program to operate at its current location. The
10 donation of the building by the Michigan Braille transcribing fund
11 at the G. Robert Cotton correctional facility in Jackson is
12 acknowledged and appreciated. The department shall continue to
13 encourage the Michigan Braille transcribing fund to produce high-
14 quality materials for use by the visually impaired.

15 Sec. 911. By March 1, the department shall report to the
16 senate and house appropriations subcommittees on corrections, the
17 senate and house fiscal agencies, the legislative corrections
18 ombudsman, and the state budget director the number of critical
19 incidents occurring each month by type and the number and severity
20 of assaults occurring each month at each facility during calendar
21 year 2011.

22 Sec. 912. The department shall report to the senate and house
23 appropriations subcommittees on corrections, the senate and house
24 fiscal agencies, and the state budget director by March 1 on the
25 ratio of correctional officers to prisoners for each correctional
26 institution, the ratio of shift command staff to line custody
27 staff, and the ratio of noncustody institutional staff to prisoners

1 for each correctional institution.

2 Sec. 913. (1) It is the intent of the legislature that any
3 prisoner required to complete an assaultive offender program,
4 sexual offender program, or other program as a condition of parole
5 shall be transferred to a facility where that program is available
6 in order to accomplish timely completion of that program prior to
7 the expiration of his or her minimum sentence and eligibility for
8 parole. Nothing in this section should be deemed to make parole
9 denial appealable in court.

10 (2) The department shall submit a quarterly report to the
11 members 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 detailing
14 enrollment in sex offender programming and assaultive offender
15 programming. At a minimum, the report shall include the following:

16 (a) A full accounting of the number of individuals who are
17 required to complete either sex offender programming or assaultive
18 offender programming, but have not yet done so.

19 (b) The number of individuals who have reached their earliest
20 release date, but who have not completed required sex offender
21 and/or assaultive offender programming.

22 (c) A plan of action for addressing any waiting lists or
23 backlogs for sex offender programming or assaultive offender
24 programming that may exist.

25 Sec. 916. The department shall report by February 1 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 number of computers available for use by prisoners within each
2 prison facility. The report shall summarize the purpose and
3 frequency of use of these computers within each facility.

4 Sec. 920. The department shall make every effort to operate a
5 garden or horticultural operation at each correctional facility,
6 where practical, in order to provide food for correctional
7 facilities and not-for-profit organizations.

8 Sec. 921. (1) By March 1, the department shall report to the
9 chairs of the senate and house appropriations committees, the
10 senate and house appropriations subcommittees on corrections, the
11 senate and house fiscal agencies, and the state budget director on
12 the following:

13 (a) The actual savings realized between January 1, 2009 and
14 April 1, 2011 as a result of closing correctional facilities and
15 correctional camps between January 1, 2009 and January 1, 2012,
16 itemized by correctional facility or correctional camp.

17 (b) The projected fiscal year 2011-2012 savings by closing
18 correctional facilities and correctional camps between January 1,
19 2009 and January 1, 2012, itemized by correctional facility or
20 correctional camp.

21 (2) The report in subsection (1) shall include information on
22 all of the following:

23 (a) The savings realized or projected to be realized, itemized
24 by program or type of expenditure.

25 (b) Any cost of field supervision, field operations programs,
26 or prisoner reintegration programs related to the closure of
27 correctional facilities and correctional camps between January 1,

1 2009 and January 1, 2012.

2 Sec. 922. It is the intent of the legislature that all
3 prisoners work 40 hours per week in the correctional facility, as
4 part of a public works crew or in private enterprise, or
5 participate in vocational or training programs. Prisoners may be
6 enrolled in GED or education programs in combination with
7 employment. Prisoners not employed shall be enrolled in GED or
8 other educational programs for not less than 20 hours per week.
9 This section does not apply to prisoners classified in level V or
10 administrative segregation.

11 Sec. 923. (1) The department shall cooperate with the
12 department of education to evaluate the feasibility of local school
13 districts providing education programming to targeted prisoners
14 under the age of 20 who have not received a high school diploma. By
15 June 1, the department shall report to the senate and house
16 appropriations subcommittees on corrections, the senate and house
17 fiscal agencies, and the state budget director on any plans or
18 evaluations developed under this section.

19 (2) The department shall make efforts to encourage retired
20 school teachers to provide education services in correctional
21 facilities through volunteerism.

22 Sec. 924. The department shall evaluate all prisoners at
23 intake for substance abuse disorders, developmental disorders,
24 serious mental illness, and other mental health disorders.
25 Prisoners with serious mental illness shall not be confined in
26 administrative segregation due to serious mental illness. Under the
27 supervision of a mental health professional, a prisoner with

1 serious mental illness may be secluded in a therapeutic environment
2 for the safety of the prisoner or others. A prisoner in therapeutic
3 seclusion shall be evaluated every 12 hours by a mental health
4 professional in order to remain in therapeutic seclusion.

5 Sec. 925. By March 1, 2012, the department shall report to the
6 senate and house appropriations subcommittees on corrections, the
7 senate and house fiscal agencies, and the state budget director on
8 the annual number of prisoners in administrative segregation
9 between October 1, 2003 and September 30, 2011, and the annual
10 number of prisoners in administrative segregation between October
11 1, 2003 and September 30, 2011 who at any time during the current
12 or prior prison term were diagnosed with serious mental illness or
13 have a developmental disorder and the number of days each of the
14 prisoners with serious mental illness or a developmental disorder
15 have been confined to administrative segregation.

16 Sec. 927. The department of corrections and the department of
17 human services shall enter into an intergovernmental agreement to
18 place offenders less than 19 years of age who are committed to the
19 department of corrections in underutilized units of the
20 Maxey/Woodland center correctional facility. The facilities shall
21 be used to house offenders less than 19 years of age who are
22 currently committed to the department of corrections.

23 Sec. 928. Funding appropriated in part 1 for consent decree
24 line items is appropriated into separate control accounts created
25 for each line item. Funding in each control account shall be
26 distributed as necessary into separate accounts created for the
27 purpose of separately identifying costs and expenditures associated

1 with each consent decree. The department shall report by February
2 1, 2012 to the house and senate appropriations subcommittees on
3 corrections, the house and senate fiscal agencies, and the state
4 budget director on distributions to each separate control account
5 and the expenditures charged against each control account during
6 the previous fiscal year.

7 Sec. 929. From the funds appropriated in part 1, the
8 department shall do all of the following:

9 (a) Ensure that any inmate care and control staff in contact
10 with prisoners less than 19 years of age are adequately trained
11 with regard to the developmental and mental health needs of
12 prisoners less than 19 years of age. By April 1, 2012, the
13 department shall report to the senate and house appropriations
14 subcommittees on corrections, the senate and house fiscal agencies,
15 and the state budget director on the training curriculum used and
16 the number and types of staff receiving training under such
17 curriculum since October 2009.

18 (b) Provide appropriate placement for prisoners less than 19
19 years of age who have serious mental illness, serious emotional
20 disturbance, or a developmental disorder and need to be housed
21 separately from the general population. Prisoners less than 19
22 years of age who have serious mental illness, serious emotional
23 disturbance, or a developmental disorder shall not be placed in
24 administrative segregation due to serious mental illness or serious
25 emotional disturbance. Under the supervision of a mental health
26 professional, a prisoner less than 19 years of age with serious
27 mental illness or serious emotional disturbance may be secluded in

1 a therapeutic environment for the safety of the prisoner or others.
2 A prisoner in therapeutic seclusion shall be evaluated every 12
3 hours by a mental health professional in order to remain in
4 therapeutic seclusion.

5 (c) Implement a specialized re-entry program that recognizes
6 the needs of prisoners less than 19 years old for supervised re-
7 entry.

8 Sec. 930. The department shall not have a shooting range
9 located on property east of 3760 Foco Road, Standish, Michigan.

10 Sec. 932. From the funds appropriated in part 1 for mental
11 health services and support, \$100,000.00 is appropriated to permit
12 the department to contract with a board-certified child and
13 adolescent psychiatrist to provide psychiatric services to
14 individuals who are less than 19 years of age and are incarcerated
15 in a department facility.

16 Sec. 934. From the funds appropriated in part 1 for prison
17 industries operations, the department shall provide a report on the
18 pilot program for the manufacturing of textiles and clothing
19 established in at least 1 state correctional facility under section
20 934 of 2010 PA 188.

21 Sec. 935. When the department determines that the closure of a
22 correctional facility is warranted and is determining which
23 facility should be subject to closure, it is the intent of the
24 legislature that the department fully consider the potential
25 economic impact of each prison closure being considered on the
26 community in which the facility resides. The department shall make
27 it a high priority to close a facility for which the local economic

1 impact is minimized.

2 Sec. 936. The department shall contract with third-party
3 providers to complete an assessment of energy utilization at each
4 state correctional facility. In particular, the department shall
5 endeavor to identify and implement energy-saving initiatives in the
6 various correctional facilities. By April 1, the department shall
7 provide the members of the senate and house appropriations
8 subcommittees on corrections, the senate and house fiscal agencies,
9 the state budget director, and the legislative corrections
10 ombudsman with a report on these efforts.

11 Sec. 937. The funds appropriated in part 1 for the cost-
12 effective housing initiative shall be utilized to ensure more cost-
13 effective housing of prisoners. The department shall use this
14 funding to house prisoners in the most cost-effective manner
15 possible. This shall include exploring the use of public-private
16 partnerships, the use of privately owned facilities in Michigan,
17 and the use of state facilities by third-party contractors. The use
18 of cost-effective housing from this initiative shall be used to
19 achieve general prison operations savings budgeted in the inmate
20 housing fund line item. The department shall work cooperatively
21 with the chairpersons of the senate and house appropriations
22 subcommittees on corrections in identifying appropriate reductions
23 to prison facility line items to achieve the budgeted savings in
24 the inmate housing fund line item.

25 Sec. 938. A contractor that provides food service for a
26 correctional facility should be encouraged to provide those
27 services using fresh food that is grown or produced locally.

1 Sec. 939. By January 1, the department shall release a request
2 for proposal seeking competitive bids for the privatization of the
3 special alternative incarceration facility.

4 Sec. 940. For the purpose of procuring drug testing services
5 at correctional facilities, the department shall enter into a
6 contract with a Michigan-based company that provides laboratory
7 oral fluid drug testing.

8 Sec. 941. The department shall ensure that any contract with a
9 public or private party to operate the special alternative
10 incarceration facility at camp Cassidy Lake includes a provision to
11 require that public works program services continue to be provided
12 to the St. Louis Center in Chelsea at rates consistent with the
13 rate structure in place as of May 1, 2011.

14 Sec. 942. The department shall ensure that any contract with a
15 public or private party to operate a facility to house state
16 prisoners includes a provision to allow access by both the office
17 of the legislative auditor general and the office of the
18 legislative corrections ombudsman to the facility and to
19 appropriate records and documents related to the operation of the
20 facility. These access rights for both offices shall be the same
21 for the contracted facility as for a general state-operated
22 correctional facility.

23 PART 2A

24 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

25 FOR FISCAL YEAR 2012-2013

26 GENERAL SECTIONS

1 Sec. 1201. It is the intent of the legislature to provide
 2 appropriations for the fiscal year ending on September 30, 2013 for
 3 the line items listed in part 1. The fiscal year 2012-2013
 4 appropriations are anticipated to be the same as those for fiscal
 5 year 2011-2012, except that the line items will be adjusted for
 6 changes in caseload and related costs, federal fund match rates,
 7 economic factors, and available revenue. These adjustments will be
 8 determined after the January 2012 consensus revenue estimating
 9 conference.

10 ARTICLE VI

11 DEPARTMENT OF EDUCATION

12 PART 1

13 LINE-ITEM APPROPRIATIONS

14 FOR FISCAL YEAR 2011-2012

15 Sec. 101. There is appropriated for the department of
 16 education and certain state purposes related to education as set
 17 forth in this article for the fiscal year ending September 30,
 18 2012, from the following funds:

19 **DEPARTMENT OF EDUCATION**

20 **APPROPRIATION SUMMARY**

21	Full-time equated unclassified positions.....	6.0	
22	Full-time equated classified positions.....	554.0	
23	GROSS APPROPRIATION.....		\$ 117,313,000
24	Interdepartmental grant revenues:		

1	Total interdepartmental grants and intradepartmental		
2	transfers		0
3	ADJUSTED GROSS APPROPRIATION.....	\$	117,313,000
4	Federal revenues:		
5	Federal revenues.....		68,186,100
6	Federal indirect funds.....		4,181,000
7	IMLS, library services and technology act.....		5,562,100
8	Total federal revenues.....		77,929,200
9	Special revenue funds:		
10	Local cost sharing (schools for deaf/blind)		6,835,000
11	Local school district service fees.....		324,200
12	Total local revenues.....		7,159,200
13	Gifts, bequests, and donations.....		760,800
14	Private foundations.....		2,283,600
15	Total private revenues.....		3,044,400
16	Total local and private revenues.....		10,203,600
17	Certification fees.....		6,065,200
18	Commodity distribution fees.....		71,700
19	Student insurance revenues.....		218,600
20	Teacher college review fees.....		55,300
21	Teacher testing fees.....		344,500
22	Tenant rent.....		261,000
23	Training and orientation workshop fees.....		150,000
24	Total other state restricted revenues.....		7,166,300
25	State general fund/general purpose.....	\$	22,013,900
26	Sec. 102. STATE BOARD OF EDUCATION/OFFICE OF THE		
27	SUPERINTENDENT		

1	Full-time equated unclassified positions.....	6.0	
2	Full-time equated classified positions.....	14.0	
3	State board of education, per diem payments.....		\$ 24,400
4	Unclassified positions--6.0 FTE positions.....		645,600
5	State board/superintendent operations--14.0 FTE		
6	positions		<u>2,032,000</u>
7	GROSS APPROPRIATION.....		\$ 2,702,000
8	Appropriated from:		
9	Federal revenues:		
10	Federal revenues.....		114,400
11	Special revenue funds:		
12	Private foundations.....		28,100
13	Certification fees.....		627,000
14	State general fund/general purpose.....		\$ 1,932,500
15	Sec. 103. CENTRAL SUPPORT		
16	Full-time equated classified positions.....	19.6	
17	Central support--19.6 FTE positions.....		\$ 3,120,600
18	Worker's compensation.....		54,000
19	Building occupancy charges - property management		
20	services		2,728,200
21	Tenant rent.....		261,000
22	Training and orientation workshops.....		150,000
23	Terminal leave payments.....		<u>554,700</u>
24	GROSS APPROPRIATION.....		\$ 6,868,500
25	Appropriated from:		
26	Federal revenues:		
27	Federal revenues.....		1,441,700

1	Federal indirect funds.....		2,294,700
2	Special revenue funds:		
3	Certification fees.....		413,800
4	Teacher testing fees.....		13,500
5	Tenant rent.....		261,000
6	Training and orientation workshop fees.....		150,000
7	State general fund/general purpose.....	\$	2,293,800
8	Sec. 104. INFORMATION TECHNOLOGY SERVICES		
9	Information technology operations.....	\$	<u>3,332,900</u>
10	GROSS APPROPRIATION.....	\$	3,332,900
11	Appropriated from:		
12	Federal revenues:		
13	Federal revenues.....		494,600
14	Federal indirect funds.....		1,455,300
15	Special revenue funds:		
16	Local cost sharing (schools for deaf/blind).....		76,500
17	Certification fees.....		313,000
18	State general fund/general purpose.....	\$	993,500
19	Sec. 105. SPECIAL EDUCATION SERVICES		
20	Full-time equated classified positions.....	47.0	
21	Special education operations--47.0 FTE positions.....	\$	<u>7,909,900</u>
22	GROSS APPROPRIATION.....	\$	7,909,900
23	Appropriated from:		
24	Federal revenues:		
25	Federal revenues.....		7,463,200
26	Special revenue funds:		
27	Private foundations.....		110,100

1	Certification fees.....		39,500
2	State general fund/general purpose.....	\$	297,100
3	Sec. 106. MICHIGAN SCHOOLS FOR THE DEAF AND BLIND		
4	Full-time equated classified positions.....	103.0	
5	Michigan schools for the deaf and blind operations--		
6	102.0 FTE positions	\$	13,632,000
7	Camp Tuhsmeheeta--1.0 FTE position.....		295,100
8	Private gifts - blind.....		200,000
9	Private gifts - deaf.....		<u>250,000</u>
10	GROSS APPROPRIATION.....	\$	14,377,100
11	Appropriated from:		
12	Federal revenues:		
13	Federal revenues.....		6,326,700
14	Special revenue funds:		
15	Local cost sharing (schools for deaf/blind)		6,758,500
16	Local school district service fees.....		312,500
17	Gifts, bequests, and donations.....		760,800
18	Student insurance revenue.....		218,600
19	State general fund/general purpose.....	\$	0
20	Sec. 107. PROFESSIONAL PREPARATION SERVICES		
21	Full-time equated classified positions.....	34.0	
22	Professional preparation operations--34.0 FTE		
23	positions	\$	5,724,100
24	Department of attorney general.....		<u>50,000</u>
25	GROSS APPROPRIATION.....	\$	5,774,100
26	Appropriated from:		
27	Federal revenues:		

1	Federal revenues.....		1,386,700
2	Special revenue funds:		
3	Certification fees.....		3,564,900
4	Teacher college review fees.....		55,300
5	Teacher testing fees.....		331,000
6	State general fund/general purpose.....	\$	436,200
7	Sec. 108. EARLY CHILDHOOD EDUCATION AND FAMILY		
8	SERVICES		
9	Full-time equated classified positions.....	26.0	
10	Early childhood education and family services		
11	operations--26.0 FTE positions.....		\$ <u>4,295,700</u>
12	GROSS APPROPRIATION.....		\$ 4,295,700
13	Appropriated from:		
14	Federal revenues:		
15	Federal revenues.....		3,388,300
16	Special revenue funds:		
17	Certification fees.....		59,100
18	State general fund/general purpose.....	\$	848,300
19	Sec. 109. STATE AID AND SCHOOL FINANCE SERVICES		
20	Full-time equated classified positions.....	7.5	
21	State aid and school finance operations--7.5 FTE		
22	positions		\$ <u>985,400</u>
23	GROSS APPROPRIATION.....		\$ 985,400
24	Appropriated from:		
25	State general fund/general purpose.....	\$	985,400
26	Sec. 110. AUDIT SERVICES		
27	Full-time equated classified positions.....	3.5	

1	Audit operations--3.5 FTE positions	\$	<u>541,800</u>
2	GROSS APPROPRIATION.....	\$	541,800
3	Appropriated from:		
4	Federal revenues:		
5	Federal indirect funds.....		431,000
6	Special revenue funds:		
7	Certification fees.....		55,200
8	State general fund/general purpose.....	\$	55,600
9	Sec. 111. ADMINISTRATIVE LAW SERVICES		
10	Full-time equated classified positions..... 2.0		
11	Administrative law operations--2.0 FTE positions	\$	<u>1,044,800</u>
12	GROSS APPROPRIATION.....	\$	1,044,800
13	Appropriated from:		
14	Federal revenues:		
15	Federal revenues.....		541,700
16	Special revenue funds:		
17	Certification fees.....		452,000
18	State general fund/general purpose.....	\$	51,100
19	Sec. 112. EDUCATION ASSESSMENT AND ACCOUNTABILITY		
20	Full-time equated classified positions..... 64.1		
21	Educational assessment operations--64.1 FTE positions	\$	<u>11,272,500</u>
22	GROSS APPROPRIATION.....	\$	11,272,500
23	Appropriated from:		
24	Federal revenues:		
25	Federal revenues.....		9,704,500
26	State general fund/general purpose.....	\$	1,568,000
27	Sec. 113. GRANTS ADMINISTRATION AND SCHOOL SUPPORT		

1	SERVICES		
2	Full-time equated classified positions.....	73.6	
3	Grants administration and school support services		
4	operations--67.6 FTE positions.....		\$ 10,937,400
5	College access challenge grant program--6.0 FTE		
6	positions		4,293,200
7	Federal and private grants.....		<u>3,000,000</u>
8	GROSS APPROPRIATION.....		\$ 18,230,600
9	Appropriated from:		
10	Federal revenues:		
11	Federal revenues.....		16,654,000
12	Special revenue funds:		
13	Local school district service fees.....		11,700
14	Private foundations.....		1,000,000
15	Commodity distribution fees.....		71,700
16	State general fund/general purpose.....		\$ 493,200
17	Sec. 114. FIELD SERVICES		
18	Full-time equated classified positions.....	44.0	
19	Field services operations--44.0 FTE positions.....		\$ <u>9,302,700</u>
20	GROSS APPROPRIATION.....		\$ 9,302,700
21	Appropriated from:		
22	Federal revenues:		
23	Federal revenues.....		8,537,900
24	Special revenue funds:		
25	Private foundations.....		572,100
26	Certification fees.....		51,600
27	State general fund/general purpose.....		\$ 141,100

1	Sec. 115. EDUCATIONAL IMPROVEMENT AND INNOVATION	
2	SERVICES	
3	Full-time equated classified positions.....	55.7
4	Educational improvement and innovation operations--	
5	55.7 FTE positions	\$ <u>10,674,000</u>
6	GROSS APPROPRIATION.....	\$ 10,674,000
7	Appropriated from:	
8	Federal revenues:	
9	Federal revenues.....	8,688,200
10	Special revenue funds:	
11	Private foundations.....	573,300
12	Certification fees.....	489,100
13	State general fund/general purpose.....	\$ 923,400
14	Sec. 116. CAREER AND TECHNICAL EDUCATION	
15	Full-time equated classified positions.....	27.0
16	Career and technical education operations--27.0 FTE	
17	positions	\$ <u>4,234,700</u>
18	GROSS APPROPRIATION.....	\$ 4,234,700
19	Appropriated from:	
20	Federal revenues:	
21	Federal revenues.....	3,444,200
22	State general fund/general purpose.....	\$ 790,500
23	Sec. 117. LIBRARY OF MICHIGAN	
24	Full-time equated classified positions.....	33.0
25	Library of Michigan operations--32.0 FTE positions ...	\$ 3,808,500
26	Library services and technology program--1.0 FTE	
27	positions	5,562,100

1	State aid to libraries.....	5,445,700
2	Michigan elibrary.....	<u>950,000</u>
3	GROSS APPROPRIATION.....	\$ 15,766,300
4	Appropriated from:	
5	Federal revenues:	
6	IMLS, library services and technology act.....	5,562,100
7	State general fund/general purpose.....	\$ 10,204,200

8 PART 2

9 PROVISIONS CONCERNING APPROPRIATIONS

10 FOR FISCAL YEAR 2011-2012

11 GENERAL SECTIONS

12 Sec. 201. Pursuant to section 30 of article IX of the state
13 constitution of 1963, total state spending from state resources
14 under part 1 for the fiscal year ending September 30, 2012 is
15 \$29,180,200.00 and state spending from state resources to be paid
16 to local units of government for the fiscal year ending September
17 30, 2012 is \$5,445,700.00. The itemized statement below identifies
18 appropriations from which spending to local units of government
19 will occur:

20 DEPARTMENT OF EDUCATION

21	State aid to libraries.....	\$ <u>5,445,700</u>
22	Total department of education.....	\$ 5,445,700

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

1 Sec. 203. As used in this article:

2 (a) "Department" means the Michigan department of education.

3 (b) "District" means a local school district as defined in
4 section 6 of the revised school code, 1976 PA 451, MCL 380.6, or a
5 public school academy as defined in section 5 of the revised school
6 code, 1976 PA 451, MCL 380.5.

7 (c) "FTE" means full-time equated.

8 (d) "IMLS" means institute of museum and library services.

9 Sec. 204. The civil service commission shall bill departments
10 and agencies at the end of the first fiscal quarter for the charges
11 authorized by section 5 of article XI of the state constitution of
12 1963. Payments shall be made for the total amount of the billing by
13 the end of the second fiscal quarter.

14 Sec. 205. Unless otherwise specified, the departments shall
15 use the Internet to fulfill the reporting requirements of this
16 article. This requirement may include transmission of reports via
17 electronic mail to the recipients identified for each reporting
18 requirement, or it may include placement of reports on an Internet
19 or Intranet site.

20 Sec. 206. The department shall provide through the Internet
21 the state board of education agenda and all supporting documents,
22 and shall notify the state budget director and the senate and house
23 fiscal agencies that the agenda and supporting documents are
24 available on the Internet, at the time the agenda and supporting
25 documents are provided to state board of education members.

26 Sec. 207. (1) The department shall maintain a searchable
27 website accessible by the public at no cost that includes, but is

1 not limited to, all of the following:

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

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

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

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

9 (e) Job specifications and wage rates.

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

13 Sec. 208. The department shall require all public school
14 districts to maintain complete records within the personnel file of
15 a teacher or school employee of any disciplinary actions taken by
16 the local school board against the teacher or employee for sexual
17 misconduct. The records shall not be destroyed or removed from the
18 teacher's or employee's personnel file except as required by a
19 court order.

20 Sec. 209. From the funds appropriated in part 1 for
21 information technology, departments and agencies shall pay user
22 fees to the department of technology, management, and budget for
23 technology-related services and projects. Such user fees shall be
24 subject to provisions of an interagency agreement between the
25 departments and agencies and the department of technology,
26 management, and budget.

27 Sec. 210. Amounts appropriated in part 1 for information

1 technology may be designated as work projects and carried forward
2 to support technology projects under the direction of the
3 department of technology, management, and budget. Funds designated
4 in this manner are not available for expenditure until approved as
5 work projects under section 451a of the management and budget act,
6 1984 PA 431, MCL 18.1451a.

7 Sec. 211. Before publishing a list of schools or districts
8 determined to have failed to make adequate yearly progress as
9 required by the no child left behind act of 2001, Public Law 107-
10 110, the department shall allow a school or district to appeal that
11 determination. The department shall consider and act upon the
12 appeal within 30 days after it is submitted and shall not publish
13 the list until after all appeals have been considered and decided.

14 Sec. 212. Funds appropriated in part 1 shall not be used for
15 the purchase of foreign goods or services, or both, if
16 competitively priced and comparable quality American goods or
17 services, or both, are available. Preference shall be given to
18 goods or services, or both, manufactured or provided by Michigan
19 businesses if they are competitively priced and of comparable
20 quality. In addition, preference should be given to goods or
21 services, or both, manufactured or provided by Michigan businesses
22 owned and operated by veterans if they are competitively priced and
23 of comparable quality.

24 Sec. 214. (1) Due to the current budgetary problems in this
25 state, out-of-state travel for the fiscal year ending September 30,
26 2012 shall be limited to situations in which 1 or more of the
27 following conditions apply:

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

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

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

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

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

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

15 (2) Not later than January 1 of each year, each department
16 shall prepare a travel report listing 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 name of each person receiving reimbursement for travel
25 outside this state or whose travel costs were paid by this state.

26 (b) The destination of each travel occurrence.

27 (c) The dates of each travel occurrence.

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

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

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

10 Sec. 215. The department shall not approve the travel of more
11 than 1 departmental employee to a specific professional development
12 conference or training seminar that is located outside of this
13 state unless the professional development conference or training
14 seminar is funded by a federal or private funding source and
15 requires more than 1 person from a department to attend, or the
16 conference or training seminar includes multiple issues in which 1
17 employee from the department does not have expertise.

18 Sec. 216. The department shall not take disciplinary action
19 against an employee who communicates truthfully and factually with
20 a member of the legislature or his or her staff.

21 Sec. 217. The state superintendent of public instruction shall
22 take all reasonable steps to ensure businesses in deprived and
23 depressed communities compete for and perform contracts to provide
24 services or supplies, or both. The director shall strongly
25 encourage firms with which the department contracts to subcontract
26 with certified businesses in depressed and deprived communities for
27 services, supplies, or both.

1 Sec. 218. The department and agencies receiving appropriations
2 in part 1 shall receive and retain copies of all reports funded
3 from appropriations in part 1. Federal and state guidelines for
4 short-term and long-term retention of records shall be followed.
5 The department may electronically retain copies of reports unless
6 otherwise required by federal and state guidelines.

7 Sec. 219. (1) In addition to the funds appropriated in part 1,
8 there is appropriated an amount not to exceed \$5,000,000.00 for
9 federal 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 (2) In addition to the funds appropriated in part 1, there is
14 appropriated an amount not to exceed \$700,000.00 for state
15 restricted contingency funds. These funds are not available for
16 expenditure until they have been transferred to another line item
17 in this article under section 393(2) of the management and budget
18 act, 1984 PA 431, MCL 18.1393.

19 (3) In addition to the funds appropriated in part 1, there is
20 appropriated an amount not to exceed \$250,000.00 for local
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 (4) In addition to the funds appropriated in part 1, there is
26 appropriated an amount not to exceed \$3,000,000.00 for private
27 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. 220. The department shall provide data requested by a
5 member of the legislature, his or her staff, or the house and
6 senate fiscal agencies in a timely manner.

7 Sec. 221. Funds appropriated in part 1 shall not be used by a
8 principal executive department, state agency, or authority to hire
9 a person to provide legal services that are the responsibility of
10 the attorney general. This prohibition does not apply to legal
11 services for bonding activities and for those activities that the
12 attorney general authorizes.

13 Sec. 225. It is the intent of the legislature that not later
14 than 60 days after the state receives audited membership counts
15 from intermediate school districts, the state superintendent of
16 public instruction shall investigate and report to the legislature
17 on the scope of and proposed solutions to pupil membership fraud
18 and the incidence of students counted in membership in a district
19 and not remaining in that district for the balance of the school
20 year.

21 Sec. 226. Not later than November 15, 2012, the department
22 shall prepare and transmit a report that provides for estimates of
23 the total general fund/general purpose appropriation lapses at the
24 close of the fiscal year. This report shall summarize the projected
25 year-end general fund/general purpose appropriation lapses by major
26 departmental program or program areas. The report shall be
27 transmitted to the office of the state budget, the chairpersons of

1 the senate and house appropriations committees, and the senate and
2 house fiscal agencies.

3 Sec. 227. Within 14 days after the release of the executive
4 budget recommendation, the department shall provide the state
5 budget director, the senate and house appropriations chairs, the
6 senate and house appropriations subcommittees responsible for the
7 department budget, respectively, and the senate and house fiscal
8 agencies with an annual report on estimated state restricted fund
9 balances, state restricted fund projected revenues, and state
10 restricted fund expenditures for the fiscal years ending September
11 30, 2011 and September 30, 2012.

12 Sec. 229. The department and the superintendent of public
13 instruction shall use funds appropriated in part 1 to ensure that
14 all of the activities and duties required to be carried out by the
15 department and the superintendent of public instruction under
16 section 1280c of the revised school code, 1976 PA 451, MCL
17 380.1280c, are completed not later than the deadlines prescribed in
18 that section.

19 STATE BOARD/OFFICE OF THE SUPERINTENDENT

20 Sec. 301. (1) The appropriations in part 1 may be used for per
21 diem payments to the state board for meetings at which a quorum is
22 present or for performing official business authorized by the state
23 board. The per diem payments shall be at a rate as follows:

24 (a) State board of education - president - \$110.00 per day.

25 (b) State board of education - member other than president -
26 \$100.00 per day.

1 (2) A state board of education member shall not be paid a per
2 diem for more than 30 days per year.

3 Sec. 302. From the amount appropriated in part 1 to the state
4 board of education, not more than \$35,000.00 shall be expended for
5 in-state travel and out-of-state travel directly related to the
6 duties of the state board of education.

7 **MICHIGAN SCHOOLS FOR THE DEAF AND BLIND**

8 Sec. 402. For each student enrolled at the Michigan schools
9 for the deaf and blind, the department shall assess the
10 intermediate school district of residence 100% of the cost of
11 operating the student's instructional program. The amount shall
12 exclude room and board related costs and the cost of weekend
13 transportation between the school and the student's home.

14 Sec. 404. (1) The department may assess rent or lease excess
15 property located on the campus of the Michigan schools for the deaf
16 and blind in Flint to private or publicly funded organizations.

17 (2) From the amount appropriated in part 1 for tenant rent,
18 the department may receive and expend funds from lease agreements
19 at the Michigan schools for the deaf and blind Flint campus that
20 have been negotiated with the approval of the department of
21 technology, management, and budget. These funds shall be used for
22 the operation, maintenance, and renovation expenses associated with
23 the leased space.

24 (3) From the unexpended balances of appropriations for the
25 Michigan schools for the deaf and blind operations, up to
26 \$250,000.00 of any unexpended and unencumbered funds remaining on

1 September 30, 2012 may be carried forward as a work project and
2 expended for special maintenance and repairs of facilities at the
3 campus of the Michigan schools for the deaf and blind in Flint. The
4 work shall be carried out by state employees, or by contract as
5 necessary, at an estimated cost of \$250,000.00. The estimated
6 completion date of the work is September 30, 2013.

7 (4) From the tenant rent appropriation for Michigan schools
8 for the deaf and blind operations, up to \$100,000.00 of any
9 unexpended and unencumbered funds remaining on September 30, 2012
10 may be carried forward as a work project or as restricted revenue
11 and expended for special maintenance and repairs of facilities at
12 Fay hall. The work project may be performed by state employees, or
13 by contract when necessary, at an estimated cost of \$100,000.00.
14 The estimated completion date of the work project is September 30,
15 2013.

16 Sec. 405. The department may assist the department of
17 community health, other departments, and local school districts to
18 secure reimbursement for eligible services provided in Michigan
19 schools from the federal Medicaid program. The department may
20 submit reports of direct expenses related to this effort to the
21 department of community health for reimbursement.

22 Sec. 406. (1) The Michigan schools for the deaf and blind may
23 promote its residential program as a possible appropriate option
24 for children who are deaf or hard of hearing or who are blind or
25 visually impaired. The Michigan schools for the deaf and blind
26 shall distribute information detailing its services to all
27 intermediate school districts in the state.

1 (2) Upon knowledge of or recognition by an intermediate school
2 district that a child in the district is deaf or hard of hearing or
3 blind or visually impaired, the intermediate school district shall
4 provide to the parents of the child the literature distributed by
5 the Michigan schools for the deaf and blind to intermediate school
6 districts under subsection (1).

7 (3) Parents will continue to have a choice regarding the
8 educational placement of their deaf or hard-of-hearing children.

9 Sec. 407. Revenue received by the Michigan schools for the
10 deaf and blind from gifts, bequests, and donations that is
11 unexpended at the end of the state fiscal year may be carried over
12 to the succeeding fiscal year and shall not revert to the general
13 fund.

14 PROFESSIONAL PREPARATION SERVICES

15 Sec. 501. From the funds appropriated in part 1 for
16 professional preparation services, the department shall maintain
17 the professional personnel register and certificate
18 revocation/felony conviction files.

19 Sec. 502. The department shall authorize teacher preparation
20 institutions to provide an alternative program by which up to 1/2
21 of the required student internship or student teaching credits may
22 be earned through substitute teaching. The department shall require
23 that teacher preparation institutions collaborate with school
24 districts to ensure that the quality of instruction provided to
25 student teachers is comparable to that required in a traditional
26 student teaching program.

1 Sec. 506. Revenue received from teacher testing fees that is
2 unexpended at the end of the state fiscal year may be carried over
3 to the succeeding fiscal year and shall not revert to the general
4 fund.

5 OFFICE OF EDUCATIONAL IMPROVEMENT AND INNOVATION

6 Sec. 601. From the amount appropriated in part 1 for the
7 office of educational improvement and innovation, there is
8 allocated \$350,000.00 and 3.5 FTE positions to operate a charter
9 school office to administer charter school legislation and
10 associated regulations, and to coordinate the activities of the
11 department relating to charter schools.

12 INFORMATION TECHNOLOGY

13 Sec. 701. The department shall work in collaboration with the
14 center for educational performance and information to support the
15 comprehensive educational information system and all data
16 collection and reporting efforts of the department.

17 LIBRARY OF MICHIGAN

18 Sec. 801. In addition to the funds appropriated in part 1, the
19 funds collected by the department for document reproduction and
20 services; conferences, workshops, and training classes; and the use
21 of specialized equipment, facilities, and software are appropriated
22 for all expenses necessary to provide the required services. These
23 funds are available for expenditure when they are received and may
24 be carried forward into the next succeeding fiscal year.

1 Sec. 803. It is the intent of the legislature that the library
2 of Michigan and the component programs currently within the library
3 of Michigan shall be kept together in a state department.

4 Sec. 804. From the funds appropriated in part 1 and other
5 funding available, the department and library of Michigan shall
6 maintain custody of the non-Michigan genealogy and all Michigan-
7 specific collections. These collections shall continue to be made
8 available to the public.

9 GRANTS ADMINISTRATION AND SCHOOL SUPPORT SERVICES

10 Sec. 901. Within 10 days of the receipt of a grant
11 appropriated in the federal and private grants line item in part 1,
12 the department shall notify the house and senate chairpersons of
13 the appropriations subcommittees responsible for the department
14 budget, the house and senate fiscal agencies, and the state budget
15 director of the receipt of the grant, including the funding source,
16 purpose, and amount of the grant.

17 Sec. 902. The college access challenge grant program is a work
18 project as provided in section 451a of the management and budget
19 act, 1984 PA 431, MCL 18.1451a, and as follows and as such
20 appropriations for the program shall not lapse at the end of the
21 fiscal year but shall continue to be available for expenditure
22 until the project has been completed:

23 (a) The purpose of the project is to provide assistance and
24 training to Michigan families, counselors, teachers, and community
25 leaders in applying for and securing funds for college to low-
26 income students.

1 (b) The project will be accomplished by state employees and/or
2 by contracts with private vendors.

3 (c) The total estimated cost of the project is \$8,571,000.00.

4 (d) The tentative completion date is September 30, 2012.

5 Sec. 903. By not later than March 1, 2012, the department
6 shall work with districts that operate as a school of excellence
7 cyber school as defined in section 551 of the revised school code,
8 1976 PA 451, MCL 380.551, and districts that operate an alternative
9 education program with a seat-time waiver under section 101 of the
10 state school aid act of 1979, 1979 PA 94, MCL 388.1701, to provide
11 a report to the house and senate chairpersons of the appropriations
12 subcommittees responsible for the department budget, the house and
13 senate fiscal agencies, and the state budget director on all of the
14 following:

15 (a) Each district operating a program and the districts that
16 enroll students in their program.

17 (b) The total number of students and membership pupils
18 enrolled in each program.

19 (c) The district in which each pupil is enrolled if other than
20 the district with the seat-time wavier or the cyber school.

21 (d) The district in which the pupil was enrolled prior to
22 enrolling in the cyber school or the district with a seat-time
23 waiver program.

24 (e) The number of participating students who had previously
25 dropped out of school.

26 (f) The number of participating students who had previously
27 been expelled from school.

1 (g) The cost per pupil paid to each online education provider.

2 (h) The cost per pupil charged to school districts that enroll
3 their students in the program.

4 (i) The name of each online education provider contracted by a
5 district with a seat-time waiver or a cyber school and the state in
6 which the online education provider is located.

7 PART 2A

8 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

9 FOR FISCAL YEAR 2012-2013

10 GENERAL SECTIONS

11 Sec. 1201. It is the intent of the legislature to provide
12 appropriations for the fiscal year ending on September 30, 2013 for
13 the line items listed in part 1. The fiscal year 2012-2013
14 appropriations are anticipated to be the same as those for fiscal
15 year 2011-2012, except that the line items will be adjusted for
16 changes in caseload and related costs, federal fund match rates,
17 economic factors, and available revenue. These adjustments will be
18 determined after the January 2012 consensus revenue estimating
19 conference.

20 ARTICLE VII

21 DEPARTMENT OF ENVIRONMENTAL QUALITY

22 PART 1

23 LINE-ITEM APPROPRIATIONS

24 FOR FISCAL YEAR 2011-2012

1 Sec. 101. Subject to the conditions set forth in this article,
 2 the amounts listed in this part are appropriated for the department
 3 of environmental quality for the fiscal year ending September 30,
 4 2012, from the funds indicated in this part. The following is a
 5 summary of the appropriations in this part:

6 **DEPARTMENT OF ENVIRONMENTAL QUALITY**

7 APPROPRIATION SUMMARY

8	Full-time equated unclassified positions.....	6.0	
9	Full-time equated classified positions.....	1,334.5	
10	GROSS APPROPRIATION.....		\$ 414,520,000
11	Interdepartmental grant revenues:		
12	Total interdepartmental grants and intradepartmental		
13	transfers		9,043,200
14	ADJUSTED GROSS APPROPRIATION.....		\$ 405,476,800
15	Federal revenues:		
16	Total federal revenues.....		159,701,500
17	Special revenue funds:		
18	Total private revenues.....		711,800
19	Total other state restricted revenues.....		223,571,900
20	State general fund/general purpose.....		\$ 21,491,600
21	FUND SOURCE SUMMARY		
22	Full-time equated unclassified positions.....	6.0	
23	Full-time equated classified positions.....	1,334.5	
24	GROSS APPROPRIATION.....		\$ 414,520,000
25	Interdepartmental grant revenues:		
26	IDG, MDOT - Michigan transportation fund.....		1,165,900

1	IDG, MDSP.....	1,095,900
2	IDT, interdivisional charges.....	2,053,400
3	IDT, laboratory services.....	4,728,000
4	Total interdepartmental grants and intradepartmental	
5	transfers	9,043,200
6	ADJUSTED GROSS APPROPRIATION.....	\$ 405,476,800
7	Federal revenues:	
8	Federal funds.....	159,701,500
9	Special revenue funds:	
10	Private funds.....	711,800
11	Aboveground storage tank fees.....	489,700
12	Air emissions fees.....	10,163,900
13	Campground fund.....	292,700
14	Clean Michigan initiative - response activities.....	5,500,000
15	Clean Michigan initiative fund - clean water fund....	4,030,700
16	Cleanup and redevelopment fund.....	16,555,600
17	Community pollution prevention fund.....	250,000
18	Electronic waste recycling fund.....	269,800
19	Environmental education fund.....	260,900
20	Environmental pollution prevention fund.....	2,425,900
21	Environmental protection bond fund.....	1,452,500
22	Environmental protection fund.....	5,832,200
23	Environmental response fund.....	8,236,000
24	Fees and collections.....	348,000
25	Financial instruments.....	5,000,000
26	Great Lakes protection fund.....	1,051,500
27	Groundwater discharge permit fees.....	1,624,400

1	Hazardous materials transportation permit fund.....	912,400
2	Infrastructure construction fund.....	434,300
3	Land and water permit fees.....	5,695,800
4	Landfill maintenance trust fund.....	28,200
5	Medical waste emergency response fund.....	330,000
6	Metallic mining surveillance fee revenue.....	38,000
7	Mineral well regulatory fee revenue.....	213,100
8	NPDES fees.....	4,298,400
9	Oil and gas regulatory fund.....	10,632,700
10	Orphan well fund.....	2,207,000
11	Public swimming pool fund.....	690,200
12	Public utility assessments.....	264,800
13	Public water supply fees.....	4,682,500
14	Refined petroleum fund.....	37,642,400
15	Retired engineers technical assistance program.....	1,860,200
16	Revitalization revolving loan fund.....	94,100
17	Revolving loan revenue bonds.....	11,400,000
18	Sand extraction fee revenue.....	81,000
19	Scrap tire regulatory fund.....	5,328,800
20	Septage waste contingency fund.....	17,000
21	Septage waste program fund.....	609,000
22	Settlement funds.....	2,490,900
23	Sewage sludge land application fees.....	993,700
24	Small business pollution prevention revolving loan	
25	fund	146,700
26	Soil erosion and sedimentation control training fund.	134,100
27	Solid waste management fund - staff account.....	4,822,600

1	State site cleanup fund.....	4,400,000
2	Stormwater permit fees.....	3,345,300
3	Strategic water quality initiatives fund.....	40,000,000
4	Underground storage tank fees.....	2,575,500
5	Waste reduction fee revenue.....	4,851,100
6	Wastewater operator training fees.....	550,700
7	Water analysis fees.....	3,947,900
8	Water pollution control revolving fund.....	3,530,500
9	Water quality protection fund.....	100,000
10	Water use reporting fees.....	439,200
11	Total other state restricted revenues.....	223,571,900
12	State general fund/general purpose.....	\$ 21,491,600
13	Sec. 102. EXECUTIVE OPERATIONS	
14	Full-time equated unclassified positions..... 6.0	
15	Full-time equated classified positions..... 14.0	
16	Unclassified salaries--6.0 FTE positions.....	\$ 500,000
17	Executive direction--14.0 FTE positions.....	<u>1,656,400</u>
18	GROSS APPROPRIATION.....	\$ 2,156,400
19	Appropriated from:	
20	Federal revenues:	
21	Federal funds.....	72,100
22	Special revenue funds:	
23	Environmental response fund.....	140,500
24	Oil and gas regulatory fund.....	231,900
25	Refined petroleum fund.....	414,500
26	Settlement funds.....	58,100
27	State general fund/general purpose.....	\$ 1,239,300

1	Sec. 103. OFFICE OF THE GREAT LAKES		
2	Full-time equated classified positions.....	18.0	
3	Office of the Great Lakes--18.0 FTE positions		\$ <u>2,697,700</u>
4	GROSS APPROPRIATION.....		\$ 2,697,700
5	Appropriated from:		
6	Federal revenues:		
7	Federal funds.....		1,591,500
8	Special revenue funds:		
9	Great Lakes protection fund.....		680,800
10	Settlement funds.....		106,600
11	State general fund/general purpose.....		\$ 318,800
12	Sec. 104. GREAT LAKES RESTORATION INITIATIVE		
13	Great Lakes restoration initiative.....		\$ <u>25,000,000</u>
14	GROSS APPROPRIATION.....		\$ 25,000,000
15	Appropriated from:		
16	Federal revenues:		
17	Federal funds.....		25,000,000
18	State general fund/general purpose.....		\$ 0
19	Sec. 105. DEPARTMENT SUPPORT SERVICES		
20	Full-time equated classified positions.....	37.0	
21	Central support services--37.0 FTE positions		\$ 3,905,400
22	Accounting service center.....		1,224,700
23	Administrative hearings.....		489,700
24	Automated data processing.....		2,053,400
25	Building occupancy charges.....		5,985,000
26	Environmental support projects.....		5,000,000
27	Rent - privately owned property.....		<u>1,960,800</u>

1	GROSS APPROPRIATION.....	\$	20,619,000
2	Appropriated from:		
3	Interdepartmental grant revenues:		
4	IDG, MDSP.....		86,700
5	IDT, interdivisional charges.....		2,053,400
6	IDT, laboratory services.....		502,700
7	Federal revenues:		
8	Federal funds.....		5,200
9	Special revenue funds:		
10	Aboveground storage tank fees.....		55,900
11	Air emissions fees.....		1,597,600
12	Campground fund.....		15,100
13	Cleanup and redevelopment fund.....		1,332,600
14	Environmental pollution prevention fund.....		105,100
15	Environmental protection fund.....		5,500
16	Environmental response fund.....		614,000
17	Fees and collections.....		38,300
18	Financial instruments.....		5,000,000
19	Great Lakes protection fund.....		82,500
20	Groundwater discharge permit fees.....		188,200
21	Hazardous material transportation permit fund.....		34,900
22	Land and water permit fees.....		309,300
23	Medical waste emergency response fund.....		40,400
24	Metallic mining surveillance fee revenue.....		1,300
25	Mineral well regulatory fee revenue.....		15,200
26	NPDES fees.....		412,100
27	Oil and gas regulatory fund.....		1,016,800

1	Orphan well fund.....	40,400
2	Public swimming pool fund.....	64,100
3	Public utility assessments.....	49,400
4	Public water supply fees.....	254,100
5	Refined petroleum fund.....	1,879,200
6	Sand extraction fee revenue.....	1,000
7	Scrap tire regulatory fund.....	200,300
8	Septage waste program fund.....	34,000
9	Settlement funds.....	192,500
10	Sewage sludge land application fees.....	107,400
11	Small business pollution prevention revolving loan	
12	fund	19,000
13	Soil erosion and sedimentation control training fund.	5,300
14	Solid waste management fund - staff account.....	581,400
15	Stormwater permit fees.....	184,400
16	Underground storage tank fees.....	219,100
17	Waste reduction fee revenue.....	365,200
18	Wastewater operator training fees.....	6,000
19	Water analysis fees.....	355,600
20	Water use reporting fees.....	8,900
21	State general fund/general purpose.....	\$ 2,538,900
22	Sec. 106. OFFICE OF ENVIRONMENTAL ASSISTANCE	
23	Full-time equated classified positions.....	44.0
24	Office of environmental assistance--44.0 FTE positions	\$ <u>6,915,500</u>
25	GROSS APPROPRIATION.....	\$ 6,915,500
26	Appropriated from:	
27	Federal revenues:	

1	Federal funds.....		880,100
2	Special revenue funds:		
3	Private funds.....		537,600
4	Air emissions fees.....		124,500
5	Environmental education fund.....		260,900
6	Retired engineers technical assistance program.....		1,860,200
7	Settlement funds.....		248,400
8	Small business pollution prevention revolving loan		
9	fund		118,900
10	Waste reduction fee revenue.....		2,884,900
11	State general fund/general purpose.....	\$	0
12	Sec. 107. WATER RESOURCE DIVISION		
13	Full-time equated classified positions.....	321.0	
14	Land and water interface permit programs--85.0 FTE		
15	positions		\$ 14,806,800
16	Program direction and project assistance--30.0 FTE		
17	positions		2,775,000
18	Water withdrawal assessment program--4.0 FTE positions		756,600
19	Expedited water/wastewater permits--3.0 FTE positions		434,300
20	Fish contaminant monitoring.....		316,100
21	Groundwater discharge--22.0 FTE positions.....		2,868,800
22	NPDES nonstormwater program--89.0 FTE positions.....		11,690,400
23	Surface water--88.0 FTE positions.....		<u>15,163,600</u>
24	GROSS APPROPRIATION.....	\$	48,811,600
25	Appropriated from:		
26	Interdepartmental grant revenues:		
27	IDG, MDOT - Michigan transportation fund.....		1,108,100

1	Federal revenues:	
2	Federal funds.....	14,298,800
3	Special revenue funds:	
4	Clean Michigan initiative fund - clean water fund....	4,030,700
5	Environmental protection fund.....	2,546,100
6	Environmental response fund.....	183,700
7	Groundwater discharge permit fees.....	1,356,900
8	Infrastructure construction fund.....	434,300
9	Land and water permit fees.....	5,251,400
10	NPDES fees.....	3,685,600
11	Refined petroleum fund.....	429,400
12	Soil erosion and sedimentation control training fund.	126,300
13	Stormwater permit fees.....	2,972,600
14	Water pollution control revolving fund.....	734,300
15	Water use reporting fees.....	426,100
16	State general fund/general purpose.....	\$ 11,227,300
17	Sec. 108. LAW ENFORCEMENT DIVISION	
18	Full-time equated classified positions.....	14.0
19	Environmental investigations--14.0 FTE positions.....	\$ <u>2,396,900</u>
20	GROSS APPROPRIATION.....	\$ 2,396,900
21	Appropriated from:	
22	Federal revenues:	
23	Federal funds.....	703,100
24	Special revenue funds:	
25	Aboveground storage tank fees.....	5,100
26	Air emissions fees.....	150,600
27	Campground fund.....	2,800

1	Cleanup and redevelopment fund.....	126,700
2	Environmental pollution prevention fund.....	10,400
3	Environmental protection fund.....	45,400
4	Environmental response fund.....	65,300
5	Fees and collections.....	3,800
6	Great Lakes protection fund.....	8,300
7	Groundwater discharge permit fees.....	17,300
8	Hazardous material transportation permit fund.....	3,500
9	Land and water permit fees.....	36,800
10	Medical waste emergency response fund.....	4,100
11	Metallic mining surveillance fee revenue.....	500
12	Mineral well regulatory fee revenue.....	1,600
13	NPDES fees.....	41,600
14	Oil and gas regulatory fund.....	114,200
15	Orphan well fund.....	4,100
16	Public swimming pool fund.....	5,100
17	Public water supply fees.....	25,400
18	Refined petroleum fund.....	291,600
19	Sand extraction fee revenue.....	500
20	Scrap tire regulatory fund	97,000
21	Septage waste program fund.....	3,400
22	Settlement funds.....	22,200
23	Sewage sludge land application fees.....	9,800
24	Small business pollution prevention revolving loan	
25	fund	1,900
26	Stormwater permit fees.....	18,400
27	Soil erosion and sedimentation control training fund.	600

1	Underground storage tank fees.....		21,900
2	Waste reduction fee revenue.....		45,700
3	Wastewater operator training fees.....		600
4	Water analysis fees.....		28,400
5	Water use reporting fees.....		900
6	State general fund/general purpose.....	\$	478,300
7	Sec. 109. AIR QUALITY DIVISION		
8	Full-time equated classified positions.....	208.0	
9	Air quality programs--208.0 FTE positions.....	\$	<u>24,228,800</u>
10	GROSS APPROPRIATION.....	\$	24,228,800
11	Appropriated from:		
12	Federal revenues:		
13	Federal funds.....		7,488,200
14	Special revenue funds:		
15	Air emissions fees.....		7,739,500
16	Environmental response fund.....		119,800
17	Fees and collections.....		254,900
18	Oil and gas regulatory fund.....		121,600
19	Refined petroleum fund.....		3,163,200
20	Waste reduction fee revenue.....		1,200,000
21	State general fund/general purpose.....	\$	4,141,600
22	Sec. 110. ENVIRONMENTAL RESOURCE MANAGEMENT		
23	DIVISION		
24	Full-time equated classified positions.....	324.5	
25	Drinking water and environmental health--109.5 FTE		
26	positions	\$	15,098,900
27	Hazardous waste management program--51.0 FTE positions		6,593,200

1	Low-level radioactive waste authority--2.0 FTE	
2	positions	199,300
3	Medical waste program--2.0 FTE positions	271,000
4	Municipal assistance--34.0 FTE positions	6,020,800
5	Radiological protection program--12.0 FTE positions ..	1,295,300
6	Scrap tire regulatory program--11.0 FTE positions	1,198,600
7	Oil, gas, and mineral services--60.0 FTE positions ...	11,176,500
8	Sewage sludge land application program--6.0 FTE	
9	positions	841,600
10	Solid waste management program--37.0 FTE positions ...	<u>4,462,800</u>
11	GROSS APPROPRIATION.....	\$ 47,158,000
12	Appropriated from:	
13	Interdepartmental grant revenues:	
14	IDG-MDSP.....	979,600
15	Federal revenues:	
16	Federal funds.....	15,793,400
17	Special revenue funds:	
18	Campground fund.....	264,600
19	Electronic waste recycling fund.....	269,800
20	Environmental pollution prevention fund.....	2,205,800
21	Fees and collections.....	32,100
22	Hazardous material transportation permit fund.....	861,300
23	Medical waste emergency response fund.....	271,000
24	Metallic mining surveillance fee revenue.....	35,700
25	Mineral well regulatory fee revenue.....	190,800
26	Oil and gas regulatory fund.....	8,715,400
27	Orphan well fund.....	2,148,000

1	Public swimming pool fund.....		602,400
2	Public utility assessments.....		199,300
3	Public water supply fees.....		2,556,900
4	Refined petroleum fund.....		601,100
5	Sand extraction fee revenue.....		79,200
6	Scrap tire regulatory fund.....		1,198,600
7	Septage waste contingency fund.....		17,000
8	Septage waste program fund.....		281,600
9	Sewage sludge land application fees.....		841,600
10	Solid waste management fund - staff account.....		4,030,500
11	Stormwater permit fees.....		103,100
12	Strategic water quality initiatives fund.....		400,000
13	Waste reduction fee revenue.....		162,500
14	Wastewater operator training fees.....		541,900
15	Water pollution control revolving fund.....		2,621,500
16	State general fund/general purpose.....	\$	1,153,300
17	Sec. 111. REMEDIATION DIVISION		
18	Full-time equated classified positions.....	354.0	
19	Contaminated site investigations, cleanup and		
20	revitalization--207.0 FTE positions.....		\$ 26,130,600
21	Federal cleanup project management--60.0 FTE positions		9,254,400
22	Laboratory services--48.0 FTE positions.....		7,702,600
23	Aboveground storage tank program--8.0 FTE positions..		856,400
24	Underground storage tank program--31.0 FTE positions.		3,865,100
25	Environmental bond site reclamation program.....		1,452,500
26	Brownfield grants and loans.....		5,500,000
27	Emergency cleanup actions.....		4,000,000

1	Environmental cleanup support.....	1,840,000
2	Environmental cleanup and redevelopment program.....	30,000,000
3	State sites cleanup program.....	4,400,000
4	Refined petroleum product cleanup program.....	20,000,000
5	Superfund cleanup.....	<u>3,000,000</u>
6	GROSS APPROPRIATION.....	\$ 118,001,600
7	Appropriated from:	
8	Interdepartmental grant revenues:	
9	IDT, laboratory services.....	4,068,600
10	Federal revenues:	
11	Federal funds.....	10,035,000
12	Special revenue funds:	
13	Private funds.....	174,200
14	Aboveground storage tank fees.....	410,400
15	Clean Michigan initiative - response activities.....	5,500,000
16	Cleanup and redevelopment fund.....	14,626,300
17	Environmental protection bond fund.....	1,452,500
18	Environmental protection fund.....	3,234,100
19	Environmental response fund.....	6,846,500
20	Landfill maintenance trust fund.....	28,200
21	Public water supply fees.....	276,800
22	Refined petroleum fund.....	29,592,000
23	Revitalization revolving loan fund.....	94,100
24	Settlement funds.....	1,782,400
25	State site cleanup fund.....	4,400,000
26	Strategic water quality initiatives fund.....	30,000,000
27	Underground storage tank fees.....	2,123,300

1	Water analysis fees.....		3,357,200
2	State general fund/general purpose.....	\$	0
3	Sec. 112. GRANTS		
4	Coastal management grants.....	\$	1,750,000
5	Drinking water program grants.....		1,330,000
6	Federal - Great Lakes remedial action plan grants....		700,000
7	Federal - nonpoint source water pollution grants.....		6,500,000
8	Grants to counties - air pollution.....		83,700
9	Great Lakes research and protection grants.....		250,000
10	Noncommunity water grants.....		1,400,000
11	Pollution prevention local grants.....		250,000
12	Radon grants.....		90,000
13	Scrap tire grants.....		3,500,000
14	Septage waste compliance grants.....		275,000
15	Strategic water quality initiative loans.....		9,600,000
16	Water quality protection grants.....		100,000
17	Water pollution control and drinking water revolving		
18	funds		<u>82,943,000</u>
19	GROSS APPROPRIATION.....	\$	108,771,700
20	Appropriated from:		
21	Federal revenues:		
22	Federal funds.....		81,913,000
23	Special revenue funds:		
24	Community pollution prevention fund.....		250,000
25	Great Lakes protection fund.....		250,000
26	Public water supply fees.....		1,400,000
27	Refined petroleum fund.....		83,700

1	Revolving loan revenue bonds.....	11,400,000
2	Scrap tire regulatory fund.....	3,500,000
3	Septage waste program fund.....	275,000
4	Strategic water quality initiatives fund.....	9,600,000
5	Water quality protection fund.....	100,000
6	State general fund/general purpose.....	\$ 0
7	Sec. 113. INFORMATION TECHNOLOGY	
8	Information technology services and projects.....	\$ <u>7,762,800</u>
9	GROSS APPROPRIATION.....	\$ 7,762,800
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	IDT, laboratory services.....	156,700
13	IDG, MDSP.....	29,600
14	IDG, MDOT - Michigan transportation fund.....	57,800
15	Federal revenues:	
16	Federal funds.....	1,921,100
17	Special revenue funds:	
18	Aboveground storage tank fees.....	18,300
19	Air emissions fees.....	551,700
20	Campground fund.....	10,200
21	Cleanup and redevelopment fund.....	470,000
22	Environmental pollution prevention fund.....	104,600
23	Environmental protection fund.....	1,100
24	Environmental response fund.....	266,200
25	Fees and collections.....	18,900
26	Great Lakes protection fund.....	29,900
27	Groundwater discharge permit fees.....	62,000

1	Hazardous material transportation permit fund.....	12,700
2	Land and water permit fees.....	98,300
3	Medical waste emergency response fund.....	14,500
4	Metallic mining surveillance fee revenue.....	500
5	Mineral well regulatory fee revenue.....	5,500
6	NPDES fees.....	159,100
7	Oil and gas regulatory fund.....	432,800
8	Orphan well fund.....	14,500
9	Public swimming pool fund.....	18,600
10	Public utility assessments.....	16,100
11	Public water supply fees.....	169,300
12	Refined petroleum fund.....	1,187,700
13	Sand extraction fee revenue.....	300
14	Scrap tire regulatory fund.....	332,900
15	Septage waste program fund.....	15,000
16	Settlement funds.....	80,700
17	Sewage sludge land application fees.....	34,900
18	Small business pollution prevention revolving loan	
19	fund	6,900
20	Soil erosion and sedimentation control training fund.	1,900
21	Solid waste management fund - staff account.....	210,700
22	Stormwater permit fees.....	66,800
23	Underground storage tank fees.....	211,200
24	Waste reduction fee revenue.....	192,800
25	Wastewater operator training fees.....	2,200
26	Water analysis fees.....	206,700
27	Water pollution control revolving fund.....	174,700

1	Water use reporting fees.....		3,300
2	State general fund/general purpose.....	\$	394,100

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

GENERAL SECTIONS

7 Sec. 201. Pursuant to section 30 of article IX of the state
8 constitution of 1963, total state spending from state resources
9 under part 1 for fiscal year 2011-2012 is \$245,063,500.00 and state
10 spending from state resources to be paid to local units of
11 government for fiscal year 2011-2012 is \$2,175,000.00. The itemized
12 statement below identifies appropriations from which spending to
13 local units of government will occur:

GRANTS

15	Noncommunity water grants.....	\$	1,400,000
16	Scrap tire grants.....		500,000
17	Septage waste compliance program.....		<u>275,000</u>
18	TOTAL.....	\$	2,175,000

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 department of environmental
24 quality.

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

- 1 (c) "FTE" means full-time equated.
2 (d) "IDG" means interdepartmental grant.
3 (e) "IDT" means intradepartmental transfer.
4 (f) "MDOT" means the state transportation department.
5 (g) "MDSP" means the department of state police.
6 (h) "NPDES" means national pollution discharge elimination
7 system.

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

13 Sec. 205. Unless otherwise specified, the department shall use
14 the Internet to fulfill the reporting requirements of this article.
15 This requirement may include transmission of reports via electronic
16 mail to the recipients identified for each reporting requirement,
17 or it may include placement of reports on an Internet or Intranet
18 site.

19 Sec. 206. 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. 207. 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. 208. 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. 210. 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 of 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 shall be given to goods or
19 services, or both, that are manufactured or provided by Michigan
20 businesses owned and operated by veterans, if they are
21 competitively priced and of comparable quality.

22 Sec. 211. The director shall take all reasonable steps to
23 ensure businesses in deprived and depressed communities compete for
24 and perform contracts to provide services or supplies, or both. The
25 director shall strongly encourage firms with which the department
26 contracts to subcontract with certified businesses in depressed and
27 deprived communities for services, supplies, or both.

1 Sec. 212. The department shall not take disciplinary action
2 against an employee for communicating with a member of the
3 legislature or his or her staff.

4 Sec. 213. (1) Funds appropriated in part 1 shall not be used
5 by the department to promulgate a rule that will apply to a small
6 business and that will have a disproportionate economic impact on
7 small businesses because of the size of those businesses if the
8 department fails to reduce the disproportionate economic impact of
9 the rule on small businesses as provided under section 40 of the
10 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

11 (2) As used in this section:

12 (a) "Rule" means that term as defined under section 7 of the
13 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

14 (b) "Small business" means that term as defined under section
15 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
16 24.207a.

17 Sec. 214. Funds appropriated in part 1 shall not be used by a
18 principal executive department, state agency, or authority to hire
19 a person to provide legal services that are the responsibility of
20 the attorney general. This prohibition does not apply to legal
21 services for bonding activities and for those activities that the
22 attorney general authorizes.

23 Sec. 215. (1) In addition to the funds appropriated in part 1,
24 there is appropriated an amount not to exceed \$30,000,000.00 for
25 federal contingency funds. These funds are not available for
26 expenditure until they have been transferred to another line item
27 in this article under section 393(2) of the management and budget

1 act, 1984 PA 431, MCL 18.1393.

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

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

14 (4) In addition to the funds appropriated in part 1, there is
15 appropriated an amount not to exceed \$500,000.00 for private
16 contingency funds. These funds are not available for expenditure
17 until they have been transferred to another line item in this
18 article under section 393(2) of the management and budget act, 1984
19 PA 431, MCL 18.1393.

20 Sec. 216. (1) The department shall report all of the following
21 information relative to allocations made from appropriations for
22 the environmental cleanup and redevelopment program, state cleanup,
23 emergency actions, superfund cleanup, the revitalization revolving
24 loan program, the brownfield grants and loans program, the leaking
25 underground storage tank cleanup program, the contaminated lake and
26 river sediments cleanup program, the refined petroleum product
27 cleanup program, and the environmental protection bond projects

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

5 (a) The name and location of the site for which an allocation
6 is made.

7 (b) The nature of the problem encountered at the site.

8 (c) A brief description of how the problem will be resolved if
9 the allocation is made for a response activity.

10 (d) The estimated date that site closure activities will be
11 completed.

12 (e) The amount of the allocation, or the anticipated financing
13 for the site.

14 (f) A summary of the sites and the total amount of funds
15 expended at the sites at the conclusion of the fiscal year.

16 (g) The number of brownfield projects that were successfully
17 redeveloped.

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

20 (a) The status of all state-owned facilities that are on the
21 list compiled under part 201 of the natural resources and
22 environmental protection act, 1994 PA 451, MCL 324.20101 to
23 324.20142.

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

27 (c) The total amount of bonds issued for the environmental

1 protection bond program pursuant to part 193 of the natural
2 resources and environmental protection act, 1994 PA 451, MCL
3 324.19301 to 324.19306, and bonds issued pursuant to the clean
4 Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

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

7 Sec. 217. (1) The department may expend amounts remaining from
8 the current and prior fiscal year appropriations to meet funding
9 needs of legislatively approved sites for the environmental cleanup
10 and redevelopment program, the leaking underground storage tank
11 cleanup program, and the refined petroleum product cleanup program.

12 (2) Unexpended and unencumbered amounts remaining from
13 appropriations from the environmental protection bond fund
14 contained in 1993 PA 353, 2003 PA 173, and 2006 PA 343 are
15 appropriated for expenditure for any site listed in this article
16 and any site listed in the public acts referenced in this section.

17 (3) Unexpended and unencumbered amounts remaining from
18 appropriations from the cleanup and redevelopment fund contained in
19 2000 PA 275 and 2002 PA 520 are appropriated for expenditure for
20 any site listed in this article and any site listed in the public
21 acts referenced in this section.

22 (4) Unexpended and unencumbered amounts remaining from
23 appropriations from the clean Michigan initiative fund - response
24 activities contained in 2000 PA 506, 2001 PA 120, 2004 PA 309, 2004
25 PA 350, 2005 PA 11, 2006 PA 343, and 2007 PA 121 are appropriated
26 for expenditure for any site listed in this article and any site
27 listed in the public acts referenced in this section.

1 (5) Unexpended and unencumbered amounts remaining from
2 appropriations from the environmental protection fund contained in
3 2001 PA 43, 2002 PA 520, and 2003 PA 171 are appropriated for
4 expenditure for any site listed in this article and any site listed
5 in the public acts referenced in this section.

6 (6) Unexpended and unencumbered amounts remaining from
7 appropriations from the refined petroleum fund activities contained
8 in 2005 PA 154, 2007 PA 121, 2008 PA 247, 2009 PA 118, and 2010 PA
9 189 are appropriated for expenditure for any site listed in this
10 article and any site listed in the public acts referenced in this
11 section.

12 Sec. 219. Unexpended settlement revenues at the end of the
13 fiscal year may be carried forward into the settlement fund in the
14 succeeding fiscal year up to a maximum carryforward of
15 \$2,500,000.00.

16 Sec. 221. Not later than November 15, the department shall
17 prepare and transmit a report that provides for estimates of the
18 total general fund/general purpose appropriation lapses at the
19 close of the previous fiscal year. This report shall summarize the
20 projected year-end general fund/general purpose appropriation
21 lapses by major departmental program or program areas. The report
22 shall be transmitted to the office of the state budget, the
23 chairpersons of the senate and house of representatives standing
24 committees on appropriations, and the senate and house fiscal
25 agencies.

26 Sec. 222. Within 14 days after the release of the executive
27 budget recommendation, the department shall provide the state

1 budget director, the senate and house appropriations chairs, the
2 senate and house appropriations subcommittees on environmental
3 quality, respectively, and the senate and house fiscal agencies
4 with an annual report on estimated state restricted fund balances,
5 state restricted fund projected revenues, and state restricted fund
6 expenditures for the fiscal years ending September 30, 2011 and
7 September 30, 2012.

8 Sec. 223. Part 1 of this article provides authorizations to
9 fund 1,334.5 FTE classified positions during the fiscal year ending
10 September 30, 2012. Line-item appropriations include limitations on
11 the number of payroll hours to be funded, on the basis of 2,088
12 hours per each FTE position. The department shall report the number
13 of funded FTE positions within 15 days after the effective date of
14 this article. The number of classified employees compensated
15 through each line item is limited by the authorized FTE positions
16 indicated in this article, as adjusted for the number of reported
17 funded FTE positions. The report shall be provided to the house and
18 senate appropriations subcommittees on environmental quality and
19 the house and senate fiscal agencies.

20 Sec. 224. On a quarterly basis, the department shall report on
21 the number of FTEs in pay status by civil service classification to
22 the senate and house appropriations subcommittees on environmental
23 quality and the senate and house fiscal agencies.

24 Sec. 225. (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. 226. The department shall not expend more than \$10,000.00
12 from the appropriations in part 1 to implement the requirements of
13 section 225.

14 Sec. 227. The department shall provide a report on the
15 implementation of a permit application status tracking tool on the
16 department's public internet website to the house and senate
17 appropriations subcommittees on environmental quality, the standing
18 committees of the house and senate with primary responsibility for
19 environmental quality issues, and the house and senate fiscal
20 agencies by December 31, 2011. This permit application status
21 tracking tool shall allow permit applicants and the general public
22 to track and review pending permit applications. Searchable
23 parameters shall include, but are not limited to, applicant name
24 and address, county of request, date of application, most recent
25 activity, and status of the permit application. The report shall
26 include the estimated cost of the proposed tool, the information
27 technology requirements that would be needed for the database, the

1 FTE and/or contractual requirements to develop and maintain the
2 proposed tool, an estimated timeline of the implementation of the
3 tool, and any potential foreseen challenges to its implementation.

4 Sec. 228. The department shall develop a customer satisfaction
5 evaluation program. The program shall utilize customer satisfaction
6 surveys to receive feedback in select program areas to help
7 identify opportunities for improvements and efficiencies. The
8 department shall provide a report on the customer satisfaction
9 evaluation program and the feedback received to the house and
10 senate appropriations subcommittees on environmental quality and
11 the house and senate fiscal agencies by July 1, 2012.

12 Sec. 229. (1) The department shall submit a report identifying
13 specific permit programs for which an expedited permitting option
14 to fast track the permit process could be developed and instituted.
15 The report shall include, but is not limited to, all of the
16 following:

17 (a) A listing of the proposed permit programs.

18 (b) Estimates of the amount of time a pending permit would be
19 granted with the expedited process compared to the amount of time
20 with the normal permit process in those programs.

21 (c) Any estimated increase in cost to the department or the
22 applicant for the expedited program.

23 (2) The report described in subsection (1) shall be submitted
24 to the house and senate appropriations subcommittees on
25 environmental quality, the standing committees of the house and
26 senate with primary responsibility for environmental quality
27 issues, and the house and senate fiscal agencies by December 31,

1 2011.

2 **REMEDIATION DIVISION**

3 Sec. 301. Revenues remaining in the interdepartmental
4 transfers, laboratory services at the end of the fiscal year shall
5 carry forward into the succeeding fiscal year.

6 Sec. 302. The unexpended funds appropriated in part 1 for
7 emergency cleanup actions and the refined petroleum product cleanup
8 program are considered work project appropriations and any
9 unencumbered or unallotted funds are carried forward into the
10 succeeding fiscal year. The following is in compliance with section
11 451a(1) of the management and budget act, 1984 PA 431, MCL
12 18.1451a:

13 (a) The purpose of the projects to be carried forward is to
14 provide contaminated site cleanup.

15 (b) The projects will be accomplished by contract.

16 (c) The total estimated cost of all projects is identified in
17 each line-item appropriation.

18 (d) The tentative completion date is September 30, 2016.

19 Sec. 303. Effective October 1, 2011, surplus funds not to
20 exceed \$1,000,000.00 in the cleanup and redevelopment trust fund
21 are appropriated to the environmental protection fund created in
22 section 503a of the natural resources and environmental protection
23 act, 1994 PA 451, MCL 324.503a.

24 Sec. 304. Effective October 1, 2011, surplus funds not to
25 exceed \$1,000,000.00 in the community pollution prevention fund
26 created in section 3f of 1976 IL 1, MCL 445.573f, are appropriated

1 to the environmental protection fund created in section 503a of the
 2 natural resources and environmental protection act, 1994 PA 451,
 3 MCL 324.503a.

4 Sec. 305. It is the intent of the legislature to repay the
 5 refined petroleum fund for the \$70,000,000.00 that was transferred
 6 to the environmental protection fund created in section 503a of the
 7 natural resources and environmental protection act, 1994 PA 451,
 8 MCL 324.503a, as part of the resolution for the fiscal year 2006-
 9 2007 budget.

10 Sec. 306. The funds appropriated in part 1 for the refined
 11 petroleum product cleanup program shall be used to fund cleanup
 12 activities on the following sites:

13 Site Name	County
14 Alcona Oil Company	Alcona
15 Former Tavern & Gas Station	Alcona
16 Paragon Metal Works/Mikado Total	Alcona
17 Chatham Corners Store	Alger
18 Christmas Sports Enterprises	Alger
19 Midway Resort Inc.	Alger
20 Superior Shell Munising	Alger
21 Fennville Feed Supply	Allegan
22 New Salem Grocery	Allegan
23 Country Party Store	Alpena
24 Hubbard Lake Garage	Alpena
25 Bellaire Bay Mart	Antrim
26 Res. Wells Torch Lake Twp.	Antrim
27 Torch River Pit Stop	Antrim

1	Arvon Township School	Baraga
2	Blankenstein Pontiac	Barry
3	Bud's of Honor	Benzie
4	Village of Honor Res. Wells	Benzie
5	Berrien County Sheriff's Substation	Berrien
6	Coloma Citgo	Berrien
7	Fredrick's Auto Clinic	Berrien
8	Randy's Amoco	Berrien
9	Sterling Express Ltd.	Berrien
10	Baker Oil (E. Michigan)	Calhoun
11	Helmer I-94 Inc.	Calhoun
12	Korner Krossroads Party Store	Calhoun
13	Indian Lake Mini Super	Cass
14	Rigg's Corner Store	Cass
15	Service Mart 2, Union	Cass
16	Unocal 76, Edwardsburg (Energy Oil)	Cass
17	Arnold's Bait and Tackle	Charlevoix
18	Northern Oil (former)	Charlevoix
19	Club Rd. Property	Cheboygan
20	Park Shell Service	Chippewa
21	Ackels Car Care	Clinton
22	Bay Petroleum Corp.	Eaton
23	Bob's Marathon	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 Davison-Mill St.	Genesee
2	Flint FD Fleet Admin.	Genesee
3	Flint Water Department Service Center	Genesee
4	Sunshine Foods #119 Burton	Genesee
5	United Cleaners Inc.	Genesee
6	Watkins & Himelohoch Inc.	Genesee
7	Bondale Dinkens	Gladwin
8	Winegar's Trading Post	Gladwin
9	4 Corners	Grand Traverse
10	Stop N Shop	Grand Traverse
11	Woodland Shop N Go #175	Grand Traverse
12	KD's Country Store	Gratiot
13	Pat's Service	Gratiot
14	Wilson's Grocery	Gratiot
15	Action Auto Store #30	Ingham
16	Bay Gas Station	Ingham
17	Bay Petroleum W. Willow	Ingham
18	Bay Petroleum, S. MLK	Ingham
19	Citgo #7	Ingham
20	Clark Station #1995	Ingham
21	Former Clark #531	Ingham
22	Fresh-Up Car Wash	Ingham
23	Miller Oil Company	Ingham
24	Forest Park School District	Iron
25	Alamo General Store	Kalamazoo
26	Bud's Auto Repair	Kalamazoo
27	Dutton Mills	Kent

1	Former Clark #1481	Kent
2	Great Northern Packaging	Kent
3	MSI #635	Kent
4	Hurly's Lodge	Lake
5	Church & Sons Gas Station	Lapeer
6	E.J. Green	Lapeer
7	P.T. Auto Sales	Lapeer
8	Schaudt's Service Station	Lapeer
9	Former Ted's Standard	Leelanau
10	Lakeside Resort and Party Store	Leelanau
11	Clark Store #2128	Livingston
12	Lakeland Montessori School	Livingston
13	The Oasis Truck Stop	Livingston
14	Bob's Standard Service	Luce
15	Action Auto (former)	Macomb
16	Memphis Shell	Macomb
17	Sokana Mobil	Macomb
18	Muffler Man	Manistee
19	Harvey Oil Co. Inc.	Marquette
20	Joe & Son's Service	Marquette
21	Quick Lube	Mason
22	Morley General Store	Mecosta
23	Jack's Mobil	Menominee
24	Dutch Hutch	Missaukee
25	Rinckey's Store	Missaukee
26	A.N. Russell & Son Inc.	Montcalm
27	Coral General Store	Montcalm

1	Edmore Mobil	Montcalm
2	R.V. Jensen Inc.	Montcalm
3	Lowell St. Hillman Twp.	Montmorency
4	Wyson's General Store	Montmorency
5	Bennett Pump	Muskegon
6	Bernie's Amoco	Muskegon
7	Grant Mini Mart	Newaygo
8	Wesco #14/Triangle Market	Newaygo
9	Emma Milner Property, Waterford	Oakland
10	Jenny Enterprises/Wine Basket, Highland	Oakland
11	Little Caesar's Pizza, Ortonville	Oakland
12	Wayne Oakland Oil Company	Oakland
13	Village of Mears GW Contam.	Oceana
14	Kimball's Western	Ogemaw
15	Rose City Feed & Tack	Ogemaw
16	Andy's Standard	Osceola
17	Lowing's Auto	Osceola
18	Neal's Service	Osceola
19	Tiel Oil Company	Osceola
20	Don's Marathon	Oscoda
21	West Otsego Lake Grocery	Otsego
22	Radio Tavern	Presque Isle
23	Westervelt, 805 S.	Saginaw
24	Former Sav-U Station	Shiawassee
25	Frank's Service	Shiawassee
26	Decker Service	St. Joseph
27	Payless SuperAmerica	St. Joseph

1	State Rd. 6842, Millington	Tuscola
2	Clark Store #1126	Van Buren
3	Drew, Ripple Property	Van Buren
4	Roy Smothers	Van Buren
5	Jimmie's Filling Station	Washtenaw
6	Total #2542 (Huron Mini-mart)	Washtenaw
7	B & H Food & Gas/Dix-Toledo Petro Mart	Wayne
8	Cal's Car Care, Incorporated - BTEX	Wayne
9	City of Detroit - DOT - 5800 Russell St.	Wayne
10	Garden Gas Station	Wayne
11	Hail Investments	Wayne
12	JJ Curran Crane	Wayne
13	K & A Gas	Wayne
14	Master Petroleum	Wayne
15	Micks Auto	Wayne
16	Speedy's Gas & Goodies	Wayne
17	Welcome Gas on Telegraph	Wayne
18	Peterson's Standard	Wexford

19 Sec. 307. Effective October 1, 2011, surplus funds not to
20 exceed \$2,000,000.00 in the small business pollution prevention
21 assistance revolving loan fund created in section 14513 of the
22 natural resources and environmental protection act, 1994 PA 451,
23 MCL 324.14513, are appropriated to the environmental pollution
24 prevention fund created in section 11130 of the natural resources
25 and environmental protection act, 1994 PA 451, MCL 324.11130.

26 Sec. 308. Effective October 1, 2011, surplus funds not to
27 exceed \$1,300,000.00 in the small business pollution prevention

1 assistance revolving loan fund created in section 14513 of the
2 natural resources and environmental protection act, 1994 PA 451,
3 MCL 324.14513, are appropriated to the environmental protection
4 fund created in section 503a of the natural resources and
5 environmental protection act, 1994 PA 451, MCL 324.503a.

6 Sec. 309. The funds appropriated in part 1 for the brownfield
7 grants and loans program are considered work project
8 appropriations, and any unencumbered or unallotted funds are
9 carried forward into the succeeding fiscal year. The following is
10 in compliance with section 451a(1) of the management and budget
11 act, 1984 PA 431, MCL 18.1451a:

12 (a) The purpose of the projects is to provide contaminated
13 site cleanup.

14 (b) The projects will be accomplished by contract.

15 (c) The total estimated cost of all projects is \$5,500,000.00.

16 (d) The tentative completion date is September 30, 2016.

17 Sec. 310. The funds appropriated in part 1 for the
18 environmental bond site reclamation program are considered work
19 project appropriations, and any unencumbered or unallotted funds
20 are carried forward into the succeeding fiscal year. The following
21 is in compliance with section 451a(1) of the management and budget
22 act, 1984 PA 431, MCL 18.1451a:

23 (a) The purpose of the projects to be carried forward is to
24 provide contaminated site cleanup.

25 (b) The projects will be accomplished by contract.

26 (c) The total estimated cost of all projects is \$1,452,500.00.

27 (d) The tentative completion date is September 30, 2016.

1 Sec. 311. The department shall enter into a memorandum of
2 understanding with the department of treasury to develop a process
3 for the review and approval of tax exemption certificates in
4 accordance with the list of commonly approved air pollution control
5 equipment adopted by the state tax commission on August 16, 2010
6 and the list of commonly approved water pollution equipment adopted
7 by the state tax commission on August 16, 2010.

8 **WATER RESOURCES DIVISION**

9 Sec. 401. From the funds appropriated in part 1 for surface
10 water, \$100,000.00 shall be allocated to support the 1 additional
11 FTE position for the aquatic nuisance control program that was
12 added in the fiscal year ending September 30, 2011. The department
13 shall report to the house and senate appropriations subcommittees
14 on environmental quality and the house and senate fiscal agencies
15 by September 30, 2012 on the use of this funding and the number of
16 permit applications processed by the program in 2012.

17 Sec. 402. From the funds appropriated in part 1, the
18 department shall fund a groundwater dispute resolution process in
19 such a manner that maintains a strategically selected dispute
20 resolution process given funds available. The department may
21 utilize any and all available resources in providing this process
22 and shall report to the legislature on the need for additional
23 funds.

24 Sec. 403. From the funds appropriated in part 1, contingent
25 upon the creation of an aquatic invasive species advisory council,
26 the department shall support funding for the advisory council to

1 provide recommendations to appropriate parties and bodies for a
2 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 develop a report that
14 addresses implementation of the state's solid waste policy. At a
15 minimum, the report shall do both of the following:

16 (a) Identify options for long-term funding for the solid waste
17 management program. For each option, the report shall take into
18 account the extent to which additional activities or materials, or
19 both, such as recycling, composting, and beneficial reuse would
20 impact the long-term funding of the solid waste management program.

21 (b) Assess the feasibility of contracting out landfill
22 inspections.

23 (2) The department shall provide the report prepared under
24 subsection (1) to the state budget director, the house and senate
25 appropriations subcommittees on environmental quality, and the

1 house and senate fiscal agencies by June 30, 2012.

2 **ONE-TIME BASIS ONLY**

3 Sec. 1001. For the state fiscal year ending September 30,
4 2012, there is appropriated from general fund/general purpose
5 revenue, on a 1-time basis only, \$6,000,000.00 for the Muskegon
6 cleanup site.

7 PART 2A

8 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

9 FOR FISCAL YEAR 2012-2013

10 **GENERAL SECTIONS**

11 Sec. 1201. It is the intent of the legislature to provide
12 appropriations for the fiscal year ending on September 30, 2013 for
13 the line items listed in part 1. The fiscal year 2012-2013
14 appropriations are anticipated to be the same as those for fiscal
15 year 2011-2012, except that the line items will be adjusted for
16 changes in caseload and related costs, federal fund match rates,
17 economic factors, and available revenue. These adjustments will be
18 determined after the January 2012 consensus revenue estimating
19 conference.

20 ARTICLE VIII

21 GENERAL GOVERNMENT

22 PART 1

23 LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

Sec. 101. Subject to the conditions set forth in this article, the amounts listed in this part are appropriated for the departments of attorney general, civil rights, state, technology, management, and budget, and treasury, the executive office, the legislative branch, and certain other state purposes, for the fiscal year ending September 30, 2012, from the funds indicated in this part. The following is a summary of the appropriations in this part:

TOTAL GENERAL GOVERNMENT**APPROPRIATION SUMMARY**

Full-time equated unclassified positions	43.0	
Full-time equated classified positions	8,116.2	
GROSS APPROPRIATION		\$ 3,897,242,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		669,027,400
ADJUSTED GROSS APPROPRIATION		\$ 3,228,214,700
Federal revenues:		
Total federal revenues		768,099,400
Special revenue funds:		
Total local revenues		7,989,300
Total private revenues		979,400
Total other state restricted revenues		1,726,410,300
State general fund/general purpose		\$ 724,736,300

1	Sec. 102. DEPARTMENT OF ATTORNEY GENERAL		
2	(1) APPROPRIATION SUMMARY		
3	Full-time equated unclassified positions.....	6.0	
4	Full-time equated classified positions.....	514.0	
5	GROSS APPROPRIATION.....		\$ 74,590,900
6	Interdepartmental grant revenues:		
7	Total interdepartmental grants and intradepartmental		
8	transfers		21,885,400
9	ADJUSTED GROSS APPROPRIATION.....		\$ 52,705,500
10	Federal revenues:		
11	Total federal revenues.....		8,848,800
12	Special revenue funds:		
13	Total local revenues.....		0
14	Total private revenues.....		0
15	Total other state restricted revenues.....		15,489,100
16	State general fund/general purpose.....		\$ 28,367,600
17	(2) ATTORNEY GENERAL OPERATIONS		
18	Full-time equated unclassified positions.....	6.0	
19	Full-time equated classified positions.....	514.0	
20	Attorney general.....		\$ 112,500
21	Unclassified positions--5.0 FTE positions.....		476,300
22	Attorney general operations--477.0 FTE positions.....		68,330,700
23	Child support enforcement--25.0 FTE positions.....		3,008,000
24	Prosecuting attorneys coordinating council--12.0 FTE		
25	positions		<u>1,881,800</u>
26	GROSS APPROPRIATION.....		\$ 73,809,300
27	Appropriated from:		

1	Interdepartmental grant revenues:	
2	IDG from MDCH, health services.....	2,062,400
3	IDG from MDCH, WIC.....	77,000
4	IDG from department of corrections.....	527,700
5	IDG from MDE.....	317,000
6	IDG from MDEQ.....	1,917,700
7	IDG from MDHS.....	3,617,000
8	IDG from Michigan state housing development authority	540,200
9	IDG from MDLARA, children's protection registry.....	39,100
10	IDG from MDLARA, financial and insurance regulation..	1,154,400
11	IDG from MDLARA, licensing and regulation fees.....	197,800
12	IDG from MDLARA, Michigan occupational safety and	
13	health administration	100,800
14	IDG from MDLARA, remonumentation fees.....	85,000
15	IDG from MDMVA.....	131,500
16	IDG from MDOT, comprehensive transportation fund.....	177,200
17	IDG from MDOT, state aeronautics fund.....	165,900
18	IDG from MDOT, state trunkline fund.....	2,817,500
19	IDG from MDSP.....	322,300
20	IDG from MDSP, Michigan justice training fund.....	139,000
21	IDG from MDTMB.....	208,000
22	IDG from MDTMB, civil service commission.....	300,600
23	IDG from MDTMB, risk management revolving fund.....	1,419,300
24	IDG from MSF, workforce development agency.....	205,400
25	IDG from treasury.....	5,220,000
26	IDG from treasury, Michigan strategic fund.....	142,600
27	Federal revenues:	

1	DAG, state administrative match grant/food stamps	413,300
2	Federal funds	2,645,200
3	HHS, medical assistance, medigrant	645,100
4	HHS-OS, state Medicaid fraud control units	5,045,200
5	National criminal history improvement program	100,000
6	Special revenue funds:	
7	Antitrust enforcement collections	656,600
8	Assigned claims assessments	132,800
9	Attorney general's operations fund	985,600
10	Auto repair facilities fees	261,300
11	Franchise fees	331,700
12	Game and fish protection fund	797,100
13	Liquor purchase revolving fund	1,165,700
14	Manufactured housing fees	217,200
15	Merit award trust fund	408,600
16	Michigan employment security act - administrative fund	1,785,800
17	Prisoner reimbursement	515,200
18	Prosecuting attorneys training fees	375,000
19	Public utility assessments	1,888,800
20	Real estate enforcement fund	549,100
21	Reinstatement fees	175,400
22	Retirement funds	832,100
23	Second injury fund	913,600
24	Self-insurers security fund	640,800
25	Silicosis and dust disease fund	210,900
26	State building authority revenue	104,200
27	State casino gaming fund	1,235,200

1	State lottery fund.....	275,600
2	Utility consumers fund.....	623,700
3	Waterways fund.....	111,800
4	Worker's compensation administrative revolving fund..	295,300
5	State general fund/general purpose.....	\$ 27,586,000
6	(3) INFORMATION TECHNOLOGY	
7	Information technology services and projects.....	\$ <u>781,600</u>
8	GROSS APPROPRIATION.....	\$ 781,600
9	Appropriated from:	
10	State general fund/general purpose.....	\$ 781,600
11	Sec. 103. DEPARTMENT OF CIVIL RIGHTS	
12	(1) APPROPRIATION SUMMARY	
13	Full-time equated unclassified positions.....	5.0
14	Full-time equated classified positions.....	121.0
15	GROSS APPROPRIATION.....	\$ 13,730,200
16	Interdepartmental grant revenues:	
17	Total interdepartmental grants and intradepartmental	
18	transfers	0
19	ADJUSTED GROSS APPROPRIATION.....	\$ 13,730,200
20	Federal revenues:	
21	Total federal revenues.....	2,880,600
22	Special revenue funds:	
23	Total local revenues.....	0
24	Total private revenues.....	18,700
25	Total other state restricted revenues.....	151,900
26	State general fund/general purpose.....	\$ 10,679,000

1	(2) CIVIL RIGHTS OPERATIONS		
2	Full-time equated unclassified positions.....	5.0	
3	Full-time equated classified positions.....	121.0	
4	Unclassified positions--5.0 FTE positions.....		\$ 267,100
5	Civil rights operations--113.0 FTE positions.....		11,454,100
6	Commission on disability concerns--7.0 FTE positions .		1,186,100
7	Hispanic/Latino commission of Michigan--1.0 FTE		
8	positions		<u>206,700</u>
9	GROSS APPROPRIATION.....		\$ 13,114,000
10	Appropriated from:		
11	Federal revenues:		
12	EEOC, state and local antidiscrimination agency		
13	contracts		885,000
14	HUD, grant.....		1,313,200
15	Federal revenues.....		667,400
16	Special revenue funds:		
17	Private revenues.....		18,700
18	Division on deafness fund.....		93,400
19	State restricted indirect funds.....		58,500
20	State general fund/general purpose.....		\$ 10,077,800
21	(3) INFORMATION TECHNOLOGY		
22	Information technology services and projects.....		<u>\$ 616,200</u>
23	GROSS APPROPRIATION.....		\$ 616,200
24	Appropriated from:		
25	Federal revenues:		
26	EEOC, state and local antidiscrimination agency		
27	contracts		15,000

1	State general fund/general purpose.....	\$	601,200
2	Sec. 104. EXECUTIVE OFFICE		
3	(1) APPROPRIATION SUMMARY		
4	Full-time equated unclassified positions.....	10.0	
5	Full-time equated classified positions.....	74.2	
6	GROSS APPROPRIATION.....	\$	4,399,200
7	Interdepartmental grant revenues:		
8	Total interdepartmental grants and intradepartmental		
9	transfers		0
10	ADJUSTED GROSS APPROPRIATION.....	\$	4,399,200
11	Federal revenues:		
12	Total federal revenues.....		0
13	Special revenue funds:		
14	Total local revenues.....		0
15	Total private revenues.....		0
16	Total other state restricted revenues.....		0
17	State general fund/general purpose.....	\$	4,399,200
18	(2) EXECUTIVE OFFICE OPERATIONS		
19	Full-time equated unclassified positions.....	10.0	
20	Full-time equated classified positions.....	74.2	
21	Governor.....	\$	159,300
22	Lieutenant governor.....		111,600
23	Executive office--74.2 FTE positions.....		3,278,500
24	Unclassified positions--8.0 FTE positions.....		<u>849,800</u>
25	GROSS APPROPRIATION.....	\$	4,399,200
26	Appropriated from:		

1	State general fund/general purpose	\$	4,399,200
2	Sec. 105. LEGISLATURE		
3	(1) APPROPRIATION SUMMARY		
4	GROSS APPROPRIATION	\$	115,971,600
5	Interdepartmental grant revenues:		
6	Total interdepartmental grants and intradepartmental		
7	transfers		3,751,500
8	ADJUSTED GROSS APPROPRIATION	\$	112,220,100
9	Federal revenues:		
10	Total federal revenues		0
11	Special revenue funds:		
12	Total local revenues		0
13	Total private revenues		400,000
14	Total other state restricted revenues		2,649,700
15	State general fund/general purpose	\$	109,170,400
16	(2) LEGISLATURE		
17	Senate	\$	24,598,800
18	Senate automated data processing		2,156,800
19	Senate fiscal agency		2,687,800
20	House of representatives		39,087,800
21	House automated data processing		1,712,300
22	House fiscal agency		<u>2,687,800</u>
23	GROSS APPROPRIATION	\$	72,931,300
24	Appropriated from:		
25	State general fund/general purpose	\$	72,931,300
26	(3) LEGISLATIVE COUNCIL		

1	Legislative council.....	\$	8,446,700
2	Legislative service bureau automated data processing .		1,163,600
3	Worker's compensation.....		126,300
4	National association dues.....		141,500
5	Legislative corrections ombudsman.....		<u>606,200</u>
6	GROSS APPROPRIATION.....	\$	10,484,300
7	Appropriated from:		
8	Interdepartmental grant revenues:		
9	IDG from Michigan department of corrections.....		250,000
10	Special revenue funds:		
11	Private - gifts and bequests revenues.....		400,000
12	State general fund/general purpose.....	\$	9,834,300
13	(4) LEGISLATIVE RETIREMENT SYSTEM		
14	General nonretirement expenses.....	\$	<u>4,233,300</u>
15	GROSS APPROPRIATION.....	\$	4,233,300
16	Appropriated from:		
17	Special revenue funds:		
18	Court fees.....		1,109,800
19	State general fund/general purpose.....	\$	3,123,500
20	(5) PROPERTY MANAGEMENT		
21	Capitol building.....	\$	2,552,800
22	Cora Anderson building.....		8,315,800
23	Farnum building and other properties.....		<u>1,815,700</u>
24	GROSS APPROPRIATION.....	\$	12,684,300
25	Appropriated from:		
26	State general fund/general purpose.....	\$	12,684,300
27	(6) OFFICE OF THE AUDITOR GENERAL		

1	Unclassified positions.....	\$	313,500
2	Field operations.....		<u>15,324,900</u>
3	GROSS APPROPRIATION.....	\$	15,638,400
4	Appropriated from:		
5	Interdepartmental grant revenues:		
6	IDG from MDLARA, liquor purchase revolving fund.....		11,300
7	IDG from MDOT, comprehensive transportation fund.....		25,200
8	IDG from MDOT, Michigan transportation fund.....		204,300
9	IDG from MDOT, state aeronautics fund.....		19,600
10	IDG from MDTMB, civil service commission.....		107,900
11	IDG from MDOT, state trunkline fund.....		474,600
12	IDG, single audit act.....		2,658,600
13	Special revenue funds:		
14	21st century jobs trust fund.....		50,000
15	Clean Michigan initiative implementation bond fund...		38,300
16	Commercial mobile radio system emergency telephone		
17	fund		38,300
18	Contract audit administration fees.....		53,900
19	Correctional industries revolving fund.....		32,000
20	Fee adequacy, air quality delegated authority.....		9,600
21	Game and fish protection fund.....		22,000
22	Legislative retirement system.....		19,100
23	Michigan economic development corporation.....		54,400
24	Michigan education trust fund.....		30,700
25	Michigan justice training commission fund.....		28,700
26	Michigan state housing development authority fees....		22,600
27	Michigan strategic fund.....		89,000

1	Michigan tobacco settlement authority.....	27,000
2	Michigan veterans' trust fund.....	24,900
3	Motor transport revolving fund.....	5,200
4	Office services revolving fund.....	6,900
5	State disbursement unit, office of child support.....	27,600
6	State services fee fund.....	952,100
7	Waterways fund.....	7,600
8	State general fund/general purpose.....	\$ 10,597,000

9 **Sec. 106. DEPARTMENT OF STATE**

10 **(1) APPROPRIATION SUMMARY**

11	Full-time equated unclassified positions.....	6.0
12	Full-time equated classified positions.....	1,809.0
13	GROSS APPROPRIATION.....	\$ 211,885,000

14 Interdepartmental grant revenues:

15	Total interdepartmental grants and intradepartmental	
16	transfers	20,000,000

17	ADJUSTED GROSS APPROPRIATION.....	\$ 191,885,000
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18 Federal revenues:

19	Total federal revenues.....	1,810,000
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20 Special revenue funds:

21	Total local revenues.....	0
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22	Total private revenues.....	100
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23	Total other state restricted revenues.....	178,788,700
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24	State general fund/general purpose.....	\$ 11,286,200
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25 **(2) EXECUTIVE DIRECTION**

26	Full-time equated unclassified positions.....	6.0
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1	Full-time equated classified positions.....	30.0		
2	Secretary of state.....		\$	112,500
3	Unclassified positions--5.0 FTE positions.....			453,200
4	Operations--30.0 FTE positions.....			<u>3,224,100</u>
5	GROSS APPROPRIATION.....		\$	3,789,800
6	Appropriated from:			
7	Auto repair facilities fees.....			60,300
8	Driver fees.....			221,600
9	Expedient service fees.....			58,300
10	Parking ticket court fines.....			8,300
11	Personal identification card fees.....			26,100
12	Reinstatement fees - operator licenses.....			204,000
13	Transportation administration collection fund.....			2,061,500
14	Vehicle theft prevention fees.....			35,500
15	State general fund/general purpose.....		\$	1,114,200
16	(3) DEPARTMENT SERVICES			
17	Full-time equated classified positions.....	159.0		
18	Operations--152.0 FTE positions.....		\$	22,600,800
19	Assigned claims assessments--7.0 FTE positions.....			<u>1,031,800</u>
20	GROSS APPROPRIATION.....		\$	23,632,600
21	Appropriated from:			
22	Special revenue funds:			
23	Abandoned vehicle fees.....			467,400
24	Assigned claims assessments.....			1,031,800
25	Auto repair facilities fees.....			414,000
26	Child support clearance fees.....			34,200
27	Driver fees.....			917,200

1	Driver improvement course fund.....		300,000
2	Expedient service fees.....		256,200
3	Marine safety fund.....		79,400
4	Off-road vehicle title fees.....		8,000
5	Parking ticket court fines.....		52,600
6	Personal identification card fees.....		118,900
7	Reinstatement fees - operator licenses.....		684,700
8	Scrap tire fund.....		72,800
9	Snowmobile registration fee revenue.....		18,100
10	Transportation administration collection fund.....		18,758,400
11	Vehicle theft prevention fees.....		242,800
12	State general fund/general purpose.....	\$	176,100
13	(4) REGULATORY SERVICES		
14	Full-time equated classified positions.....	210.5	
15	Operations--208.5 FTE positions.....		\$ 21,819,900
16	County clerk education and training.....		100,000
17	Motorcycle safety education administration--2.0 FTE		
18	positions		323,600
19	Motorcycle safety education grants.....		<u>1,500,000</u>
20	GROSS APPROPRIATION.....	\$	23,743,500
21	Appropriated from:		
22	Special revenue funds:		
23	Auto repair facilities fees.....		4,129,600
24	Driver education provider and instructor fund.....		72,700
25	Driver fees.....		2,677,400
26	Expedient service fees.....		35,100
27	Motorcycle safety fund.....		1,823,600

1	Notary education and training fund.....		100,000
2	Notary fee fund.....		313,800
3	Parking ticket court fines.....		20,600
4	Personal identification card fees.....		104,700
5	Reinstatement fees - operator licenses.....		2,041,400
6	Transportation administration collection fund.....		10,881,700
7	Vehicle theft prevention fees.....		1,326,000
8	State general fund/general purpose.....	\$	216,900
9	(5) CUSTOMER DELIVERY SERVICES		
10	Full-time equated classified positions.....	1,373.5	
11	Branch operations--931.5 FTE positions.....		\$ 75,703,600
12	Central operations--415.0 FTE positions.....		43,684,500
13	Commemorative license plates--24.0 FTE positions.....		2,147,300
14	Specialty license plates--3.0 FTE positions.....		1,922,000
15	Credit and debit assessment service fees.....		1,000,000
16	Olympic center plate.....		75,700
17	Organ donor program.....		<u>79,100</u>
18	GROSS APPROPRIATION.....	\$	124,612,200
19	Appropriated from:		
20	Interdepartmental grant revenues:		
21	IDG from MDOT, Michigan transportation fund.....		20,000,000
22	Federal revenues:		
23	Federal funds.....		1,460,000
24	Special revenue funds:		
25	Private funds.....		100
26	Abandoned vehicle fees.....		196,900
27	Auto repair facilities fees.....		92,500

1	Child support clearance fees.....	294,000
2	Credit and debit assessment service fees.....	1,000,000
3	Driver fees.....	23,788,700
4	Driver improvement course fund.....	1,200,000
5	Enhanced driver license and enhanced official state	
6	personal identification card fund.....	4,849,900
7	Expedient service fees.....	2,456,400
8	Marine safety fund.....	1,261,600
9	Michigan state police auto theft fund.....	118,900
10	Mobile home commission fees.....	472,900
11	Off-road vehicle title fees.....	141,600
12	Parking ticket court fines.....	1,485,200
13	Personal identification card fees.....	2,057,400
14	Recreation passport fee revenue.....	1,037,800
15	Reinstatement fees - operator licenses.....	1,406,400
16	Snowmobile registration fee revenue.....	345,800
17	Transportation administration collection fund.....	60,478,900
18	Vehicle theft prevention fees.....	208,600
19	State general fund/general purpose.....	\$ 258,600
20	(6) ELECTION REGULATION	
21	Full-time equated classified positions.....	36.0
22	Election administration and services--36.0 FTE	
23	positions	\$ 5,140,600
24	Fees to local units.....	109,800
25	Help America Vote Act.....	<u>350,000</u>
26	GROSS APPROPRIATION.....	\$ 5,600,400
27	Appropriated from:	

1	Federal revenues:	
2	Federal Funds - HAVA HHS.....	350,000
3	State general fund/general purpose.....	\$ 5,250,400
4	(7) DEPARTMENTWIDE APPROPRIATIONS	
5	Building occupancy charges/rent.....	\$ 9,772,000
6	Worker's compensation.....	<u>292,500</u>
7	GROSS APPROPRIATION.....	\$ 10,064,500
8	Appropriated from:	
9	Special revenue funds:	
10	Auto repair facilities fees.....	135,300
11	Driver fees.....	738,200
12	Expedient service fees.....	26,000
13	Parking ticket court fines.....	447,800
14	Transportation administration collection fund.....	5,925,000
15	State general fund/general purpose.....	\$ 2,792,200
16	(8) INFORMATION TECHNOLOGY	
17	Information technology services and projects.....	\$ <u>20,442,000</u>
18	GROSS APPROPRIATION.....	\$ 20,442,000
19	Appropriated from:	
20	Special revenue funds:	
21	Administrative order processing fee.....	11,100
22	Auto repair facilities fees.....	179,000
23	Child support clearance fees.....	16,200
24	Driver fees.....	741,700
25	Expedient service fees.....	1,022,700
26	Parking ticket court fines.....	82,500
27	Personal identification card fees.....	159,900

1	Reinstatement fees - operator licenses	558,500
2	Transportation administration collection fund	16,022,100
3	Vehicle theft prevention fees	170,500
4	State general fund/general purpose	\$ 1,477,800

5 **Sec. 107. DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND**
6 **BUDGET**

7 **(1) APPROPRIATION SUMMARY**

8	Full-time equated unclassified positions..... 6.0	
9	Full-time equated classified positions..... 3,032.5	
10	GROSS APPROPRIATION.....	\$ 1,017,184,300
11	Interdepartmental grant revenues:	
12	Total interdepartmental grants and intradepartmental	
13	transfers	608,968,900
14	ADJUSTED GROSS APPROPRIATION.....	\$ 408,215,400
15	Federal revenues:	
16	Total federal revenues.....	10,346,000
17	Special revenue funds:	
18	Total local revenues.....	1,456,600
19	Total private revenues.....	180,600
20	Total other state restricted revenues.....	85,374,400
21	State general fund/general purpose.....	\$ 310,857,800
22	(2) EXECUTIVE DIRECTION	
23	Full-time equated unclassified positions..... 6.0	
24	Full-time equated classified positions..... 11.0	
25	Unclassified positions--6.0 FTE positions.....	\$ 796,500
26	Executive operations--11.0 FTE positions.....	<u>1,410,000</u>

1	GROSS APPROPRIATION.....	\$	2,206,500
2	Appropriated from:		
3	Interdepartmental grant revenues:		
4	IDG from building occupancy and parking charges		74,400
5	IDG from technology user fees		1,394,500
6	Special revenue funds:		
7	Special revenue, internal service, and pension trust		
8	funds		140,800
9	State general fund/general purpose	\$	596,800
10	(3) DEPARTMENT SERVICES		
11	Full-time equated classified positions.....		778.5
12	Administrative services--132.5 FTE positions	\$	15,411,100
13	Budget and financial management--158.5 FTE positions .		15,726,700
14	Office of the state employer--23.0 FTE positions		2,980,800
15	Design and construction services--40.0 FTE positions .		5,772,800
16	Business support services--105.5 FTE positions		9,584,200
17	Building operation services--221.0 FTE positions		87,962,100
18	Building occupancy charges, rent, and utilities		5,129,400
19	Motor vehicle fleet--46.0 FTE positions		57,349,700
20	Information technology services and projects		26,482,900
21	Bureau of labor market information and strategies--		
22	52.0 FTE positions		<u>6,676,900</u>
23	GROSS APPROPRIATION.....	\$	233,076,600
24	Appropriated from:		
25	Interdepartmental grant revenues:		
26	IDG from accounting service centers user charges		2,471,200
27	IDG from building occupancy and parking charges		90,446,400

1	IDG from MDCH.....	453,000
2	IDG from MDHS.....	187,800
3	IDG from MDLARA.....	100,000
4	IDG from MDOT, comprehensive transportation fund.....	41,900
5	IDG from MDOT, state aeronautics fund.....	38,100
6	IDG from MDOT, state trunkline fund.....	1,308,100
7	IDG from motor transport fund.....	57,349,700
8	IDG from technology user fees.....	7,960,500
9	IDG from user fees.....	5,833,200
10	Federal revenues:	
11	Federal funds.....	100
12	Federal revenues.....	7,542,600
13	Special revenue funds:	
14	Deferred compensation.....	2,600
15	Game and fish protection fund.....	408,500
16	Health management funds.....	1,969,700
17	MAIN user charges.....	5,143,000
18	Pension trust funds.....	6,726,900
19	Special revenue, internal service, and pension trust	
20	funds	13,529,200
21	State building authority revenue.....	675,400
22	State lottery fund.....	225,000
23	State restricted indirect funds.....	1,857,800
24	State services fee fund.....	117,900
25	Waterways fund.....	106,000
26	State general fund/general purpose.....	\$ 28,582,000
27	(4) TECHNOLOGY SERVICES	

1	Full-time equated classified positions.....	1,559.5	
2	Education services--31.0 FTE positions.....		\$ 3,262,600
3	Health and human services--659.5 FTE positions.....		255,628,900
4	Public protection--271.5 FTE positions.....		54,819,100
5	Resources services--156.5 FTE positions.....		18,305,400
6	Transportation services--95.5 FTE positions.....		27,737,500
7	General services--345.5 FTE positions.....		<u>75,363,100</u>
8	GROSS APPROPRIATION.....		\$ 435,116,600
9	Appropriated from:		
10	Interdepartmental grant revenues:		
11	IDG from technology user fees.....		435,116,600
12	State general fund/general purpose.....		\$ 0
13	(5) SPECIAL PROGRAMS		
14	Full-time equated classified positions.....	177.0	
15	Building occupancy charges - property management		
16	services for executive/legislative building		
17	occupancy		\$ 1,188,200
18	Retirement services--166.0 FTE positions.....		18,402,900
19	Office of children's ombudsman--11.0 FTE positions...		1,028,900
20	Information technology innovation fund.....		<u>2,500,000</u>
21	GROSS APPROPRIATION.....		\$ 23,120,000
22	Appropriated from:		
23	Special revenue funds:		
24	Deferred compensation.....		1,542,400
25	Pension trust funds.....		16,860,500
26	State general fund/general purpose.....		\$ 4,717,100
27	(6) STATE BUILDING AUTHORITY RENT		

1	State building authority rent - state agencies	\$	68,305,800
2	State building authority rent - department of		
3	corrections		47,379,900
4	State building authority rent - universities		117,225,300
5	State building authority rent - community colleges ...		<u>23,959,600</u>
6	GROSS APPROPRIATION.....	\$	256,870,600
7	Appropriated from:		
8	State general fund/general purpose	\$	256,870,600
9	(7) CIVIL SERVICE COMMISSION		
10	Full-time equated classified positions..... 506.5		
11	Agency services--102.5 FTE positions	\$	12,371,700
12	Executive direction--33.0 FTE positions		8,773,400
13	Employee benefits--31.0 FTE positions		6,078,100
14	Training.....		1,300,000
15	Human resources operations--340.0 FTE positions		32,275,600
16	Information technology services and projects		<u>3,995,200</u>
17	GROSS APPROPRIATION.....	\$	64,794,000
18	Appropriated from:		
19	Interdepartmental grant revenues:		
20	IDG, training charges		1,300,000
21	IDG, 1% special funds		2,893,500
22	Federal revenues:		
23	Federal funds 1%.....		2,803,300
24	Special revenue funds:		
25	Local funds 1%.....		1,456,600
26	Private funds 1%.....		180,600
27	State restricted funds 1%.....		21,241,300

1	State restricted indirect funds.....	5,956,600
2	State sponsored group insurance.....	2,650,000
3	State sponsored group insurance, flexible spending	
4	accounts, and COBRA	6,220,800
5	State general fund/general purpose.....	\$ 20,091,300
6	(8) CAPITAL OUTLAY	
7	Major special maintenance, remodeling and addition for	
8	state agencies	\$ <u>2,000,000</u>
9	GROSS APPROPRIATION.....	\$ 2,000,000
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	IDG from building occupancy charges.....	2,000,000
13	State general fund/general purpose.....	\$ 0
14	Sec. 108. DEPARTMENT OF TREASURY	
15	(1) APPROPRIATION SUMMARY	
16	Full-time equated unclassified positions.....	10.0
17	Full-time equated classified positions.....	2,565.5
18	GROSS APPROPRIATION.....	\$ 2,459,480,900
19	Interdepartmental grant revenues:	
20	Total interdepartmental grants and intradepartmental	
21	transfers	14,421,600
22	ADJUSTED GROSS APPROPRIATION.....	\$ 2,445,059,300
23	Federal revenues:	
24	Total federal revenues.....	744,214,000
25	Special revenue funds:	
26	Total local revenues.....	6,532,700

1	Total private revenues.....		380,000
2	Total other state restricted revenues.....		1,443,956,500
3	State general fund/general purpose.....	\$	249,976,100
4	(2) EXECUTIVE DIRECTION		
5	Full-time equated unclassified positions.....	10.0	
6	Full-time equated classified positions.....	5.0	
7	Unclassified positions--10.0 FTE positions.....	\$	923,000
8	Office of the director--5.0 FTE positions.....		<u>1,013,700</u>
9	GROSS APPROPRIATION.....	\$	1,936,700
10	Appropriated from:		
11	Federal revenues:		
12	DED-OPSE, federal lenders allowance.....		20,000
13	DED-OPSE, higher education act of 1965 insured loans .		45,000
14	Special revenue funds:		
15	State lottery fund.....		196,200
16	State services fee fund.....		357,900
17	State general fund/general purpose.....	\$	1,317,600
18	(3) DEPARTMENTWIDE APPROPRIATIONS		
19	Travel.....	\$	1,209,500
20	Rent and building occupancy charges - property		
21	management services		5,357,600
22	Worker's compensation insurance premium.....		<u>168,000</u>
23	GROSS APPROPRIATION.....	\$	6,735,100
24	Appropriated from:		
25	Special revenue funds:		
26	Delinquent tax collection revenue.....		3,843,800
27	State general fund/general purpose.....	\$	2,891,300

1 **(4) LOCAL GOVERNMENT PROGRAMS**

2	Full-time equated classified positions.....	93.0	
3	Supervision of the general property tax law--59.0 FTE		
4	positions		\$ 12,730,300
5	Property tax assessor training--4.0 FTE positions		457,100
6	Local finance--23.0 FTE positions		2,450,300
7	Business property tax appeal--7.0 FTE positions		<u>402,400</u>
8	GROSS APPROPRIATION.....		\$ 16,040,100

9 Appropriated from:

10 Federal revenues:

11 Special revenue funds:

12	Local - assessor training fees		1,292,100
13	Local - audit charges		667,100
14	Local - equalization study charge-backs		40,000
15	Local - revenue from local government		100,000
16	Land reutilization fund		4,528,400
17	Municipal finance fees		535,200
18	Delinquent tax collection revenue		1,440,500
19	State general fund/general purpose		\$ 7,436,800

20 **(5) TAX PROGRAMS**

21	Full-time equated classified positions.....	762.0	
22	Customer contact--112.0 FTE positions		\$ 9,980,900
23	Tax compliance--345.0 FTE positions		38,456,900
24	Tax and economic policy--121.0 FTE positions		13,848,700
25	Tax processing--156.0 FTE positions		15,630,400
26	Home heating assistance		2,834,800
27	Bottle act implementation		250,000

1	Tobacco tax enforcement	3,000,000
2	Tax plan implementation--28.0 FTE positions	<u>10,537,000</u>
3	GROSS APPROPRIATION.....	\$ 94,538,700
4	Appropriated from:	
5	Interdepartmental grant revenues:	
6	IDG, data/collection services fees	50,900
7	IDG from MDOT, Michigan transportation fund.....	7,901,600
8	IDG from MDOT, state aeronautics fund.....	68,700
9	Federal revenues:	
10	HHS-SSA, low-income energy assistance	2,834,800
11	Special revenue funds:	
12	Bottle deposit fund.....	250,000
13	Delinquent tax collection revenue.....	65,102,000
14	Emergency 911 fund.....	150,000
15	Tobacco tax revenue.....	3,980,400
16	Waterways fund.....	80,500
17	State general fund/general purpose.....	\$ 14,119,800
18	(6) BANKING AND MANAGEMENT SERVICES	
19	Full-time equated classified positions.....	343.0
20	Departmental and budget services--48.0 FTE positions .	\$ 4,218,300
21	Unclaimed property--26.0 FTE positions	4,356,600
22	Collections--209.0 FTE positions	24,492,100
23	Finance and accounting--21.0 FTE positions	1,997,500
24	Receipts processing--39.0 FTE positions	<u>3,923,400</u>
25	GROSS APPROPRIATION.....	\$ 38,987,900
26	Appropriated from:	
27	Interdepartmental grant revenues:	

1	IDG, levy/warrant cost assessment fees		2,000,000
2	IDG, state agency collection fees		2,426,800
3	IDG from MDHS, title IV-D		662,500
4	IDG data/collection service fees		229,600
5	IDG from accounting service center user charges		389,400
6	Special revenue funds:		
7	Delinquent tax collection revenue		20,920,300
8	Escheats revenue		4,356,600
9	Justice system fund		696,100
10	Garnishment fees		2,342,200
11	State restricted indirect funds		258,500
12	Treasury fees		43,900
13	State general fund/general purpose	\$	4,662,000
14	(7) FINANCIAL PROGRAMS		
15	Full-time equated classified positions	237.5	
16	Investments--82.0 FTE positions		\$ 17,614,500
17	Common cash and debt management--22.5 FTE positions ..		1,365,700
18	Student financial assistance programs--46.5 FTE		
19	positions		3,564,000
20	Michigan finance authority - bond finance--84.5 FTE		
21	positions		36,943,200
22	Public private partnership investment--2.0 FTE		
23	positions		1,487,900
24	John R. Justice grant program		<u>282,100</u>
25	GROSS APPROPRIATION	\$	61,257,400
26	Appropriated from:		
27	Interdepartmental grant revenues:		

1	IDG, fiscal agent service fees	177,100
2	Federal revenues:	
3	DED-OPSE, federal lenders allowance	10,908,900
4	DED-OPSE, higher education act of 1965, insured loans	24,203,900
5	Federal - John R. Justice grant	282,100
6	Special revenue funds:	
7	Defined contribution administrative fee revenue	100,000
8	Michigan finance authority bond and loan program	
9	revenue	3,068,100
10	Michigan merit award trust fund	996,400
11	Public private partnership investment fund	1,487,900
12	Retirement funds	16,430,200
13	School bond fees	688,100
14	Treasury fees	1,277,000
15	State general fund/general purpose	\$ 1,637,700
16	(8) DEBT SERVICE	
17	Water pollution control bond and interest redemption .	\$ 2,125,500
18	Quality of life bond	75,278,500
19	Clean Michigan initiative	59,373,100
20	Great Lakes water quality bond	<u>4,150,900</u>
21	GROSS APPROPRIATION	\$ 140,928,000
22	Appropriated from:	
23	Special revenue funds:	
24	Refined petroleum fund	15,514,500
25	State general fund/general purpose	\$ 125,413,500
26	(9) GRANTS	
27	Convention facility development distribution	\$ 74,850,000

1	Presidential primary.....	10,000,000
2	Senior citizen cooperative housing tax exemption	
3	program	12,020,000
4	Emergency 911 payments.....	27,000,000
5	Health and safety fund grants.....	<u>9,000,000</u>
6	GROSS APPROPRIATION.....	\$ 132,870,000
7	Appropriated from:	
8	Special revenue funds:	
9	Emergency 911 fund.....	27,000,000
10	Convention facility development fund.....	74,850,000
11	Health and safety fund.....	9,000,000
12	State general fund/general purpose.....	\$ 22,020,000
13	(10) BUREAU OF STATE LOTTERY	
14	Full-time equated classified positions..... 179.0	
15	Lottery operations--179.0 FTE positions.....	\$ 21,657,900
16	Promotion and advertising.....	17,690,900
17	Lottery information technology services and projects .	<u>4,837,800</u>
18	GROSS APPROPRIATION.....	\$ 44,186,600
19	Appropriated from:	
20	Special revenue funds:	
21	State lottery fund.....	44,186,600
22	State general fund/general purpose.....	\$ 0
23	(11) CASINO GAMING	
24	Full-time equated classified positions..... 126.0	
25	Michigan gaming control board.....	\$ 50,000
26	Casino gaming control operations--116.0 FTE positions	22,418,800
27	Casino gaming information technology services and	

1	projects		1,647,700
2	Racing commission--10.0 FTE positions		<u>2,193,300</u>
3	GROSS APPROPRIATION.....	\$	26,309,800
4	Appropriated from:		
5	Special revenue funds:		
6	Casino gambling agreements.....		719,300
7	Equine development fund.....		2,316,300
8	Laboratory fees.....		700,000
9	State services fee fund.....		22,574,200
10	State general fund/general purpose.....	\$	0
11	(12) PAYMENTS IN LIEU OF TAXES		
12	Commercial forest reserve.....	\$	1,991,600
13	Purchased lands.....		3,292,200
14	Swamp and tax reverted lands.....		<u>5,293,200</u>
15	GROSS APPROPRIATION.....	\$	10,577,000
16	Appropriated from:		
17	Special revenue funds:		
18	Game and fish protection fund.....		1,201,500
19	Michigan natural resources trust fund.....		350,400
20	Michigan state waterways fund.....		94,700
21	State general fund/general purpose.....	\$	8,930,400
22	(13) MICHIGAN STRATEGIC FUND		
23	Full-time equated classified positions..... 531.0		
24	Administration--22.0 FTE positions.....	\$	2,786,200
25	Job creation services--139.0 FTE positions.....		17,205,200
26	Pure Michigan.....		25,000,000
27	Innovation and entrepreneurship.....		25,000,000

1	Business attraction and economic gardening	50,000,000
2	Community development block grants	47,000,000
3	Arts and cultural program	2,567,400
4	Michigan film office--6.0 FTE positions	766,900
5	GEAR-UP program grants	3,000,000
6	Carl D. Perkins grants	19,000,000
7	Adult basic education	20,000,000
8	Adult education--16.0 FTE positions	2,599,100
9	Bureau of energy systems	4,610,900
10	Postsecondary education--9.0 FTE positions	2,411,300
11	Employment services--246.0 FTE positions	49,586,000
12	Wage and hour division--1.0 FTE positions	115,000
13	Workforce development agency administrative services--	
14	-25.0 FTE positions	2,059,400
15	Workforce program administration--61.0 FTE positions .	12,904,800
16	Workforce training programs	296,478,600
17	Welfare-to-work programs	93,158,800
18	Worker's compensation	17,900
19	Workforce development agency rent and property	
20	management	1,483,500
21	Land bank fast track authority - bond finance--6.0 FTE	
22	positions	2,823,500
23	Information technology services and projects	<u>2,951,400</u>
24	GROSS APPROPRIATION	\$ 683,525,900
25	Appropriated from:	
26	Interdepartmental grant revenues:	
27	IDG-MDEQ, air quality fees	37,600

1	Federal revenues:	
2	DAG, employment and training.....	7,290,000
3	DED-OESE, GEAR-UP.....	3,000,000
4	DED-OSERS, rehabilitation services, vocational	
5	rehabilitation state grants	1,458,600
6	DED-OVAE, adult education.....	20,000,000
7	DED-OVAE, basic grants to states.....	19,000,000
8	DOE-OEERE, multiple grants.....	4,737,300
9	DOL, federal funds.....	125,868,000
10	DOL-ETA, workforce investment act.....	234,008,400
11	Federal funds.....	6,808,400
12	HHS, temporary assistance for needy families.....	64,669,000
13	HUD-CPD, community development block grants.....	49,602,800
14	US-EPA, revolving loan fund.....	1,000,000
15	NFAH-NEA, promotion of the arts, partnership	
16	agreements	1,050,000
17	Special revenue funds:	
18	Local revenues.....	4,433,500
19	Private - special project advances.....	250,000
20	Private - Michigan council for the arts fund.....	100,000
21	Private - oil overcharge.....	30,000
22	Contingent fund, penalty and interest account.....	2,725,400
23	Defaulted loan collection fees.....	100,000
24	Industry support fees.....	5,500
25	Land bank fast track fund.....	1,981,000
26	21st century jobs trust fund.....	75,000,000
27	Michigan film promotion fund.....	563,100

1	Public utility assessments.....		843,600
2	State general fund/general purpose.....	\$	58,963,700
3	(14) REVENUE SHARING		
4	Constitutional state general revenue sharing grants ..	\$	658,979,300
5	County revenue sharing payments.....		100,000,000
6	Economic vitality incentive program.....		<u>200,000,000</u>
7	GROSS APPROPRIATION.....	\$	958,979,300
8	Appropriated from:		
9	Special revenue funds:		
10	Sales tax.....		958,979,300
11	State general fund/general purpose.....	\$	0
12	(15) MICHIGAN STRATEGIC FUND - MICHIGAN STATE		
13	HOUSING DEVELOPMENT AUTHORITY		
14	Full-time equated classified positions.....	289.0	
15	Payments on behalf of tenants.....	\$	166,860,000
16	Housing and rental assistance--266.0 FTE positions ...		48,562,500
17	State historic preservation program--23.0 FTE		
18	positions		3,105,700
19	Lighthouse preservation program.....		307,500
20	Rent and administrative support.....		3,846,100
21	Michigan state housing development authority		
22	technology services and projects.....		<u>3,291,300</u>
23	GROSS APPROPRIATION.....	\$	225,973,100
24	Appropriated from:		
25	Federal revenues:		
26	HUD, lower income housing assistance.....		166,860,000
27	Special revenue funds:		

1	Michigan state housing development authority fees and		
2	charges		58,805,600
3	Michigan lighthouse preservation fund.....		307,500
4	State general fund/general purpose.....	\$	0
5	(16) INFORMATION TECHNOLOGY		
6	Treasury operations information technology services		
7	and projects	\$	<u>16,635,300</u>
8	GROSS APPROPRIATION.....	\$	16,635,300
9	Appropriated from:		
10	Interdepartmental grant revenues:		
11	IDG from MDOT, Michigan transportation fund.....		477,400
12	Federal revenues:		
13	DED-OPSE, federal lender allowance.....		566,800
14	Special revenue funds:		
15	Delinquent tax collection revenue.....		12,201,100
16	Retirement funds.....		690,600
17	Tobacco tax revenue.....		116,100
18	State general fund/general purpose.....	\$	2,583,300

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

GENERAL SECTIONS

23 Sec. 201. (1) Pursuant to section 30 of article IX of the
24 state constitution of 1963, total state spending from state
25 resources under part 1 for fiscal year 2011-2012 is

1 \$2,451,146,600.00 and state spending from state resources to be
 2 paid to local units of government for fiscal year 2011-2012 is
 3 \$1,129,558,400.00. The itemized statement below identifies
 4 appropriations from which spending to local units of government
 5 will occur:

6 DEPARTMENT OF STATE

7	Fees to local units.....	\$	109,800
8	Motorcycle safety grants.....		<u>1,251,000</u>
9	Subtotal.....	\$	1,360,800

10 DEPARTMENT OF TREASURY

11	Senior citizen cooperative housing tax exemption.....	\$	12,020,000
12	Health and safety fund grants.....		9,000,000
13	Constitutional state general revenue sharing grants ..		658,979,300
14	Economic vitality incentive program.....		200,000,000
15	Convention facility development fund distribution....		74,850,000
16	Emergency 9-1-1 payments.....		24,600,000
17	County revenue sharing payments.....		100,000,000
18	Airport parking distribution pursuant to section 909 .		12,946,500
19	Presidential primary.....		10,000,000
20	Payments in lieu of taxes.....		10,577,000
21	Welfare-to-work programs.....		<u>15,224,800</u>
22	Subtotal.....	\$	1,128,197,600
23	TOTAL GENERAL GOVERNMENT.....	\$	1,129,558,400

24 (2) Pursuant to section 30 of article IX of the state
 25 constitution of 1963, total state spending from state sources for
 26 fiscal year 2011-2012 is estimated at \$26,336,775,800.00 in the
 27 2011-2012 appropriations acts and total state spending from state

1 sources paid to local units of government for fiscal year 2011-2012
2 is estimated at \$14,717,752,700.00. The state-local proportion is
3 estimated at 55.9% of total state spending from state resources.

4 (3) If payments to local units of government and state
5 spending from state sources for fiscal year 2011-2012 are different
6 than the amounts estimated in subsection (2), the state budget
7 director shall report the payments to local units of government and
8 state spending from state sources that were made for fiscal year
9 2011-2012 to the senate and house of representatives standing
10 committees on appropriations within 30 days after the final book-
11 closing for fiscal year 2011-2012.

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

15 Sec. 203. As used in this article:

16 (a) "AFSCME" means American federation of state, county, and
17 municipal employees.

18 (b) "ATM" means automated teller machine.

19 (c) "CDBG" means community development block grants.

20 (d) "COBRA" means the consolidated omnibus budget
21 reconciliation act of 1985, Public Law 99-272, 100 Stat. 82.

22 (e) "CPI" means consumer price index.

23 (f) "DAG" means the United States department of agriculture.

24 (g) "DED" means the United States department of education.

25 (h) "DED-OESE" means the DED office of elementary and
26 secondary education.

27 (i) "DED-OPSE" means the DED, office of postsecondary

1 education.

2 (j) "DED-OSERS" means the DED office of special education
3 rehabilitation services.

4 (k) "DED-OVAE" means the DED office of vocational and adult
5 education.

6 (l) "DOE-OEERE" means the United States department of energy,
7 office of energy efficiency and renewable energy.

8 (m) "DOI-NPS" means the United State department of interior,
9 national park service.

10 (n) "DOL-ETA" means the United States department of labor,
11 employment and training administration.

12 (o) "DOL-OSHA" means the United States department of labor,
13 occupational safety and health administration.

14 (p) "EEOC" means the United States equal employment
15 opportunity commission.

16 (q) "EPA" means the United States environmental protection
17 agency.

18 (r) "FTE" means full-time equated.

19 (s) "Fund" means the Michigan strategic fund.

20 (t) "GEAR-UP" means gaining early awareness and readiness for
21 undergraduate programs.

22 (u) "GF/GP" means general fund/general purpose.

23 (v) "HAVA" means help America vote act.

24 (w) "HHS" means the United States department of health and
25 human services.

26 (x) "HHS-OS" means the HHS office of the secretary.

27 (y) "HHS-SSA" means the HHS social security administration.

1 (z) "HUD" means the United States department of housing and
2 urban development.

3 (aa) "HUD-CPD" means the United States department of housing
4 and urban development - community planning and development.

5 (bb) "IDG" means interdepartmental grant.

6 (cc) "IDT" means intradepartmental transfer.

7 (dd) "JCOS" means the joint capital outlay subcommittee.

8 (ee) "MAIN" means the Michigan administrative information
9 network.

10 (ff) "MCL" means the Michigan Compiled Laws.

11 (gg) "MDCH" means the Michigan department of community health.

12 (hh) "MDE" means the Michigan department of education.

13 (ii) "MDELEG" means the Michigan department of energy, labor,
14 and economic growth or its successor.

15 (jj) "MDEQ" means the Michigan department of environmental
16 quality.

17 (kk) "MDHS" means the Michigan department of human services.

18 (ll) "MDMVA" means the Michigan department of military and
19 veterans affairs.

20 (mm) "MDOC" means the Michigan department of corrections.

21 (nn) "MDOT" means the Michigan department of transportation.

22 (oo) "MDSP" means the Michigan department of state police.

23 (pp) "MDTMB" means the Michigan department of technology,
24 management, and budget.

25 (qq) "MEDC" means the Michigan economic development
26 corporation, which is the public body corporate created under
27 section 28 of article VII of the state constitution of 1963 and the

1 urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to
2 124.512, by contractual interlocal agreement effective April 5,
3 1999, between local participating economic development corporations
4 formed under the economic development corporations act, 1974 PA
5 338, MCL 125.1601 to 125.1636, and the Michigan strategic fund.

6 (rr) "MFA" means the Michigan finance authority.

7 (ss) "MPE" means the Michigan public employees.

8 (tt) "MSC" means managerial, supervisory, and confidential.

9 (uu) "MSHDA" means Michigan state housing development
10 authority.

11 (vv) "NERE" means nonexclusively represented employees.

12 (ww) "NFAH-NEA" means the national foundation of the arts and
13 the humanities - national endowment for the arts.

14 (xx) "PA" means public act.

15 (yy) "PACC" means the prosecuting attorneys coordinating
16 council.

17 (zz) "SEIU" means service employees international union.

18 Sec. 206. (1) The departments and agencies receiving
19 appropriations in this article 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 (2) Departments and agencies may develop and operate their own
4 websites to provide this information or may reference the state's
5 central transparency website as the source for this information.

6 Sec. 207. Amounts appropriated in part 1 for information
7 technology may be designated as work project accounts and carried
8 forward to support technology projects under the direction of the
9 department of technology, management, and budget. Funds designated
10 in this manner are not available for expenditure until approved as
11 work projects under section 451a of the management and budget act,
12 1984 PA 431, MCL 18.1451a.

13 Sec. 208. The departments and agencies receiving
14 appropriations in part 1 shall use the Internet to fulfill the
15 reporting requirements of this article. This requirement may
16 include transmission of reports via electronic mail to the
17 recipients identified for each reporting requirement, or it may
18 include placement of reports on an Internet or Intranet site.

19 Sec. 209. Funds appropriated in part 1 shall not be used for
20 the purchase of foreign goods or services, or both, if
21 competitively priced and of comparable quality American goods or
22 services, or both, are available. Preference shall be given to
23 goods or services, or both, manufactured or provided by Michigan
24 businesses, if they are competitively priced and of comparable
25 quality. In addition, preference should be given to goods or
26 services, or both, that are manufactured or provided by Michigan
27 businesses owned and operated by veterans, if they are

1 competitively priced and of comparable quality.

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

9 Sec. 211. Pursuant to section 352 of the management and budget
 10 act, 1984 PA 431, MCL 18.1352, which provides for a transfer of
 11 state general funds into or out of the countercyclical budget and
 12 economic stabilization fund, there is appropriated for the fiscal
 13 year ending September 30, 2012, from general fund/general purpose
 14 revenue for deposit into the countercyclical budget and economic
 15 stabilization fund the sum of \$255,800,000.00. The calculation
 16 required by section 352 of the management and budget act, 1984 PA
 17 431, MCL 18.1352, is determined as follows:

	2010	2011
18		
19 Michigan personal income (millions)	\$351,830	\$369,070
20 less: transfer payments	<u>81,535</u>	<u>81,943</u>
21 Subtotal	\$270,295	\$287,127
22 Divided by: Detroit CPI for 12 months		
23 ending June 30	2.045	2.062
24 Equals: real adjusted Michigan personal		
25 income	\$132,157	\$139,273
26 Percentage change		5.4%
27 Percentage change greater than 2%		3.4%

1	Multiplied by: estimated GF/GP revenue in	
2	fiscal year 2010-2011 (millions)	7,524.1
3	Equals: countercyclical budget and	
4	economic stabilization fund payin	
5	calculation for the fiscal year ending	
6	September 30, 2012 (millions)	\$255.8

7 Sec. 212. The departments and agencies receiving
8 appropriations in part 1 shall receive and retain copies of all
9 reports funded from appropriations in part 1. Federal and state
10 guidelines for short-term and long-term retention of records shall
11 be followed. The department may electronically retain copies of
12 reports unless otherwise required by federal and state guidelines.

13 Sec. 213. Funds appropriated in part 1 shall not be used by
14 this state, a department, an agency, or an authority of this state
15 to purchase an ownership interest in a casino enterprise or a
16 gambling operation as those terms are defined in the Michigan
17 gaming control and revenue act, 1996 IL 1, MCL 432.201 to 432.226.

18 Sec. 214. 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. Such 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. 215. A department or state agency shall not take
26 disciplinary action against an employee for communicating with a
27 member of the legislature or his or her staff.

1 Sec. 216. (1) Due to the current budgetary problems in this
2 state, out-of-state travel shall be limited to situations in which
3 1 or more of the following conditions apply:

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

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

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

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

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

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

18 (2) If out-of-state travel is necessary but does not meet 1 or
19 more of the conditions in subsection (1), the state budget director
20 may grant exceptions to allow the travel. Any exceptions granted by
21 the state budget director shall be reported on a quarterly basis to
22 the senate and house of representatives standing committees on
23 appropriations.

24 Sec. 217. General fund appropriations in this article shall
25 not be expended for items in cases where federal funding is
26 available for the same expenditures.

27 Sec. 220. Funds appropriated in this article shall not be used

1 to administer a committee or to solicit or obtain contributions for
2 a committee. As used in this section, "committee" means that term
3 as defined in section 3 of the Michigan campaign finance act, 1976
4 PA 388, MCL 169.203.

5 Sec. 221. (1) Each department shall report no later than April
6 1 on each specific policy change made to implement a public act
7 affecting the department that took effect during the prior calendar
8 year to the senate and house of representatives standing committees
9 on appropriations subcommittees on general government, the joint
10 committee on administrative rules, and the senate and house fiscal
11 agencies.

12 (2) Funds appropriated in part 1 shall not be used by a
13 department to adopt a rule that will apply to a small business and
14 that will have a disproportionate economic impact on small
15 businesses because of the size of those businesses if the
16 department fails to reduce the disproportionate economic impact of
17 the rule on small businesses as provided under section 40 of the
18 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

19 (3) As used in this section:

20 (a) "Rule" means that term as defined under section 7 of the
21 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

22 (b) "Small business" means that term as defined under section
23 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
24 24.207a.

25 Sec. 226. Funds appropriated in part 1 shall not be used by a
26 principal executive department, state agency, or authority to hire
27 a person to provide legal services that are the responsibility of

1 the attorney general. This prohibition does not apply to legal
2 services for bonding activities and for those activities that the
3 attorney general authorizes.

4 Sec. 227. Within 14 days after the release of the executive
5 budget recommendation, the departments and agencies receiving
6 appropriations in this article shall provide the state budget
7 director, the chairs of the senate and house of representatives
8 standing committees on appropriations, the senate and house of
9 representatives standing committees on appropriations subcommittees
10 on general government, and the senate and house fiscal agencies
11 with an annual report on estimated state restricted fund balances,
12 state restricted fund projected revenues, and state restricted fund
13 expenditures for the fiscal years ending September 30, 2011 and
14 September 30, 2012.

15 Sec. 228. Not later than November 15, each department or
16 agency receiving appropriations in part 1 shall prepare and
17 transmit a report that provides for estimates of the total general
18 fund/general purpose appropriation lapses at the close of the
19 fiscal year. This report shall summarize the projected year-end
20 general fund/general purpose appropriation lapses by major
21 departmental program or program areas. The report shall be
22 transmitted to the office of the state budget, the chairpersons of
23 the senate and house of representatives standing committees on
24 appropriations, and the senate and house fiscal agencies.

25 Sec. 229. If the office of the auditor general has identified
26 an initiative or made a recommendation that is related to savings
27 and efficiencies in an audit report for an executive branch

1 department or agency, the department or agency shall report within
2 6 months of the release of the audit on their efforts and progress
3 made toward achieving the savings and efficiencies identified in
4 the audit report. The report shall be submitted to the chairs of
5 the senate and house of representatives standing committees on
6 appropriations, the chairs of the senate and house of
7 representatives standing committees with jurisdiction over matters
8 relating to the department that is audited, and the senate and
9 house fiscal agencies.

10 **DEPARTMENT OF ATTORNEY GENERAL**

11 Sec. 301. (1) In addition to the funds appropriated in part 1,
12 there is appropriated an amount not to exceed \$1,500,000.00 for
13 federal 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 (2) In addition to the funds appropriated in part 1, there is
18 appropriated an amount not to exceed \$1,500,000.00 for state
19 restricted contingency funds. These funds are not available for
20 expenditure until they have been transferred to another line item
21 in this article under section 393(2) of the management and budget
22 act, 1984 PA 431, MCL 18.1393.

23 (3) In addition to the funds appropriated in part 1, there is
24 appropriated an amount not to exceed \$100,000.00 for local
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 (4) In addition to the funds appropriated in part 1, there is
4 appropriated an amount not to exceed \$100,000.00 for private
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 Sec. 302. (1) The attorney general shall perform all legal
10 services, including representation before courts and administrative
11 agencies rendering legal opinions and providing legal advice to a
12 principal executive department or state agency. A principal
13 executive department or state agency shall not employ or enter into
14 a contract with any other person for services described in this
15 section.

16 (2) The attorney general shall defend judges of all state
17 courts if a claim is made or a civil action is commenced for
18 injuries to persons or property caused by the judge through the
19 performance of the judge's duties while acting within the scope of
20 his or her authority as a judge.

21 (3) The attorney general shall perform the duties specified in
22 1846 RS 12, MCL 14.28 to 14.35, and 1919 PA 232, MCL 14.101 to
23 14.102, and as otherwise provided by law.

24 Sec. 303. The attorney general may sell copies of the biennial
25 report in excess of the 350 copies that the attorney general may
26 distribute on a gratis basis. Gratis copies shall not be provided
27 to members of the legislature. Electronic copies of biennial

1 reports shall be made available on the department of attorney
2 general's website. The attorney general shall sell copies of the
3 report at not less than the actual cost of the report and shall
4 deposit the money received into the general fund.

5 Sec. 304. The department of attorney general is responsible
6 for the legal representation for state of Michigan state employee
7 worker's disability compensation cases. The risk management
8 revolving fund revenue appropriation in part 1 is to be satisfied
9 by billings from the department of attorney general for the actual
10 costs of legal representation, including salaries and support
11 costs.

12 Sec. 305. In addition to the funds appropriated in part 1, not
13 more than \$400,000.00 shall be reimbursed per fiscal year for food
14 stamp fraud cases heard by the third circuit court of Wayne County
15 that were initiated by the department of attorney general pursuant
16 to the existing contract between the department of human services,
17 the prosecuting attorneys association of Michigan, and the
18 department of attorney general. The source of this funding is money
19 earned by the department of attorney general under the agreement
20 after the allowance for reimbursement to the department of attorney
21 general for costs associated with the prosecution of food stamp
22 fraud cases. It is recognized that the federal funds are earned by
23 the department of attorney general for its documented progress on
24 the prosecution of food stamp fraud cases according to the United
25 States department of agriculture regulations and that, once earned
26 by this state, the funds become state funds.

27 Sec. 306. Any proceeds from a lawsuit initiated by or

1 settlement agreement entered into on behalf of this state against a
2 manufacturer of tobacco products by the attorney general are state
3 funds and are subject to appropriation as provided by law.

4 Sec. 307. (1) In addition to the antitrust revenues in part 1,
5 antitrust, securities fraud, consumer protection or class action
6 enforcement revenues, or attorney fees recovered by the department,
7 not to exceed \$250,000.00, are appropriated to the department for
8 antitrust, securities fraud, and consumer protection or class
9 action enforcement cases.

10 (2) Any unexpended funds from antitrust, securities fraud, or
11 consumer protection or class action enforcement revenues at the end
12 of the fiscal year, including antitrust funds in part 1, may be
13 carried forward for expenditure in the following fiscal year up to
14 the maximum authorization of \$250,000.00.

15 Sec. 308. (1) In addition to the funds appropriated in part 1,
16 there is appropriated up to \$500,000.00 from litigation expense
17 reimbursements awarded to the state.

18 (2) The funds may be expended for the payment of court
19 judgments or settlements, attorney fees, and litigation expenses
20 not including salaries and support costs, assessed against the
21 office of the governor, the department of the attorney general, the
22 governor, or the attorney general when acting in an official
23 capacity as the named party in litigation against the state. The
24 funds may also be expended for the payment of state costs incurred
25 under section 16 of chapter X of the code of criminal procedure,
26 1927 PA 175, MCL 770.16.

27 (3) Unexpended funds at the end of the fiscal year may be

1 carried forward for expenditure in the following year, up to a
2 maximum authorization of \$500,000.00.

3 Sec. 309. From the prisoner reimbursement funds appropriated
4 in part 1, the department may spend up to \$497,900.00 on activities
5 related to the state correctional facilities reimbursement act,
6 1935 PA 253, MCL 800.401 to 800.406. In addition to the funds
7 appropriated in part 1, if the department collects in excess of
8 \$1,131,000.00 in gross annual prisoner reimbursement receipts
9 provided to the general fund, the excess, up to a maximum of
10 \$1,000,000.00, is appropriated to the department of attorney
11 general and may be spent on the representation of the department of
12 corrections and its officers, employees, and agents, including, but
13 not limited to, the defense of litigation against the state, its
14 departments, officers, employees, or agents in civil actions filed
15 by prisoners.

16 Sec. 310. (1) For the purposes of providing title IV-D child
17 support enforcement funding, the department of human services, as
18 the state IV-D agency, shall maintain a cooperative agreement with
19 the attorney general for federal IV-D funding to support the child
20 support enforcement activities within the office of the attorney
21 general.

22 (2) The attorney general or his or her designee shall, to the
23 extent allowable under federal law, have access to any information
24 used by the state to locate parents who fail to pay court-ordered
25 child support.

26 Sec. 312. The department of attorney general shall not receive
27 and expend funds in addition to those authorized in part 1 for

1 legal services provided specifically to other state departments or
2 agencies except for costs for expert witnesses, court costs, or
3 other nonsalary litigation expenses associated with a pending legal
4 action.

5 **DEPARTMENT OF CIVIL RIGHTS**

6 Sec. 401. (1) In addition to the funds appropriated in part 1,
7 there is appropriated an amount not to exceed \$2,000,000.00 for
8 federal 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 (2) In addition to the funds appropriated in part 1, there is
13 appropriated an amount not to exceed \$500,000.00 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. 402. (1) In addition to the appropriations contained in
19 part 1, the department of civil rights may receive and expend funds
20 from local or private sources for all of the following purposes:

21 (a) Developing and presenting training for employers on equal
22 employment opportunity law and procedures.

23 (b) The publication and sale of civil rights related
24 informational material.

25 (c) The provision of copy material made available under
26 freedom of information requests.

1 (d) Other copy fees, subpoena fees, and witness fees.

2 (e) Developing, presenting, and participating in mediation
3 processes for certain civil rights cases.

4 (f) Workshops, seminars, and recognition or award programs
5 consistent with the programmatic mission of the individual unit
6 sponsoring or coordinating the programs.

7 (g) Staffing costs for all activities included in this
8 subsection.

9 (2) The department of civil rights shall annually report to
10 the state budget director, the senate and house of representatives
11 standing committees on appropriations, and the senate and house
12 fiscal agencies the amount of funds received and expended for
13 purposes authorized under this section.

14 Sec. 403. The department of civil rights may contract with
15 local units of government to review equal employment opportunity
16 compliance of potential contractors and may charge for and expend
17 amounts received from local units of government for the purpose of
18 developing and providing these contractual services.

19 **LEGISLATURE**

20 Sec. 600. The senate, the house of representatives, or an
21 agency within the legislative branch may receive, expend, and
22 transfer funds in addition to those authorized in part 1.

23 Sec. 601. (1) Funds appropriated in part 1 to an entity within
24 the legislative branch shall not be expended or transferred to
25 another account without written approval of the authorized agent of
26 the legislative entity. If the authorized agent of the legislative

1 entity notifies the state budget director of its approval of an
2 expenditure or transfer before the year-end book-closing date for
3 that legislative entity, the state budget director shall
4 immediately make the expenditure or transfer. The authorized
5 legislative entity agency shall be designated by the speaker of the
6 house of representatives for house entities, the senate majority
7 leader for senate entities, and the legislative council for
8 legislative council entities.

9 (2) Funds appropriated within the legislative branch, to a
10 legislative council component, shall not be expended by any agency
11 or other subgroup included in that component without the approval
12 of the legislative council.

13 Sec. 602. The senate may charge rent and assess charges for
14 utility costs. The amounts received for rent charges and utility
15 assessments are appropriated to the senate for the renovation,
16 operation, and maintenance of the Farnum building and other
17 properties.

18 Sec. 603. The appropriation contained in part 1 for national
19 association dues is to be distributed by the legislative council.
20 If the funding is available, \$51,000.00 shall be paid as annual
21 dues to the national conference of commissioners on uniform state
22 laws.

23 Sec. 604. (1) The appropriation in part 1 to the legislative
24 council includes funds to operate the legislative parking
25 facilities in the capitol area. The legislative council shall
26 establish rules regarding the operation of the legislative parking
27 facilities.

1 (2) The legislative council shall collect a fee from state
2 employees and the general public using certain legislative parking
3 facilities. The revenues received from the parking fees shall be
4 allocated by the legislative council.

5 Sec. 605. The appropriation in part 1 to the legislative
6 council for publication of the Michigan manual is a work project
7 account. The unexpended portion remaining on September 30 shall not
8 lapse and shall be carried forward into the subsequent fiscal year
9 for use in paying the associated biennial costs of publication of
10 the Michigan manual.

11 Sec. 606. The appropriations in part 1 to the legislative
12 branch, for property management, shall be used to purchase
13 equipment and services for building maintenance in order to ensure
14 a safe and productive work environment. These funds are designated
15 as work project appropriations and shall not lapse at the end of
16 the fiscal year, and shall continue to be available for expenditure
17 until the project has been completed. The total cost is estimated
18 at \$500,000.00, and the tentative completion date is September 30,
19 2016.

20 Sec. 607. The appropriations in part 1 to the legislative
21 branch, for automated data processing, shall be used to purchase
22 equipment, software, and services in order to support and implement
23 data processing requirements and technology improvements. These
24 funds are designated as work project appropriations and shall not
25 lapse at the end of the fiscal year, and shall continue to be
26 available for expenditure until the project has been completed. The
27 total cost is estimated at \$500,000.00, and the tentative

1 completion date is September 30, 2016.

2 Sec. 608. In addition to funds appropriated in part 1, the
3 Michigan capitol committee publications save the flags fund account
4 may accept contributions, gifts, bequests, devises, grants, and
5 donations. Those funds that are not expended in the fiscal year
6 ending September 30 shall not lapse at the close of the fiscal
7 year, and shall be carried forward for expenditure in the following
8 fiscal years.

9 **LEGISLATIVE AUDITOR GENERAL**

10 Sec. 620. Pursuant to section 53 of article IV of the state
11 constitution of 1963, the auditor general shall conduct audits of
12 the judicial branch. The audits may include the supreme court and
13 its administrative units, the court of appeals, and trial courts.

14 Sec. 621. (1) The auditor general shall take all reasonable
15 steps to ensure that certified minority- and women-owned and
16 operated accounting firms, and accounting firms owned and operated
17 by persons with disabilities participate in the audits of the
18 books, accounts, and financial affairs of each principal executive
19 department, branch, institution, agency, and office of this state.

20 (2) The auditor general shall strongly encourage firms with
21 which the auditor general contracts to perform audits of the
22 principal executive departments and state agencies to subcontract
23 with certified minority- and women-owned and operated accounting
24 firms, and accounting firms owned and operated by persons with
25 disabilities.

26 (3) The auditor general shall compile an annual report

1 regarding the number of contracts entered into with certified
2 minority- and women-owned and operated accounting firms, and
3 accounting firms owned and operated by persons with disabilities.
4 The auditor general shall deliver the report to the state budget
5 director and the senate and house of representatives standing
6 committees on appropriations subcommittees on general government by
7 November 1 of each year.

8 Sec. 622. From the funds appropriated in part 1 to the
9 legislative auditor general, the auditor general's salary and the
10 salaries of the remaining 2.0 FTE unclassified positions shall be
11 set by the speaker of the house of representatives, the senate
12 majority leader, the house of representatives minority leader, and
13 the senate minority leader.

14 Sec. 623. Any audits, reviews, or investigations requested of
15 the auditor general by the legislature or by legislative
16 leadership, legislative committees, or individual legislators shall
17 include an estimate of the additional costs involved and, when
18 those costs exceed \$50,000.00, should provide supplemental funding.
19 The auditor general shall determine whether to perform those
20 activities in keeping with Audit Directive No. 29, which describes
21 the office of the auditor general's policy on responding to
22 legislative requests.

23 Sec. 624. Not later than December 31, 2011, the auditor
24 general, in conjunction with the office of the state budget, shall
25 submit a report regarding the feasibility of converting to a
26 statewide single audit. The report shall be submitted to the senate
27 and the house of representatives appropriation subcommittees on

1 general government and the senate and house fiscal agencies. The
2 report shall include an estimate of the cost savings or increase
3 that would result from converting to a statewide single audit, an
4 analysis of required statutory changes, the impact on legislative
5 oversight, organizational changes necessary to provide centralized
6 coordination, billing and funding structure changes, corrective
7 action for known internal control weaknesses and prior single audit
8 findings, and a recommendation regarding implementation of a
9 statewide single audit.

10 Sec. 625. (1) In addition to amounts appropriated in part 1
11 for auditor general operations, there is appropriated for the
12 fiscal year ending September 30, 2012 an amount not to exceed
13 \$905,000.00 from the unexpended and unencumbered balance of fiscal
14 year 2010-2011 appropriations for the office of the auditor
15 general.

16 (2) The funds appropriated in subsection (1) shall be made
17 immediately available in fiscal year 2011-2012 and shall only be
18 expended for the payment of the net economic cost increases of the
19 legislative auditor general for fiscal year 2011-2012 as computed
20 by the state budget office.

21 (3) Funds appropriated in subsection (1) that exceed the net
22 economic cost increases of the legislative auditor general for
23 fiscal year 2011-2012 as computed by the state budget office shall
24 lapse to the general fund.

25 (4) Any unexpended and unencumbered balances at the end of
26 fiscal year 2010-2011 that resulted from the legislative auditor
27 general not completing mandated financial audits during fiscal year

1 2010-2011 shall not be appropriated in subsection (1).

2 **DEPARTMENT OF STATE**

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

9 (2) In addition to the funds appropriated in part 1, there is
10 appropriated an amount not to exceed \$7,500,000.00 for state
11 restricted 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 (3) In addition to the funds appropriated in part 1, there is
16 appropriated an amount not to exceed \$50,000.00 for local
17 contingency funds. These funds are not available for expenditure
18 until they have been transferred to another line item in this
19 article under section 393(2) of the management and budget act, 1984
20 PA 431, MCL 18.1393.

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

1 Sec. 702. All funds made available by section 3171 of the
2 insurance code of 1956, 1956 PA 218, MCL 500.3171, are appropriated
3 and made available to the department of state to be expended only
4 for the uses and purposes for which the funds are received as
5 provided by sections 3171 to 3177 of the insurance code of 1956,
6 1956 PA 218, MCL 500.3171 to 500.3177.

7 Sec. 703. From the funds appropriated in part 1, the
8 department of state shall sell copies of records including, but not
9 limited to, records of motor vehicles, off-road vehicles,
10 snowmobiles, watercraft, mobile homes, personal identification
11 cardholders, drivers, and boat operators and shall charge \$7.00 per
12 record sold only as authorized in section 208b of the Michigan
13 vehicle code, 1949 PA 300, MCL 257.208b, section 7 of 1972 PA 222,
14 MCL 28.297, and sections 80130, 80315, 81114, and 82156 of the
15 natural resources and environmental protection act, 1994 PA 451,
16 MCL 324.80130, 324.80315, 324.81114, and 324.82156. The revenue
17 received from the sale of records shall be credited to the
18 transportation administration collection fund created under section
19 810b of the Michigan vehicle code, 1949 PA 300, MCL 257.810b.

20 Sec. 704. From the funds appropriated in part 1, the secretary
21 of state may enter into agreements with the department of
22 corrections for the manufacture of vehicle registration plates 15
23 months before the registration year in which the registration
24 plates will be used.

25 Sec. 705. (1) The department of state may accept gifts,
26 donations, contributions, and grants of money and other property
27 from any private or public source to underwrite, in whole or in

1 part, the cost of a departmental publication that is prepared and
2 disseminated under the Michigan vehicle code, 1949 PA 300, MCL
3 257.1 to 257.923. A private or public funding source may receive
4 written recognition in the publication and may furnish a traffic
5 safety message, subject to departmental approval, for inclusion in
6 the publication. The department may reject a gift, donation,
7 contribution, or grant. The department may furnish copies of a
8 publication underwritten, in whole or in part, by a private source
9 to the underwriter at no charge.

10 (2) The department of state may sell and accept paid
11 advertising for placement in a departmental publication that is
12 prepared and disseminated under the Michigan vehicle code, 1949 PA
13 300, MCL 257.1 to 257.923. The department may charge and receive a
14 fee for any advertisement appearing in a departmental publication
15 and shall review and approve the content of each advertisement. The
16 department may refuse to accept advertising from any person or
17 organization. The department may furnish a reasonable number of
18 copies of a publication to an advertiser at no charge.

19 (3) Pending expenditure, the funds received under this section
20 shall be deposited in the Michigan department of state publications
21 fund created by section 211 of the Michigan vehicle code, 1949 PA
22 300, MCL 257.211. Funds given, donated, or contributed to the
23 department from a private source are appropriated and allocated for
24 the purpose for which the revenue is furnished. Funds granted to
25 the department from a public source are allocated and may be
26 expended upon receipt. The department shall not accept a gift,
27 donation, contribution, or grant if receipt is conditioned upon a

1 commitment of state funding at a future date. Revenue received from
2 the sale of advertising is appropriated and may be expended upon
3 receipt.

4 (4) Any unexpended revenues received under this section shall
5 be carried over into subsequent fiscal years and shall be available
6 for appropriation for the purposes described in this section.

7 (5) On March 1 of each year, the department of state shall
8 file a report with the senate and house of representatives standing
9 committees on appropriations, the senate and house fiscal agencies,
10 and the state budget director. The report shall include all of the
11 following information:

12 (a) The amount of gifts, contributions, donations, and grants
13 of money received by the department under this section for the
14 prior fiscal year.

15 (b) A listing of the expenditures made from the amounts
16 received by the department as reported in subdivision (a).

17 (c) A listing of any gift, donation, contribution, or grant of
18 property other than funding received by the department under this
19 section for the prior year.

20 (d) The total revenue received from the sale of paid
21 advertising accepted under this section and a statement of the
22 total number of advertising transactions.

23 (6) In addition to copies delivered without charge as the
24 secretary of state considers necessary, the department of state may
25 sell copies of manuals and other publications regarding the sale,
26 ownership, or operation or regulation of motor vehicles, with
27 amendments, at prices to be established by the secretary of state.

1 As used in this subsection, the term "manuals and other
2 publications" includes videos and proprietary electronic
3 publications. All funds received from sales of these manuals and
4 other publications shall be credited to the Michigan department of
5 state publications fund.

6 Sec. 707. Funds collected by the department of state under
7 section 211 of the Michigan vehicle code, 1949 PA 300, MCL 257.211,
8 are appropriated for all expenses necessary to provide for the
9 costs of the publication. Funds are allotted for expenditure when
10 they are received by the department of treasury and shall not lapse
11 to the general fund at the end of the fiscal year.

12 Sec. 708. From the funds appropriated in part 1, the
13 department of state shall use available balances at the end of the
14 state fiscal year to provide payment to the department of state
15 police in the amount of \$332,000.00 for the services provided by
16 the traffic accident records program as first appropriated in 1990
17 PA 196 and 1990 PA 208.

18 Sec. 709. From the funds appropriated in part 1, the
19 department of state may restrict funds from miscellaneous revenue
20 to cover cash shortages created from normal branch office
21 operations. This amount shall not exceed \$50,000.00 of the total
22 funds available in miscellaneous revenue.

23 Sec. 710. (1) Commemorative and specialty license plate fee
24 revenue collected by the department of state and deposited into the
25 transportation administration collection fund is authorized for
26 expenditure up to the amount of revenue collected but not to exceed
27 the amount appropriated to the department of state in part 1 to

1 administer commemorative and specialty license plate programs.

2 (2) Commemorative and specialty license plate fee revenue
3 collected by the department of state and deposited in the
4 transportation administration collection fund, in addition to the
5 amount appropriated in part 1 to the department of state, shall
6 remain in the transportation administration collection fund and be
7 available for future appropriation.

8 Sec. 711. (1) Collector plate and fund-raising registration
9 plate revenues collected by the department of state are
10 appropriated and allotted for distribution to the recipient
11 university or public or private agency overseeing a state-sponsored
12 goal when received. Distributions shall occur on a quarterly basis
13 or as otherwise authorized by law. Any revenues remaining at the
14 end of the fiscal year shall not lapse to the general fund but
15 shall remain available for distribution to the university or agency
16 in the next fiscal year.

17 (2) Funds or revenues in the Olympic education training center
18 fund are appropriated for distribution to the Olympic education
19 training center at Northern Michigan University. Distributions
20 shall occur on a quarterly basis. Any undistributed revenue
21 remaining at the end of the fiscal year shall be carried over into
22 the next fiscal year.

23 Sec. 712. The department of state may produce and sell copies
24 of a training video designed to inform registered automotive repair
25 facilities of their obligations under Michigan law. The price shall
26 not exceed the cost of production and distribution. The money
27 received from the sale of training videos shall revert to the

1 department of state and be placed in the auto repair facility
2 account.

3 Sec. 713. (1) The department of state, in collaboration with
4 the gift of life transplantation society or its successor federally
5 designated organ procurement organization, may develop and
6 administer a public information campaign concerning the Michigan
7 organ donor program.

8 (2) The department may solicit funds from any private or
9 public source to underwrite, in whole or in part, the public
10 information campaign authorized by this section. The department may
11 accept gifts, donations, contributions, and grants of money and
12 other property from private and public sources for this purpose. A
13 private or public funding source underwriting the public
14 information campaign, in whole or in substantial part, shall
15 receive sponsorship credit for its financial backing.

16 (3) Funds received under this section, including grants from
17 state and federal agencies, shall not lapse to the general fund at
18 the end of the fiscal year but shall remain available for
19 expenditure for the purposes described in this section.

20 (4) Funding appropriated in part 1 for the organ donor program
21 shall be used for producing a pamphlet to be distributed with
22 driver licenses and personal identification cards regarding organ
23 donations. The funds shall be used to update and print a pamphlet
24 that will explain the organ donor program and encourage people to
25 become donors by marking a checkoff on driver license and personal
26 identification card applications.

27 (5) The pamphlet shall include a return reply form addressed

1 to the gift of life organization. Funding appropriated in part 1
2 for the organ donor program shall be used to pay for return postage
3 costs.

4 (6) In addition to the appropriations in part 1, the
5 department of state may receive and expend funds from the organ and
6 tissue donation education fund for administrative expenses.

7 Sec. 714. At least 180 days before closing or consolidating a
8 branch office and at least 60 days before relocating a branch
9 office, the department of state shall inform members of the senate
10 and house of representatives standing committees on appropriations
11 and legislators who represent affected areas regarding the details
12 of the proposal. The information provided shall be in written form
13 and include all analyses done regarding criteria for changes in the
14 location of branch offices, including, but not limited to, branch
15 transactions, revenue, and the impact on citizens of the affected
16 area. The impact on citizens shall include information regarding
17 additional distance to branch office locations resulting from the
18 plan. The written notice provided by the department of state shall
19 also include detailed estimates of costs and savings that will
20 result from the overall changes made to the branch office structure
21 and the same level of detail regarding costs for new leased
22 facilities and expansions of current leased space.

23 Sec. 715. (1) Any service assessment collected by the
24 department of state from the user of a credit or debit card under
25 section 3 of 1995 PA 144, MCL 11.23, may be used by the department
26 for necessary expenses related to that service and may be remitted
27 to a credit or debit card company, bank, or other financial

1 institution.

2 (2) The service assessment imposed by the department of state
3 for credit and debit card services may be based either on a
4 percentage of each individual credit or debit card transaction, or
5 on a flat rate per transaction, or both, scaled to the amount of
6 the transaction. However, the department shall not charge any
7 amount for a service assessment which exceeds the costs billable to
8 the department for service assessments.

9 (3) If there is a balance of service assessments received from
10 credit and debit card services remaining on September 30, the
11 balance may be carried forward to the following fiscal year and
12 appropriated for the same purpose.

13 (4) As used in this section, "service assessment" means and
14 includes costs associated with service fees imposed by credit and
15 debit card companies and processing fees imposed by banks and other
16 financial institutions.

17 Sec. 716b. The department of state shall provide a report that
18 calculates the total amount of funds expended for the business
19 application modernization project to date from the inception of the
20 program. The report shall contain information on the original start
21 and completion dates for the project, the original cost to complete
22 the project, and a listing of all revisions to project completion
23 dates and costs. The report shall include the total amount of funds
24 paid to the state by the contract provider for penalties. The
25 report shall be submitted to the senate and house of
26 representatives standing committees on appropriations, the senate
27 and house fiscal agencies, and the state budget director by January

1 1.

2 Sec. 717. (1) The department of state may accept nonmonetary
3 gifts, donations, or contributions of property from any private or
4 public source to support, in whole or in part, the operation of a
5 departmental function relating to licensing, regulation, or safety.
6 The department may recognize a private or public contributor for
7 making the contribution. The department may reject a gift,
8 donation, or contribution.

9 (2) The department of state shall not accept a gift, donation,
10 or contribution under subsection (1) if receipt of the gift,
11 donation, or contribution is conditioned upon a commitment of
12 future state funding.

13 (3) On March 1 of each year, the department of state shall
14 file a report with the senate and house of representatives standing
15 committees on appropriations, the senate and house fiscal agencies,
16 and the state budget director. The report shall list any gift,
17 donation, or contribution received by the department under
18 subsection (1) for the prior calendar year.

19 Sec. 718. From the funds appropriated in part 1 to the
20 department of state, branch operations, the department shall
21 maintain a full service secretary of state branch office in Buena
22 Vista Township.

23 Sec. 719. From the funds appropriated in part 1 for the
24 department of state, the department shall first use restricted
25 funding for expenditures, when available for that purpose, before
26 using general fund dollars.

27 Sec. 721. From the funds appropriated in part 1, the

1 department of state may collect ATM commission fees from companies
2 that have ATMs located in secretary of state branch offices. The
3 commission received from the use of these ATMs shall be credited to
4 the transportation administration collection fund created under
5 section 810b of the Michigan vehicle code, 1949 PA 300, MCL
6 257.810b.

7 **DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET**

8 Sec. 801. (1) In addition to the funds appropriated in part 1,
9 there is appropriated an amount not to exceed \$4,000,000.00 for
10 federal contingency funds. These funds are not available for
11 expenditure until they have been transferred to another line item
12 in this article under section 393(2) of the management and budget
13 act, 1984 PA 431, MCL 18.1393.

14 (2) In addition to the funds appropriated in part 1, there is
15 appropriated an amount not to exceed \$8,000,000.00 for state
16 restricted 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 (3) In addition to the funds appropriated in part 1, there is
21 appropriated an amount not to exceed \$150,000.00 for local
22 contingency funds. These funds are not available for expenditure
23 until they have been transferred to another line item in this
24 article under section 393(2) of the management and budget act, 1984
25 PA 431, MCL 18.1393.

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

1 appropriated an amount not to exceed \$100,000.00 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. 802. Proceeds in excess of necessary costs incurred in
7 the conduct of transfers or auctions of state surplus, salvage, or
8 scrap property made pursuant to section 267 of the management and
9 budget act, 1984 PA 431, MCL 18.1267, are appropriated to the
10 department of technology, management, and budget to offset costs
11 incurred in the acquisition and distribution of federal surplus
12 property. The department of technology, management, and budget
13 shall provide consolidated internet auction services through the
14 state's contractors for all local units of government.

15 Sec. 803. (1) The department of technology, management, and
16 budget may receive and expend funds in addition to those authorized
17 by part 1 for maintenance and operation services provided
18 specifically to other principal executive departments or state
19 agencies, the legislative branch, the judicial branch, or private
20 tenants, or provided in connection with facilities transferred to
21 the operational jurisdiction of the department of technology,
22 management, and budget.

23 (2) The department of technology, management, and budget may
24 receive and expend funds in addition to those authorized by part 1
25 for real estate, architectural, design, and engineering services
26 provided specifically to other principal executive departments or
27 state agencies, the legislative branch, or the judicial branch.

1 (3) The department of technology, management, and budget may
2 receive and expend funds in addition to those authorized in part 1
3 for mail pickup and delivery services provided specifically to
4 other principal executive departments and state agencies, the
5 legislative branch, or the judicial branch.

6 (4) The department of technology, management, and budget may
7 receive and expend funds in addition to those authorized in part 1
8 for purchasing services provided specifically to other principal
9 executive departments and state agencies, the legislative branch,
10 or the judicial branch.

11 (5) The department of technology, management, and budget may
12 not expend funds for the purchase of new office furniture for
13 principal executive departments and state agencies, the legislative
14 branch, or the judicial branch without first examining the
15 possibility of using existing inventory that can be reused or
16 refurbished. The department of technology, management, and budget
17 may utilize its existing refurbished open space office furniture,
18 lateral files, design and installation services statewide contract
19 to work with a vendor that specializes in inventory management and
20 product reutilization and that is not a seller of new furniture to
21 the state of Michigan to supplement any additional office furniture
22 needs.

23 Sec. 804. (1) The source of financing in part 1 for statewide
24 appropriations shall be funded by assessments against longevity and
25 insurance appropriations throughout state government in a manner
26 prescribed by the department of technology, management, and budget.
27 Funds shall be used as specified in joint labor/management

1 agreements or through the coordinated compensation hearings
2 process. Any deposits made under this subsection and any
3 unencumbered funds are restricted revenues, may be carried over
4 into the succeeding fiscal years, and are appropriated.

5 (2) In addition to the funds appropriated in part 1 for
6 statewide appropriations, the department of technology, management,
7 and budget may receive and expend funds in such additional amounts
8 as may be specified in joint labor/management agreements or through
9 the coordinated compensation hearings process in the same manner
10 and subject to the same conditions as prescribed in subsection (1).

11 Sec. 805. To the extent a specific appropriation is required
12 for a detailed source of financing included in part 1 for the
13 department of technology, management, and budget appropriations
14 financed from special revenue and internal service and pension
15 trust funds, or MAIN user charges, the specific amounts are
16 appropriated within the special revenue internal service and
17 pension trust funds in portions not to exceed the aggregate amount
18 appropriated in part 1.

19 Sec. 806. In addition to the funds appropriated in part 1 to
20 the department of technology, management, and budget, the
21 department may receive and expend funds from other principal
22 executive departments and state agencies to implement
23 administrative leave bank transfer provisions as may be specified
24 in joint labor/management agreements. The amounts may also be
25 transferred to other principal executive departments and state
26 agencies under the joint agreement and any amounts transferred
27 under the joint agreement are authorized for receipt and

1 expenditure by the receiving principal executive department or
2 state agency. Any amounts received by the department of technology,
3 management, and budget under this section and intended, under the
4 joint labor/management agreements, to be available for use beyond
5 the close of the fiscal year and any unencumbered funds may be
6 carried over into the succeeding fiscal year.

7 Sec. 807. The source of financing in part 1 for the Michigan
8 administrative information network shall be funded by proportionate
9 charges assessed against the respective state funds benefiting from
10 this project in the amounts determined by the department.

11 Sec. 808. (1) Deposits against the interdepartmental grant
12 from building occupancy and parking charges appropriated in part 1
13 shall be collected, in part, from state agencies, the legislative
14 branch, and the judicial branch based on estimated costs associated
15 with maintenance and operation of buildings managed by the
16 department of technology, management, and budget. To the extent
17 excess revenues are collected due to estimates of building
18 occupancy charges exceeding actual costs, the excess revenues may
19 be carried forward into succeeding fiscal years for the purpose of
20 returning funds to state agencies.

21 (2) Appropriations in part 1 to the department of technology,
22 management, and budget, for management and budget services from
23 building occupancy charges and parking charges, may be increased to
24 return excess revenue collected to state agencies.

25 Sec. 809. The department of technology, management, and budget
26 shall notify the chairpersons of the senate and house of
27 representatives standing committees on appropriations and the

1 chairpersons of the senate and house of representatives standing
2 committees on appropriations subcommittees on general government on
3 any revisions that increase or decrease current contracts by more
4 than \$500,000.00 for computer software development, hardware
5 acquisition, or quality assurance at least 14 days before the
6 department of technology, management, and budget finalizes the
7 revisions.

8 Sec. 810. The department of technology, management, and budget
9 shall maintain an Internet website that contains notice of all
10 invitations for bids and requests for proposals over \$50,000.00
11 issued by the department or by any state agency operating under
12 delegated authority. The department shall not accept an invitation
13 for bid or request for proposal in less than 14 days after the
14 notice is made available on the Internet website, except in
15 situations where it would be in the best interest of the state and
16 documented by the department. In addition to the requirements of
17 this section, the department may advertise the invitations for bids
18 and requests for proposals in any manner the department determines
19 appropriate, in order to give the greatest number of individuals
20 and businesses the opportunity to make bids or requests for
21 proposals.

22 Sec. 811. The department of technology, management, and budget
23 may receive and expend funds from the Vietnam veterans memorial
24 monument fund as provided in the Michigan Vietnam veterans memorial
25 act, 1988 PA 234, MCL 35.1051 to 35.1057. Funds are appropriated
26 and allocated when received and may be expended upon receipt.

27 Sec. 812. The Michigan veterans' memorial park commission may

1 receive and expend money from any source, public or private,
2 including, but not limited to, gifts, grants, donations of money,
3 and government appropriations, for the purposes described in
4 Executive Order No. 2001-10. Funds are appropriated and allocated
5 when received and may be expended upon receipt. Any deposits made
6 under this section and unencumbered funds are restricted revenues
7 and may be carried over into succeeding fiscal years.

8 Sec. 813. (1) Funds in part 1 for motor vehicle fleet are
9 appropriated to the department of technology, management, and
10 budget for administration and for the acquisition, lease,
11 operation, maintenance, repair, replacement, and disposal of state
12 motor vehicles.

13 (2) The appropriation in part 1 for motor vehicle fleet shall
14 be funded by revenue from rates charged to principal executive
15 departments and agencies for utilizing vehicle travel services
16 provided by the department. Revenue in excess of the amount
17 appropriated in part 1 from the motor transport fund and any
18 unencumbered funds are restricted revenues and may be carried over
19 into the succeeding fiscal year.

20 (3) Pursuant to the department of technology, management, and
21 budget's authority under sections 213 and 215 of the management and
22 budget act, 1984 PA 431, MCL 18.1213 and 18.1215, the department
23 shall maintain a plan regarding the operation of the motor vehicle
24 fleet. The plan shall include the number of vehicles assigned to,
25 or authorized for use by, state departments and agencies, efforts
26 to reduce vehicle expenditures, the number of cars in the motor
27 vehicle fleet, the number of miles driven by fleet vehicles, and

1 the number of gallons of fuel consumed by fleet vehicles. The plan
2 shall include a calculation of the amount of state motor vehicle
3 fuel taxes that would have been incurred by fleet vehicles if fleet
4 vehicles were required by law to pay motor fuel taxes. The plan
5 shall include a description of fleet garage operations, the goods
6 sold and services provided by the fleet garage, the cost to operate
7 the fleet garage, the number of fleet garage locations, and the
8 number of employees assigned to each fleet garage. The plan may be
9 adjusted during the fiscal year based on needs and cost savings to
10 achieve the maximum value and efficiency from the state motor
11 fleet. Within 60 days after the close of the fiscal year, the
12 department shall provide a report to the senate and house of
13 representatives standing committees on appropriations and the
14 senate and house fiscal agencies detailing the current plan and
15 changes made to the plan during the fiscal year.

16 (4) The department of technology, management, and budget may
17 charge state agencies for fuel cost increases that exceed \$2.27 per
18 gallon of unleaded gasoline. The department shall notify state
19 agencies, in writing or by electronic mail, at least 30 days before
20 implementing additional charges for fuel cost increases. Revenues
21 received from these charges are appropriated upon receipt.

22 (5) In order to reduce costs and maintain quality, it is the
23 intent of the legislature that, excluding the fleet of motor
24 vehicles for the department of state police, when economically
25 feasible, the department of technology, management, and budget will
26 prioritize the utilization of remanufactured parts as the primary
27 means of maintenance and repair for the state of Michigan's fleet

1 of motor vehicles.

2 Sec. 817. The department of technology, management, and budget
3 may require that any vendor or subcontractor providing call or
4 contact center services to the state of Michigan disclose to
5 inbound callers the location from which the call or contact center
6 services are being provided.

7 Sec. 818. In addition to the funds appropriated in part 1, the
8 department of technology, management, and budget may receive and
9 expend money from the Michigan law enforcement officers memorial
10 monument fund as provided in the Michigan law enforcement officers
11 memorial act, 2004 PA 177, MCL 28.781 to 28.787.

12 Sec. 819. In addition to the funds appropriated in part 1, the
13 department of technology, management, and budget may receive and
14 expend money from the Ronald Wilson Reagan memorial monument fund
15 as provided in the Ronald Wilson Reagan memorial monument fund
16 commission act, 2004 PA 489, MCL 399.261 to 399.266.

17 Sec. 820. The department shall make available to the public a
18 list of all parcels of real property owned by the state that are
19 available for purchase. The list shall be posted on the Internet
20 through the department's website.

21 Sec. 822. The department of technology, management, and budget
22 shall compile a report by January 1 pertaining to the salaries of
23 unclassified employees, as well as gubernatorial appointees, within
24 all state departments and agencies. The report shall enumerate each
25 unclassified employee and gubernatorial appointee and his or her
26 annual salary individually. The report shall be distributed to the
27 chairs of the senate and house of representatives standing

1 committees on appropriations subcommittees on general government,
2 as well as the senate and house fiscal agencies.

3 Sec. 822a. The department shall submit a report regarding the
4 feasibility of privatizing the administration of the state lottery.
5 The report shall include an estimate of the cost savings or
6 increase that would result from privatizing the administration of
7 the state lottery, an analysis of required statutory changes, and
8 any other issues that need to be addressed. The report shall be
9 submitted to the senate and house of representatives appropriations
10 subcommittees on general government, the senate and house fiscal
11 agencies, and the state budget office. The report shall be
12 submitted not later than April 1.

13 **INFORMATION TECHNOLOGY**

14 Sec. 823. (1) The department of technology, management, and
15 budget may sell and accept paid advertising for placement on any
16 state website under its jurisdiction. The department shall review
17 and approve the content of each advertisement. The department may
18 refuse to accept advertising from any person or organization or
19 require modification to advertisements based upon criteria
20 determined by the department. Revenue received under this
21 subsection shall be used for operating costs of the department and
22 for future technology enhancements to state of Michigan e-
23 government initiatives. Funds received under this subsection shall
24 be limited to \$250,000.00. Any funds in excess of \$250,000.00 shall
25 be deposited in the state general fund.

26 (2) The department of technology, management, and budget may

1 accept gifts, donations, contributions, bequests, and grants of
2 money from any public or private source to assist with the
3 underwriting or sponsorship of state webpages or services offered
4 on those webpages. A private or public funding source may receive
5 recognition in the webpage. The department of technology,
6 management, and budget may reject any gift, donation, contribution,
7 bequest, or grant.

8 (3) Funds accepted by the department of technology,
9 management, and budget under subsection (1) are appropriated and
10 allotted when received and may be expended upon approval of the
11 state budget director. The state budget office shall notify the
12 senate and house of representatives standing committees on
13 appropriations subcommittees on general government and the senate
14 and house fiscal agencies within 10 days after the approval is
15 given.

16 (4) By April 1, the department of technology, management, and
17 budget shall report to the senate and house of representatives
18 standing committees on appropriations and the senate and house
19 fiscal agencies that a statement of the total revenue received from
20 the sale of paid advertising accepted under this section and a
21 statement of the total number of advertising transactions are
22 available on the department's website.

23 Sec. 824. The department of technology, management, and budget
24 may enter into agreements to supply spatial information and
25 technical services to other principal executive departments, state
26 agencies, local units of government, and other organizations. The
27 department of technology, management, and budget may receive and

1 expend funds in addition to those authorized in part 1 for
2 providing information and technical services, publications, maps,
3 and other products. The department of technology, management, and
4 budget may expend amounts received for salaries, supplies, and
5 equipment necessary to provide informational products and technical
6 services. Prior to December 1 of each year, the department shall
7 provide a report to the senate and house of representatives
8 standing committees on appropriations subcommittees on general
9 government, detailing the sources of funding and expenditures made
10 under this section.

11 Sec. 825. The legislature shall have access to all historical
12 and current data contained within MAIN pertaining to state
13 departments. State departments shall have access to all historical
14 and current data contained within MAIN.

15 Sec. 826. When used in this article, "information technology
16 services" means services involving all aspects of managing and
17 processing information, including, but not limited to, all of the
18 following:

- 19 (a) Application development and maintenance.
- 20 (b) Desktop computer support and management.
- 21 (c) Mainframe computer support and management.
- 22 (d) Server support and management.
- 23 (e) Local area network support and management, including, but
24 not limited to, wireless networking.
- 25 (f) Information technology project management.
- 26 (g) Information technology planning and budget management.
- 27 (h) Telecommunication services, security, infrastructure, and

1 support.

2 Sec. 827. (1) Funds appropriated in part 1 for the Michigan
3 public safety communications system shall be expended upon approval
4 of an expenditure plan by the state budget director.

5 (2) The department of technology, management, and budget shall
6 assess all subscribers of the Michigan public safety communications
7 system reasonable access and maintenance fees.

8 (3) All money received by the department of technology,
9 management, and budget under this section shall be expended for the
10 support and maintenance of the Michigan public safety
11 communications system.

12 (4) The department of technology, management, and budget shall
13 provide a report to the senate and house of representatives
14 standing committees on appropriations, the senate and house fiscal
15 agencies, and the state budget director on April 15 and on October
16 15, indicating the amount of revenue collected under this section
17 and expended for support and maintenance of the Michigan public
18 safety communications system for the immediately preceding 6-month
19 period. Any deposits made under this section and unencumbered funds
20 are restricted revenues and may be carried forward into succeeding
21 fiscal years.

22 Sec. 828. The department of technology, management, and budget
23 shall submit a report for the immediately preceding fiscal year
24 ending September 30 to the senate and house of representatives
25 standing committees on appropriations subcommittees on general
26 government and the senate and house fiscal agencies by March 1. The
27 report shall include the following:

1 (a) The total amount of funding appropriated for information
2 technology services and projects, by funding source, for all
3 principal executive departments and agencies.

4 (b) A listing of the expenditures made from the amounts
5 received by the department of technology, management, and budget as
6 reported in subdivision (a).

7 Sec. 829. The department of technology, management, and budget
8 shall provide a report that analyzes and makes recommendations on
9 the life-cycle of information technology hardware and software. The
10 report shall be submitted to the senate and house of
11 representatives standing committees on appropriations subcommittees
12 on general government and the senate and house fiscal agencies by
13 March 1.

14 Sec. 830. By December 31, the department shall provide a
15 report that lists all information technology-related change orders
16 and follow-on contracts, greater than \$50,000.00, whether they are
17 bid, exercise options, or no-bid, and the amount of each change
18 order or contract extension contract entered into by the department
19 to the senate and house of representatives standing committees on
20 appropriations subcommittees on general government, the senate and
21 house fiscal agencies, and the state budget director.

22 Sec. 832. The department shall provide a report that
23 calculates the total amount of funds expended for the child support
24 enforcement system to date from the inception of the program. The
25 report shall contain information on the original start and
26 completion dates for the project, the original cost to complete the
27 project, and a listing of all revisions to project completion dates

1 and costs. The report shall include the total amount of funds paid
2 to the federal government for penalties. The report shall be
3 submitted to the senate and house of representatives standing
4 committees on government operations, the senate and house of
5 representatives standing committees on appropriations subcommittees
6 on general government, and the senate and house fiscal agencies by
7 January 1.

8 Sec. 833. (1) The state budget director, upon notification to
9 the senate and house of representatives standing committees on
10 appropriations, may adjust spending authorization and user fees in
11 the department of technology, management, and budget budget in
12 order to ensure that the appropriations for information technology
13 in the department budget equal the appropriations for information
14 technology in the budgets for all executive branch agencies.

15 (2) If during the course of the fiscal year a transfer or
16 supplemental to or from the information technology line item within
17 an agency budget is made under section 393 of the management and
18 budget act, 1984 PA 431, MCL 18.1393, there is appropriated an
19 equal amount of user fees in the department of technology,
20 management, and budget budget to accommodate an increase or
21 decrease in spending authorization.

22 Sec. 834. (1) Revenue collected from licenses issued under the
23 antenna site management project shall be deposited into the antenna
24 site management revolving fund created for this purpose in the
25 department of technology, management, and budget. The department
26 may receive and expend money from the fund for costs associated
27 with the antenna site management project, including the cost of a

1 third-party site manager. Any excess revenue remaining in the fund
2 at the close of the fiscal year shall be proportionately
3 transferred to the appropriate state restricted funds as designated
4 in statute or by constitution.

5 (2) An antenna shall not be placed on any site pursuant to
6 this section without complying with the respective local zoning
7 codes and local unit of government processes.

8 Sec. 835. In addition to the funds appropriated in part 1, the
9 funds collected by the department for supplying census-related
10 information and technical services, publications, statistical
11 studies, population projections and estimates, and other
12 demographic products area appropriated for all expenses necessary
13 to provide the required services. These funds are available for
14 expenditure when they are received and may be carried forward into
15 the next succeeding fiscal year.

16 **STATE BUILDING AUTHORITY**

17 Sec. 840. (1) Subject to section 242 of the management and
18 budget act, 1984 PA 431, MCL 18.1242, and upon the approval of the
19 state building authority, the department may expend from the
20 general fund of the state during the fiscal year an amount to meet
21 the cash flow requirements of those state building authority
22 projects solely for lease to a state agency identified in both part
23 1 and this section, and for which state building authority bonds or
24 notes have not been issued, and for the sole acquisition by the
25 state building authority of equipment and furnishings for lease to
26 a state agency as permitted by 1964 PA 183, MCL 830.411 to 830.425,

1 for which the issuance of bonds or notes is authorized by a
2 legislative concurrent resolution that is effective for the fiscal
3 year ending September 30, 2012. Any general fund advances for which
4 state building authority bonds have not been issued shall bear an
5 interest cost to the state building authority at a rate not to
6 exceed that earned by the state treasurer's common cash fund during
7 the period in which the advances are outstanding and are repaid to
8 the general fund of the state.

9 (2) Upon sale of bonds or notes for the projects identified in
10 part 1 or for equipment as authorized by legislative concurrent
11 resolution and in this section, the state building authority shall
12 credit the general fund of the state an amount equal to that
13 expended from the general fund plus interest, if any, as defined in
14 this section.

15 (3) For state building authority projects for which bonds or
16 notes have been issued and upon the request of the state building
17 authority, the state treasurer shall make advances without interest
18 from the general fund as necessary to meet cash flow requirements
19 for the projects, which advances shall be reimbursed by the state
20 building authority when the investments earmarked for the financing
21 of the projects mature.

22 (4) In the event that a project identified in part 1 is
23 terminated after final design is complete, advances made on behalf
24 of the state building authority for the costs of final design shall
25 be repaid to the general fund in a manner recommended by the
26 director and approved by the JCOS.

27 Sec. 841. (1) State building authority funding to finance

1 construction or renovation of a facility that collects revenue in
2 excess of money required for the operation of that facility shall
3 not be released to a university or community college unless the
4 institution agrees to reimburse that excess revenue to the state
5 building authority. The excess revenue shall be credited to the
6 general fund to offset rent obligations associated with the
7 retirement of bonds issued for that facility. The auditor general
8 shall annually identify and present an audit of those facilities
9 that are subject to this section. Costs associated with the
10 administration of the audit shall be charged against money
11 recovered pursuant to this section.

12 (2) As used in this section, "revenue" includes state
13 appropriations, facility opening money, other state aid, indirect
14 cost reimbursement, and other revenue generated by the activities
15 of the facility.

16 Sec. 842. (1) The state building authority rent appropriations
17 in part 1 may also be expended for the payment of required premiums
18 for insurance on facilities owned by the state building authority
19 or payment of costs that may be incurred as the result of any
20 deductible provisions in such insurance policies.

21 (2) If the amount appropriated in part 1 for state building
22 authority rent is not sufficient to pay the rent obligations and
23 insurance premiums and deductibles identified in subsection (1) for
24 state building authority projects, there is appropriated from the
25 general fund of the state the amount necessary to pay such
26 obligations.

27 Sec. 843. The state building authority shall provide to the

1 JCOS, state budget director, and senate and house fiscal agencies a
2 report relative to the status of construction projects associated
3 with state building authority bonds as of September 30 of each
4 year, on or before October 15, or not more than 30 days after a
5 refinancing or restructuring bond issue is sold. The report shall
6 include, but is not limited to, the following:

7 (a) A list of all completed construction projects for which
8 state building authority bonds have been sold, and which bonds are
9 currently active.

10 (b) A list of all projects under construction for which sale
11 of state building authority bonds is pending.

12 (c) A list of all projects authorized for construction or
13 identified in an appropriations act for which approval of
14 schematic/preliminary plans or total authorized cost is pending
15 that have state building authority bonds identified as a source of
16 financing.

17 **CIVIL SERVICE**

18 Sec. 850. (1) In accordance with section 5 of article XI of
19 the state constitution of 1963, all restricted funds shall be
20 assessed a sum not less than 1% of the total aggregate payroll paid
21 from those funds for financing the civil service commission on the
22 basis of actual 1% restricted sources total aggregate payroll of
23 the classified service for the fiscal year 2011. This includes, but
24 is not limited to, restricted funds appropriated in part 1 of any
25 appropriations act. Unexpended 1% appropriated funds shall be
26 returned to each 1% fund source at the end of the fiscal year.

1 (2) The appropriations in part 1 are estimates of actual
2 charges based on payroll appropriations. With the approval of the
3 state budget director, the commission is authorized to adjust
4 financing sources for civil service charges based on actual payroll
5 expenditures, provided that such adjustments do not increase the
6 total appropriation for the civil service commission.

7 (3) The financing from restricted sources shall be credited to
8 the civil service commission by the end of the second fiscal
9 quarter.

10 Sec. 851. Except where specifically appropriated for this
11 purpose, financing from restricted sources shall be credited to the
12 civil service commission. For restricted sources of funding within
13 the general fund that have the legislative authority for carryover,
14 if current spending authorization or revenues are insufficient to
15 accept the charge, the shortage shall be taken from carryforward
16 balances of that funding source. Restricted revenue sources that do
17 not have carryforward authority shall be utilized to satisfy
18 commission operating deducts first and civil service obligations
19 second. General fund dollars are appropriated for any shortfall,
20 pursuant to approval by the state budget director.

21 Sec. 852. The appropriation in part 1 to the civil service
22 commission, for state-sponsored group insurance, flexible spending
23 accounts, and COBRA, represents amounts, in part, included within
24 the various appropriations throughout state government for the
25 current fiscal year to fund the flexible spending account program
26 included within the civil service commission. Deposits against
27 state-sponsored group insurance, flexible spending accounts, and

1 COBRA for the flexible spending account program shall be made from
2 assessments levied during the current fiscal year in a manner
3 prescribed by the civil service commission. Unspent employee
4 contributions to the flexible spending accounts may be used to
5 offset administrative costs for the flexible spending account
6 program, with any remaining balance of unspent employee
7 contributions to be lapsed to the general fund.

8 **CAPITAL OUTLAY**

9 Sec. 860. As used in sections 861 through 865:

10 (a) "Board" means the state administrative board.

11 (b) "Community college" does not include a state agency or
12 university.

13 (c) "Department" means the department of technology,
14 management, and budget.

15 (d) "Director" means the director of the department of
16 technology, management, and budget.

17 (e) "Fiscal agencies" means the senate fiscal agency and the
18 house fiscal agency.

19 (f) "State agency" means an agency of state government. State
20 agency does not include a community college or university.

21 (g) "State building authority" means the authority created
22 under 1964 PA 183, MCL 830.411 to 830.425.

23 (h) "University" means a 4-year university supported by the
24 state. University does not include a community college or a state
25 agency.

26 Sec. 861. Each capital outlay project authorized in this

1 article or any previous capital outlay act shall comply with the
2 procedures required by the management and budget act, 1984 PA 431,
3 MCL 18.1101 to 18.1594.

4 Sec. 862. (1) The department shall provide the JCOS, state
5 budget director, and the senate and house fiscal agencies with
6 reports as considered necessary relative to the status of each
7 planning or construction project financed by the state building
8 authority, by this article, or by previous acts.

9 (2) Before the end of each fiscal year, the department shall
10 report to the JCOS, state budget director, and the senate and house
11 fiscal agencies for each capital outlay project other than lump
12 sums all of the following:

13 (a) The account number and name of each construction project.

14 (b) The balance remaining in each account.

15 (c) The date of the last expenditure from the account.

16 (d) The anticipated date of occupancy if the project is under
17 construction.

18 (e) The appropriations history for the project.

19 (f) The professional service contractor.

20 (g) The amount of the project financed with federal funds.

21 (h) The amount of the project financed through the state
22 building authority.

23 (i) The total authorized cost for the project and the state
24 authorized share if different than the total.

25 (3) Before the end of each fiscal year, the department shall
26 report the following for each project by a state agency,
27 university, or community college that is authorized for planning

1 but is not yet authorized for construction:

2 (a) The name of the project and account number.

3 (b) Whether a program statement is approved.

4 (c) Whether schematics are approved by the department.

5 (d) Whether preliminary plans are approved by the department.

6 (e) The name of the professional service contractor.

7 (4) As used in this section, "project" includes appropriation
8 line items made for purchase of real estate.

9 Sec. 863. (1) The director of the department of technology,
10 management, and budget shall allocate lump-sum appropriations made
11 in this article consistent with statutory provisions and the
12 purposes for which funds were appropriated. Lump-sum allocations
13 shall address priority program or facility needs and may include,
14 but are not limited to, design, construction, remodeling and
15 addition, special maintenance, major special maintenance, energy
16 conservation, and demolition.

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

24 Sec. 864. The appropriations in part 1 for capital outlay
25 shall be carried forward at the end of the fiscal year consistent
26 with the provisions of section 248 of the management and budget
27 act, 1984 PA 431, MCL 18.1248.

1 Sec. 865. (1) A site preparation economic development fund is
2 created in the department of technology, management, and budget. As
3 used in this section, "economic development sites" means those
4 state-owned sites declared as surplus property pursuant to section
5 251 of the management and budget act, 1984 PA 431, MCL 18.1251,
6 that would provide economic benefit to the area or to the state.
7 The Michigan economic development corporation board and the state
8 budget director shall determine whether or not a specific state-
9 owned site qualifies for inclusion in the fund created under this
10 subsection.

11 (2) Proceeds from the sale of any sites designated in
12 subsection (1) shall be deposited into the fund created in
13 subsection (1) and shall be available for site preparation
14 expenditures, unless otherwise provided by law. The economic
15 development sites authorized in subsection (1) are authorized for
16 sale consistent with state law. Expenditures from the fund are
17 authorized for site preparation activities that enhance the
18 marketable sale value of the sites. Site preparation activities
19 include, but are not limited to, demolition, environmental studies
20 and abatement, utility enhancement, and site excavation.

21 (3) A cash advance in an amount of not more than
22 \$25,000,000.00 is authorized from the general fund to the site
23 preparation economic development fund.

24 (4) An annual report shall be transmitted to the senate and
25 house of representatives standing committees on appropriations not
26 later than December 31 of each year. This report shall detail both
27 of the following:

1 (a) The revenue and expenditure activity in the fund for the
2 preceding fiscal year.

3 (b) The sites identified as economic development sites under
4 subsection (1).

5 **CAPITAL OUTLAY - UNIVERSITIES AND COMMUNITY COLLEGES**

6 Sec. 870. A statement of a proposed facility's operating cost
7 shall be included with the facility's program statement and
8 planning documents when the plans are presented to JCOS for
9 approval.

10 Sec. 871. (1) Before proceeding with final planning and
11 construction for projects at community colleges and universities
12 included in an appropriations act, the community college or
13 university shall sign an agreement with the department that
14 includes the following provisions:

15 (a) The university or community college agrees to construct
16 the project within the total authorized cost established by the
17 legislature pursuant to the management and budget act, 1984 PA 431,
18 MCL 18.1101 to 18.1594, and an appropriations act.

19 (b) The design and program scope of the project shall not
20 deviate from the design and program scope represented in the
21 program statement and preliminary planning documents approved by
22 the department.

23 (c) Any other items as identified by the department that are
24 necessary to complete the project.

25 (2) The department retains the authority and responsibility
26 normally associated with the prudent maintenance of the public's

1 financial and policy interests relative to the state-financed
2 construction projects managed by a community college or university.

3 Sec. 872. A state agency, community college, or university
4 shall take steps necessary to make available federal and other
5 money indicated in this article, to make available federal or other
6 money that may become available for the purposes for which
7 appropriations are made in this article, and to use any part or all
8 of the appropriations to meet matching requirements that are
9 considered to be in the best interest of this state. However, the
10 purpose, scope, and total estimated cost of a project shall not be
11 altered to meet the matching requirements. Any federal matching
12 revenues received to support the construction of the project shall
13 be applied to the total authorized project cost, with the state and
14 community college or university financing shares proportionately
15 adjusted.

16 Sec. 873. (1) This section applies only to projects for
17 community colleges.

18 (2) State support is directed towards the remodeling and
19 additions, special maintenance, or construction of certain
20 community college buildings. The community college shall obtain or
21 provide for site acquisition and initial main utility installation
22 to operate the facility. Funding shall be composed of local and
23 state shares and not more than 50% of a capital outlay project, not
24 including a lump-sum special maintenance project or remodeling and
25 addition project, for a community college shall be appropriated
26 from state and federal funds, unless otherwise appropriated by the
27 legislature.

1 (3) An expenditure under this article is authorized when the
2 release of the appropriation is approved by the board upon the
3 recommendation of the director. The director may recommend to the
4 board the release of any appropriation in part 1 only after the
5 director is assured that the legal entity operating the community
6 college to which the appropriation is made has complied with this
7 article and has matched the amounts appropriated as required by
8 this article. A release of funds in part 1 shall not exceed 50% of
9 the total cost of planning and construction of any project, not
10 including lump-sum remodeling and additions and special
11 maintenance, unless otherwise appropriated by the legislature.
12 Further planning and construction of a project authorized by this
13 article or applicable sections of the management and budget act,
14 1984 PA 431, MCL 18.1101 to 18.1594, shall be in accordance with
15 the purpose and scope as defined and delineated in the approved
16 program statements and planning documents. This article is
17 applicable to all projects for which planning appropriations were
18 made in previous acts.

19 (4) The community college shall take the steps necessary to
20 secure available federal construction and equipment money for
21 projects funded for construction in this article if an application
22 was not previously made. If there is a reasonable expectation that
23 a prior year unfunded application may receive federal money in a
24 subsequent year, the college shall take whatever action necessary
25 to keep the application active.

26 Sec. 874. If university and community college matching
27 revenues are received in an amount less than the appropriations for

1 capital projects contained in this article, the state funds shall
2 be reduced in proportion to the amount of matching revenue
3 received.

4 Sec. 875. (1) The director may require that community colleges
5 and universities that have an authorized project listed in part 1
6 submit documentation regarding the project match and governing
7 board approval of the authorized project not more than 60 days
8 after the beginning of the fiscal year.

9 (2) If the documentation required by the director under
10 subsection (1) is not submitted, or does not adequately
11 authenticate the availability of the project match or board
12 approval of the authorized project, the authorization may
13 terminate. The authorization terminates 30 days after the director
14 notifies the JCOS of the intent to terminate the project unless the
15 JCOS convenes to extend the authorization.

16 **DEPARTMENT OF TREASURY**

17 **OPERATIONS**

18 Sec. 901. (1) In addition to the funds appropriated in part 1,
19 there is appropriated an amount not to exceed \$1,000,000.00 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 \$10,000,000.00 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 \$200,000.00 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 \$40,000.00 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. 902. (1) Amounts needed to pay for interest, fees,
17 principal, mandatory and optional redemptions, arbitrage rebates as
18 required by federal law, and costs associated with the payment,
19 registration, trustee services, credit enhancements, and issuing
20 costs in excess of the amount appropriated to the department of
21 treasury in part 1 for debt service on notes and bonds that are
22 issued by the state under sections 14, 15, and 16 of article IX of
23 the state constitution of 1963 as implemented by 1967 PA 266, MCL
24 17.451 to 17.455, are appropriated.

25 (2) In addition to the amount appropriated to the department
26 of treasury for debt service in part 1, there is appropriated an
27 amount for fiscal year cash-flow borrowing costs to pay for

1 interest on interfund borrowing made under 1967 PA 55, MCL 12.51 to
2 12.53.

3 (3) In addition to the amount appropriated to the department
4 of treasury for debt service in part 1, there is appropriated all
5 repayments received by the state on loans made from the school bond
6 loan fund not required to be deposited in the school loan revolving
7 fund by or pursuant to section 4 of 1961 PA 112, MCL 388.984, to
8 the extent determined by the state treasurer, for the payment of
9 debt service, including, without limitation, optional and mandatory
10 redemptions, on bonds, notes or commercial paper issued by the
11 state pursuant to 1961 PA 112, MCL 388.981 to 388.985.

12 Sec. 902a. The department of treasury shall notify the senate
13 and house of representatives standing committees on appropriations,
14 the senate and house fiscal agencies, and the state budget office
15 not more than 30 days after a refunding or restructuring bond issue
16 is sold. The notification shall compare the annual debt service
17 prior to the refinancing or restructuring, the annual debt service
18 after the refinancing or restructuring, the change in the principal
19 and interest over the duration of the debt, and the projected
20 change in the present value of the debt service due to the
21 refinancing and restructuring.

22 Sec. 903. (1) From the funds appropriated in part 1, the
23 department of treasury may contract with private collection
24 agencies and law firms to collect taxes and other accounts due this
25 state. In addition to the amounts appropriated in part 1 to the
26 department of treasury, there are appropriated amounts necessary to
27 fund collection costs and fees not to exceed 25% of the collections

1 or 2.5% plus operating costs, whichever amount is prescribed by
2 each contract. The appropriation to fund collection costs and fees
3 for the collection of taxes or other accounts due this state are
4 from the fund or account to which the revenues being collected are
5 recorded or dedicated. However, if the taxes collected are
6 constitutionally dedicated for a specific purpose, the
7 appropriation of collection costs and fees are from the general
8 purpose account of the general fund.

9 (2) From the funds appropriated in part 1, the department of
10 treasury may contract with private collections agencies and law
11 firms to collect defaulted student loans and other accounts due the
12 Michigan guaranty agency. In addition to the amounts appropriated
13 in part 1 to the department of treasury, there are appropriated
14 amounts necessary to fund collection costs and fees not to exceed
15 24.34% of the collection or a lesser amount as prescribed by the
16 contract. The appropriation to fund collection costs and fees for
17 the auditing and collection of defaulted student loans due the
18 Michigan guaranty agency is from the fund or account to which the
19 revenues being collected are recorded or dedicated.

20 (3) The department of treasury shall submit a report for the
21 immediately preceding fiscal year ending September 30 to the state
22 budget director and the senate and house of representatives
23 standing committees on appropriations not later than November 30
24 stating the agencies or law firms employed, the amount of
25 collections for each, the costs of collection, and other pertinent
26 information relating to determining whether this authority should
27 be continued.

1 Sec. 904. (1) The department of treasury, through its bureau
2 of investments, may charge an investment service fee against the
3 applicable retirement funds. The fees may be expended for necessary
4 salaries, wages, contractual services, supplies, materials,
5 equipment, travel, worker's compensation insurance premiums, and
6 grants to the civil service commission and state employees'
7 retirement funds. Service fees shall not exceed the aggregate
8 amount appropriated in part 1. The department of treasury shall
9 maintain accounting records in sufficient detail to enable the
10 retirement funds to be reimbursed periodically for fee revenue that
11 is determined by the department of treasury to be surplus.

12 (2) In addition to the funds appropriated in part 1 from the
13 retirement funds to the department of treasury, there is
14 appropriated from retirement funds an amount sufficient to pay for
15 the services of money managers, investment advisors, investment
16 consultants, custodians, and other outside professionals, the state
17 treasurer considers necessary to prudently manage the retirement
18 funds' investment portfolios. The state treasurer shall report
19 annually to the senate and house of representatives standing
20 committees on appropriations and the state budget office concerning
21 the performance of each portfolio by investment advisor.

22 Sec. 904a. (1) There is appropriated an amount sufficient to
23 recognize and pay expenditures for financial services provided by
24 financial institutions as provided under section 1 of 1861 PA 111,
25 MCL 21.181.

26 (2) The appropriations under subsection (1) shall be funded by
27 restricting revenues from common cash interest earnings and

1 investment earnings in an amount sufficient to record these
2 expenditures.

3 Sec. 906. (1) The department of treasury shall charge for
4 audits as permitted by state or federal law or under contractual
5 arrangements with local units of government, other principal
6 executive departments, or state agencies. A report detailing audits
7 performed and audit charges for the immediately preceding fiscal
8 year shall be submitted to the state budget director and the senate
9 and house fiscal agencies not later than November 30.

10 (2) The appropriation in part 1 to the department of treasury,
11 for state compliance audits, shall be used to cover the cost of the
12 state audits performed by independent certified public accountants
13 or department of treasury auditors. The scope of the state audit
14 shall be defined by the state treasurer. The state audits shall be
15 performed by independent certified public accountants contracted
16 with by the state treasurer or by department of treasury auditors,
17 if the county has agreed to contract with and pay the department
18 for their financial single audit.

19 (3) The state audits shall be performed for the most current
20 county fiscal year in conjunction with the financial single audit.
21 The state audit may be performed either by certified public
22 accountants contracted by the state treasurer or department of
23 treasury staff, independent of the financial single audit, if a
24 state audit has not been performed within the last 3 years.

25 Sec. 907. A revolving fund known as the assessor certification
26 and training fund is created in the department of treasury. The
27 assessor certification and training fund shall be used to organize

1 and operate a property assessor certification and training program.
2 Each participant certified and trained shall pay to the department
3 of treasury an examination fee of \$50.00, an initial certification
4 fee of \$50.00, an annual renewal fee of \$75.00 for levels 1 and 2,
5 and \$125.00 for levels 3 and 4 to offset the cost of administering
6 the certification and training program. Training courses shall be
7 offered in assessment administration. Each participant shall pay a
8 fee to cover the expenses incurred in offering the optional
9 programs to certified assessing personnel and other individuals
10 interested in an assessment career opportunity. The fees collected
11 shall be credited to the assessor certification and training fund.

12 Sec. 908. The amount appropriated in part 1 to the department
13 of treasury, home heating assistance program, is to cover the
14 costs, including data processing, of administering federal home
15 heating credits to eligible claimants and to administer the
16 supplemental fuel cost payment program for eligible tax credit and
17 welfare recipients.

18 Sec. 909. Revenue from the airport parking tax act, 1987 PA
19 248, MCL 207.371 to 207.383, is appropriated and shall be
20 distributed under section 7a of the airport parking tax act, 1987
21 PA 248, MCL 207.377a.

22 Sec. 910. The disbursement by the department of treasury from
23 the bottle deposit fund to dealers as required by section 3c(2) of
24 1976 IL 1, MCL 445.573c, is appropriated.

25 Sec. 911. (1) There is appropriated an amount sufficient to
26 recognize and pay refundable income tax credits as provided by the
27 management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

1 (2) The appropriations under subsection (1) shall be funded by
2 restricting income tax revenue in an amount sufficient to record
3 these expenditures.

4 Sec. 912. A plaintiff in a garnishment action involving this
5 state shall pay to the state treasurer 1 of the following:

6 (a) A fee of \$6.00 at the time a writ of garnishment of
7 periodic payments is served upon the state treasurer, as provided
8 in section 4012 of the revised judicature act of 1961, 1961 PA 236,
9 MCL 600.4012.

10 (b) A fee of \$6.00 at the time any other writ of garnishment
11 is served upon the state treasurer, except that the fee shall be
12 reduced to \$5.00 for each writ of garnishment for individual income
13 tax refunds or credits filed by magnetic media.

14 Sec. 913. (1) The department of treasury may contract with
15 private firms to appraise and, if necessary, appeal the assessments
16 of senior citizen cooperative housing units. Payment for this
17 service shall be from savings resulting from the appraisal or
18 appeal process.

19 (2) Of the funds appropriated in part 1 to the department of
20 treasury for the senior citizens' cooperative housing tax exemption
21 program, a portion may be utilized for a program audit of the
22 program. The department of treasury shall forward copies of any
23 audit report completed to the senate and house of representatives
24 standing committees on appropriations subcommittees on general
25 government and to the state budget office. The department of
26 treasury may utilize up to 1% of the funds for program
27 administration and auditing.

1 Sec. 914. The department of treasury may provide a \$200.00
2 annual prize from the Ehlers internship award account in the gifts,
3 bequests, and deposit fund to the runner-up of the Rosenthal prize
4 for interns. The Ehlers internship award account is interest
5 bearing.

6 Sec. 915. Pursuant to section 61 of the Michigan campaign
7 finance act, 1976 PA 388, MCL 169.261, there is appropriated from
8 the general fund to the state campaign fund an amount equal to the
9 amounts designated for tax year 2010. Except as otherwise provided
10 in this section, the amount appropriated shall not revert to the
11 general fund and shall remain in the state campaign fund. Any
12 amounts remaining in the state campaign fund in excess of
13 \$10,000,000.00 on December 31 shall revert to the general fund.

14 Sec. 916. The department of treasury may make available to
15 interested entities otherwise unavailable customized unclaimed
16 property listings of nonconfidential information in its possession.
17 The charge for this information is as follows: 1 to 100,000 records
18 at 2.5 cents per record and 100,001 or more records at .5 cents per
19 record. The revenue received from this service shall be deposited
20 to the appropriate revenue account or fund. The department shall
21 submit an annual report on or before June 1 to the state budget
22 director and the senate and house of representatives standing
23 committees on appropriations that states the amount of revenue
24 received from the sale of information.

25 Sec. 917. (1) There is appropriated for write-offs and
26 advances an amount equal to total write-offs and advances for
27 departmental programs, but not to exceed current year

1 authorizations that would otherwise lapse to the general fund.

2 (2) The department of treasury shall submit a report for the
3 immediately preceding fiscal year to the state budget director and
4 the senate and house fiscal agencies not later than November 30
5 stating the amounts appropriated for write-offs and advances under
6 subsection (1).

7 Sec. 918. In addition to funds appropriated in part 1, the
8 department of treasury may receive and expend funds for conducting
9 tax orientation workshops and seminars. Funds received may not
10 exceed costs incurred in conducting the workshops and seminars.

11 Sec. 919. (1) From funds appropriated in part 1, the
12 department of treasury may contract with private auditing firms to
13 audit for and collect unclaimed property due this state in
14 accordance with the uniform unclaimed property act, 1995 PA 29, MCL
15 567.221 to 567.265. In addition to the amounts appropriated in part
16 1 to the department of treasury, there are appropriated amounts
17 necessary to fund auditing and collection costs and fees not to
18 exceed 12% of the collections, or a lesser amount as prescribed by
19 the contract. The appropriation to fund collection costs and fees
20 for the auditing and collection of unclaimed property due this
21 state is from the fund or account to which the revenues being
22 collected are recorded or dedicated.

23 (2) The department of treasury shall submit a report for the
24 immediately preceding fiscal year ending September 30 to the state
25 budget director and the senate and house of representatives
26 standing committees on appropriations not later than November 30
27 stating the auditing firms employed, the amount of collections for

1 each, the costs of collection, and other pertinent information
2 relating to determining whether this authority should be continued.

3 Sec. 922. The department of treasury shall submit a report for
4 the immediately preceding fiscal year ending September 30 to the
5 senate and house of representatives standing committees on
6 appropriations subcommittees on general government, the senate and
7 house fiscal agencies, and the state budget director by November 30
8 stating the amount of Michigan transportation fund revenue
9 collected and the cost of collection. The cost of collection may be
10 determined by proration of costs in fiscal year 2011-2012 only. Not
11 later than April 1, 2012, the department of treasury shall provide
12 an analysis of the actual costs of tax administration in order to
13 justify continuation of the proration approach.

14 Sec. 924. (1) In addition to the funds appropriated in part 1,
15 the department of treasury may receive and expend principal
16 residence audit fund revenue for administration of principal
17 residence audits under the general property tax act, 1893 PA 206,
18 MCL 211.1 to 211.155.

19 (2) The department of treasury shall submit a report for the
20 immediately preceding fiscal year to the state budget director and
21 the senate and house fiscal agencies not later than December 31
22 stating the amount of exemptions denied and the revenue received
23 under the program.

24 Sec. 925. (1) A public-private partnership investment fund is
25 created in the department of treasury. Subject to subsections (2)
26 and (3), public-private partnership investments shall include, but
27 are not limited to, all of the following:

1 (a) Capital asset improvements including buildings, land, or
2 structures.

3 (b) Energy resource exploration, extraction, generation, and
4 sales.

5 (c) Financial and investment incentive opportunities.

6 (d) Infrastructure construction, maintenance, and operation.

7 (e) Public-private sector joint ventures that provide economic
8 benefit to an area or to the state.

9 (2) Public-private investments shall not include projects,
10 consultant expenses, staff effort, or any other activity related to
11 the development, financing, construction, operation, or
12 implementation of the Detroit River International Crossing or any
13 successor project unless the project is approved by the legislature
14 and signed into law.

15 (3) The state treasurer and the state budget director shall
16 determine whether or not a specific public-private partnership
17 investment opportunity qualifies for funding under subsection (1).

18 (4) Investment development revenue, including a portion of the
19 proceeds from the sale of any public-private partnership investment
20 designated in subsection (1), shall be deposited into the fund
21 created in subsection (1) and shall be available for
22 administration, development, financing, marketing, and operating
23 expenditures associated with public-private partnerships, unless
24 otherwise provided by law. Public-private partnership investments
25 authorized in subsection (1) are authorized for public or private
26 operation or sale consistent with state law. Expenditures from the
27 fund are authorized for investment purposes as designated in

1 subsection (1) to enhance the marketable value of each investment.
2 The unencumbered balance remaining in the fund at the end of the
3 fiscal year may be carried forward for appropriation in future
4 years.

5 (5) An annual report shall be transmitted to the senate and
6 house of representatives standing committees on appropriations, the
7 senate and house fiscal agencies, and the state budget office not
8 later than December 31 of each year. This report shall detail both
9 of the following:

10 (a) The revenue and expenditure activity in the fund for the
11 preceding fiscal year.

12 (b) Public-private partnership investments as identified under
13 subsection (1).

14 (6) The department of treasury shall monitor the revenue
15 deposited in the public-private partnership investment fund created
16 in (1). If the revenue in the fund is insufficient to pay the
17 amount appropriated in part 1 for public-private partnership
18 investment, then treasury shall propose a legislative transfer to
19 fund the line from the appropriations in part 1.

20 Sec. 925a. The funds appropriated in part 1 shall not be used
21 to support any staff effort, projects, consultant expenses, or any
22 other activity related to the development, financing, construction,
23 operation, or implementation of the Detroit River International
24 Crossing or any successor project unless the project is approved by
25 the legislature and signed into law.

26 Sec. 926. Unexpended appropriations of the John R. Justice
27 grant program are designated as work project appropriations and

1 shall not lapse at the end of the fiscal year and shall continue to
2 be available for expenditure until the project has been completed.
3 The following is in compliance with section 451a of the management
4 and budget act, 1984 PA 431, MCL 18.1451a:

5 (a) The purpose of the project is to provide student loan
6 forgiveness to qualified public defenders and prosecutors.

7 (b) The project will be accomplished by utilizing state
8 employees or contracts with private vendors, or both.

9 (c) The total estimated cost of the project is \$282,100.00.

10 (d) The tentative completion date is September 30, 2013.

11 Sec. 927. The department of treasury shall submit annual
12 progress reports to the senate and house of representatives
13 standing committees on appropriations subcommittees on general
14 government and the senate and house fiscal agencies, regarding
15 personal property tax audits. The report shall include the number
16 of audits, revenue generated, and number of complaints received by
17 the department related to the audits.

18 Sec. 928. The department of treasury may provide receipt,
19 warrant and cash processing, data, collection, investment, fiscal
20 agent, levy and warrant cost assessment, writ of garnishment, and
21 other user services on a contractual basis for other principal
22 executive departments and state agencies. Funds for the services
23 provided are appropriated and shall be expended for salaries and
24 wages, fees, supplies, and equipment necessary to provide the
25 services. Any unobligated balance of the funds received shall
26 revert to the general fund of this state as of September 30.

27 Sec. 930. (1) The department of treasury shall provide

1 accounts receivable collections services to other principal
2 executive departments and state agencies under 1927 PA 375, MCL
3 14.131 to 14.134. The department of treasury shall deduct a fee
4 equal to the cost of collections from all receipts except
5 unrestricted general fund collections. Fees shall be credited to a
6 restricted revenue account and appropriated to the department of
7 treasury to pay for the cost of collections. The department of
8 treasury shall maintain accounting records in sufficient detail to
9 enable the respective accounts to be reimbursed periodically for
10 fees deducted that are determined by the department of treasury to
11 be surplus to the actual cost of collections.

12 (2) The department of treasury shall submit a report for the
13 immediately preceding fiscal year to the state budget director and
14 the senate and house fiscal agencies not later than November 30
15 stating the principal executive departments and state agencies
16 served, funds collected, and costs of collection under subsection
17 (1).

18 Sec. 931. (1) The appropriation in part 1 to the department of
19 treasury for treasury fees shall be assessed against all restricted
20 funds that receive common cash earnings or other investment income.
21 Treasury fees include all costs, including administrative overhead,
22 relating to the investment of each restricted fund. The fee
23 assessed against each restricted fund will be based on the size of
24 the restricted fund (the absolute value of the average daily cash
25 balance plus the market value of investments in the prior fiscal
26 year) and the level of effort necessary to maintain the restricted
27 fund as required by each department. The department of treasury

1 shall provide a report to the state budget director, the senate and
2 house of representatives standing committees on appropriations
3 subcommittees on general government, and the senate and house
4 fiscal agencies by November 30 of each year identifying the fees
5 assessed against each restricted fund and the methodology used for
6 assessment.

7 (2) In addition to the funds appropriated in part 1, the
8 department of treasury may receive and expend investment fees
9 relating to new restricted funding sources that participate in
10 common cash earnings or other investment income during the current
11 fiscal year. When a new restricted fund is created starting on or
12 after October 1, that restricted fund shall be assessed a fee using
13 the same criteria identified in subsection (1).

14 Sec. 932. Revenue received under the Michigan education trust
15 act, 1986 PA 316, MCL 390.1421 to 390.1442, may be expended by the
16 board of directors of the Michigan education trust for necessary
17 salaries, wages, supplies, contractual services, equipment,
18 worker's compensation insurance premiums, and grants to the civil
19 service commission and state employees' retirement fund.

20 Sec. 934. (1) The department of treasury may expend revenues
21 received under the hospital finance authority act, 1969 PA 38, MCL
22 331.31 to 331.84, the shared credit rating act, 1985 PA 227, MCL
23 141.1051 to 141.1076, the higher education facilities authority
24 act, 1969 PA 295, MCL 390.921 to 390.934, the Michigan public
25 educational facilities authority, Executive Reorganization Order
26 No. 2002-3, MCL 12.192, the Michigan tobacco settlement finance
27 authority act, 2005 PA 226, MCL 129.261 to 129.279, the land bank

1 fast track act, 2003 PA 258, MCL 124.751 to 124.774, part 505 of
2 the natural resources and environmental protection act, 1994 PA
3 451, MCL 324.50501 to 324.50522, the state housing development
4 authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c, and
5 the Michigan finance authority, Executive Reorganization Order No.
6 2010-2, MCL 12.194, for necessary salaries, wages, supplies,
7 contractual services, equipment, worker's compensation insurance
8 premiums, grants to the civil service commission and state
9 employees' retirement fund, and other expenses as allowed under
10 those acts.

11 (2) The department of treasury shall report by January 31,
12 2012 to the senate and house appropriations subcommittees, the
13 senate and house fiscal agencies, and the state budget director on
14 the amount and purpose of expenditures made under subsection (1)
15 from funds received in addition to those appropriated in part 1.
16 The report also shall include a listing of reimbursement of
17 revenue, if any. The report shall cover the 2010-2011 fiscal year.

18 Sec. 943. (1) The appropriation in part 1 for tobacco tax
19 enforcement shall be used for, but not limited to, the following:

20 (a) Costs associated with a new stamp indicia.

21 (b) Reimbursement to licensed cigarette stamping agents for
22 costs associated with the new stamp, to include machines acceptable
23 to licensed cigarette stamping agents and to the department of
24 treasury.

25 (c) Scanners.

26 (2) The department of treasury shall work cooperatively with
27 the Michigan state police to improve tobacco tax enforcement.

1 (3) The department of treasury shall submit a report on the
2 proposed use of the funds appropriated in part 1 for tobacco tax
3 enforcement. The report shall be submitted by November 1 to the
4 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. 944. If the department hires a pension plan consultant
8 using any of the funds appropriated in part 1, the department shall
9 annually forward any report provided to the department by that
10 consultant to the senate and house of representatives standing
11 committees on appropriations subcommittees on general government,
12 the senate and house fiscal agencies, and the state budget
13 director.

14 Sec. 945. The assessment and certification division of the
15 department of treasury shall conduct a review of local unit
16 assessment administration practices, procedures, and records, also
17 known as the 14-point review, in at least 1 assessment jurisdiction
18 per county.

19 **REVENUE SHARING**

20 Sec. 950. The funds appropriated in part 1 for constitutional
21 revenue sharing shall be distributed by the department to cities,
22 villages, and townships, as required under section 10 of article IX
23 of the state constitution of 1963. Revenue collected in accordance
24 with section 10 of article IX of the state constitution of 1963 in
25 excess of the amount appropriated in part 1 for constitutional
26 revenue sharing is appropriated for distribution to cities,
27 villages, and townships, on a population basis as required under

1 section 10 of article IX of the state constitution of 1963.

2 Sec. 951. (1) From the funds appropriated in part 1 and in
3 section 1201(2) to the economic vitality incentive program,
4 \$5,000,000.00 is to be used for assistance grants to cities,
5 villages, townships, and counties to offset the costs associated
6 with mergers, interlocal agreements, and cooperative efforts for
7 those cities, villages, townships, and counties that elect to
8 combine government operations. Grant funding shall be available for
9 mergers, interlocal agreements, and cooperative efforts that occur
10 on or after October 1, 2011. The department of treasury shall
11 develop an application process and method of grant distribution.

12 (2) From the funds appropriated in part 1 and in section
13 1201(2) to the economic vitality incentive program, \$210,000,000.00
14 is to be used for grants to cities, villages, and townships such
15 that, subject to fulfilling the requirements under subsection (3)
16 (a), (b), or (c), each city, village, or township that received a
17 payment under section 950(2), 2009 PA 128, greater than \$4,500.00
18 will be eligible to receive a maximum of 67.837363% of its total
19 payment received under section 950(2), 2009 PA 128, rounded to the
20 nearest dollar. For the purposes of this subsection, any city or
21 village that according to the 2010 federal decennial census is
22 determined to have population in more than 1 county will be treated
23 as a single entity when determining the payment received under
24 section 950(2), 2009 PA 128.

25 (3) Cities, villages, and townships eligible to receive a
26 potential payment from the allocation under subsection (2) may
27 qualify to receive economic vitality incentive program payments

1 under 1 or more of the following 3 categories:

2 (a) Category 1, accountability and transparency, requires each
3 eligible city, village, or township to certify that by October 1,
4 2011, it has produced, and has made readily available to the
5 public, a citizen's guide and a performance dashboard of its local
6 finances, including a recognition of its unfunded liabilities. Each
7 city, village, and township applying for a payment under this
8 category shall submit a copy of the citizen's guide and a copy of
9 the performance dashboard to the department of treasury by October
10 1, 2011.

11 (b) Category 2, consolidation of services, requires each
12 eligible city, village, or township to certify that by January 1,
13 2012, it has a plan with 1 or more proposals to increase its
14 existing level of cooperation, collaboration, and consolidation,
15 either within the jurisdiction or with other jurisdictions. A plan
16 shall include a listing of any previous services consolidated with
17 the cost savings realized from each consolidation and an estimate
18 of the potential savings for any new service consolidations being
19 planned. A plan shall be made readily available to the public. Each
20 city, village, and township applying for a payment under this
21 subdivision shall submit a copy of the cooperation, collaboration,
22 and consolidation plan to the department of treasury by January 1,
23 2012.

24 (c) Category 3, employee compensation, requires each eligible
25 city, village, or township to certify that by May 1, 2012, it has
26 developed and publicized an employee compensation plan that the
27 city, village, or township intends to implement with any new,

1 modified, or extended contract or employment agreements for
2 employees not covered under contract or employment agreement. The
3 employee compensation plan that each city, village, or township
4 plans to achieve shall be made available for public viewing in the
5 city, village, or township clerk's office or posted on a publicly
6 accessible Internet site and must be submitted to the department of
7 treasury by May 1, 2012. At a minimum, the employee compensation
8 plan shall include the following:

9 (i) New hires who are eligible for retirement plans are placed
10 on retirement plans that cap annual employer contributions at 10%
11 of base salary for employees who are eligible for social security
12 benefits. For employees who are not eligible for social security
13 benefits, the annual employer contribution is capped at 16.2% of
14 base salary.

15 (ii) For defined benefit pension plans, a maximum multiplier of
16 1.5% for all employees who are eligible for social security
17 benefits, except, where postemployment health care is not provided,
18 the maximum multiplier shall be 2.25%. For all employees who are
19 not eligible for social security benefits, a maximum multiplier of
20 2.25%, except, where postemployment health care is not provided,
21 the maximum multiplier shall be 3.0%.

22 (iii) For defined benefit pension plans, final average
23 compensation for all employees is calculated using a minimum of 3
24 years of compensation and shall not include more than a total of
25 240 hours of paid leave. Overtime hours shall not be used in
26 computing the final average compensation for an employee.

27 (iv) Health care premium costs for new hires shall include a

1 minimum employee share of 20%; or, an employer's share of the local
2 health care plan costs shall be cost competitive with the new state
3 preferred provider organization health plan, on a per-employee
4 basis.

5 (4) Economic vitality incentive program payments are subject
6 to the following conditions:

7 (a) In order for a city, village, or township to qualify for a
8 category under subsection (3)(a), (b), or (c), the city, village,
9 or township shall meet every criteria for that category including a
10 certification to the department that it has met the required
11 criteria for that category and submission of the required citizen's
12 guide and performance dashboard; cooperation, collaboration, and
13 consolidation plan; or the employee compensation plan as required
14 by subsection (3)(a), (b), or (c), respectively. A department of
15 treasury review of the citizen's guide, dashboard, or plan is not
16 required in order for a city, village, or township to receive a
17 payment under subsection (2). The department shall develop a
18 certification process and method for cities, villages, and
19 townships to follow.

20 (b) For each category that a city, village, or township
21 qualifies for in subsection (3), the city, village, or township
22 shall receive 1/3 of its potential economic vitality incentive
23 program payment amount calculated in subsection (2).

24 (c) Payments under this section shall be issued to cities,
25 villages, and townships for each category in subsection (3) until
26 the specified due date for the category. After the specified due
27 date for the category, payments shall be made to a city, village,

1 or township only if that city, village, or township has complied
2 with subdivision (a).

3 (d) If a city, village, or township does not provide the
4 required certification or fails to submit the required citizen's
5 guide and performance dashboard; cooperation, collaboration, and
6 consolidation plan; and the employee compensation plan by the first
7 day of a payment month, the city, village, or township shall
8 forfeit the payment in that payment month for the uncertified
9 category in subsection (3).

10 (e) Any local unit that falsifies certification documents
11 shall forfeit any future economic vitality incentive program
12 payments and shall repay this state all economic vitality incentive
13 program payments it has received.

14 (f) Payments under this section shall be distributed on the
15 last business day of October, December, February, April, June, and
16 August.

17 (g) Payments distributed under this section may be withheld
18 pursuant to sections 17a and 21 of the Glenn Steil state revenue
19 sharing act of 1971, 1971 PA 140, MCL 141.917a and 141.921.

20 (5) The unexpended funds appropriated in this section for the
21 economic vitality incentive program are designated as work project
22 appropriations and any unencumbered or unallotted funds shall not
23 lapse at the end of the fiscal year and shall continue to be
24 available for expenditure for projects under subsection (1) until
25 the projects have been completed. The following is in compliance
26 with section 451a of the management and budget act, 1984 PA 431,
27 MCL 18.1451a:

1 (a) The purpose of the projects is to provide incentive-based
2 grants to recipients under subsection (1).

3 (b) The projects will be accomplished by grants to qualified
4 governmental units.

5 (c) The total estimated cost of all projects is
6 \$215,000,000.00.

7 (d) The tentative completion date is September 30, 2016.

8 Sec. 955. (1) The funds appropriated in part 1 and section
9 1201(2) for county revenue sharing shall be distributed by the
10 department to eligible counties pursuant to the Glenn Steil state
11 revenue sharing act of 1971, 1971 PA 140, MCL 141.901 to 141.921.

12 (2) The department of treasury shall annually certify to the
13 state budget director the amount each county is authorized to
14 expend from its revenue sharing reserve fund.

15 **LOTTERY**

16 Sec. 960. In addition to the funds appropriated in part 1 to
17 the bureau of state lottery, there is appropriated from lottery
18 revenues the amount necessary for, and directly related to,
19 implementing and operating lottery games. Appropriations under this
20 section shall only be expended for contractually mandated payments
21 for vendor commissions, contractually mandated payments for instant
22 tickets intended for resale, the contractual costs of providing and
23 maintaining the online system communications network, and incentive
24 and bonus payments to lottery retailers.

25 Sec. 963. The bureau of state lottery shall inform all lottery
26 retailers that the cash side of department of human services bridge
27 cards cannot be used to purchase lottery tickets.

1 CASINO GAMING

2 Sec. 971. From the revenue collected by the Michigan gaming
3 control board regarding the total annual assessment of each casino
4 licensee, \$2,000,000.00 is appropriated and shall be deposited in
5 the compulsive gaming prevention fund as described in section
6 12a(5) of the Michigan gaming control and revenue act, 1996 IL 1,
7 MCL 432.212a.

8 Sec. 973. (1) Funds appropriated in part 1 for local
9 government programs may be used to provide assistance to a local
10 revenue sharing board referenced in an agreement authorized by the
11 Indian gaming regulatory act, Public Law 100-497.

12 (2) A local revenue sharing board described in subsection (1)
13 shall comply with the open meetings act, 1976 PA 267, MCL 15.261 to
14 15.275, and the freedom of information act, 1976 PA 442, MCL 15.231
15 to 15.246.

16 (3) A county treasurer is authorized to receive and administer
17 funds received for and on behalf of a local revenue sharing board.
18 Funds appropriated in part 1 for local government programs may be
19 used to audit local revenue sharing board funds held by a county
20 treasurer. This section does not limit the ability of local units
21 of government to enter into agreements with federally recognized
22 Indian tribes to provide financial assistance to local units of
23 government or to jointly provide public services.

24 (4) A local revenue sharing board described in subsection (1)
25 shall comply with all applicable provisions of any agreement
26 authorized by the Indian gaming regulatory act, Public Law 100-497,
27 in which the local revenue sharing board is referenced, including,

1 but not limited to, the disbursement of tribal casino payments
2 received under applicable provisions of the tribal-state class III
3 gaming compact in which those funds are received.

4 (5) The director of the department of state police and the
5 executive director of the Michigan gaming control board are
6 authorized to assist the local revenue sharing boards in
7 determining allocations to be made to local public safety
8 organizations.

9 (6) The department of treasury shall submit a report by
10 September 30 to the senate and house of representatives standing
11 committees on appropriations and the state budget director on the
12 receipts and distribution of revenues by local revenue sharing
13 boards.

14 Sec. 974. If revenues collected in the state services fee fund
15 are less than the amounts appropriated from the fund, available
16 revenues shall be used to fully fund the appropriation in part 1
17 for casino gaming regulation activities before distributions are
18 made to other state departments and agencies. If the remaining
19 revenue in the fund is insufficient to fully fund appropriations to
20 other state departments or agencies, the shortfall shall be
21 distributed proportionally among those departments and agencies.

22 Sec. 976. The executive director of the Michigan gaming
23 control board may pay rewards of not more than \$5,000.00 to a
24 person who provides information that results in the arrest and
25 conviction on a felony or misdemeanor charge for a crime that
26 involves the horse racing industry. A reward paid pursuant to this
27 section shall be paid out of the appropriation in part 1 for the

1 racing commission.

2 Sec. 977. All appropriations from the Michigan agriculture
3 equine industry development fund, except for the racing commission
4 and laboratory analysis program appropriations, shall be reduced
5 proportionately if revenues to the Michigan agriculture equine
6 industry development fund decline during the fiscal year ending
7 September 30, 2012 to a level lower than the amount appropriated in
8 part 1.

9 Sec. 978. The Michigan gaming control board shall use actual
10 expenditure data in determining the actual regulatory costs of
11 conducting racing dates and shall provide that data to the senate
12 and house appropriations subcommittees on agriculture and general
13 government and the senate and house fiscal agencies. The Michigan
14 gaming control board shall not be reimbursed for more than the
15 actual regulatory cost of conducting race dates. If a certified
16 horsemen's organization funds more than the actual regulatory cost,
17 the balance shall remain in the agriculture equine industry
18 development fund to be used to fund subsequent race dates conducted
19 by race meeting licensees with which the certified horsemen's
20 organization has contracts. If a certified horsemen's organization
21 funds less than the actual regulatory costs of the additional horse
22 racing dates, the Michigan gaming control board shall reduce the
23 number of future race dates conducted by race meeting licensees
24 with which the certified horsemen's organization has contracts.
25 Prior to the reduction in the number of authorized race dates due
26 to budget deficits, the executive director of the Michigan gaming
27 control board shall provide notice to the certified horsemen's

1 organizations with an opportunity to respond with alternatives. In
2 determining actual costs, the Michigan gaming control board shall
3 take into account that each specific breed may require different
4 regulatory mechanisms.

5 **MICHIGAN STRATEGIC FUND - HOUSING AND COMMUNITY DEVELOPMENT**

6 Sec. 980. MSHDA shall annually present a report to the state
7 budget office and the subcommittees on the status of the
8 authority's housing production goals under all financing programs
9 established or administered by the authority. The report shall give
10 special attention to efforts to raise affordable multifamily
11 housing production goals.

12 Sec. 981. MSHDA shall report to the subcommittees, the state
13 budget director, and the fiscal agencies by December 1 on the
14 status of the loans entered into by the Michigan broadband
15 development authority.

16 Sec. 983. In addition to the amounts appropriated in part 1
17 for the administration of the land bank fast track authority, the
18 authority may expend revenues received under the land bank fast
19 track act, 2003 PA 258, MCL 124.751 to 124.774, for the purposes
20 authorized by the act including, but not limited to, the
21 acquisition, lease, management, demolition, maintenance, or
22 rehabilitation of real or personal property, payment of debt
23 service for notes or bonds issued by the authority, and other
24 expenses to clear or quiet title property held by the authority.

25 Sec. 984. In addition to the funds appropriated in part 1, the
26 funds collected by state historic preservation programs for
27 document reproduction and services and application fees are

1 appropriated for all expenses necessary to provide the required
2 services. These funds are available for expenditure when they are
3 received and may be carried forward into the succeeding fiscal
4 year.

5 **MICHIGAN STRATEGIC FUND**

6 Sec. 1001. (1) In addition to the funds appropriated in part
7 1, there is appropriated an amount not to exceed \$10,000,000.00 for
8 federal 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 (2) In addition to the funds appropriated in part 1, there is
13 appropriated an amount not to exceed \$1,000,000.00 for state
14 restricted contingency funds. These funds are not available for
15 expenditure until they have been transferred to another line item
16 in this article under section 393(2) of the management and budget
17 act, 1984 PA 431, MCL 18.1393.

18 (3) In addition to the funds appropriated in part 1, there is
19 appropriated an amount not to exceed \$700,000.00 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. 1005. In addition to the appropriations in part 1, Travel
25 Michigan may receive and expend private revenue related to the use
26 of "Pure Michigan" and all other copyrighted slogans and images.
27 This revenue may come from the direct licensing of the name and

1 image or from the royalty payments from various merchandise sales.
2 Revenue collected is appropriated for the marketing of the state as
3 a travel destination. The funds are available for expenditure when
4 they are received by the department of treasury.

5 Sec. 1006. The fund shall submit on February 15 to the
6 subcommittees, the state budget office, and the fiscal agencies a
7 listing of all grants which have been awarded by the fund or by the
8 Michigan economic development corporation from the funds
9 appropriated in part 1. The list shall include all of the
10 following:

- 11 (a) The name of the recipient.
- 12 (b) The amount awarded to the recipient.
- 13 (c) The purpose of the grant.

14 Sec. 1007. (1) The fund shall provide reports to the relevant
15 subcommittees, the state budget director, and the fiscal agencies
16 concerning the activities of the Michigan economic development
17 corporation grants and investment programs financed from the fund
18 using investment or Indian gaming revenues. The report shall
19 provide a list of individual grants and loans made from the fund.
20 The report shall include, but not be limited to, the following
21 programs funded in part 1:

- 22 (a) Travel Michigan, including any expenditures authorized
23 under section 89b of the Michigan strategic fund act, 1984 PA 270,
24 MCL 125.2089b, to supplement the Michigan promotion program. The
25 report shall include the number of commercials produced, the
26 markets in which media buys have been made, and any web-based
27 products that were created with these funds.

1 (b) Business attraction, retention, and growth, including any
2 expenditures authorized under section 89b of the Michigan strategic
3 fund act, 1984 PA 270, MCL 125.2089b, to supplement the Michigan
4 business marketing program. The report shall include the number of
5 commercials produced, the markets in which media buys have been
6 made, and any web-based products that were created as a result of
7 this appropriation.

8 (c) Business services.

9 (d) Community development block grants.

10 (e) Strategic fund administration.

11 (f) Renaissance zones.

12 (g) 21st century investment program.

13 (h) Business and clean air ombudsman.

14 (i) Any other programs of the fund.

15 (2) The reports in subsection (1) shall be submitted by
16 January 15. The report for each program in subsection (1)(a)
17 through (i) shall include details on all revenue sources, actual
18 expenditures, and number of FTEs for that program for the previous
19 fiscal year.

20 Sec. 1008. As a condition of receiving funds under part 1, any
21 interlocal agreement entered into by the fund shall include
22 language which states that if a local unit of government has a
23 contract or memorandum of understanding with a private economic
24 development agency, the Michigan economic development corporation
25 will work cooperatively with that private organization in that
26 local area.

27 Sec. 1009. (1) Of the funds appropriated to the fund or

1 through grants to the Michigan economic development corporation, no
2 funds shall be expended for the purchase of options on land or the
3 purchase of land unless at least 1 of the following conditions
4 applies:

5 (a) The land is located in an economically distressed area.

6 (b) The land is obtained through a purchase or exercise of an
7 option at the invitation of the local unit of government and local
8 economic development agency.

9 (2) Consideration may be given to purchases where the proposed
10 use of the land is consistent with a regional land use plan, will
11 result in the redevelopment of an economically distressed area, can
12 be supported by existing infrastructure, and will not cause shifts
13 in population away from the area's population centers.

14 (3) As used in this section, "economically distressed area"
15 means an area in a city, village, or township that has been
16 designated as blighted; a city, village, or township that shows
17 negative population change from 1970 and a poverty rate and
18 unemployment rate greater than the statewide average; or an area
19 certified as a neighborhood enterprise zone.

20 Sec. 1011. (1) From the general fund/general purpose
21 appropriations in part 1 to the fund and granted or transferred to
22 the Michigan economic development corporation, any unexpended or
23 unencumbered balance shall be disposed of in accordance with the
24 requirements in the management and budget act, 1984 PA 431, MCL
25 18.1101 to 18.1594, unless carryforward authorization has been
26 otherwise provided for.

27 (2) Any encumbered funds shall be used for the same purposes

1 for which funding was originally appropriated in this article.

2 Sec. 1012. (1) As a condition of receiving funds under part 1,
3 the fund shall ensure that the MEDC and the fund comply with all of
4 the following:

5 (a) The freedom of information act, 1976 PA 442, MCL 15.231 to
6 15.246.

7 (b) The open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

8 (c) Annual audits of all financial records by the auditor
9 general or his or her designee.

10 (d) All reports required by law to be submitted to the
11 legislature.

12 (2) If the MEDC is unable for any reason to perform duties
13 under this article, the fund may exercise those duties.

14 Sec. 1013. As a condition for receiving the appropriations in
15 part 1, any staff of the Michigan economic development corporation
16 involved in private fund-raising activities shall not be party to
17 any decisions regarding the awarding of grants or tax abatements
18 from the fund, the Michigan economic development corporation, or
19 the Michigan economic growth authority.

20 Sec. 1014. (1) All funds received from repayment of loans,
21 unused grants, revenues received from sales or cash flow
22 participation agreements, guarantees, or any combination of these
23 or accrued interest originally distributed as part of the core
24 communities fund, created by 2000 PA 291, shall be received, held,
25 and applied by the fund for the purposes described in 2000 PA 291.

26 (2) The fund shall provide an annual report on the status of
27 this fund which includes information that details the awards made.

1 The report shall be provided to the appropriations subcommittees on
2 general government, the fiscal agencies, and the state budget
3 office by January 31.

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. 1021. The unexpended portion of funds appropriated in
17 2007 PA 127 for the jobs for Michigan investment program 21st
18 century jobs fund is appropriated for the same purposes as
19 originally appropriated and is available until September 30, 2016.
20 The project shall be completed through the use of staff, awards,
21 and contracts and shall not exceed \$5,500,000.00.

22 Sec. 1023. The fund shall coordinate tourism promotion with
23 the tourism industry. The fund shall submit a report by July 1 to
24 the senate and house of representatives standing committees on
25 appropriations subcommittees on general government and the senate
26 and house fiscal agencies on the geographical locations and
27 recreational activities used in Michigan tourism promotional

1 material.

2 Sec. 1024. From the funds appropriated in part 1 and in
3 section 1201(1) for business attraction and economic gardening, not
4 less than \$20,000,000.00 shall be granted by the Michigan strategic
5 fund board for brownfield redevelopment incentives and historic
6 preservation incentives.

7 Sec. 1031. The Michigan strategic fund shall report to the
8 senate and house of representatives appropriations subcommittees on
9 general government, the senate and house fiscal agencies, and the
10 state budget office by April 15, 2012 on the spending plan for the
11 line items for innovation and entrepreneurship and business
12 attraction and economic gardening.

13 Sec. 1032. (1) The Michigan film office shall report to the
14 subcommittees and the fiscal agencies on the status of the film
15 incentives at the same time as it submits the annual report
16 required under section 455 of the Michigan business tax act, 2007
17 PA 36, MCL 208.1455. The department of treasury and the Michigan
18 strategic fund shall provide the Michigan film office with the data
19 necessary to prepare the report. Incentives included in the report
20 shall include all of the following:

21 (a) The tax credit provided under section 455 of the Michigan
22 business tax act, 2007 PA 36, MCL 208.1455.

23 (b) The tax credit provided under section 457 of the Michigan
24 business tax act, 2007 PA 36, MCL 208.1457.

25 (c) The tax credit provided under section 459 of the Michigan
26 business tax act, 2007 PA 36, MCL 208.1459.

27 (d) The amount of any tax credit claimed under section 367 of

1 the income tax act of 1967, 1967 PA 281, MCL 206.367.

2 (e) Any tax credits provided for film and digital media
3 production under the Michigan economic growth authority act, 1995
4 PA 24, MCL 207.801 to 207.810.

5 (f) Loans to an eligible production company or film and
6 digital media private equity fund authorized under section 88d(3),
7 (4), and (5) of the Michigan strategic fund act, 2005 PA 225, MCL
8 125.2088d.

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

10 (a) For each tax credit, the number of contracts signed, the
11 projected expenditures qualifying for the credit, and the estimated
12 value of the credits. For loans, the number of loans made under
13 each section, the interest rate of those loans, the loan amount,
14 the percent of the projected budget of each production financed by
15 those loans, and the estimated interest earnings from the loan.

16 (b) For credits authorized under section 455 of the Michigan
17 business tax act, 2007 PA 36, MCL 208.1455, for productions
18 completed by December 31, the expenditures of each production
19 eligible for the credit that has filed a request for certificate of
20 completion with the film office, broken down into expenditures for
21 goods, services, or salaries and wages and showing separately
22 expenditures in each local unit of government, including
23 expenditures for personnel, whether or not they were made to a
24 Michigan entity, and whether or not they were taxable under the
25 laws of this state. For loans, the report shall include the number
26 of loans that have been fully repaid, with principal and interest
27 shown separately, and the number of loans that are delinquent or in

1 default, and the amount of principal that is delinquent or is in
2 default.

3 (c) For each of the tax credit incentives and loan incentives
4 listed in subsection (1), a breakdown for each project or
5 production showing each of the following:

6 (i) The number of temporary jobs created.

7 (ii) The number of permanent jobs created.

8 (iii) The number of persons employed in Michigan as a result of
9 the incentive, on a full-time equated basis.

10 (3) For any information not included in the report due to the
11 provisions of sections 455(6), 457(6), or 459(6) of the Michigan
12 business tax act, 2007 PA 36, MCL 208.1455, 208.1457, and 208.1459,
13 the report shall do all of the following:

14 (a) Indicate how the information would describe the commercial
15 and financial operations or intellectual property of the company.

16 (b) Attest that the information has not been publicly
17 disseminated at any time.

18 (c) Describe how disclosure of the information may put the
19 company at a competitive disadvantage.

20 (4) Any information not disclosed due to the provisions of
21 sections 455(6), 457(6), or 459(6) of the Michigan business tax
22 act, 2007 PA 36, MCL 208.1455, 208.1457, and 208.1459, shall be
23 presented at the lowest level of aggregation that would no longer
24 describe the commercial and financial operations or intellectual
25 property of the company.

26 Sec. 1034. (1) A portion of the funds appropriated in part 1
27 for innovation and entrepreneurship shall be used to fund business

1 incubators and accelerators. The Michigan strategic fund shall
2 award a grant to 1 high-performance business incubator or
3 accelerator in each of the following governmental units:

4 (a) Houghton County.

5 (b) Kent County.

6 (c) Macomb County.

7 (d) Oakland County.

8 (e) Washtenaw County.

9 (f) A city with a population greater than 650,000.

10 (g) A Midland County satellite site of an incubator located in
11 Isabella County.

12 (2) Grant funding awarded under this section may be used to
13 fund satellite locations, as determined by the Michigan strategic
14 fund.

15 (3) Eligible recipients for these awards must have been
16 operational on October 1, 2010 and operating continuously since
17 that date.

18 (4) Awards shall not be less than \$500,000.00 per selected
19 business incubator or accelerator. No recipient shall receive more
20 than \$2,000,000.00 under this section. No unit of local government
21 listed in subsection (1) shall receive more than 1 award.

22 (5) Applicants shall submit a comprehensive business plan to
23 the Michigan strategic fund that demonstrates the sustainability of
24 the organization.

25 (6) Awards shall be announced by December 31, 2011.

26 (7) Each recipient business incubator or accelerator shall
27 develop a dashboard of indicators to measure the effectiveness of

1 the business incubator and accelerator programs. Indicators shall
2 include the direct jobs created, new companies launched as a direct
3 result of business incubator or accelerator involvement, businesses
4 expanded as a direct result of business incubator or accelerator
5 involvement, direct investment in client companies, private equity
6 financing obtained by client companies, grant funding obtained by
7 client companies, and other measures developed by the recipient
8 business incubators and accelerators in conjunction with the
9 Michigan economic development corporation. Dashboard indicators
10 shall be reported for the prior fiscal year and cumulatively, if
11 available. Each recipient shall submit a copy of their dashboard
12 indicators to the Michigan strategic fund by March 1. The Michigan
13 strategic fund shall transmit the local reports to the senate and
14 house of representatives appropriations subcommittees on general
15 government, the senate and house fiscal agencies, and the state
16 budget office by March 15.

17 Sec. 1035. (1) From the appropriation in part 1, the Michigan
18 council for arts and cultural affairs shall administer an arts and
19 cultural grant program that maintains an equitable geographic
20 distribution of funding and utilizes past arts and cultural grant
21 programs as a guideline for administering this program. The council
22 shall do all of the following:

23 (a) On or before October 1, the fund shall publish proposed
24 application criteria, instructions, and forms for use by eligible
25 applicants. The fund shall provide at least a 2-week period for
26 public comment before finalizing the application criteria,
27 instructions, and forms.

1 (b) A nonrefundable application fee may be assessed for each
2 application. Application fees shall be deposited in the council for
3 the arts fund and are appropriated for expenses necessary to
4 administer the programs. These funds are available for expenditure
5 when they are received and may be carried forward to the following
6 fiscal year.

7 (c) Grants are to be made to public and private arts and
8 cultural entities.

9 (d) Within 1 business day after the award announcements, the
10 council shall provide to each member of the legislature and the
11 fiscal agencies a list of all grant recipients and the total award
12 given to each recipient, sorted by county.

13 (2) Up to \$100,000.00 from the appropriation in part 1 for
14 arts and cultural program may be used for the administration of
15 this grant program.

16 **MICHIGAN STRATEGIC FUND - CAREER EDUCATION**

17 Sec. 1050. The fund shall publish the "activities
18 classification structure data book" for Michigan community colleges
19 on or before March 1.

20 Sec. 1051. The fund shall compile information received from
21 community colleges on North American Indian tuition waivers granted
22 pursuant to 1976 PA 174, MCL 390.1251 to 390.1253, and shall submit
23 this compilation to the house and senate appropriations
24 subcommittees on community colleges, the fiscal agencies, and the
25 state budget director by February 15.

26 Sec. 1052. The fund shall compile information received from
27 community colleges on the number and types of associate degrees and

1 other certificates awarded during the previous fiscal year and
2 shall submit this compilation to the house and senate
3 appropriations subcommittees on community colleges, the fiscal
4 agencies, and the state budget director by January 15.

5 Sec. 1053. From the funds appropriated in part 1, the fund
6 shall allocate an amount not to exceed \$680,100.00 for the Detroit
7 precollege engineering program and the Grand Rapids area precollege
8 engineering program, which were appropriated funds under 2005 PA
9 156.

10 Sec. 1054. From the funds appropriated in part 1 for workforce
11 programs subgrantees, the fund may allocate funding for grants to
12 nonprofit organizations that offer programs to workforce investment
13 act-eligible youth focusing on entrepreneurship, work-readiness
14 skills, job shadowing, and financial literacy. Organizations
15 eligible for funding under this section must have the capacity to
16 provide similar programs in urban areas, as determined by the
17 United States bureau of the census according to the most recent
18 federal decennial census. Additionally, programs eligible for
19 funding under this section must include the participation of local
20 business partners. The fund shall develop other appropriate
21 eligibility requirements to ensure compliance with applicable
22 federal rules and regulations.

23 **MICHIGAN STRATEGIC FUND - WORKFORCE DEVELOPMENT**

24 Sec. 1060. The fund shall administer the jobs, education, and
25 training program in accordance with the requirements of section
26 407(d) of title IV of the social security act, 42 USC 607, the
27 state social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and

1 all other applicable laws and regulations.

2 Sec. 1061. State and federal funds allocated to local
3 workforce development boards for disbursement shall not be expended
4 unless the local workforce development boards maintain a
5 partnership with governmental agencies, public school districts,
6 and public colleges located within the local service delivery area.
7 Each board shall appoint an education advisory group made up of
8 high-level administrators within local educational institutions,
9 workforce development board members, other employers, labor,
10 academic educators, parents of public school pupils, and, at the
11 board's discretion, representatives of organizations that provide
12 school-based curriculum and youth programs focusing on
13 entrepreneurship, work-readiness skills, and financial literacy.

14 Sec. 1062. The fund shall make available, in person or by
15 telephone, 1 disabled veterans outreach program specialist or local
16 veterans employment representative to Michigan works! service
17 centers, as resources permit, during hours of operation, and shall
18 continue to make the appropriate placement of veterans and disabled
19 veterans a priority.

20 Sec. 1063. (1) In addition to the funds appropriated in part
21 1, any unencumbered and unrestricted federal workforce investment
22 act or trade adjustment assistance funds available from prior
23 fiscal years are appropriated for the purposes originally intended.

24 (2) The fund shall report by January 15 to the subcommittees,
25 the fiscal agencies, and the state budget office on the amount by
26 fiscal year of federal workforce investment act funds appropriated
27 under this section.

1 Sec. 1064. Of the funds appropriated in part 1 for workforce
2 training programs, up to \$200,000.00 shall be allocated for grants
3 to 2 work force development programs, meeting the following
4 criteria:

5 (a) Up to \$100,000.00 shall be allocated to 1 nonprofit
6 organization to expand an existing innovative, employer-led,
7 public/private workforce development program. Grant funds may be
8 used for program operating expenses such as staffing, rent,
9 equipment, and other expenses. To be eligible for funding under
10 this subdivision, a program must meet the following criteria:

11 (i) Provide program participants with early intervention
12 services that promote employment stabilization and alleviate
13 barriers to job attainment, retention, or advancement, including
14 assistance with transportation, language barriers, childcare,
15 housing, and facilitating access to services available through
16 public agencies and community-based organizations.

17 (ii) Provide program participants with training in basic job
18 skills, basic life skills, and career exploration.

19 (iii) Provide program participants with opportunities for
20 advancement within the network of partnering employers by
21 facilitating incumbent worker training programs.

22 (iv) Demonstrate a quantifiable return on investment for
23 participating employers, as evidenced by costs savings achieved
24 through pooled training/workforce development activities, and
25 increases in employee retention, attendance, satisfaction, and
26 productivity.

27 (v) Have a regional impact across more than 3 counties.

1 (b) Up to \$100,000.00 shall be allocated to 1 nonprofit
2 organization to expand an existing workforce development program
3 operated collaboratively with local businesses and educational
4 institutions to link unemployed and dislocated workers with new
5 market industries and to spur the development of small businesses.
6 To be eligible for funding under this subdivision, a program must
7 meet the following criteria:

8 (i) Provide low-wage, unemployed, and dislocated workers
9 assistance in developing career pathways that provide education and
10 career options for program participants to meet the workforce needs
11 of new markets and in-demand occupations.

12 (ii) Provide educational programs and seminars that provide an
13 introduction to the values and basic entrepreneurial skills
14 necessary to successfully start a new business.

15 (iii) Provide programs that provide business incubation and
16 support services, including entrepreneurial education and access to
17 capital.

18 (iv) Provide program participants with job placement
19 assistance, including on-the-job training, apprenticeships, and
20 internships.

21 Sec. 1065. Local Michigan works! agencies shall utilize a
22 portion of the funds received under part 1 for services provided by
23 local libraries that serve as access points, service centers, or
24 local partners serving high-demand service areas or underserved
25 areas.

26 Sec. 1066. It is the intent of the legislature that a portion
27 of the workforce investment act, statewide activities funds be

1 allocated to support coordinated efforts between local Michigan
2 works! agencies and police and sheriff departments to create
3 programs that offer gang diversion activities and support services
4 to at-risk youth in Wyoming, Benton Harbor, Saginaw, Mt. Morris
5 Charter Township, and Detroit.

6 Sec. 1068. (1) Of the funds appropriated in part 1 for the
7 workforce training programs, the fund shall provide a report by
8 December 15 to the house and senate chairs of the subcommittees,
9 the state budget director, and the fiscal agencies on the status of
10 the no-worker-left-behind program. The report shall include the
11 following:

12 (a) The amount of funding allocated to each Michigan works!
13 agency and the total funding allocated to the no-worker-left-behind
14 program statewide by fund source.

15 (b) The number of participants enrolled in the program by each
16 Michigan works! agency.

17 (c) The average duration of training for program participants
18 by each Michigan works! agency.

19 (d) The number of participants enrolled in remedial education
20 programs and the number of participants enrolled in literacy
21 programs.

22 (e) The number of participants enrolled in programs at 2-year
23 institutions.

24 (f) The number of participants enrolled in 4-year
25 institutions.

26 (g) The number of participants enrolled in proprietary schools
27 or other technical training programs.

1 (h) The number of participants that have completed education
2 or training programs.

3 (i) The number of participants who secured employment in
4 Michigan within 1 year of completing a no-worker-left-behind
5 training program.

6 (j) The number of participants who completed a no-worker-left-
7 behind training program and secured employment in a field related
8 to their training.

9 (k) The average wage earned by participants who completed a
10 no-worker-left-behind training program and secured employment
11 within 1 year.

12 (2) Data collection for the report shall be for the period
13 October 1, 2011 through September 30, 2012.

14 **REVENUE STATEMENT**

15 Sec. 1101. Pursuant to section 18 of article V of the state
16 constitution of 1963, fund balances and estimates are presented in
17 the following statement:

18 BUDGET RECOMMENDATIONS BY OPERATING FUNDS

19 (Amounts in millions)

20 Fiscal Year 2011-2012

21	Beginning			
22	Fund Unreserved			
23	Fund	Estimated	Ending	
24	Balance	Revenue	Balance	
25	OPERATING FUNDS			

1	General fund/general purpose	0110	313.6	8,802.0	473.4
2	General fund/special purpose		972.1	20,529.7	321.1
3	Special Revenue Funds:				
4	Countercyclical budget and				
5	economic stabilization	0111	2.2	0.0	2.2
6	Game and fish protection	0112	3.9	63.9	1.8
7	Michigan employment security act				
8	administration	0113	11.8	8.4	15.0
9	State aeronautics	0114	19.4	119.8	31.5
10	Michigan veterans' benefit				
11	trust	0115	0.0	5.2	0.0
12	State trunkline	0116	5.7	1,905.8	(20.5)
13	Michigan state waterways	0117	1.4	27.4	0.1
14	Blue Water Bridge	0118	19.3	21.3	20.6
15	Michigan transportation	0119	0.0	1,853.4	0.0
16	Comprehensive transportation	0120	0.1	315.4	(66.0)
17	School aid	0122	0.0	12,711.3	0.0
18	Game and fish protection trust	0124	6.0	8.7	6.0
19	State park improvement	0125	6.0	48.6	14.1
20	Forest development	0126	3.8	29.2	0.0
21	Michigan civilian conservation				
22	corps endowment	0128	0.0	0.0	0.0
23	Michigan natural resources				
24	trust	0129	35.8	0.7	24.7
25	Michigan state parks endowment	0130	4.9	43.8	20.6
26	Safety education and training	0131	6.1	8.7	6.4
27	Bottle deposit	0136	0.0	11.7	0.0

1	State construction code	0138	2.6	7.3	0.0
2	Children's trust	0139	0.9	2.9	0.7
3	State casino gaming	0140	0.0	34.3	(2.0)
4	Michigan nongame fish and				
5	wildlife	0143	0.1	0.3	0.0
6	Michigan merit award trust	0154	0.0	136.0	0.0
7	Outdoor recreation legacy	0162	0.4	2.9	0.7
8	Off-road vehicle account	0163	0.2	3.6	0.1
9	Snowmobile account	0164	0.7	12.1	0.7
10	Silicosis dust disease				
11	and logging	0870	2.1	1.7	2.1
12	Utility consumer representation	0893	3.6	1.1	3.6
13	TOTALS		\$1,422.7	\$46,717.2	\$857.0

14 **ONE-TIME BASIS ONLY**

15 Sec. 1201. (1) For the state fiscal year ending September 30,
 16 2012, there is appropriated from general fund/general purpose
 17 revenue, on a 1-time basis only, \$136,250,000.00 for the following
 18 purposes:

19	DTMB - asbestos abatement, former state police				
20	headquarters.....			\$	1,250,000
21	DTMB - other postemployment benefits.....				60,000,000
22	Michigan strategic fund - film incentive funding.....				25,000,000
23	Michigan strategic fund - business attraction and economic				
24	gardening.....				50,000,000

25 (2) For the state fiscal year ending September 30, 2012, there

1 is appropriated from sales tax revenue, on a 1-time basis only,
2 \$30,000,000.00 for the following purposes:

3	Treasury - county revenue sharing.....	\$	15,000,000
4	Treasury - economic vitality incentive program.....		15,000,000

5 PART 2A
6 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS
7 FOR FISCAL YEAR 2012-2013

8 **GENERAL SECTIONS**

9 Sec. 1301. It is the intent of the legislature to provide
10 appropriations for the fiscal year ending on September 30, 2013 for
11 the line items listed in part 1. The fiscal year 2012-2013
12 appropriations are anticipated to be the same as those for fiscal
13 year 2011-2012, except that the line items will be adjusted for
14 changes in caseload and related costs, federal fund match rates,
15 economic factors, and available revenue. These adjustments will be
16 determined after the January 2012 consensus revenue estimating
17 conference.

18 ARTICLE X
19 DEPARTMENT OF HUMAN SERVICES
20 PART 1
21 LINE-ITEM APPROPRIATIONS
22 FOR FISCAL YEAR 2011-2012

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

1 the amounts listed in this part are appropriated for the department
 2 of human services for the fiscal year ending September 30, 2012,
 3 from the funds indicated in this part. The following is a summary
 4 of the appropriations in this part:

5 **DEPARTMENT OF HUMAN SERVICES**

6 APPROPRIATION SUMMARY

7	Full-time equated classified positions.....	11,576.5	
8	Unclassified positions	6.0	
9	Total full-time equated positions.....	11,582.5	
10	GROSS APPROPRIATION.....		\$ 6,831,704,900
11	Interdepartmental grant revenues:		
12	Total interdepartmental grants and intradepartmental		
13	transfers		1,243,100
14	ADJUSTED GROSS APPROPRIATION.....		\$ 6,830,461,800
15	Federal revenues:		
16	Federal-other ARRA revenues.....		549,632,400
17	Total federal revenues.....		5,077,418,800
18	Special revenue funds:		
19	Total private revenues.....		15,911,100
20	Total local revenues.....		27,948,500
21	Total other state restricted revenues.....		88,616,500
22	State general fund/general purpose.....		\$ 1,070,934,500
23	Sec. 102. EXECUTIVE OPERATIONS		
24	Total full-time equated positions.....	667.7	
25	Full-time equated unclassified positions.....	6.0	
26	Full-time equated classified positions.....	661.7	

1	Unclassified salaries--6.0 FTE positions	\$	647,900
2	Salaries and wages--273.7 FTE positions		16,364,200
3	Contractual services, supplies, and materials		10,192,700
4	Demonstration projects--9.0 FTE positions		13,950,900
5	Inspector general salaries and wages--136.0 FTE		
6	positions		7,531,500
7	Electronic benefit transfer EBT.....		13,009,000
8	Michigan community service commission--15.0 FTE		
9	positions		12,161,600
10	AFC, children's welfare and day care		
11	licensure--228.0 FTE positions.....		25,598,300
12	State office of administrative hearings and rules		<u>5,931,600</u>
13	GROSS APPROPRIATION.....	\$	105,387,700
14	Appropriated from:		
15	Federal revenues:		
16	Total other federal revenues		69,190,800
17	Special revenue funds:		
18	Total private revenues		8,207,700
19	Total local revenues		175,000
20	Total other state restricted revenue		25,000
21	State general fund/general purpose	\$	27,789,200
22	Sec. 103. CHILD SUPPORT ENFORCEMENT		
23	Full-time equated classified positions.....		192.7
24	Child support enforcement operations--186.7 FTE		
25	positions	\$	22,470,200
26	Legal support contracts		138,753,600
27	Child support incentive payments		32,409,600

1	State disbursement unit--6.0 FTE positions	<u>12,766,100</u>
2	GROSS APPROPRIATION.....	\$ 206,399,500
3	Appropriated from:	
4	Federal revenues:	
5	Total federal revenues.....	181,100,100
6	Special revenue funds:	
7	Total local revenues.....	340,000
8	Total other state restricted revenues.....	770,000
9	State general fund/general purpose.....	\$ 24,189,400
10	Sec. 104. COMMUNITY ACTION AND ECONOMIC OPPORTUNITY	
11	Full-time equated classified positions..... 16.0	
12	Bureau of community action and economic	
13	opportunity--16.0 FTE positions.....	\$ 1,866,400
14	Community services block grant.....	25,840,000
15	Weatherization assistance.....	<u>28,340,000</u>
16	GROSS APPROPRIATION.....	\$ 56,046,400
17	Appropriated from:	
18	Federal revenues:	
19	Total federal revenues.....	56,046,400
20	State general fund/general purpose.....	\$ 0
21	Sec. 105. ADULT AND FAMILY SERVICES	
22	Full-time equated classified positions..... 43.7	
23	Executive direction and support--4.0 FTE positions ...	\$ 456,400
24	Guardian contract.....	600,000
25	Adult services policy and administration--6.0 FTE	
26	positions	701,600
27	Office of program policy--33.7 FTE positions	5,550,900

1	Employment and training support services	6,407,100
2	Wage employment verification reporting	848,700
3	Urban and rural empowerment/enterprise zones	100
4	Nutrition education	30,000,000
5	Background check program	1,000,000
6	Elder law of Michigan MiCAFE contract	<u>100,000</u>
7	GROSS APPROPRIATION	\$ 45,664,800
8	Appropriated from:	
9	Federal revenues:	
10	Total other federal revenues	39,713,300
11	State general fund/general purpose	\$ 5,951,500
12	Sec. 106. CHILDREN'S SERVICES	
13	Full-time equated classified positions.....	146.8
14	Salaries and wages--59.2 FTE positions	\$ 3,765,600
15	Contractual services, supplies, and materials	1,276,500
16	Interstate compact	231,600
17	Children's benefit fund donations	21,000
18	Families first	17,950,700
19	Strong families/safe children--3.0 FTE positions	15,072,300
20	Child protection and permanency--37.5 FTE positions ..	16,264,100
21	Family reunification program	3,977,100
22	Family preservation and prevention services	
23	administration--14.5 FTE positions	1,228,200
24	Children's trust fund administration--12.0 FTE	
25	positions	1,057,200
26	Children's trust fund grants	2,825,100
27	ECIC, early childhood investment corporation	12,723,000

1	Attorney general contract	3,923,200
2	Prosecuting attorney contracts	2,561,700
3	Child protection--5.0 FTE positions	862,700
4	Domestic violence prevention and treatment--14.6 FTE	
5	positions	14,660,900
6	Rape prevention and services--0.5 FTE positions	3,300,000
7	Child advocacy centers--0.5 FTE positions	<u>1,000,000</u>
8	GROSS APPROPRIATION	\$ 102,700,900
9	Appropriated from:	
10	Federal revenues:	
11	Total other federal revenues	90,938,200
12	Special revenue funds:	
13	Private - children's benefit fund donations	21,000
14	Compulsive gambling prevention fund	1,040,000
15	Children's trust fund	2,823,700
16	Sexual assault victims' prevention and treatment	1,000,000
17	Child advocacy centers fund	1,000,000
18	State general fund/general purpose	\$ 5,878,000
19	Sec. 107. CHILD WELFARE SERVICES	
20	Full-time equated classified positions	3,599.0
21	Children's services administration--64.0 FTE positions \$	4,715,500
22	Title IV-E compliance and accountability office--5.0	
23	FTE positions	432,600
24	Child welfare institute--40.0 FTE positions	5,696,500
25	Child protective services workers--1,481.0 FTE	
26	positions	79,228,300
27	Direct care workers--1,058.0 FTE positions	55,111,400

1	Education planners--14.0 FTE positions	736,300
2	Permanency planning specialists--55.0 FTE positions ..	3,171,000
3	Child welfare first line supervisors--519.0 FTE	
4	positions	35,950,600
5	Administrative support workers--241.0 FTE positions ..	10,438,900
6	Second line supervisors and technical staff--45.0	
7	FTE positions	3,230,100
8	Permanency planning specialists--62.0 FTE positions ..	3,638,300
9	Child welfare field staff contractual services,	
10	supplies, and materials	5,432,200
11	Settlement monitor.....	1,625,800
12	Needs assessment.....	4,000,000
13	Foster care payments.....	186,112,400
14	Foster care - children with serious emotional	
15	disturbance waiver	1,769,000
16	Guardianship assistance program.....	2,170,000
17	Child care fund.....	205,255,500
18	Child care fund administration--5.8 FTE positions	808,600
19	Adoption subsidies.....	225,783,500
20	Adoption support services--7.2 FTE positions	33,604,300
21	Youth in transition--2.0 FTE positions	<u>12,264,500</u>
22	GROSS APPROPRIATION.....	\$ 881,175,300
23	Appropriated from:	
24	Federal revenues:	
25	Total federal revenues.....	493,207,700
26	Special revenue funds:	
27	Private - collections.....	1,900,000

1	Local funds - county chargeback.....		13,388,800
2	State general fund/general purpose.....	\$	372,678,800
3	Sec. 108. JUVENILE JUSTICE SERVICES		
4	Full-time equated classified positions.....	198.7	
5	W.J. Maxey training school--72.0 FTE positions.....	\$	11,185,500
6	Bay pines center--44.0 FTE positions.....		4,900,000
7	Shawono center--44.0 FTE positions.....		4,900,000
8	County juvenile officers.....		3,904,300
9	Community support services--2.0 FTE positions.....		1,600,100
10	Juvenile justice, administration and		
11	maintenance--31.7 FTE positions.....		4,236,200
12	W.J. Maxey memorial fund.....		45,000
13	Juvenile accountability block grant--1.0 FTE positions		1,296,000
14	Committee on juvenile justice administration--4.0		
15	FTE positions		425,300
16	Committee on juvenile justice grants.....		<u>5,000,000</u>
17	GROSS APPROPRIATION.....	\$	37,492,400
18	Appropriated from:		
19	Federal revenues:		
20	Total federal revenues.....		7,248,800
21	Special revenue funds:		
22	Total private revenues.....		45,000
23	Local funds - state share education funds.....		1,197,500
24	Local funds - county chargeback.....		9,861,500
25	State general fund/general purpose.....	\$	19,139,600
26	Sec. 109. LOCAL OFFICE STAFF AND OPERATIONS		
27	Full-time equated classified positions.....	5,937.5	

1	Field staff, salaries and wages--5,695.5 FTE positions	\$	294,203,500
2	Contractual services, supplies, and materials		11,771,300
3	Medical/psychiatric evaluations		9,467,600
4	Donated funds positions--208.0 FTE positions		17,445,600
5	Training and program support--24.0 FTE positions		3,429,400
6	Wayne County gifts and bequests		100,000
7	Volunteer services and reimbursement		1,036,100
8	SSI advocates--10.0 FTE positions		966,700
9	GROSS APPROPRIATION	\$	338,420,200
10	Appropriated from:		
11	Interdepartmental grant revenues:		
12	IDG from department of corrections		100,000
13	Federal revenues:		
14	Total other federal revenues		211,101,200
15	Special revenue funds:		
16	Local funds		2,985,700
17	Private funds - donated funds		5,637,400
18	Private funds - Wayne County gifts		100,000
19	Supplemental security income recoveries		746,100
20	State general fund/general purpose	\$	117,749,800
21	Sec. 110. DISABILITY DETERMINATION SERVICES		
22	Full-time equated classified positions	747.4	
23	Disability determination operations--721.9 FTE		
24	positions	\$	110,723,100
25	Medical consultation program--21.4 FTE positions		2,840,600
26	Retirement disability determination--4.1 FTE positions		847,100
27	GROSS APPROPRIATION	\$	114,410,800

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	IDG from DMB - office of retirement systems	1,143,100
4	ADJUSTED GROSS APPROPRIATION	\$ 113,267,700
5	Appropriated from:	
6	Federal revenues:	
7	Total federal revenues	110,491,400
8	State general fund/general purpose	\$ 2,776,300
9	Sec. 111. CENTRAL SUPPORT ACCOUNTS	
10	Rent	\$ 47,047,400
11	Occupancy charge	8,228,800
12	Travel	7,216,400
13	Equipment	227,300
14	Worker's compensation	3,363,800
15	Advisory commissions	17,900
16	Payroll taxes and fringe benefits	<u>361,295,600</u>
17	GROSS APPROPRIATION	\$ 427,397,200
18	Appropriated from:	
19	Federal revenues:	
20	Total other federal revenues	275,273,300
21	State general fund/general purpose	\$ 152,123,900
22	Sec. 112. PUBLIC ASSISTANCE	
23	Full-time equated classified positions	33.0
24	Family independence program	\$ 340,948,600
25	State disability assistance payments	27,927,800
26	Food assistance program benefits	3,036,402,200
27	Food assistance program benefits (ARRA)	549,632,400

1	State supplementation.....	60,489,000
2	State supplementation administration.....	2,681,100
3	Low-income home energy assistance program.....	116,451,600
4	Food bank funding.....	1,345,000
5	Homeless programs.....	11,646,700
6	Multicultural integration funding.....	1,515,500
7	Chaldean community foundation.....	100,000
8	Indigent burial.....	1,000,000
9	Emergency services local office allocations.....	21,615,500
10	Licensed and registered child development and care ...	99,312,900
11	Enrolled child development and care.....	59,842,800
12	Day care technology and oversight--26.0 FTE positions	2,618,400
13	Refugee assistance program--7.0 FTE positions.....	<u>27,910,700</u>
14	GROSS APPROPRIATION.....	\$ 4,361,440,200
15	Appropriated from:	
16	Federal revenues:	
17	Federal supplemental nutrition assistance revenues	
18	(ARRA)	549,632,400
19	Total other federal revenues.....	3,437,813,600
20	Special revenue funds:	
21	Child support collections.....	29,145,800
22	Supplemental security income recoveries.....	14,955,900
23	Public assistance recoupment revenue.....	7,010,000
24	Michigan merit award trust fund.....	30,100,000
25	State general fund/general purpose.....	\$ 292,782,500
26	Sec. 113. INFORMATION TECHNOLOGY	
27	Information technology services and projects.....	\$ 109,591,500

1	Child support automation.....	45,578,000
2	GROSS APPROPRIATION.....	\$ 155,169,500
3	Appropriated from:	
4	Federal revenues:	
5	Total federal revenues.....	105,294,000
6	State general fund/general purpose.....	\$ 49,875,500

PART 2

PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2011-2012

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 2011-2012 is \$1,159,551,000.00 and state spending from state resources to be paid to local units of government for fiscal year 2011-2012 is \$107,003,300.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF HUMAN SERVICES

19	Child care fund.....	\$ 97,235,600
20	County juvenile officers.....	3,603,900
21	State disability assistance payments.....	2,286,600
22	Legal support contracts.....	3,141,000
23	Child support enforcement operations.....	583,200
24	Family independence program.....	153,000
25	TOTAL.....	\$ 107,003,300

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

4 Sec. 203. As used in this article:

5 (a) "AFC" means adult foster care.

6 (b) "ARRA" means the American recovery and reinvestment act of
7 2009, Public Law 111-5.

8 (c) "Children's rights settlement agreement" means the
9 settlement agreement entered in the case of Dwayne B. vs. Granholm,
10 docket no. 2:06-cv-13548 in the United States district court for
11 the eastern district of Michigan.

12 (d) "Current fiscal year" means the fiscal year ending
13 September 30, 2012.

14 (e) "Department" means the department of human services.

15 (f) "Director" means the director of the department of human
16 services.

17 (g) "FTE" means full-time equated.

18 (h) "IDG" means interdepartmental grant.

19 (i) "JET" means jobs, education, and training program.

20 (j) "Previous fiscal year" means the fiscal year ending
21 September 30, 2011.

22 (k) "SSI" means supplemental security income.

23 (l) "Temporary assistance for needy families" or "TANF" or
24 "title IV-A" means part A of title IV of the social security act,
25 42 USC 601 to 619.

26 (m) "Title IV-D" means part D of title IV of the social
27 security act, 42 USC 651 to 669b.

1 (n) "Title IV-E" means part E of title IV of the social
2 security act, 42 USC 670 to 679c.

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

8 Sec. 207. (1) Sanctions, suspensions, conditions for
9 provisional license status, and other penalties shall not be more
10 stringent for private service providers than for public entities
11 performing equivalent or similar services.

12 (2) Neither the department nor private service providers or
13 licensees shall be granted preferential treatment or considered
14 automatically to be in compliance with administrative rules based
15 on whether they have collective bargaining agreements with direct
16 care workers. Private service providers or licensees without
17 collective bargaining agreements shall not be subjected to
18 additional requirements or conditions of licensure based on their
19 lack of collective bargaining agreements.

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

26 Sec. 209. Funds appropriated in part 1 shall not be used for
27 the purchase of foreign goods or services, or both, if

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

9 Sec. 211. 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 activities that the
14 attorney general authorizes.

15 Sec. 212. (1) In addition to funds appropriated in part 1 for
16 all programs and services, there is appropriated for write-offs of
17 accounts receivable, deferrals, and for prior year obligations in
18 excess of applicable prior year appropriations, an amount equal to
19 total write-offs and prior year obligations, but not to exceed
20 amounts available in prior year revenues or current year revenues
21 that are in excess of the authorized amount.

22 (2) The department's ability to satisfy appropriation fund
23 sources in part 1 shall not be limited to collections and accruals
24 pertaining to services provided in the current fiscal year, but
25 shall also include reimbursements, refunds, adjustments, and
26 settlements from prior years.

27 Sec. 213. The department may retain all of the state's share

1 of food assistance overissuance collections as an offset to general
2 fund/general purpose costs. Retained collections shall be applied
3 against federal funds deductions in all appropriation units where
4 department costs related to the investigation and recoupment of
5 food assistance overissuances are incurred. Retained collections in
6 excess of such costs shall be applied against the federal funds
7 deducted in the executive operations appropriation unit.

8 Sec. 214. On a bimonthly basis, the department shall report on
9 the number of FTEs in pay status by type of staff.

10 Sec. 215. If a legislative objective of this article or the
11 social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, cannot be
12 implemented without loss of federal financial participation because
13 implementation would conflict with or violate federal regulations,
14 the department shall notify the state budget director, the house
15 and senate appropriations committees, and the house and senate
16 fiscal agencies and policy offices of that fact.

17 Sec. 217. (1) Due to the current budgetary problems in this
18 state, out-of-state travel for the fiscal year ending September 30,
19 2012 shall be limited to situations in which 1 or more of the
20 following conditions apply:

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

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

26 (c) The travel is necessary to produce budgetary savings or to
27 increase state revenues, including protecting existing federal

1 funds or securing additional federal funds.

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

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

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

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

14 Sec. 219. (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.

1 Sec. 220. The department shall ensure that faith-based
2 organizations are able to apply and compete for services, programs,
3 or contracts that they are qualified and suitable to fulfill. The
4 department shall not disqualify faith-based organizations solely on
5 the basis of the religious nature of their organization or their
6 guiding principles or statements of faith.

7 Sec. 221. If the revenue collected by the department from
8 private and local sources exceeds the amount spent from amounts
9 appropriated in part 1, the revenue may be carried forward, with
10 approval from the state budget director, into the subsequent fiscal
11 year.

12 Sec. 222. (1) The department shall report no later than April
13 1 of the current fiscal year on each specific policy change made to
14 implement a public act affecting the department that took effect
15 during the prior calendar year to the house and senate
16 appropriations subcommittees on the budget for the department, the
17 joint committee on administrative rules, and the senate and house
18 fiscal agencies.

19 (2) Funds appropriated in part 1 shall not be used by the
20 department to adopt a rule that will apply to a small business and
21 that will have a disproportionate economic impact on small
22 businesses because of the size of those businesses if the
23 department fails to reduce the disproportionate economic impact of
24 the rule on small businesses as provided under section 40 of the
25 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

26 (3) As used in this section:

27 (a) "Rule" means that term as defined under section 7 of the

1 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

2 (b) "Small business" means that term as defined under section
3 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
4 24.207a.

5 Sec. 223. The department shall make a determination of
6 Medicaid eligibility not later than 60 days after all information
7 to make the determination is received from the applicant when
8 disability is an eligibility factor. For all other Medicaid
9 applicants, the department shall make a determination of Medicaid
10 eligibility not later than 45 days after all information to make
11 the determination is received from the applicant.

12 Sec. 224. The department shall approve or deny a Medicaid
13 application for a patient of a nursing home within 45 days after
14 the receipt of the necessary information.

15 Sec. 230 (1) The department shall convene a work group of all
16 interested parties to evaluate the feasibility of combining the
17 bureau of child and adult licensing with the contract compliance
18 unit into 1 unit.

19 (2) By April 1, 2012, the department shall report to the
20 senate and house appropriations subcommittees on the department
21 budget, the senate and house fiscal agencies, and the senate and
22 house policy offices on the findings of the work group established
23 in subsection (1).

24 Sec. 231. If TANF contingency funds for the current fiscal
25 year become available, the department shall utilize all TANF
26 contingency funds the state receives to increase the family
27 independence program earned income disregard or for reform measures

1 that will fundamentally improve public assistance programs by
2 emphasizing work. An annual report on the expenditures and programs
3 paid by these TANF contingency funds shall be provided to the
4 senate and house appropriations subcommittees on the department
5 budget, the senate and house fiscal agencies, and the senate and
6 house policy offices no later than November 1, 2012.

7 Sec. 250. Amounts appropriated in part 1 for information
8 technology may be designated as work projects and carried forward
9 to support technology projects under the direction of the
10 department of technology, management, and budget. Funds designated
11 in this manner are not available for expenditure until approved as
12 work projects under section 451a of the management and budget act,
13 1984 PA 431, MCL 18.1451a.

14 Sec. 251. The department and agencies receiving appropriations
15 in part 1 shall receive and retain copies of all reports funded
16 from appropriations in part 1. Federal and state guidelines for
17 short-term and long-term retention of records shall be followed.
18 The department may electronically retain copies of reports unless
19 otherwise required by federal and state guidelines.

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

27 Sec. 264. The department shall not take disciplinary action

1 against an employee for communicating with a member of the
2 legislature or his or her staff.

3 Sec. 265. Within 14 days after the release of the executive
4 budget recommendation, the department shall provide the state
5 budget director, the senate and house appropriations chairs, the
6 senate and house appropriations subcommittees on the department
7 budget, respectively, and the senate and house fiscal agencies with
8 an annual report on estimated state restricted fund balances, state
9 restricted fund projected revenues, and state restricted fund
10 expenditures for the fiscal years ending September 30, 2011 and
11 September 30, 2012.

12 Sec. 273. (1) The department shall only use money appropriated
13 in section 102 to prepare regulatory reform plans. Money
14 appropriated in part 1 shall not be used to prepare regulatory
15 reform plans or promulgate rules that exceed statutory authority
16 granted to the department. If the department fails to comply with
17 the provisions of section 39(1) of the administrative procedures
18 act of 1969, 1969 PA 306, MCL 24.239, money shall not be expended
19 for the further preparation of that regulatory plan or the
20 promulgation of rules for that regulatory plan.

21 (2) Money appropriated in part 1 shall not be used to prepare
22 a regulatory plan or promulgate rules that fail to reduce the
23 disproportionate economic impact on small businesses as required in
24 section 40 of the administrative procedures act of 1969, 1969 PA
25 306, MCL 24.240.

26 (3) Money appropriated in part 1 shall not be used to prepare
27 a regulatory plan or promulgate rules that grant preferences to

1 private providers of services based on whether that private
2 provider has a collective bargaining agreement with its workers.

3 Sec. 274. (1) The department, in collaboration with the state
4 budget office, shall submit to the house and senate appropriations
5 subcommittees on the department budget, the house and senate fiscal
6 agencies, and the house and senate policy offices on the day the
7 governor submits to the legislature the budget for the ensuing
8 fiscal year a report on spending and revenue projections for each
9 of the capped federal funds listed below. The report shall contain
10 actual spending and revenue in the previous fiscal year, spending
11 and revenue projections for the current fiscal year as enacted, and
12 spending and revenue projections within the executive budget
13 proposal for the fiscal year beginning October 1, 2012 for each
14 individual line item for the department budget. The report shall
15 also include federal funds transferred to other departments. The
16 capped federal funds shall include, but not be limited to, all of
17 the following:

- 18 (a) TANF.
- 19 (b) Child care and development funds.
- 20 (c) Title XX social services block grant.
- 21 (d) Title IV-B part I child welfare services block grant.
- 22 (e) Title IV-B part II promoting safe and stable families
23 funds.

24 (2) By February 15 of the current fiscal year, the department
25 shall prepare an annual report of its efforts to identify
26 additional TANF maintenance of effort sources from all of the
27 following, but not limited to:

- 1 (a) Other departments.
2 (b) Local units of government.
3 (c) Private sources.

4 Sec. 279. (1) All contracts relating to human services shall
5 be performance-based contracts that employ a client-centered
6 results-oriented process that is based on measurable performance
7 indicators and desired outcomes and includes the annual assessment
8 of the quality of services provided.

9 (2) During the annual budget presentation, the department
10 shall provide the senate and house appropriations subcommittees on
11 the department budget and the senate and house fiscal agencies and
12 policy offices a report detailing measurable performance
13 indicators, desired outcomes, and an assessment of the quality of
14 services provided by the department during the previous fiscal
15 year.

16 Sec. 284. (1) In addition to the funds appropriated in part 1,
17 there is appropriated an amount not to exceed \$200,000,000.00 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 \$5,000,000.00 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 \$20,000,000.00 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 \$20,000,000.00 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. 292. By November 1, 2011, the department shall submit a
14 report to the house and senate appropriations subcommittees on the
15 human services budget and the house and senate fiscal agencies on
16 the number of eligible child care providers by type receiving
17 payment for child care services from the department on October 1,
18 2011.

19 Sec. 293. The department may use money from the money
20 appropriated in part 1 to strengthen marriage and family relations
21 through the practice of marriage and family therapy for
22 individuals, families, couples, or groups. The goal of the therapy
23 shall be strengthening families by helping them avoid, eliminate,
24 relieve, manage, or resolve marital or family conflict or discord.

25 Sec. 294. Money appropriated in part 1 for the statewide
26 automated child welfare information system is contingent upon the
27 approval of an advanced planning document from the administration

1 for children and families. If the necessary matching funds are
2 identified and legislatively transferred to the information and
3 technology services and projects line item for this purpose, any
4 corresponding federal revenue required shall be appropriated at a
5 50% federal match rate. This appropriation may be designated as a
6 work project under section 451a of the management and budget act,
7 1984 PA 431, MCL 18.1451a, and carried forward to support
8 completion of this project.

9 Sec. 296. Not later than November 15, 2012, the department
10 shall prepare and transmit a report that provides for estimates of
11 the 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 appropriations committees, and the senate and
17 house fiscal agencies.

18 Sec. 298. The department shall work toward a new supervisor-
19 to-staff ratio in all department divisions and subdivisions,
20 excluding the supervisor-to-staff ratios required by the children's
21 rights settlement agreement, of 1 supervisor to 12 staff members.

22 **EXECUTIVE OPERATIONS**

23 Sec. 307. (1) From the money appropriated in part 1 for
24 demonstration projects, \$550,000.00 shall be distributed as
25 provided in subsection (2). The amount distributed under this
26 subsection shall not exceed 50% of the total operating expenses of

1 the program described in subsection (2), with the remaining 50%
2 paid by local United Way organizations and other nonprofit
3 organizations and foundations.

4 (2) Money distributed under subsection (1) shall be
5 distributed to Michigan 2-1-1, a nonprofit corporation organized
6 under the laws of this state that is exempt from federal income tax
7 under section 501(c)(3) of the internal revenue code, 26 USC
8 501(c)(3), and whose mission is to coordinate and support a
9 statewide 2-1-1 system. Michigan 2-1-1 shall use the money only to
10 fulfill the Michigan 2-1-1 business plan adopted by Michigan 2-1-1
11 in January 2005.

12 (3) Michigan 2-1-1 shall report annually to the department and
13 the house and senate standing committees with primary jurisdiction
14 over matters relating to human services and telecommunications on
15 2-1-1 system performance, including, but not limited to, call
16 volume by community health and human service needs and unmet needs
17 identified through caller data and customer satisfaction metrics.

18 Sec. 311. The department shall administer licensing and
19 regulation of licensees with the highest priority given to
20 licensing activities that present the highest risk to vulnerable
21 children or adults receiving services of licensees.

22 **ADULT AND FAMILY SERVICES**

23 Sec. 415. (1) If money becomes available in part 1, the
24 department may contract with independent contractors from various
25 counties, including, but not limited to, faith-based and nonprofit
26 organizations. Preference shall be given to independent contractors

1 that provide at least 10% in matching funds, through any
2 combination of local, state, or federal funds or in-kind or other
3 donations. However, an independent contractor that cannot secure
4 matching funds shall not be excluded from consideration for the
5 fatherhood program.

6 (2) The department may choose providers that will work with
7 counties to help eligible fathers under TANF guidelines to acquire
8 skills that will enable them to increase their responsible behavior
9 toward their children and the mothers of their children. An
10 increase of financial support for their children should be a very
11 high priority as well as emotional support.

12 (3) A fatherhood initiative program established under this
13 section shall minimally include at least 3 of the following
14 components: promoting responsible, caring, and effective parenting
15 through counseling; mentoring and parental education; enhancing the
16 abilities and commitment of unemployed or low-income fathers to
17 provide material support for their families and to avoid or leave
18 welfare programs by assisting them to take advantage of job search
19 programs, job training, and education to improve their work habits
20 and work skills; improving fathers' ability to effectively manage
21 family business affairs by means such as education, counseling, and
22 mentoring in household matters; infant care; effective
23 communication and respect; anger management; children's financial
24 support; and drug-free lifestyle.

25 (4) The department is authorized to make allocations of TANF
26 funds, of not more than 20% per county, under this section only to
27 agencies that report necessary data to the department for the

1 purpose of meeting TANF eligibility reporting requirements.

2 (5) Upon receipt of the promotion of responsible fatherhood
3 funds from the United States department of health and human
4 services, the department shall use the program criteria set forth
5 in subsection (3) to implement the program with the federal funds.

6 Sec. 416. (1) If money becomes available in part 1, the
7 department may contract with independent contractors from various
8 counties, including, but not limited to, faith-based and nonprofit
9 organizations. Preference shall be given to independent contractors
10 that provide at least 10% in matching funds, through any
11 combination of local, state, or federal funds or in-kind or other
12 donations. However, an independent contractor that cannot secure
13 matching funds shall not be excluded from consideration for a
14 marriage initiative program.

15 (2) The department may choose providers to work with counties
16 that will work to support and strengthen marriages of those
17 eligible under the TANF guidelines. The areas of work may include,
18 but are not limited to, marital counseling, domestic violence
19 counseling, family counseling, effective communication, and anger
20 management as well as parenting skills to improve the family
21 structure.

22 (3) A marriage initiative program established under this
23 section may include, but is not limited to, 1 or more of the
24 following: public advertising campaigns on the value of marriage
25 and the skills needed to increase marital stability and health;
26 education in high schools on the value of marriage, relationship
27 skills, and budgeting; premarital, marital, family, and domestic

1 violence counseling; effective communication; marriage mentoring
2 programs which use married couples as role models and mentors in
3 at-risk communities; anger management; and parenting skills to
4 improve the family structure.

5 (4) The department is authorized to make allocations of TANF
6 funds, of not more than 20% per county, under this section only to
7 agencies that report necessary data to the department for the
8 purpose of meeting TANF eligibility reporting requirements.

9 (5) Upon receipt of the healthy marriage promotion grant from
10 the United States department of health and human services, the
11 department shall use the program criteria set forth in subsection
12 (3) to implement the program with the federal funds.

13 Sec. 423. From the money appropriated in part 1 for elder law
14 of Michigan MiCAFE contract, the department shall allocate not less
15 than \$100,000.00 to the elder law of Michigan MiCAFE to assist this
16 state's elderly population to participate in the food assistance
17 program. The money may be used as state matching funds to acquire
18 available United States department of agriculture funding to
19 provide outreach program activities, such as eligibility screen and
20 information services, as part of a statewide food stamp hotline.

21 Sec. 425. The department shall implement administrative
22 efforts, either through policy change or proposed legislation, to
23 reduce waste, fraud, and abuse within the employment support
24 services program, including, but not limited to, revisions to
25 current policy on car repair and car purchase payments.

26 **CHILDREN'S SERVICES**

1 Sec. 501. A goal is established that not more than 35% of all
2 children in foster care at any given time during the current fiscal
3 year will have been in foster care for 24 months or more. During
4 the annual budget presentation, the department shall provide a
5 report describing the steps that will be taken to achieve the
6 specific goal established in this section.

7 Sec. 505. By March 1, 2012, the department and Wayne County
8 shall provide to the senate and house appropriations committees on
9 the department budget and the senate and house fiscal agencies and
10 policy offices a report for youth served in the previous fiscal
11 year and in the first quarter of the current fiscal year outlining
12 the number of youth served within each juvenile justice system, the
13 type of setting for each youth, performance outcomes, and financial
14 costs or savings.

15 Sec. 507. The department's ability to satisfy appropriation
16 deducts in part 1 for foster care private collections shall not be
17 limited to collections and accruals pertaining to services provided
18 only in the current fiscal year but may include revenues collected
19 during the current fiscal year for services provided in prior
20 fiscal years.

21 Sec. 508. (1) In addition to the amount appropriated in part 1
22 for children's trust fund grants, money granted or money received
23 as gifts or donations to the children's trust fund created by 1982
24 PA 249, MCL 21.171 to 21.172, is appropriated for expenditure.

25 (2) The department and the child abuse neglect and prevention
26 board shall collaborate to ensure that administrative delays are
27 avoided and the local grant recipients and direct service providers

1 receive money in an expeditious manner. The department and board
2 shall seek to have the children's trust fund grants distributed no
3 later than October 31 of the current fiscal year.

4 Sec. 513. (1) The department shall not expend money
5 appropriated in part 1 to pay for the direct placement by the
6 department of a child in an out-of-state facility unless all of the
7 following conditions are met:

8 (a) There is no appropriate placement available in this state
9 as determined by the department interstate compact office.

10 (b) An out-of-state placement exists that is nearer to the
11 child's home than the closest appropriate in-state placement as
12 determined by the department interstate compact office.

13 (c) The out-of-state facility meets all of the licensing
14 standards of this state for a comparable facility.

15 (d) The out-of-state facility meets all of the applicable
16 licensing standards of the state in which it is located.

17 (e) The department has done an on-site visit to the out-of-
18 state facility, reviewed the facility records, reviewed licensing
19 records and reports on the facility, and believes that the facility
20 is an appropriate placement for the child.

21 (2) The department shall not expend money for a child placed
22 in an out-of-state facility without approval of the deputy director
23 for children's services. The department shall notify the
24 appropriate state agency in that state including the name of the
25 out-of-state provider who accepted the placement.

26 (3) The department shall submit a report by February 1 of each
27 year on the number of children who were placed in out-of-state

1 facilities during the previous fiscal year, the number of Michigan
2 children residing in such facilities at the time of the report, the
3 total cost and average per diem cost of these out-of-state
4 placements to this state, and a list of each such placement
5 arranged by the Michigan county of residence for each child.

6 Sec. 514. The department shall make a comprehensive report
7 concerning children's protective services (CPS) to the legislature,
8 including the senate and house policy offices and the state budget
9 director, by January 1 of the current fiscal year, that shall
10 include all of the following:

11 (a) Statistical information including, at a minimum, all of
12 the following:

13 (i) The total number of reports of abuse or neglect
14 investigated under the child protection law, 1975 PA 238, MCL
15 722.621 to 722.638, and the number of cases classified under
16 category I or category II and the number of cases classified under
17 category III, category IV, or category V.

18 (ii) Characteristics of perpetrators of abuse or neglect and
19 the child victims, such as age, relationship, race, and ethnicity
20 and whether the perpetrator exposed the child victim to drug
21 activity, including the manufacture of illicit drugs, that exposed
22 the child victim to substance abuse, a drug house, or
23 methamphetamine.

24 (iii) The mandatory reporter category in which the individual
25 who made the report fits, or other categorization if the individual
26 is not within a group required to report under the child protection
27 law, 1975 PA 238, MCL 722.621 to 722.638.

1 (iv) The number of cases that resulted in the separation of the
2 child from the parent or guardian and the period of time of that
3 separation, up to and including termination of parental rights.

4 (v) For the reported complaints of abuse or neglect by
5 teachers, school administrators, and school counselors, the number
6 of cases classified under category I or category II and the number
7 of cases classified under category III, category IV, or category V.

8 (vi) For the reported complaints of abuse or neglect by
9 teachers, school administrators, and school counselors, the number
10 of cases that resulted in separation of the child from the parent
11 or guardian and the period of time of that separation, up to and
12 including termination of parental rights.

13 (b) New policies related to children's protective services
14 including, but not limited to, major policy changes and court
15 decisions affecting the children's protective services system
16 during the immediately preceding 12-month period.

17 (c) The information contained in the report required under
18 section 8d(5) of the child protection law, 1975 PA 238, MCL
19 722.628d, on cases classified under category III.

20 (d) The department policy, or changes to the department
21 policy, regarding children who have been exposed to the production
22 or manufacture of methamphetamines.

23 Sec. 523. (1) By March 15 of the current fiscal year, the
24 department shall report on family preservation programs for which
25 money is appropriated in part 1 to the senate and house
26 appropriations subcommittees on the department budget. The report
27 shall contain all of the following for each program:

1 (a) The average cost per recipient served.

2 (b) Measurable performance indicators.

3 (c) Desired outcomes or results and goals that can be measured
4 on an annual basis, or desired results for a defined number of
5 years.

6 (d) Monitored results.

7 (e) Innovations that may include savings or reductions in
8 administrative costs.

9 (2) If money becomes available in part 1 for youth in
10 transition and domestic violence prevention and treatment, the
11 department is authorized to make allocations of TANF funds only to
12 agencies that report necessary data to the department for the
13 purpose of meeting TANF eligibility reporting requirements.

14 Sec. 532. (1) The department, in collaboration with
15 representatives of private child and family agencies, shall revise
16 and improve the annual licensing review process and the annual
17 contract compliance review process for child placing agencies and
18 child caring institutions. The improvement goals shall be safety
19 and care for children. Improvements to the review process shall be
20 directed toward alleviating administrative burdens so that agency
21 resources may be focused on children. The revision shall include
22 identification of duplicative staff activities and information
23 sought from child placing agencies and child caring institutions in
24 the annual review process. The department shall report to the
25 senate and house appropriations subcommittees on the department
26 budget, the senate and house fiscal agencies and policy offices,
27 and the state budget director on or before January 15 of the

1 current fiscal year on the findings of the annual licensing review.

2 (2) The department shall conduct licensing reviews no more
3 than once every 2 years for child placing agencies and child caring
4 institutions that are nationally accredited and have no outstanding
5 violations.

6 Sec. 533. (1) The department shall make payments to child
7 placing facilities for out-of-home care services within 30 days of
8 receiving all necessary documentation from those agencies.

9 (2) The department shall explore various types of automated
10 payments to private nonprofit child placing facilities to improve
11 speed and accuracy of payments.

12 (3) The department shall provide a report on the activities
13 under this section by October 1, 2012.

14 Sec. 536. (1) The department shall place all children within
15 their own county or within a 75-mile radius of the home from which
16 the child entered custody, whichever is greater, unless 1 or more
17 of the following applies:

18 (a) The child's needs are so exceptional that they cannot be
19 met by a family or facility within the county or 75-mile radius.

20 (b) The child needs re-placement and the child's permanency
21 goal is to be returned to his or her parents who at the time reside
22 out of the county or 75-mile radius.

23 (c) The child is to be placed with a relative out of the
24 county or 75-mile radius.

25 (d) The child is to be placed in an appropriate preadoptive or
26 adoptive home that is out of the county or 75-mile radius.

27 (2) If placement outside the county or 75-mile radius is made,

1 either of the following applies:

2 (a) In a "designated county", as defined in section IV.A.3 of
3 the children's rights settlement agreement, the county
4 administrator of children's services shall be specifically required
5 to certify the circumstances supporting the placement in writing,
6 based on his or her own examination of the circumstances and the
7 child's needs and best interests.

8 (b) In any other county, the children's services field manager
9 shall be specifically required to certify the circumstances
10 supporting the placement in writing, based on his or her own
11 examination of the circumstances and the child's needs and best
12 interests.

13 Sec. 537. The department, in collaboration with child placing
14 agencies, shall develop a strategy to implement section 115o of the
15 social welfare act, 1939 PA 280, MCL 400.115o. The strategy shall
16 include a requirement that a department caseworker responsible for
17 preparing a recommendation to a court concerning a juvenile
18 placement shall provide, as part of the recommendation, information
19 regarding the requirements of section 115o of the social welfare
20 act, 1939 PA 280, MCL 400.115o.

21 Sec. 539. The department shall work in collaboration with
22 representatives from child placing agencies to ensure appropriate
23 placement for children who have been adjudicated abused, neglected,
24 or delinquent and for whom residential treatment is required. The
25 department and the representatives from the child placing agencies
26 shall focus on statewide placement criteria to address the best
27 interests of the child in need of services. The placement criteria

1 shall include a continuum of care settings and options as
2 appropriate for each child and his or her needs at specific times,
3 including home placements, relative placements, shelter placements,
4 and other options.

5 Sec. 546. (1) From the money appropriated in part 1 for foster
6 care payments and from child care fund, the department shall pay
7 providers of foster care services not less than a \$37.00
8 administrative rate.

9 (2) From the funds appropriated in part 1 for foster care
10 payments and from child care fund, the department shall pay
11 providers of general independent living services not less than a
12 \$28.00 administrative rate. For specialized independent living
13 services, the administrative rate paid shall be reduced by 50% of
14 the difference between the general independent living
15 administrative rate and the specialized independent living rate
16 paid in the fiscal year ending September 30, 2009.

17 Sec. 556. (1) The department shall submit a quarterly report
18 by February 1, May 1, August 1, and November 1 of each fiscal year
19 to the chairpersons of the senate and house appropriations
20 committees, the senate and house fiscal agencies, and the senate
21 and house policy offices that includes all of the following:

22 (a) A description of how the department is complying with
23 federal requirements to notify prospective adoptive parents about
24 adoption subsidies for which those prospective adoptive parents may
25 qualify.

26 (b) The number of requests received by the department from
27 adoptive parents for money or reimbursement of costs to attend

1 conferences that include training or discussion of significant
2 adoption issues, the proportion of these requests approved by the
3 department, and the total annual expenditure for approved requests.

4 (c) The number of fair hearing requests from adoptive parents
5 received by the department challenging the amount of the adoption
6 subsidy, broken down by the stated reason for the challenge.

7 (d) The number of adoption subsidy payments suspended when the
8 child is still in the custody of the adoptive parent, but no longer
9 in the physical care of the adoptive parent.

10 (2) From the money appropriated in part 1 for adoption
11 subsidies, \$4,250,000.00 in state general fund/general purpose
12 revenues shall not be expended until the department provides
13 proposed legislation to the senate and house standing committees
14 with primary jurisdiction over matters relating to human services,
15 the senate and house appropriations subcommittees on the department
16 budget, senate and house fiscal agencies, and senate and house
17 policy offices that would allow adoptive parents up to 1 year after
18 an adoption has been finalized to submit a request to revise the
19 determination of care supplement for an adopted child who has
20 previously existing special needs or request a new determination.

21 (3) The department shall provide an annual report to the
22 subcommittees of the senate and house appropriation committees on
23 the department budget with the number of complaints filed by
24 adoptive parents who were not notified that their adopted child had
25 special needs.

26 Sec. 570. From the money appropriated in part 1 for the
27 guardianship assistance program, the department shall provide

1 assistance under this program to children who are eligible under
2 section 3 of the guardianship assistance act, 2008 PA 260, MCL
3 722.873.

4 Sec. 574. (1) From the money appropriated in part 1 for foster
5 care payments, \$2,500,000.00 is allocated to support contracts with
6 child placing agencies to facilitate the licensure of relative
7 caregivers as foster parents. Agencies shall receive \$2,300.00 for
8 each facilitated licensure. The agency facilitating the licensure
9 would retain the placement and continue to provide case management
10 services for at least 50% of the newly licensed cases for which the
11 placement was appropriate to the agency. Up to 50% of the newly
12 licensed cases would have direct foster care services provided by
13 the department.

14 (2) From the money appropriated for foster care payments,
15 \$375,000.00 is allocated to support family incentive grants to
16 private and community-based foster care service providers to assist
17 with home improvements or payment for physical exams for applicants
18 needed by foster families to accommodate foster children.

19 Sec. 578. The department and child placing agencies shall
20 utilize a standardized assessment tool to ensure greater
21 cooperation between the department and the department of community
22 health and to measure the mental health treatment needs of every
23 child supervised by the department. The department shall use the
24 results of this assessment process to determine the best placement
25 and the best mental health services to be provided for the child
26 while under department supervision.

27 Sec. 580. The department and the department of community

1 health shall initiate efforts to identify mental health programs
2 and activities where the services of the 2 departments overlap, or
3 are uncoordinated. The goal shall be to provide adequate and stable
4 mental health services which address the need of the individual
5 child without duplicative, confusing, or needlessly complex
6 services. The department shall report on these coordination efforts
7 with the department of community health during the annual budget
8 presentations to the senate and house appropriations subcommittees
9 with jurisdiction over the department budget.

10 Sec. 583. By February 1 of the current fiscal year, the
11 department, in conjunction with the legislature, shall carry out a
12 work group to determine what caused individuals participating as
13 foster parents during the previous fiscal year to drop out of the
14 program. The department shall provide to the senate and house
15 appropriations subcommittees on the department budget, the senate
16 and house standing committees on families and human services, and
17 the senate and house fiscal agencies and policy offices a report
18 detailing the work group findings as well as the number of
19 individuals participating as foster parents during the previous
20 fiscal year who dropped out of the program.

21 Sec. 585. (1) The department shall allow private nationally
22 accredited foster care and adoption agencies to conduct their own
23 staff training, based on current department policies and
24 procedures, provided that the agency trainer and training materials
25 are accredited by the department and that the agency documents to
26 the department that the training was provided. The department shall
27 provide access to any training materials requested by the private

1 agencies to facilitate this training.

2 (2) By November 1, 2012, the department shall post on the
3 department's website a list of all relevant departmental training
4 materials available to private child placing agencies that are
5 allowed to conduct their own training in accordance with this
6 section. The department shall also provide to private child placing
7 agencies that are allowed to conduct their own training any updated
8 training materials as they become available.

9 Sec. 588. (1) Concurrent with public release, the department
10 shall transmit all reports from the court-appointed settlement
11 monitor, including, but not limited to, the needs assessment and
12 period outcome reporting, to the state budget office, the senate
13 and house appropriations subcommittees on the department budget,
14 and the senate and house fiscal agencies, without revision.

15 (2) The department shall report monthly to the state budget
16 office, the senate and house appropriations subcommittees on the
17 department budget, and the senate and house fiscal agencies, on the
18 number of children enrolled in the guardianship assistance and
19 foster care - children with serious emotional disturbance waiver
20 programs.

21 Sec. 589. From the money appropriated in part 1 to facilitate
22 the transfer of foster care cases currently under department
23 supervision from department supervision to private child placing
24 agency supervision, the department shall not transfer any foster
25 care cases that require a county contribution to the private agency
26 administrative rate.

1 PUBLIC ASSISTANCE

2 Sec. 601. Whenever a client agrees to the release of his or
3 her name and address to the local housing authority, the department
4 shall request from the local housing authority information
5 regarding whether the housing unit for which vendoring has been
6 requested meets applicable local housing codes. Vendoring shall be
7 terminated for those units that the local authority indicates in
8 writing do not meet local housing codes until such time as the
9 local authority indicates in writing that local housing codes have
10 been met.

11 Sec. 603. (1) The department, as it determines is appropriate,
12 shall enter into agreements with energy providers by which cash
13 assistance recipients and the energy providers agree to permit the
14 department to make direct payments to the energy providers on
15 behalf of the recipient. The payments may include heat and electric
16 payment requirements from recipient grants and amounts in excess of
17 the payment requirements.

18 (2) The department shall establish caps for natural gas, wood,
19 electric heat service, deliverable fuel heat services, and for
20 electric service based on available federal funds.

21 (3) The department shall review and adjust the standard
22 utility allowance for the state food assistance program to ensure
23 that it reflects current energy costs in the state.

24 (4) Payments under this section shall be made directly to
25 service providers and not to the individuals who are receiving the
26 assistance.

27 Sec. 604. (1) The department shall operate a state disability

1 assistance program. Except as provided in subsection (3), persons
2 eligible for this program shall include needy citizens of the
3 United States or aliens exempted from the supplemental security
4 income citizenship requirement who are at least 18 years of age or
5 emancipated minors meeting 1 or more of the following requirements:

6 (a) A recipient of supplemental security income, social
7 security, or medical assistance due to disability or 65 years of
8 age or older.

9 (b) A person with a physical or mental impairment which meets
10 federal supplemental security income disability standards, except
11 that the minimum duration of the disability shall be 90 days.
12 Substance abuse alone is not defined as a basis for eligibility.

13 (c) A resident of an adult foster care facility, a home for
14 the aged, a county infirmary, or a substance abuse treatment
15 center.

16 (d) A person receiving 30-day postresidential substance abuse
17 treatment.

18 (e) A person diagnosed as having acquired immunodeficiency
19 syndrome.

20 (f) A person receiving special education services through the
21 local intermediate school district.

22 (g) A caretaker of a disabled person who meets the
23 requirements specified in subdivision (a), (b), (e), or (f).

24 (2) Applicants for and recipients of the state disability
25 assistance program shall be considered needy if they:

26 (a) Meet the same asset test as is applied for the family
27 independence program.

1 (b) Have a monthly budgetable income that is less than the
2 payment standards.

3 (3) Except for a person described in subsection (1)(c) or (d),
4 a person is not disabled for purposes of this section if his or her
5 drug addiction or alcoholism is a contributing factor material to
6 the determination of disability. "Material to the determination of
7 disability" means that, if the person stopped using drugs or
8 alcohol, his or her remaining physical or mental limitations would
9 not be disabling. If his or her remaining physical or mental
10 limitations would be disabling, then the drug addiction or
11 alcoholism is not material to the determination of disability and
12 the person may receive state disability assistance. Such a person
13 must actively participate in a substance abuse treatment program,
14 and the assistance must be paid to a third party or through vendor
15 payments. For purposes of this section, substance abuse treatment
16 includes receipt of inpatient or outpatient services or
17 participation in alcoholics anonymous or a similar program.

18 (4) A refugee or asylee who loses his or her eligibility for
19 the federal supplemental security income program by virtue of
20 exceeding the maximum time limit for eligibility as delineated in 8
21 USC 1612 and who otherwise meets the eligibility criteria under
22 this section shall be eligible to receive benefits under the state
23 disability assistance program.

24 Sec. 605. The level of reimbursement provided to state
25 disability assistance recipients in licensed adult foster care
26 facilities shall be the same as the prevailing supplemental
27 security income rate under the personal care category.

1 Sec. 606. County department offices shall require each
2 recipient of family independence program and state disability
3 assistance who has applied with the social security administration
4 for supplemental security income to sign a contract to repay any
5 assistance rendered through the family independence program or
6 state disability assistance program upon receipt of retroactive
7 supplemental security income benefits.

8 Sec. 607. (1) The department's ability to satisfy
9 appropriation deductions in part 1 for state disability
10 assistance/supplemental security income recoveries and public
11 assistance recoupment revenues shall not be limited to recoveries
12 and accruals pertaining to state disability assistance, or family
13 independence assistance grant payments provided only in the current
14 fiscal year, but may include revenues collected during the current
15 year that are prior year related and not a part of the department's
16 accrued entries.

17 (2) The department may use supplemental security income
18 recoveries to satisfy the deduct in any line in which the revenues
19 are appropriated, regardless of the source from which the revenue
20 is recovered.

21 Sec. 608. Adult foster care facilities providing domiciliary
22 care or personal care to residents receiving supplemental security
23 income or homes for the aged serving residents receiving
24 supplemental security income shall not require those residents to
25 reimburse the home or facility for care at rates in excess of those
26 legislatively authorized. To the extent permitted by federal law,
27 adult foster care facilities and homes for the aged serving

1 residents receiving supplemental security income shall not be
2 prohibited from accepting third-party payments in addition to
3 supplemental security income provided that the payments are not for
4 food, clothing, shelter, or result in a reduction in the
5 recipient's supplemental security income payment.

6 Sec. 609. The state supplementation level under the
7 supplemental security income program for the personal care/adult
8 foster care and home for the aged categories shall not be reduced
9 during the current fiscal year. The legislature shall be notified
10 not less than 30 days before any proposed reduction in the state
11 supplementation level.

12 Sec. 610. (1) In developing good cause criteria for the state
13 emergency relief program, the department shall grant exemptions if
14 the emergency resulted from unexpected expenses related to
15 maintaining or securing employment.

16 (2) For purposes of determining housing affordability
17 eligibility for state emergency relief, a group is considered to
18 have sufficient income to meet ongoing housing expenses if their
19 total housing obligation does not exceed 75% of their total net
20 income.

21 (3) State emergency relief payments shall not be made to
22 individuals who have been found guilty of fraud in regard to
23 obtaining public assistance.

24 (4) State emergency relief payments shall not be made
25 available to persons who are out-of-state residents or illegal
26 immigrants.

27 (5) State emergency relief payments for rent assistance shall

1 be distributed directly to landlords and shall not be added to
2 Michigan bridge cards.

3 Sec. 613. The department shall provide reimbursements for the
4 final disposition of indigent persons if the deceased's remains
5 have not been claimed by a person having the right to control the
6 disposition of the body regardless of whether there is no person
7 with that right, the person cannot be located, or the person fails
8 or refuses to exercise that right. The maximum allowable
9 reimbursement for the final disposition shall be \$800.00. In
10 addition, reimbursement for a cremation permit fee of up to \$75.00
11 and for mileage at the standard rate will also be made available
12 for an eligible cremation. The reimbursements under this section
13 shall be used for disposal by cremation unless the deceased's
14 expressed religious preference prohibits cremation.

15 Sec. 614. The funds available in part 1 for burial services
16 shall be available if the deceased was an eligible recipient and an
17 application for emergency relief funds was made within 10 business
18 days of the burial or cremation of the deceased person. Each
19 provider of burial services shall be paid directly by the
20 department.

21 Sec. 615. Except as required by federal law or regulations,
22 funds appropriated in part 1 shall not be used to provide public
23 assistance to a person who is an illegal alien. This section shall
24 not prohibit the department from entering into contracts with food
25 banks, emergency shelter providers, or other human services
26 agencies who may, as a normal part of doing business, provide food
27 or emergency shelter.

1 Sec. 619. (1) Subject to subsection (2), the department shall
2 exempt from the denial of title IV-A assistance and food assistance
3 benefits under 21 USC 862a any individual who has been convicted of
4 a felony that included the possession, use, or distribution of a
5 controlled substance, after August 22, 1996, provided that the
6 individual is not in violation of his or her probation or parole
7 requirements. Benefits shall be provided to such individuals as
8 follows:

9 (a) A third-party payee or vendor shall be required for any
10 cash benefits provided.

11 (b) An authorized representative shall be required for food
12 assistance receipt.

13 (2) Subject to federal approval, an individual is not entitled
14 to the exemption in this section if the individual was convicted in
15 2 or more separate cases of a felony that included the possession,
16 use, or distribution of a controlled substance after August 22,
17 1996.

18 Sec. 620. The department shall establish a work group to
19 explore if privatization of Medicaid eligibility determination
20 would lead to increased efficiencies and budgetary savings. The
21 work group shall include, but not be limited to, the department and
22 members of the legislature.

23 Sec. 643. As a condition of receipt of federal TANF funds,
24 homeless shelters and human services agencies shall collaborate
25 with the department to obtain necessary TANF eligibility
26 information on families as soon as possible after admitting a
27 family to the homeless shelter. From the funds appropriated in part

1 1 for homeless programs, the department is authorized to make
2 allocations of TANF funds only to the agencies that report
3 necessary data to the department for the purpose of meeting TANF
4 eligibility reporting requirements. Homeless shelters or human
5 services agencies that do not report necessary data to the
6 department for the purpose of meeting TANF eligibility reporting
7 requirements will not receive reimbursements which exceed the per
8 diem amount they received in fiscal year 2000. The use of TANF
9 funds under this section should not be considered an ongoing
10 commitment of funding.

11 Sec. 644. The department shall prioritize the money
12 appropriated in part 1 for homeless programs to support regional
13 homeless shelters that offer wraparound services in cases where
14 shelters have a lower cost per night than an alternative emergency
15 shelter.

16 Sec. 645. An individual or family is considered homeless, for
17 purposes of eligibility for state emergency relief, if living
18 temporarily with others in order to escape domestic violence. For
19 purposes of this section, domestic violence is defined and verified
20 in the same manner as in the department's policies on good cause
21 for not cooperating with child support and paternity requirements.

22 Sec. 653. From the funds appropriated in part 1 for food
23 assistance, an individual who is the victim of domestic violence
24 and does not qualify for any other exemption may be exempt from the
25 3-month in 36-month limit on receiving food assistance under 7 USC
26 2015. This exemption can be extended an additional 3 months upon
27 demonstration of continuing need.

1 Sec. 660. From the funds appropriated in part 1 for food bank
2 funding, the department is authorized to make allocations of TANF
3 funds only to the agencies that report necessary data to the
4 department for the purpose of meeting TANF eligibility reporting
5 requirements. The agencies that do not report necessary data to the
6 department for the purpose of meeting TANF eligibility reporting
7 requirements will not receive allocations in excess of those
8 received in fiscal year 2000. The use of TANF funds under this
9 section should not be considered an ongoing commitment of funding.

10 Sec. 669. The department shall allocate up to \$2,880,000.00
11 for the annual clothing allowance. The allowance shall be granted
12 to all eligible children in a family independence program group
13 that does not include an adult.

14 Sec. 670. By March 1 of the current fiscal year, the
15 department shall submit a report to the house and senate
16 subcommittees on the department budget and house and senate fiscal
17 agencies and policy offices regarding child development and care
18 program activities in the previous fiscal year. The report shall
19 include the following:

20 (a) The amount of child care payments made by the parents for
21 child care charges, by provider type, not paid by the department's
22 child development and care subsidy.

23 (b) The number of enrolled child care providers with a
24 reported annual household income of \$15,000.00 or less.

25 (c) The number of enrolled child care providers with a
26 reported annual household income of more than \$15,000.00 but not
27 more than \$25,000.00.

1 (d) The number of enrolled child care providers with a
2 reported annual household income of more than \$25,000.00 but not
3 more than \$35,000.00.

4 (e) The number of enrolled child care providers with a
5 reported annual household income of more than \$35,000.00.

6 Sec. 672. (1) The department's office of inspector general
7 shall report to the senate and house of representatives
8 appropriations subcommittees on the department budget, the senate
9 and house fiscal agencies, and the senate and house policy offices
10 by May 1 of the current fiscal year on department efforts to reduce
11 inappropriate use of Michigan bridge cards. The department shall
12 provide information on the number of recipients of services who
13 used their electronic benefit transfer card inappropriately and the
14 current status of each case.

15 (2) As used in this section, "inappropriate use" means not
16 used to meet a family's ongoing basic needs, including food,
17 clothing, shelter, utilities, household goods, personal care items,
18 and general incidentals.

19 Sec. 673. (1) The department shall immediately send
20 notification to a client participating in the state child
21 development and care program and his or her child care provider if
22 the client's eligibility is reduced or eliminated.

23 (2) If the department fails to notify a provider as required
24 by subsection (1), the department shall continue to pay for
25 services by the provider to the day of the notice.

26 (3) By March 1 of the current fiscal year, the department
27 shall submit a report to the senate and house appropriations

1 subcommittees for the department budget and the senate and house
2 fiscal agencies and policy offices on any additional expenditures
3 paid to child care providers as a result of the requirements in
4 subsection (2).

5 Sec. 677. The department shall establish a state goal for the
6 percentage of family independence program (FIP) cases involved in
7 employment activities. The percentage established shall not be less
8 than 50%. On a quarterly basis, the department shall report to the
9 senate and house appropriations subcommittees on the department
10 budget, the senate and house fiscal agencies and policy offices,
11 and the state budget director on the current percentage of FIP
12 cases involved in JET employment activities and an estimate of the
13 current percentage of FIP cases that meet federal work
14 participation requirements. If the FIP case percentage is below the
15 goal for more than 2 consecutive quarters, the department shall
16 develop a plan to increase the percentage of FIP cases involved in
17 employment-related activities. The department shall deliver the
18 plan during the next annual budget presentation to the senate and
19 house appropriations subcommittees on the department budget.

20 Sec. 680. (1) It is the intent of the legislature that the
21 department achieve \$10,000,000.00 in savings through the child
22 development and care program by revising the maximum number of
23 reimbursable hours per recipient.

24 (2) It is the intent of the legislature that the department
25 achieve \$5,000,000.00 in savings through the child development and
26 care program by improving the error rates for income verification
27 and income eligibility.

1 Sec. 686. (1) The department shall ensure that program policy
2 requires caseworkers to confirm that individuals presenting
3 personal identification issued by another state seeking assistance
4 through the family independence program, food assistance program,
5 state disability assistance program, or medical assistance program
6 are not receiving benefits from any other state.

7 (2) The department shall require caseworkers to confirm the
8 address provided by any individual seeking family independence
9 program benefits or state disability assistance benefits.

10 (3) The department shall prohibit individuals with property
11 assets assessed at a value higher than \$500,000.00 from accessing
12 assistance through department-administered programs, unless such a
13 prohibition would violate federal rules and guidelines.

14 (4) The department shall require caseworkers to obtain an up-
15 to-date telephone number during the eligibility determination or
16 redetermination process for individuals seeking medical assistance
17 benefits. On a monthly basis, the department shall provide the
18 department of community health an updated list of telephone numbers
19 for medical assistance recipients.

20 Sec. 696. From the money appropriated in part 1, the
21 department shall allocate \$100,000.00 to the Chaldean community
22 foundation. This money shall be utilized to provide translation
23 services, health care services, youth tutoring and mentoring
24 programs, and refugee resettlement services.

25 **JUVENILE JUSTICE SERVICES**

26 Sec. 706. Counties shall be subject to 50% chargeback for the

1 use of alternative regional detention services, if those detention
2 services do not fall under the basic provision of section 117e of
3 the social welfare act, 1939 PA 280, MCL 400.117e, or if a county
4 operates those detention services programs primarily with
5 professional rather than volunteer staff.

6 Sec. 707. In order to be reimbursed for child care fund
7 expenditures, counties are required to submit department-developed
8 reports to enable the department to document potential federally
9 claimable expenditures. This requirement is in accordance with the
10 reporting requirements specified in section 117a(7) of the social
11 welfare act, 1939 PA 280, MCL 400.117a.

12 Sec. 708. (1) As a condition of receiving money appropriated
13 in part 1 for the child care fund line item, by December 15 of the
14 current fiscal year, counties shall have an approved service
15 spending plan for the current fiscal year. Counties must submit the
16 service spending plan to the department by October 1 of the current
17 fiscal year for approval. The department shall approve within 30
18 calendar days after receipt a properly completed service plan that
19 complies with the requirements of the social welfare act, 1939 PA
20 280, MCL 400.1 to 400.119b.

21 (2) The department shall provide a report on the number of
22 counties that fail to submit a service spending plan by October 1
23 of the current fiscal year. The report shall be submitted to the
24 house and senate appropriations subcommittees on the department
25 budget, the house and senate fiscal agencies, and the house and
26 senate policy offices by December 15 of the current fiscal year.

27 Sec. 710. The department, the county of Wayne, and the third

1 circuit court may rewrite the memorandum of understanding (MOU)
2 that permits the county of Wayne to manage its juvenile justice
3 system so that the MOU takes into account all interested parties,
4 including, but not limited to, the legislature.

5 Sec. 717. (1) The department shall contract using private
6 revenues with the Michigan public health institute to conduct a
7 behavioral health study of juvenile justice facilities operated or
8 contracted for by the state. The study shall utilize diagnostic
9 clinical interviews with and records reviews for a representative
10 random sample of juvenile justice system detainees to develop a
11 report on each of the following:

12 (a) The proportion of juvenile justice detainees with a
13 primary diagnosis of emotional disorder, the percentage of those
14 detainees considered to currently require mental health treatment,
15 and the proportion of those detainees currently receiving mental
16 health services, including a description and breakdown,
17 encompassing, at a minimum, the categories of inpatient,
18 residential, and outpatient care, of the type of mental health
19 services provided to those detainees.

20 (b) The proportion of juvenile justice detainees with a
21 primary diagnosis of addiction disorder, the percentage of those
22 detainees considered to currently require substance abuse
23 treatment, and the proportion of those detainees currently
24 receiving substance abuse services, including a description and
25 breakdown, encompassing, at a minimum, the categories of
26 residential and outpatient care, of the type of substance abuse
27 services provided to those detainees.

1 (c) The proportion of juvenile justice detainees with a dual
2 diagnosis of emotional disorder and addiction disorder, the
3 percentage of those detainees considered to currently require
4 treatment for their condition, and the proportion of those
5 detainees currently receiving that treatment, including a
6 description and breakdown, encompassing, at a minimum, the
7 categories of mental health inpatient, mental health residential,
8 mental health outpatient, substance abuse residential, and
9 substance abuse outpatient, of the type of treatment provided to
10 those detainees.

11 (d) Data indicating whether juvenile justice detainees with a
12 primary diagnosis of emotional disorder, a primary diagnosis of
13 addiction disorder, and a dual diagnosis of emotional disorder and
14 addiction disorder were previously hospitalized in a state
15 psychiatric hospital for persons with mental illness. These data
16 shall be broken down according to each of these 3 respective
17 categories.

18 (e) Data indicating whether and with what frequency juvenile
19 justice detainees with a primary diagnosis of emotional disorder, a
20 primary diagnosis of addiction disorder, and a dual diagnosis of
21 emotional disorder and addiction disorder have been detained
22 previously. These data shall be broken down according to each of
23 these 3 respective categories.

24 (f) Data classifying the types of offenses historically
25 committed by juvenile justice detainees with a primary diagnosis of
26 emotional disorder, a primary diagnosis of addiction disorder, and
27 a dual diagnosis of emotional disorder and addiction disorder.

1 These data shall be broken down according to each of these 3
2 respective categories.

3 (g) Data indicating whether juvenile justice detainees have
4 previously received services managed by a community mental health
5 program or substance abuse coordinating agency. These data shall be
6 broken down according to the respective categories of detainees
7 with a primary diagnosis of emotional disorder, a primary diagnosis
8 of addiction disorder, and a dual diagnosis of emotional disorder
9 and addiction disorder.

10 (2) The report referenced under subsection (1) would be
11 provided not later than June 30 of the current fiscal year to the
12 senate and house appropriations subcommittees on human services,
13 the senate and house fiscal agencies and policy offices, and the
14 state budget director.

15 Sec. 719. The department shall notify the legislature at least
16 30 days before closing or making any change in the status,
17 including the licensed bed capacity and operating bed capacity, of
18 a state juvenile justice facility.

19 Sec. 724. The department shall establish a work group to study
20 the feasibility of contracting out the juvenile justice secure
21 treatment beds for males and females operated by the department's
22 bureau of juvenile justice to private nonprofit child caring
23 institutions that are nationally accredited and licensed in this
24 state. The work group shall include, but not be limited to, the
25 department, members of the house and senate appropriations
26 subcommittees on the department budget, and representatives of 2
27 statewide organizations whose members consist of private nonprofit

1 child caring institutions.

2 **LOCAL OFFICE SERVICES**

3 Sec. 750. The department shall maintain out-stationed
4 eligibility specialists in community-based organizations, community
5 mental health agencies, nursing homes, and hospitals unless a
6 community-based organization, community mental health agency,
7 nursing home, or hospital requests that the program be discontinued
8 at its facility.

9 Sec. 753. By January 1, 2012, the department shall implement
10 the recommendations of the 2004 public private partnership
11 initiative's training committee to define, design, and implement a
12 train-the-trainer program to certify private agency staff to
13 deliver child welfare staff training, explore the use of e-learning
14 technologies, and include consumers in the design and
15 implementation of training. The intent of the legislature is to
16 reduce training and travel costs for both the department and the
17 private agencies. The department shall report no later than
18 December 1 of the current fiscal year on each specific policy
19 change made to implement enacted legislation and the plans to
20 implement the recommendations, including timelines, to the senate
21 and house appropriations subcommittees on the department budget,
22 the senate and house standing committees on human services matters,
23 the senate and house fiscal agencies and policy offices, and the
24 state budget director.

25 **CHILD SUPPORT ENFORCEMENT**

1 Sec. 901. (1) The appropriations in part 1 assume a total
2 federal child support incentive payment of \$26,500,000.00.

3 (2) From the federal money received for child support
4 incentive payments, \$12,000,000.00 shall be retained by the state
5 and expended for child support program expenses.

6 (3) From the federal money received for child support
7 incentive payments, \$14,500,000.00 shall be paid to the counties
8 based on each county's performance level for each of the federal
9 performance measures as established in 45 CFR 305.2.

10 (4) If the child support incentive payment to the state from
11 the federal government is greater than \$26,500,000.00, then 100% of
12 the excess shall be retained by the state and is appropriated until
13 the total retained by the state reaches \$15,397,400.00.

14 (5) If the child support incentive payment to the state from
15 the federal government is greater than the amount needed to satisfy
16 the provisions identified in subsections (1), (2), (3), and (4),
17 the additional funds shall be subject to appropriation by the
18 legislature.

19 (6) If the child support incentive payment to the state from
20 the federal government is less than \$26,500,000.00, then the state
21 and county share shall each be reduced by 50% of the shortfall.

22 Sec. 909. (1) If statewide retained child support collections
23 exceed \$38,300,000.00, 75% of the amount in excess of
24 \$38,300,000.00 is appropriated to legal support contracts. This
25 excess appropriation may be distributed to eligible counties to
26 supplement and not supplant county title IV-D funding.

27 (2) Each county whose retained child support collections in

1 the current fiscal year exceed its fiscal year 2004-2005 retained
2 child support collections, excluding tax offset and financial
3 institution data match collections in both the current year and
4 fiscal year 2004-2005, shall receive its proportional share of the
5 75% excess.

6 Sec. 910. (1) If title IV-D-related child support collections
7 are escheated, the state budget director is authorized to adjust
8 the sources of financing for the funds appropriated in part 1 for
9 legal support contracts to reduce federal authorization by 66% of
10 the escheated amount and increase general fund/general purpose
11 authorization by the same amount. This budget adjustment is
12 required to offset the loss of federal revenue due to the escheated
13 amount being counted as title IV-D program income in accordance
14 with federal regulations at 45 CFR 304.50.

15 (2) The department shall notify the chairs of the house and
16 senate appropriations subcommittees on the department budget and
17 the house and senate fiscal agencies within 15 days of the
18 authorization adjustment in subsection (1).

19 **COMMUNITY ACTION AND ECONOMIC OPPORTUNITY**

20 Sec. 1103. (1) The department shall establish a work group to
21 develop a more efficient way to administer state emergency relief,
22 low income home energy assistance program, and weatherization. The
23 work group shall include, but not be limited to, the department and
24 members of the legislature.

25 (2) By April 1, 2012, the department shall report to the
26 senate and house appropriations subcommittees on the department

1 budget, the senate and house fiscal agencies, and the senate and
2 house policy offices on the findings of the work group established
3 in subsection (1).

4 Sec. 1105. The department shall report to the house and senate
5 appropriations subcommittees on the department budget, the house
6 and senate fiscal agencies, the house and senate policy offices,
7 and the state budget office by February 1 of the current fiscal
8 year on the number of homes, the approximate value of each home,
9 and the square footage of each home weatherized through the
10 appropriations in section 104 during the preceding quarter of the
11 calendar year.

12 PART 2A

13 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

14 FOR FISCAL YEAR 2012-2013

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, 2013 for
18 the line items listed in part 1. The fiscal year 2012-2013
19 appropriations are anticipated to be the same as those for fiscal
20 year 2011-2012, except that the line items will be adjusted for
21 changes in caseload and related costs, federal fund match rates,
22 economic factors, and available revenue. These adjustments will be
23 determined after the January 2012 consensus revenue estimating
24 conference.

ARTICLE XI

JUDICIARY

PART 1

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

Sec. 101. Subject to the conditions set forth in this article, the amounts listed in this part are appropriated for the judicial branch for the fiscal year ending September 30, 2012, from the funds indicated in this part. The following is a summary of the appropriations in this part:

JUDICIARY

APPROPRIATION SUMMARY

Full-time equated exempted positions..... 491.0

GROSS APPROPRIATION..... \$ 256,973,200

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental transfers 3,573,500

ADJUSTED GROSS APPROPRIATION..... \$ 253,399,700

Federal revenues:

Total federal revenues..... 5,539,500

Special revenue funds:

Total local revenues..... 6,342,700

Total private revenues..... 842,500

Total other state restricted revenues..... 88,140,700

State general fund/general purpose..... \$ 152,534,300

Sec. 102. SUPREME COURT

Full-time equated exempted positions..... 243.0

1	Supreme court administration--97.0 FTE positions	\$	11,184,900
2	Judicial institute--13.0 FTE positions		1,979,000
3	State court administrative office--60.0 FTE positions		10,548,900
4	Judicial information systems--22.0 FTE positions		3,174,700
5	Direct trial court automation support--36.0 FTE		
6	positions		6,342,700
7	Foster care review board--12.0 FTE positions		1,289,800
8	Community dispute resolution--3.0 FTE positions		2,335,500
9	Other federal grants		275,100
10	Drug treatment courts		7,133,000
11	Community court pilot project		<u>20,000</u>
12	GROSS APPROPRIATION	\$	44,283,600
13	Appropriated from:		
14	Interdepartmental grant revenues:		
15	IDG from department of state police		1,800,000
16	IDG from department of corrections		1,050,000
17	IDG from state police - Michigan justice training fund		300,000
18	Federal revenues:		
19	DOJ, victims assistance programs		50,000
20	DOJ, drug court training and evaluation		300,000
21	DOT, national highway traffic safety administration ..		1,300,000
22	HHS, access and visitation grant		550,000
23	HHS, children's justice grant		206,300
24	HHS, court improvement project		1,160,000
25	HHS, title IV-D child support program		907,700
26	HHS, title IV-E foster care program		540,400
27	Other federal grant revenues		275,100

1	Special revenue funds:	
2	Local - user fees.....	6,342,700
3	Private.....	169,000
4	Private - interest on lawyers trust accounts.....	232,700
5	Private - state justice institute.....	370,800
6	Community dispute resolution fund.....	2,335,500
7	Law exam fees.....	536,200
8	Drug court fund.....	1,920,500
9	Miscellaneous revenue.....	227,900
10	Justice system fund.....	700,000
11	State court fund.....	339,000
12	State general fund/general purpose.....	\$ 22,669,800
13	Sec. 103. COURT OF APPEALS	
14	Full-time equated exempted positions.....	190.0
15	Court of appeals operations--190.0 FTE positions.....	\$ <u>19,143,800</u>
16	GROSS APPROPRIATION.....	\$ 19,143,800
17	Appropriated from:	
18	Special revenue funds:	
19	Court filing/motion fees.....	1,458,500
20	Miscellaneous revenue.....	77,800
21	State general fund/general purpose.....	\$ 17,607,500
22	Sec. 104. BRANCHWIDE APPROPRIATIONS	
23	Full-time equated exempted positions.....	4.0
24	Branchwide appropriations--4.0 FTE positions.....	\$ <u>8,338,700</u>
25	GROSS APPROPRIATION.....	\$ 8,338,700
26	Appropriated from:	
27	State general fund/general purpose.....	\$ 8,338,700

1	Sec. 105. JUSTICES' AND JUDGES' COMPENSATION		
2	Full-time judges positions	607.0	
3	Supreme court justices' salaries--7.0 justices		\$ 1,152,300
4	Court of appeals judges' salaries--26.0 judges		3,937,400
5	District court judges' state base salaries--252.0		
6	judges		23,321,900
7	District court judicial salary standardization		11,522,500
8	Probate court judges' state base salaries--103.0		
9	judges		9,627,900
10	Probate court judicial salary standardization		4,669,700
11	Circuit court judges' state base salaries--219.0		
12	judges		20,628,800
13	Circuit court judicial salary standardization		10,013,600
14	Judges' retirement system defined contributions		3,894,300
15	OASI, social security		<u>5,511,000</u>
16	GROSS APPROPRIATION		\$ 94,279,400
17	Appropriated from:		
18	Special revenue funds:		
19	Court fee fund		7,090,200
20	State general fund/general purpose		\$ 87,189,200
21	Sec. 106. JUDICIAL AGENCIES		
22	Full-time equated exempted positions	7.0	
23	Judicial tenure commission--7.0 FTE positions		\$ <u>961,500</u>
24	GROSS APPROPRIATION		\$ 961,500
25	Appropriated from:		
26	State general fund/general purpose		\$ 961,500
27	Sec. 107. INDIGENT DEFENSE - CRIMINAL		

1	Full-time equated exempted positions.....	47.0	
2	Appellate public defender program--39.0 FTE positions		\$ 5,322,800
3	Appellate assigned counsel administration--8.0 FTE		
4	positions		<u>906,300</u>
5	GROSS APPROPRIATION.....		\$ 6,229,100
6	Appropriated from:		
7	Interdepartmental grant revenues:		
8	IDG from state police - Michigan justice training fund		423,500
9	Federal revenues:		
10	Other federal grant revenues.....		250,000
11	Special revenue funds:		
12	Private - interest on lawyers trust accounts.....		70,000
13	Miscellaneous revenue.....		113,100
14	State general fund/general purpose.....		\$ 5,372,500
15	Sec. 108. INDIGENT CIVIL LEGAL ASSISTANCE		
16	Indigent civil legal assistance.....		\$ <u>7,937,000</u>
17	GROSS APPROPRIATION.....		\$ 7,937,000
18	Appropriated from:		
19	Special revenue funds:		
20	State court fund.....		7,937,000
21	State general fund/general purpose.....		\$ 0
22	Sec. 109. TRIAL COURT OPERATIONS		
23	Court equity fund reimbursements.....		\$ 60,835,100
24	Judicial technology improvement fund.....		<u>4,815,000</u>
25	GROSS APPROPRIATION.....		\$ 65,650,100
26	Appropriated from:		
27	Special revenue funds:		

1	Court equity fund.....	50,440,000
2	Judicial technology improvement fund.....	4,815,000
3	State general fund/general purpose.....	\$ 10,395,100
4	Sec. 110. GRANTS AND REIMBURSEMENTS TO LOCAL	
5	GOVERNMENT	
6	Drug case-flow program.....	\$ 250,000
7	Drunk driving case-flow program.....	3,300,000
8	Juror compensation reimbursement.....	<u>6,600,000</u>
9	GROSS APPROPRIATION.....	\$ 10,150,000
10	Appropriated from:	
11	Special revenue funds:	
12	Drug fund.....	250,000
13	Drunk driving fund.....	3,300,000
14	Juror compensation fund.....	6,600,000
15	State general fund/general purpose.....	\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

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 2011-2012 is \$240,675,000.00 and state
 23 spending from state resources to be paid to local units of
 24 government for fiscal year 2011-2012 is \$119,875,600.00. The
 25 itemized statement below identifies appropriations from which

1 spending to local units of government will occur:

2 JUDICIARY

3 SUPREME COURT

4	State court administrative office.....	\$	511,900
5	Drug treatment courts.....		6,833,000

6 TRIAL COURT OPERATIONS

7	Court equity fund reimbursements.....	\$	60,835,100
8	Judicial technology improvement fund.....		4,815,000

9 JUSTICES' AND JUDGES' COMPENSATION

10	District court judicial salary standardization.....	\$	11,522,500
11	Probate court judges' state base salaries.....		9,627,900
12	Probate court judicial salary standardization.....		4,669,700
13	Circuit court judicial salary standardization.....		10,013,600
14	Grant to OASI contribution fund, employers share,		
15	social security		896,900

16 GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT

17	Drunk driving case-flow program.....	\$	3,300,000
18	Drug case-flow program.....		250,000
19	Juror compensation reimbursement.....		<u>6,600,000</u>
20	TOTAL.....	\$	119,875,600

21 Sec. 202. (1) The appropriations authorized under this article
 22 are subject to the management and budget act, 1984 PA 431, MCL
 23 18.1101 to 18.1594.

24 (2) Funds appropriated in part 1 to an entity within the
 25 judicial branch shall not be expended or transferred to another
 26 account without written approval of the authorized agent of the
 27 judicial entity. If the authorized agent of the judicial entity

1 notifies the state budget director of its approval of an
2 expenditure or transfer, the state budget director shall
3 immediately make the expenditure or transfer. The authorized
4 judicial entity agent shall be designated by the chief justice of
5 the supreme court.

6 Sec. 203. As used in this article:

7 (a) "DOJ" means the United States department of justice.

8 (b) "DOT" means the United States department of
9 transportation.

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

11 (d) "HHS" means the United States department of health and
12 human services.

13 (e) "IDG" means interdepartmental grant.

14 (f) "OASI" means old age survivor's insurance.

15 Sec. 204. The judicial branch shall not take disciplinary
16 action against an employee for communicating with a member of the
17 legislature or his or her staff.

18 Sec. 208. The reporting requirements of this article shall be
19 completed with the approval of, and at the direction of, the
20 supreme court, except as otherwise provided in this article. The
21 judicial branch shall use the Internet to fulfill the reporting
22 requirements of this article. This may include transmission of
23 reports via electronic mail to the recipients identified for each
24 reporting requirement, or it may include placement of reports on an
25 Internet or Intranet site.

26 Sec. 212. The judicial branch receiving appropriations in part
27 shall receive and retain copies of all reports funded from

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

5 Sec. 214. Funds appropriated in part 1 shall not be used for
6 the purchase of foreign goods or services, or both, if
7 competitively priced and of comparable quality American goods or
8 services, or both, are available. Preference shall be given to
9 goods or services, or both, manufactured or provided by Michigan
10 businesses, if they are competitively priced and of comparable
11 quality. In addition, preference shall be given to goods or
12 services, or both, that are manufactured or provided by Michigan
13 businesses owned and operated by veterans, if they are
14 competitively priced and of comparable quality.

15 Sec. 215. (1) Due to the current budgetary problems in this
16 state, out-of-state travel for the fiscal year ending September 30,
17 2012 shall be limited to situations in which 1 or more of the
18 following conditions apply:

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

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

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

27 (d) The travel is necessary to comply with federal

1 requirements.

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

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

6 (2) If out-of-state travel is necessary but does not meet 1 or
7 more of the conditions in subsection (1), the chief justice or his
8 or her designee may grant an exception to allow the travel. Any
9 exceptions granted by the chief justice or his or her designee
10 shall be reported on a monthly basis to the senate and house of
11 representatives standing committees on appropriations.

12 (3) Not later than January 1 of each year, the state court
13 administrative office shall prepare a travel report listing all
14 travel by judicial branch employees outside this state in the
15 immediately preceding fiscal year that was funded in whole or in
16 part with funds appropriated in the budget for the judicial branch.
17 The report shall be submitted to the senate and house of
18 representatives standing committees on appropriations, the senate
19 and house fiscal agencies, and the state budget director. The
20 report shall include the following information:

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

23 (b) The destination of each travel occurrence.

24 (c) The dates of each travel occurrence.

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

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

7 Sec. 219. Not later than November 15, 2012, the judiciary
8 shall prepare and transmit a report that provides for estimates of
9 the 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 program or program areas. The report shall be transmitted to the
13 office of the state budget, the chairpersons of the senate and
14 house appropriations committees, and the senate and house fiscal
15 agencies.

16 Sec. 221. From the funds appropriated in part 1, the judicial
17 branch shall develop, post, and maintain, on a user-friendly and
18 publicly accessible Internet site, all expenditures made by the
19 judicial branch within a fiscal year. The posting shall include the
20 purpose for which each expenditure is made. The judicial branch
21 shall not provide financial information on its website under this
22 section if doing so would violate a federal or state law, rule,
23 regulation, or guideline that establishes privacy or security
24 standards applicable to that financial information.

25 Sec. 222. Within 14 days after the release of the executive
26 budget recommendation, the judicial branch shall provide the state
27 budget director, the senate and house appropriations chairs, the

1 senate and house appropriations subcommittees on the judiciary,
2 respectively, and the senate and house fiscal agencies with an
3 annual report on estimated state restricted fund balances, state
4 restricted fund projected revenues, and state restricted fund
5 expenditures for the fiscal years ending September 30, 2011 and
6 September 30, 2012.

7 **JUDICIAL BRANCH**

8 Sec. 301. Pursuant to the appropriations in part 1, the direct
9 trial court automation support program of the state court
10 administrative office shall recover direct and overhead costs from
11 trial courts by charging for services rendered. The fee shall cover
12 the actual costs incurred to the direct trial court automation
13 support program in providing the service, including development of
14 future versions of case management systems.

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

18 Sec. 303. Of the amount appropriated in part 1 for the
19 judicial branch, \$325,000.00 is allocated for circuit court
20 reimbursement under section 3 of 1978 PA 16, MCL 800.453, and
21 \$186,900.00 is allocated for court of claims reimbursement under
22 section 6413 of the revised judicature act of 1961, 1961 PA 236,
23 MCL 600.6413.

24 Sec. 306. The supreme court and the state court administrative
25 office shall continue to maintain, as a priority, the assisting of
26 local trial courts in improving the collection of judgments.

1 Sec. 308. If sufficient funds are not available from the court
2 fee fund to pay judges' compensation, the difference between the
3 appropriated amount from that fund for judges' compensation and the
4 actual amount available after the amount appropriated for trial
5 court reimbursement is made shall be appropriated from the state
6 general fund for judges' compensation.

7 Sec. 309. By April 1, 2012, the state court administrative
8 office shall provide an update on the status of the pilot mental
9 health courts to the state budget director, the senate and house
10 appropriations subcommittees on the judiciary, and the senate and
11 house fiscal agencies.

12 Sec. 310. From the funds appropriated in part 1 for drug
13 treatment court programs, with the approval of and at the
14 discretion of the supreme court, the state court administrative
15 office shall evaluate and collect data on the performance of drug
16 treatment court programs. The state court administrative office
17 shall provide an annual review of the performance of drug courts as
18 prescribed in section 1078(6) of the revised judicature act of
19 1961, 1961 PA 236, MCL 600.1078. All of the following apply to that
20 annual review:

21 (a) It shall include measures of the impact of drug court
22 programs in changing offender criminal involvement (recidivism) and
23 substance abuse and in reducing prison admissions.

24 (b) It shall be completed no later than April 1 of each year
25 and shall also be provided to the senate and house appropriations
26 subcommittees on the judiciary, the senate and house fiscal
27 agencies, and the state budget director.

1 (c) The evaluation of a program funded with federal Byrne
2 funds shall be consistent with the requirements contained in the
3 federal Byrne grant for that program.

4 Sec. 311. (1) The funds appropriated in part 1 for drug
5 treatment courts shall be administered by the state court
6 administrative office to operate drug treatment court programs. A
7 drug treatment court shall be responsible for handling cases
8 involving substance abusing nonviolent offenders through
9 comprehensive supervision, testing, treatment services, and
10 immediate sanctions and incentives. A drug treatment court shall
11 use all available county and state personnel involved in the
12 disposition of cases including, but not limited to, parole and
13 probation agents, prosecuting attorneys, defense attorneys, and
14 community corrections providers. The funds may be used in
15 connection with other federal, state, and local funding sources.

16 (2) From the funds appropriated in part 1, the chief justice
17 shall allocate sufficient funds for the judicial institute to
18 provide in-state training for those identified in subsection (1),
19 including training for new drug treatment court judges.

20 (3) For drug treatment court grants, consideration for
21 priority may be given to those courts where higher instances of
22 substance abuse cases are filed.

23 (4) The judiciary shall receive \$1,800,000.00 in Byrne formula
24 grant funding as an interdepartmental grant from the department of
25 state police to be used for expansion of drug treatment courts, to
26 assist in avoiding prison bed space growth for nonviolent offenders
27 in collaboration with the department of corrections.

1 (5) If United States department of transportation, national
2 highway traffic safety administration federal funding is awarded to
3 the judiciary for the support of drug treatment courts in an amount
4 that exceeds the amount appropriated in part 1, the judiciary may
5 receive and expend the funds in an amount not exceeding \$450,000.00
6 above the amount appropriated in part 1 for the support of drug
7 treatment courts.

8 Sec. 312. From the funds appropriated in part 1, the state
9 court administrator shall produce a statistical report regarding
10 the implementation of the parental rights restoration act, 1990 PA
11 211, MCL 722.901 to 722.908, as it pertains to minors seeking a
12 court-issued waiver of parental consent. The state court
13 administrative office shall report the total number of petitions
14 filed and the total number of petitions granted in accordance with
15 section 208.

16 Sec. 317. Funds appropriated in part 1 shall not be used for
17 the permanent assignment of state-owned vehicles to justices or
18 judges or any other judicial branch employee. This section does not
19 preclude the use of state-owned motor pool vehicles for state
20 business in accordance with approved guidelines.

21 Sec. 318. The funds appropriated in part 1 for the community
22 court pilot project shall be used for the purposes of administering
23 a pilot program of neighborhood-focused community courts. The state
24 court administrative office shall work collaboratively with the
25 designated courts when establishing the community courts.

26 Sec. 320. (1) From the funds appropriated in part 1 for drug
27 treatment courts, \$1,000,000.00 shall be administered by the state

1 court administrative office to distribute to qualifying counties to
2 support a swift-and-sure sanctions pilot program. A qualifying
3 county shall apply to the state court administrative office for a
4 portion of the funds appropriated in part 1.

5 (2) A qualifying county that receives funding under this
6 section shall provide a report on the pilot program to the state
7 budget director, the senate and house appropriations subcommittees
8 on the judiciary, and the senate and house fiscal agencies. The
9 report shall include all of the following:

10 (a) The number of offenders who participate in the pilot
11 program.

12 (b) The criminal history of offenders who participate in the
13 pilot program.

14 (c) The recidivism rate of offenders who participate in the
15 pilot program, including the rate of return to jail, prison, or
16 both.

17 (d) A detailed description of the establishment and parameters
18 of the pilot program.

19 (3) As used in this section:

20 (a) "Pilot program" means a swift-and-sure sanctions pilot
21 program.

22 (b) "Qualifying county" means a county that has both of the
23 following:

24 (i) A drug treatment court.

25 (ii) A unified trial court system.

26 Sec. 321. It is the intent of the legislature that the
27 judicial branch support a statewide legal self-help Internet

1 website and local nonprofit self-help centers that use the
2 statewide website to provide assistance to individuals representing
3 themselves in civil legal proceedings.

4 Sec. 322. (1) If Byrne formula grant funding is awarded to the
5 state appellate defender office for criminal defense review and
6 training on evidence-based sentencing in problem-solving courts,
7 the state appellate defender office may receive and expend Byrne
8 formula grant funds in an amount not exceeding \$525,000.00 as an
9 interdepartmental grant from the department of state police.

10 (2) If Byrne formula grant funding is awarded to the state
11 appellate defender office for criminal defense review and
12 representation of defendants in cases that involve potentially
13 unreliable evidence processed by the now-closed Detroit police
14 crime laboratory, the state appellate defender office may receive
15 and expend Byrne formula grant funds in an amount not exceeding
16 \$225,000.00 as an interdepartmental grant from the department of
17 state police.

18 PART 2A

19 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

20 FOR FISCAL YEAR 2012-2013

21 **GENERAL SECTIONS**

22 Sec. 1201. It is the intent of the legislature to provide
23 appropriations for the fiscal year ending on September 30, 2013 for
24 the line items listed in part 1. The fiscal year 2012-2013
25 appropriations are anticipated to be the same as those for fiscal

1 year 2011-2012, except that the line items will be adjusted for
2 changes in caseload and related costs, federal fund match rates,
3 economic factors, and available revenue. These adjustments will be
4 determined after the January 2012 consensus revenue estimating
5 conference.

6 ARTICLE XII

7 DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

8 PART 1

9 LINE-ITEM APPROPRIATIONS

10 FOR FISCAL YEAR 2011-2012

11 Sec. 101. The amounts listed in this part are appropriated for
12 the department of licensing and regulatory affairs, subject to the
13 conditions set forth in this article, for the fiscal year ending
14 September 30, 2012, from the funds identified in this part. The
15 following is a summary of the appropriations in this part:

16 **DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS**

17 APPROPRIATION SUMMARY

18	Full-time equated unclassified positions.....	57.5	
19	Full-time equated classified positions.....	4,320.8	
20	GROSS APPROPRIATION.....		\$ 811,570,400
21	Interdepartmental grant revenues:		
22	Total interdepartmental grants and intradepartmental		
23	transfers		13,373,500
24	ADJUSTED GROSS APPROPRIATION.....		\$ 798,196,900
25	Federal revenues:		

1	Total federal revenues.....	365,728,300
2	Special revenue funds:	
3	Total local revenues.....	7,859,900
4	Total private revenues.....	4,727,800
5	Total other state restricted revenues.....	388,808,100
6	State general fund/general purpose.....	\$ 31,072,800
7	Sec. 102. DEPARTMENTAL ADMINISTRATION	
8	Full-time equated unclassified positions.....	57.5
9	Full-time equated classified positions.....	129.0
10	Unclassified salaries--57.5 FTE positions.....	\$ 4,531,900
11	Executive director programs--33.0 FTE positions.....	5,083,200
12	Property management.....	11,768,400
13	Rent.....	12,032,200
14	Worker's compensation.....	758,400
15	Special project advances.....	200,000
16	Administrative services--96.0 FTE positions.....	<u>9,925,800</u>
17	GROSS APPROPRIATION.....	\$ 44,299,900
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	Federal revenues:	
21	DOE-OEERE, multiple grants.....	3,000
22	DED-OSERS, rehabilitation services, vocational	
23	rehabilitation of state grants.....	4,163,400
24	DOL-ETA, unemployment insurance.....	11,774,000
25	DOL, federal funds.....	30,800
26	DOL, multiple grants for safety and health.....	767,000
27	Federal revenues.....	437,100

1	Title XVIII Medicare.....	300,100
2	Title XIX Medicaid.....	21,000
3	Title XIX Medicaid, facility certification fees.....	193,900
4	Special revenue funds:	
5	Private - special project advances.....	200,000
6	Local revenues.....	130,900
7	Bank fees.....	356,300
8	Boiler fee revenue.....	244,400
9	Construction code fund.....	1,127,200
10	Consumer finance fees.....	74,900
11	Contingent fund, penalty and interest account.....	39,200
12	Corporation fees.....	4,168,800
13	Credit union fees.....	366,100
14	Deferred presentment service transaction fees.....	24,900
15	Elevator fees.....	251,500
16	Fees and collections/asbestos.....	100,000
17	Fire service fees.....	755,400
18	Health professions regulatory fund.....	1,559,400
19	Health systems fees.....	404,000
20	Insurance licensing and regulation fees.....	1,738,500
21	Insurance bureau fund.....	514,100
22	Licensing and regulation fees.....	1,005,700
23	Liquor purchase revolving fund.....	4,791,100
24	MBLSLA fund.....	84,800
25	Mobile home code fund.....	252,600
26	Motor carrier fees.....	203,600
27	Private occupational school license fees.....	14,000

1	Public utility assessments.....		2,310,400
2	Radiological health fees.....		90,000
3	Safety education and training fund.....		719,800
4	Second injury fund.....		249,900
5	Securities fees.....		2,441,000
6	Self-insurers security fund.....		89,500
7	Silicosis and dust disease fund.....		111,100
8	Tax tribunal fund.....		181,400
9	Video franchise assessments.....		4,000
10	Workers' compensation administrative revolving fund..		100,000
11	State general fund/general purpose.....	\$	1,905,100
12	Sec. 103. OFFICE OF FINANCIAL AND INSURANCE		
13	REGULATION		
14	Full-time equated classified positions.....	377.0	
15	Administration--35.0 FTE positions.....		\$ 7,392,600
16	Financial evaluation--232.0 FTE positions.....		34,613,400
17	Regulatory compliance and consumer assistance--110.0		
18	FTE positions		<u>18,465,500</u>
19	GROSS APPROPRIATION.....		\$ 60,471,500
20	Appropriated from:		
21	Federal revenues:		
22	Federal revenues.....		2,000,000
23	Special revenue funds:		
24	Bank fees.....		8,236,900
25	Captive insurance regulatory and supervision fund....		256,800
26	Consumer finance fees.....		4,362,800
27	Credit union fees.....		6,382,400

1	Deferred presentment service transaction fees		2,705,800
2	Insurance bureau fund.....		20,584,400
3	Insurance continuing education fees.....		1,023,600
4	Insurance licensing and regulation fees.....		4,800,400
5	MBLSLA fund.....		4,300,600
6	Multiple employer welfare arrangement.....		72,600
7	Securities fees.....		4,745,200
8	Securities investor education and training fund.....		1,000,000
9	State general fund/general purpose.....	\$	0
10	Sec. 104. PUBLIC SERVICE COMMISSION AND ENERGY		
11	SYSTEMS		
12	Full-time equated classified positions.....	195.0	
13	Public service commission--190.0 FTE positions.....		\$ 27,158,500
14	METRO authority--5.0 FTE positions.....		<u>355,900</u>
15	GROSS APPROPRIATION.....		\$ 27,514,400
16	Appropriated from:		
17	Federal revenues:		
18	DOE-OEERE, multiple grants.....		9,000
19	DOT, gas pipeline safety.....		677,800
20	Special revenue funds:		
21	Children's protection registry fund.....		272,600
22	Motor carrier fees.....		2,094,700
23	Public utility assessments.....		23,620,300
24	Restructuring mechanism assessments.....		440,000
25	Video franchise assessments.....		400,000
26	State general fund/general purpose.....	\$	0
27	Sec. 105. LIQUOR CONTROL COMMISSION		

1	Full-time equated classified positions.....	152.0	
2	Management support services--28.0 FTE positions		\$ 3,812,200
3	Liquor licensing and enforcement--124.0 FTE positions		<u>13,801,300</u>
4	GROSS APPROPRIATION.....		\$ 17,613,500
5	Appropriated from:		
6	Special revenue funds:		
7	Direct shipper enforcement revolving fund.....		120,000
8	Liquor license revenue.....		7,136,200
9	Liquor purchase revolving fund.....		10,357,300
10	State general fund/general purpose.....		\$ 0
11	Sec. 106. OCCUPATIONAL REGULATION		
12	Full-time equated classified positions.....	835.3	
13	Boiler inspection program--25.0 FTE positions		\$ 2,931,000
14	Bureau of fire services--57.0 FTE positions		5,603,700
15	Code enforcement--120.0 FTE positions		14,022,200
16	Commercial services--175.0 FTE positions		19,812,600
17	Elevator inspection program--30.0 FTE positions		3,162,400
18	Bureau of health professions--160.0 FTE positions		26,945,900
19	Bureau of health systems--199.6 FTE positions		21,630,100
20	Health policy and regulation--8.8 FTE positions		2,646,500
21	Radiological health administration--21.4 FTE positions		3,179,700
22	Background check program--5.5 FTE positions		2,545,900
23	Manufactured housing and land resources		
24	program--22.0 FTE positions		2,733,700
25	Property development group--11.0 FTE positions		<u>1,707,600</u>
26	GROSS APPROPRIATION.....		\$ 106,921,300
27	Appropriated from:		

1	Interdepartmental grant revenues:	
2	IDG from department of community health, inspection	
3	contract	100,000
4	IDG from department of human services, background	
5	checks	1,000,000
6	Federal revenues:	
7	Clinical lab improvement	360,000
8	CMS transformation grant	3,000,000
9	DOT	60,000
10	FEMA	28,000
11	Mammography quality standards	710,400
12	Prescription drug monitoring	100,000
13	Title XVIII Medicare	9,287,900
14	Title XIX Medicaid	950,800
15	Title XIX Medicaid, facility certification fees	6,217,500
16	Special revenue funds:	
17	Private - civil monetary penalties	200,000
18	Accountancy enforcement fund	420,000
19	Boiler fee revenue	3,363,600
20	Builder enforcement fund	427,000
21	Construction code fund	13,186,600
22	Corporation fees	6,342,700
23	Elevator fees	3,565,400
24	Fire alarm fees	114,000
25	Fire safety standard and enforcement fund	40,000
26	Fire service fees	1,953,300
27	Health professions regulatory fund	22,972,000

1	Health systems fees.....	1,417,200
2	Licensing and regulation fees.....	11,302,800
3	Liquor purchase revolving fund.....	2,636,500
4	Mobile home code fund.....	2,733,700
5	Nurse professional fund.....	1,744,200
6	Pain management fees.....	1,728,600
7	Private occupational school license fees.....	832,200
8	Property development fees.....	298,900
9	Radiological health fees.....	2,469,300
10	Real estate appraiser continuing education fund.....	47,000
11	Real estate education fund.....	320,300
12	Real estate enforcement fund.....	364,600
13	Survey and remonumentation fund.....	776,700
14	Security business fund.....	321,100
15	Unarmed combat fund.....	66,900
16	State general fund/general purpose.....	\$ 5,462,100
17	Sec. 107. MICHIGAN OCCUPATIONAL SAFETY AND HEALTH	
18	ADMINISTRATION	
19	Full-time equated classified positions.....	229.0
20	Occupational safety and health--229.0 FTE positions ..	\$ <u>28,561,900</u>
21	GROSS APPROPRIATION.....	\$ 28,561,900
22	Appropriated from:	
23	Federal revenues:	
24	DOL, multiple grants for safety and health.....	13,365,600
25	Special revenue funds:	
26	Corporation fees.....	3,780,300
27	Fees and collections/asbestos.....	919,900

1	Safety education and training fund.....		8,477,300
2	Securities fees.....		2,018,800
3	State general fund/general purpose.....	\$	0
4	Sec. 108. EMPLOYMENT SERVICES		
5	Full-time equated classified positions.....	2,171.1	
6	Worker's compensation administration--96.6 FTE		
7	positions	\$	8,918,200
8	Wage and hour division--33.0 FTE positions.....		3,136,700
9	Insurance funds administration--28.0 FTE positions ...		4,982,700
10	Supplemental benefit fund.....		820,000
11	Unemployment programs--1,302.7 FTE positions.....		136,315,200
12	Advocacy assistance program.....		1,500,000
13	Special audit and collections program--34.0 FTE		
14	positions		3,091,200
15	Training program for agency staff--2.1 FTE positions .		1,827,700
16	Expanded fraud control program--33.2 FTE positions ...		3,561,300
17	Commission for the blind--107.0 FTE positions.....		26,728,500
18	Michigan rehabilitation services--513.5 FTE positions		71,720,500
19	Employment and labor relations--21.0 FTE positions ...		<u>3,745,000</u>
20	GROSS APPROPRIATION.....	\$	266,347,000
21	Appropriated from:		
22	Federal revenues:		
23	DED-OPSE, multiple grants.....		1,222,900
24	DED-OSERS, centers for independent living.....		58,200
25	DED-OSERS, rehabilitation long-term training.....		316,900
26	DED-OSERS, rehabilitation services, vocational		
27	rehabilitation of state grants.....		56,417,700

1	DED-OSERS, state grants for technical related	
2	assistance	65,300
3	DOL, employment and training administration.....	1,219,100
4	DOL-ETA, unemployment insurance.....	142,576,300
5	Federal revenues.....	20,265,900
6	HHS-SSA, supplemental security income.....	3,783,000
7	Special revenue funds:	
8	Private - gifts, bequests, and donations.....	816,000
9	Private revenues.....	111,800
10	Local revenues.....	529,000
11	Corporation fees.....	2,862,400
12	Contingent fund, regular penalty and interest.....	1,500,000
13	Michigan commission for the blind business	
14	enterprise program fund	553,600
15	Rehabilitation service fees.....	1,352,300
16	Second injury fund.....	2,733,800
17	Securities fees.....	5,267,800
18	Self-insurers security fund.....	1,268,400
19	Silicosis and dust disease fund.....	1,032,000
20	Special fraud control fund.....	1,000,000
21	Workers' compensation administrative revolving fund..	2,755,600
22	State general fund/general purpose.....	\$ 18,639,000
23	Sec. 109. MICHIGAN ADMINISTRATIVE HEARING SYSTEM	
24	Full-time equated classified positions.....	232.4
25	Michigan administrative hearing system--205.4 FTE	
26	positions	\$ 30,230,300
27	Office of regulatory reinvention--2.0 FTE positions..	350,000

1	Michigan compensation appellate commission--25.0 FTE	
2	positions	<u>3,033,600</u>
3	GROSS APPROPRIATION.....	\$ 33,613,900
4	Appropriated from:	
5	Interdepartmental grant revenues:	
6	IDG - administrative hearings.....	12,273,500
7	Federal revenues:	
8	DOL-ETA, unemployment insurance.....	2,882,100
9	Federal revenue - administrative hearings and rules ..	7,596,900
10	Special revenue funds:	
11	Construction code fund.....	29,000
12	Corporation fees.....	1,121,500
13	Fire service fees.....	29,000
14	Insurance bureau fund.....	29,000
15	Insurance licensing and regulation fees.....	29,000
16	Licensing and regulation fees.....	29,000
17	Liquor license revenue.....	29,000
18	Motor carrier fees.....	29,000
19	Public utility assessments.....	29,000
20	Safety education and training fund.....	29,000
21	Securities fees.....	1,125,200
22	State restricted revenue - administrative hearings	
23	and rules	4,963,000
24	Tax tribunal fund.....	3,149,000
25	Workers' compensation administrative revolving fund..	180,500
26	State general fund/general purpose.....	\$ 61,200
27	Sec. 110. INFORMATION TECHNOLOGY	

1	Information technology services and projects	\$	43,132,900
2	Liquor control commission IT upgrades		<u>100</u>
3	GROSS APPROPRIATION	\$	43,133,000
4	Appropriated from:		
5	Federal revenues:		
6	DOL-ETA, unemployment insurance		21,797,800
7	DOL, multiple grants for safety and health		273,700
8	Federal revenues		3,365,300
9	Special revenue funds:		
10	Bank fees		219,500
11	Boiler fee revenue		280,500
12	Construction code fund		1,076,700
13	Consumer finance fees		95,100
14	Corporation fees		4,833,400
15	Credit union fees		192,100
16	Deferred presentment service transaction fees		85,700
17	Elevator fees		271,300
18	Fees and collections/asbestos		11,000
19	Fire service fees		503,500
20	Health professions regulatory fund		873,900
21	Health systems fees		186,400
22	Insurance continuing education fees		11,700
23	Insurance bureau fund		545,500
24	Insurance licensing and regulation fees		315,000
25	Licensing and regulation fees		1,430,900
26	Liquor purchase revolving fund		2,771,000
27	MBLSLA fund		104,100

1	Mobile home code fund.....		152,800
2	Motor carrier fees.....		148,900
3	Pain management fees.....		160,000
4	Public utility assessments.....		1,166,600
5	Radiological health fees.....		140,000
6	Safety education and training fund.....		624,700
7	Second injury fund.....		143,600
8	Securities fees.....		944,100
9	Self-insurers security fund.....		71,500
10	Silicosis and dust disease fund.....		61,500
11	Tax tribunal fund.....		210,000
12	State general fund/general purpose.....	\$	65,200
13	Sec. 111. DEPARTMENT GRANTS		
14	Personal assistance services.....	\$	459,500
15	Vocational rehabilitation customer support.....		56,908,400
16	Independent living.....		4,908,600
17	Fire protection grants.....		9,273,900
18	Low-income energy efficiency assistance.....		95,000,000
19	Liquor law enforcement grants.....		6,600,000
20	Remonumentation grants.....		5,300,000
21	Private grant programs.....		3,000,000
22	Subregional libraries state aid.....		451,800
23	Utility consumer representation.....		950,000
24	Youth low-vision program.....		<u>241,800</u>
25	GROSS APPROPRIATION.....	\$	183,094,000
26	Appropriated from:		
27	Federal revenues:		

1	DED-OSERS, centers for independent living.....	450,200
2	DED-OSERS, rehabilitation services, vocational	
3	rehabilitation of state grants.....	37,056,700
4	DED-OSERS, rehabilitation services facilities.....	2,272,500
5	DED-OSERS, supported employment.....	1,541,300
6	DED-OSERS, state grants for technical related	
7	assistance	2,240,800
8	HHS-SSA, supplemental security income.....	5,868,400
9	Special revenue funds:	
10	Private - gifts, bequests, and donations.....	400,000
11	Private revenues.....	3,000,000
12	Local vocational rehabilitation match.....	7,000,000
13	Local vocational rehabilitation facilities match.....	200,000
14	Contingent fund, penalty and interest account.....	1,000,000
15	Low-income energy efficiency fund.....	95,000,000
16	Fire protection fund.....	8,500,000
17	Liquor purchase revolving fund.....	773,900
18	Liquor license revenue.....	6,600,000
19	Survey and remonumentation fund.....	5,300,000
20	Utility consumer representation fund.....	950,000
21	State general fund/general purpose.....	\$ 4,940,200

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

GENERAL SECTIONS

1 Sec. 201. Pursuant to section 30 of article IX of the state
2 constitution of 1963, total state spending from state resources
3 under part 1 for fiscal year 2011-2012 is \$419,880,900.00 and state
4 spending from state resources to be paid to local units of
5 government for fiscal year 2011-2012 is \$22,988,700.00. The
6 itemized statement below identifies appropriations from which
7 spending to local units of government will occur:

8 DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

9	Fire protection grants.....	\$	9,273,900
10	Liquor law enforcement.....		6,600,000
11	Remonumentation grants.....		5,300,000
12	Firefighters training council.....		1,363,000
13	Subregional libraries state aid.....		<u>451,800</u>
14	Total department of licensing and regulatory		
15	affairs	\$	22,988,700

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

19 Sec. 203. As used in this article:

20 (a) "DED" means the United States department of education.

21 (b) "DED-OPSE" means the DED office of postsecondary
22 education.

23 (c) "DED-OSERS" means the DED office of special education
24 rehabilitation services.

25 (d) "Department" means the department of licensing and
26 regulatory affairs.

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

1 (f) "DOE-OEERE" means the United States department of energy,
2 office of energy efficiency and renewable energy.

3 (g) "DOL" means the United States department of labor.

4 (h) "DOL-ETA" means the DOL employment and training
5 administration.

6 (i) "DOT" means the United States department of
7 transportation.

8 (j) "FEMA" means federal emergency management agency.

9 (k) "Fire safety standard and enforcement fund" means fire
10 safety standard and firefighter protection act enforcement fund
11 created in section 9 of the fire safety standard and firefighter
12 protection act, 2009 PA 56, MCL 29.499.

13 (l) "Fiscal agencies" means Michigan house fiscal agency and
14 Michigan senate fiscal agency.

15 (m) "FTE" means full-time equated.

16 (n) "HHS" means the United States department of health and
17 human services.

18 (o) "HHS-SSA" means HHS social security administration.

19 (p) "IDG" means interdepartmental grant.

20 (q) "MAHS" means Michigan administrative hearing system.

21 (r) "MARVIN" means Michigan's automated response voice
22 interactive network.

23 (s) "METRO" means metropolitan extension telecommunications
24 rights-of-way oversight.

25 (t) "MIOSHA" means Michigan occupational safety and health
26 administration.

27 (u) "Pain management fees" means the pain management education

1 and controlled substances electronic monitoring and antidiversion
2 fund.

3 (v) "Subcommittees" means all members of the subcommittees of
4 the house and senate appropriations committees with jurisdiction
5 over the budget for the department.

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

12 Sec. 209. 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 of 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 shall be given to goods or
19 services, or both, that are manufactured or provided by Michigan
20 businesses owned and operated by veterans, if they are
21 competitively priced and of comparable quality.

22 Sec. 210. The director shall take all reasonable steps to
23 ensure that businesses in deprived and depressed communities
24 compete for and perform contracts to provide services or supplies,
25 or both. The director shall strongly encourage firms with which the
26 department contracts to subcontract with certified businesses in
27 depressed and deprived communities for services, supplies, or both.

1 Sec. 211. (1) 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 (2) The funds appropriated in part 1 for liquor control
9 commission information technology are designated as work project
10 appropriations and shall not lapse at the end of the fiscal year.
11 Any unencumbered and unexpended funds shall continue to be
12 available for expenditure until the project has been completed. The
13 total cost of the work project is estimated at \$1,000,000.00 and
14 the tentative completion date is September 30, 2013.

15 Sec. 212. 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. 214. 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 departments and agencies and the department of technology,
27 management, and budget.

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

4 Sec. 216. 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. 217. (1) Due to the current budgetary problems in this
14 state, out-of-state travel shall be limited to situations in which
15 1 or more of the following conditions apply:

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

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

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

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

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

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

3 (2) The department shall not approve the travel of more than 1
4 departmental employee to a specific professional development
5 conference or training seminar that is located outside of this
6 state unless a professional development conference or training
7 seminar is funded by a federal or private funding source and
8 requires more than 1 person from a department to attend, or the
9 conference or training seminar includes multiple issues in which 1
10 employee from the department does not have expertise.

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

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

22 (b) The destination of each travel occurrence.

23 (c) The dates of each travel occurrence.

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

26 (e) The transportation and related costs of each travel
27 occurrence, including the proportion funded with state general

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

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

6 Sec. 220. The department may carry into the succeeding fiscal
7 year unexpended federal pass-through funds to local institutions
8 and governments that do not require additional state matching
9 funds. Federal pass-through funds to local institutions and
10 governments that are received in amounts in addition to those
11 included in part 1 and that do not require additional state
12 matching funds are appropriated for the purposes intended. Within
13 14 days after the receipt of federal pass-through funds, the
14 department shall notify the house and senate chairpersons of the
15 subcommittees, the fiscal agencies, and the state budget director
16 of pass-through funds appropriated under this section.

17 Sec. 221. Funds appropriated in part 1 shall not be used by a
18 principal executive department, state agency, or authority to hire
19 a person to provide legal services that are the responsibility of
20 the attorney general. This prohibition does not apply to legal
21 services for bonding activities and for those activities that the
22 attorney general authorizes.

23 Sec. 223. (1) In addition to the funds appropriated in part 1,
24 there is appropriated an amount not to exceed \$45,000,000.00 for
25 federal contingency funds. These funds are not available for
26 expenditure until they have been transferred to another line item
27 in this article under section 393(2) of the management and budget

1 act, 1984 PA 431, MCL 18.1393.

2 (2) In addition to the funds appropriated in part 1, there is
3 appropriated an amount not to exceed \$31,000,000.00 for state
4 restricted contingency funds. These funds are not available for
5 expenditure until they have been transferred to another line item
6 in this article under section 393(2) of the management and budget
7 act, 1984 PA 431, MCL 18.1393.

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

14 (4) In addition to the funds appropriated in part 1, there is
15 appropriated an amount not to exceed \$600,000.00 for private
16 contingency funds. These funds are not available for expenditure
17 until they have been transferred to another line item in this
18 article under section 393(2) of the management and budget act, 1984
19 PA 431, MCL 18.1393.

20 Sec. 225. Within 10 days after the receipt of a grant
21 appropriated in the private grant funded projects line item in part
22 1, the department shall notify the house and senate chairpersons of
23 the subcommittees, the fiscal agencies, and the state budget
24 director of the receipt of the grant, including the funding source,
25 purpose, and amount of the grant.

26 Sec. 227. (1) The department shall sell documents at a price
27 not to exceed the cost of production and distribution. Money

1 received from the sale of these documents shall revert to the
2 department. In addition to the funds appropriated in part 1, these
3 funds are available for expenditure when they are received by the
4 department of treasury and may only be used for costs directly
5 related to the continued updating and distribution of the documents
6 pursuant to this section. This section applies only for the
7 following documents:

8 (a) Corporation and securities division documents, reports,
9 and papers required or permitted by law pursuant to section 1060(5)
10 of the business corporation act, 1972 PA 284, MCL 450.2060.

11 (b) The subdivision control manual, the state boundary
12 commission operations manual, and other local government assistance
13 manuals.

14 (c) The Michigan liquor control code of 1998, 1998 PA 58, MCL
15 436.1101 to 436.2303.

16 (d) The mobile home commission act, 1987 PA 96, MCL 125.2301
17 to 125.2349; the business corporation act, 1972 PA 284, MCL
18 450.1101 to 450.2098; the nonprofit corporation act, 1982 PA 162,
19 MCL 450.2101 to 450.3192; and the uniform securities act (2002),
20 2008 PA 551, MCL 451.2101 to 451.2703.

21 (e) Labor law books.

22 (f) Worker's compensation health care services rules.

23 (g) Construction code manuals.

24 (h) Copies of transcripts from administrative law hearings.

25 (2) In addition to the funds appropriated in part 1, funds
26 collected by the department under sections 55, 57, 58, and 59 of
27 the administrative procedures act of 1969, 1969 PA 306, MCL 24.255,

1 24.257, 24.258, and 24.259, and section 203 of the legislative
2 council act, 1986 PA 268, MCL 4.1203, are appropriated for all
3 expenses necessary to provide for the cost of publication and
4 distribution. The funds appropriated under this section are
5 allotted for expenditure when they are received by the department
6 of treasury and shall not lapse to the general fund at the end of
7 the fiscal year.

8 Sec. 228. Unless prohibited by law, the department may accept
9 credit card or other electronic means of payment for licenses,
10 fees, or permits.

11 Sec. 231. (1) The department shall maintain a searchable
12 website accessible by the public at no cost that includes, but is
13 not limited to, all of the following:

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

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

16 (c) Fiscal year-to-date payments to a selected vendor,
17 including the vendor name, payment date, payment amount, and
18 payment description.

19 (d) The number of active department employees by job
20 classification.

21 (e) Job specifications and wage rates.

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

25 Sec. 232. The department shall not develop or produce any
26 television productions.

27 Sec. 234. 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 subcommittees, and the fiscal agencies with an annual report on
4 estimated state restricted fund balances, state restricted fund
5 projected revenues, and state restricted fund expenditures for the
6 fiscal years ending September 30, 2011 and September 30, 2012.

7 **REGULATORY**

8 Sec. 301. (1) The appropriation in part 1 for fire protection
9 grants shall be appropriated to cities, villages, and townships
10 with state-owned facilities for fire services, instead of taxes, in
11 accordance with 1977 PA 289, MCL 141.951 to 141.956.

12 (2) Cities, villages, and townships with state-owned
13 facilities shall report to the department no later than November 15
14 on a form developed by the department in order to be eligible to
15 receive funds appropriated in part 1 for fire protection grants.
16 The report shall indicate all of the following:

17 (a) The ability to respond to state facilities in their
18 service area.

19 (b) The cost for being prepared and able to respond to fire
20 service situations during the most recent fiscal year.

21 (3) The department shall prepare a summary of the local
22 submissions and provide it to the subcommittees, fiscal agencies,
23 and the state budget director by March 31.

24 Sec. 301a. (1) Cities, villages, and townships receiving fire
25 protection grant funds in accordance with 1977 PA 289, MCL 141.951
26 to 141.956, shall submit a report to the department detailing the

1 expenditures made by the local unit from fire protection grant
 2 funds, the fire-related activities of the local unit's police and
 3 fire departments on state property, and the costs of such
 4 activities. The local unit shall provide a report no later than
 5 January 1, covering the state fiscal year ending September 30,
 6 2011.

7 (2) The department shall provide a standard template for use
 8 by local units of government when submitting a report to the
 9 department.

10 (3) The department shall prepare a summary of the local
 11 submissions and provide it to the house and senate chairpersons of
 12 the subcommittees, the fiscal agencies, and the state budget
 13 director by March 31.

14 Sec. 302. Money appropriated under this article for the bureau
 15 of fire services shall not be expended unless, in accordance with
 16 section 2c of the fire prevention code, 1941 PA 207, MCL 29.2c,
 17 inspection and plan review fees will be charged according to the
 18 following schedule:

<u>Operation and maintenance inspection fee</u>		
<u>Facility type</u>	<u>Facility size</u>	<u>Fee</u>
Hospitals	Any	\$8.00 per bed
<u>Plan review and construction inspection fees for</u>		
<u>hospitals and schools</u>		
<u>Project cost range</u>	<u>Fee</u>	
\$101,000.00 or less	minimum fee of \$155.00	
\$101,001.00 to \$1,500,000.00	\$1.60 per \$1,000.00	
\$1,500,001.00 to \$10,000,000.00	\$1.30 per \$1,000.00	

1 \$10,000,001.00 or more \$1.10 per \$1,000.00
2 or a maximum fee of \$60,000.00.

3 Sec. 302a. In addition to the funds appropriated in part 1,
4 the funds credited to the cigarette fire safety standard and
5 firefighter protection act fund created in section 13 of the fire
6 safety standard and firefighter protection act, 2009 PA 56, MCL
7 29.503, shall be appropriated to be expended for the purposes
8 provided for in the fire safety standard and firefighter protection
9 act, 2009 PA 56, MCL 29.491 to 29.513. These funds are appropriated
10 for expenditure when they are received.

11 Sec. 303. The funds collected by the department for licenses,
12 permits, and other elevator regulation fees set forth in the
13 Michigan administrative code and as determined under section 8 of
14 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL
15 408.816, that are unexpended at the end of the fiscal year shall
16 carry forward to the subsequent fiscal year.

17 Sec. 304. The department may make available to interested
18 entities customized listings of nonconfidential information in its
19 possession, such as names and addresses of licensees. The
20 department may establish and collect a reasonable charge to provide
21 this service. The revenue received from this service shall be used
22 to offset expenses to provide the service. Any balance of this
23 revenue collected and unexpended at the end of the fiscal year
24 shall revert to the appropriate restricted fund.

25 Sec. 320. If the revenue collected by the department from
26 licensing and regulation fees collected by the bureau of commercial
27 services exceeds the amount expended from appropriations in part 1,

1 the revenue may be carried forward into the subsequent fiscal year.
2 The revenue carried forward under this section shall be used as the
3 first source of funds in the subsequent fiscal year.

4 Sec. 330. Funds earned or authorized by the DOL in excess of
5 the gross appropriation in part 1 for the unemployment insurance
6 agency from the DOL are appropriated and may be expended for
7 staffing and related expenses incurred in the operation of its
8 programs. These funds may be spent after the department notifies
9 the state budget director and the subcommittees of the purpose and
10 amount of each grant award.

11 Sec. 332. The unemployment insurance agency shall provide the
12 subcommittees, fiscal agencies, and state budget office with
13 quarterly status reports on the development of the agency's
14 integrated system project. The quarterly status reports shall
15 include, but not be limited to, a summary of the expenditures for
16 the project, project budget information, a summary of the tasks
17 completed and milestones reached to date, the percentage of the
18 total project completed to date, and a summary of the tasks
19 anticipated to be completed in the subsequent quarter.

20 Sec. 333. The department shall report quarterly to the members
21 of the house and senate committees on appropriations, the fiscal
22 agencies, and the state budget director on the percentage of
23 unemployment claimants that meet the certification requirements for
24 receiving benefits by using the Internet MARVIN system. The
25 department shall implement improvements to the Internet MARVIN
26 system that promote greater ease of access and security with a goal
27 of reaching 50% of users certifying by using the Internet MARVIN

1 system.

2 Sec. 340. MIOSHA shall provide an annual report by February 1
3 of each year to the state budget director, the fiscal agencies, and
4 the subcommittees on the number of individuals killed and the
5 number of individuals injured on the job within industries
6 regulated by the bureau during the most recent year for which data
7 are available.

8 Sec. 341. The department shall not promulgate or adopt a rule
9 more stringent than the applicable federal standard unless
10 specifically authorized by statute.

11 Sec. 342. From the funds appropriated in part 1 for Michigan
12 occupational safety and health consultation education and training
13 (CET) grants, not less than \$80,000.00 shall be allocated to
14 nonprofit organizations representing the mining industry in
15 Michigan.

16 Sec. 361. (1) The public service commission shall report by
17 November 1 to the subcommittees, the state budget office, and the
18 fiscal agencies on the distribution of funds appropriated in part 1
19 for the low-income/energy efficiency assistance program.

20 (2) The funds collected from public utilities for low-income
21 energy efficiency fund grants as provided under orders issued by
22 the public service commission pursuant to 1939 PA 3, MCL 460.1 to
23 460.11, that are unexpended at the end of the fiscal year may carry
24 forward to the subsequent fiscal year.

25 Sec. 368. No later than March 1, the department shall submit a
26 report to the state budget office, the fiscal agencies, and the
27 subcommittees, providing expenditure and revenue data and

1 statistical data on licensing and regulatory activities of the
2 bureau of commercial services and the bureau of construction codes
3 during the previous fiscal year. To the extent possible, the data
4 required shall be reported for each individual occupation, trade,
5 or industry regulated.

6 Sec. 380. Funds remaining in the homeowner construction lien
7 recovery fund are appropriated to the department for payment of
8 court-ordered homeowner construction lien recovery fund judgments
9 entered prior to August 23, 2010. Pursuant to available funds, the
10 payment of final judgments shall be made in the order in which the
11 final judgments were entered and began accruing interest.

12 Sec. 390. The Michigan tax tribunal and the Michigan
13 administrative hearing system shall submit a report on the number
14 of cases heard and the number of cases decided by MAHS hearings
15 officers, contractual hearings officers, and tribunal members
16 during the fiscal year. The report shall also include information
17 on case filings and dispositions, the number of active and pending
18 cases before the small claims division and the entire tribunal, and
19 the agencies' plan to eliminate the backlog of cases. The report
20 shall be submitted to the subcommittees, fiscal agencies, and state
21 budget office not later than November 1, 2012.

22 **OFFICE OF FINANCIAL AND INSURANCE REGULATION**

23 Sec. 401. In addition to the funds appropriated in part 1, the
24 funds collected by the office of financial and insurance regulation
25 in connection with a conservatorship pursuant to section 32 of the
26 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 **MICHIGAN REHABILITATION SERVICES AND MICHIGAN COMMISSION FOR THE**
9 **BLIND**

10 Sec. 603. The local match requirements for vocational
11 rehabilitation facilities establishment grants shall not exceed
12 21.3% for the fiscal year ending September 30.

13 Sec. 604. All funds appropriated in part 1 for independent
14 living shall be used for the support of centers for independent
15 living in compliance with federal rules and regulations for such
16 centers, by existing centers in serving underserved areas, and for
17 projects to build capacity of centers to deliver independent living
18 services. Applications for such funds shall be reviewed in
19 accordance with criteria and procedures established by the
20 department. Funds must be used in a manner consistent with the
21 state plan for independent living.

22 Sec. 610. (1) The appropriation in part 1 for the Michigan
23 commission for the blind includes funds for case services. These
24 funds may be used for tuition payments for blind clients.

25 (2) Revenue collected by the Michigan commission for the blind
26 and from private and local sources that is unexpended at the end of

1 the fiscal year may carry forward to the subsequent fiscal year.

2 Sec. 611. The Michigan commission for the blind and the
3 Michigan rehabilitation services shall work collaboratively with
4 service organizations and government entities to identify qualified
5 match dollars to maximize use of available federal vocational
6 rehabilitation funds.

7 Sec. 613. (1) The funds appropriated in part 1 for a regional
8 or subregional library shall not be released until a budget for
9 that regional or subregional library has been approved by the
10 department for expenditures for library services directly serving
11 the blind and persons with disabilities.

12 (2) In order to receive subregional state aid as appropriated
13 in part 1, a regional or subregional library's fiscal agency shall
14 agree to maintain local funding support at the same level in the
15 current fiscal year as in the fiscal agency's preceding fiscal
16 year. If a reduction in expenditures equally affects all agencies
17 in a local unit of government that is the regional or subregional
18 library's fiscal agency, that reduction shall not be interpreted as
19 a reduction in local support and shall not disqualify a regional or
20 subregional library from receiving state aid under part 1. If a
21 reduction in income affects a library cooperative or district
22 library that is a regional or subregional library's fiscal agency
23 or a reduction in expenditures for the regional or subregional
24 library's fiscal agency, a reduction in expenditures for the
25 regional or subregional library shall not be interpreted as a
26 reduction in local support and shall not disqualify a regional or
27 subregional library from receiving state aid under part 1.

1 Sec. 615. The department may provide and enter into agreements
2 to provide general services, training, meetings, information,
3 special equipment, software, facility use, and technical consulting
4 services to other principal executive departments, state agencies,
5 local units of government, the judicial branch of government, other
6 organizations, and patrons of department facilities. The department
7 may charge fees for these services that are reasonably related to
8 the cost of providing the services. In addition to the funds
9 appropriated in part 1, funds collected by the department for these
10 services are appropriated for all expenses necessary. The funds
11 appropriated under this section are allotted for expenditure when
12 they are received by the department of treasury.

13 HEALTH REGULATION

14 Sec. 708. Nursing facilities shall report in the quarterly
15 staff report to the department, the total patient care hours
16 provided each month, by state licensure and certification
17 classification, and the percentage of pool staff, by state
18 licensure and certification classification, used each month during
19 the preceding quarter. The department shall make available to the
20 public, the quarterly staff report compiled for all facilities
21 including the total patient care hours and the percentage of pool
22 staff used, by classification.

23 Sec. 714. The department shall report by April 1 to the
24 subcommittees, fiscal agencies, and state budget director on the
25 timeliness of nursing facility complaint investigations and the
26 number of allegations that are substantiated on an annual basis.

1 The report shall consist of the number of allegations filed by
2 consumers and the number of facility-reported incidents. The
3 department shall make every effort to contact every complainant and
4 the subject of a complaint during an investigation.

5 Sec. 716. The department shall give priority in investigations
6 of alleged wrongdoing by licensed health care professionals to
7 instances that are alleged to have occurred within 2 years of the
8 initial complaint.

9 Sec. 718. The department shall gather information on its most
10 frequently cited complaint deficiencies for the prior 3 fiscal
11 years. The department shall determine whether there is an increase
12 in the number of citations from 1 year to the next and assess the
13 cause of the increase, if any, and whether education and training
14 of nursing facility staff or department staff is needed. The
15 department shall provide the results of the study to the
16 subcommittees, fiscal agencies, and state budget director by May 1.

17 Sec. 726. (1) The department shall submit a report by April 1
18 to the subcommittees, fiscal agencies, and state budget director
19 that includes all data on the amount collected from medical
20 marihuana program application and renewal fees along with the cost
21 of administering the medical marihuana program under the Michigan
22 medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430.

23 (2) If the required fees are shown to be insufficient to
24 offset all expenses of implementing and administering the medical
25 marihuana program, the department shall review and revise the
26 application and renewal fees accordingly to ensure that all
27 expenses of implementing and administering the medical marihuana

1 program are offset as is permitted under section 5 of the Michigan
2 medical marihuana act, 2008 IL 1, MCL 333.26425.

3 (3) The department shall submit a report by January 1 to the
4 standing committees on appropriations of the senate and house of
5 representatives, the fiscal agencies, and the state budget director
6 that includes all of the following information for the prior fiscal
7 year regarding the medical marihuana program under the Michigan
8 medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430:

9 (a) The number of initial applications received.

10 (b) The number of initial applications approved and the number
11 of initial applications denied.

12 (c) The average amount of time, from receipt to approval or
13 denial, to process an initial application.

14 (d) The number of renewal applications received.

15 (e) The number of renewal applications approved and the number
16 of renewal applications denied.

17 (f) The average amount of time, from receipt to approval or
18 denial, to process a renewal application.

19 (g) The percentage of initial applications not approved or
20 denied within the time requirements established in section 6 of the
21 Michigan medical marihuana act, 2008 IL 1, MCL 333.26426.

22 (h) The percentage of renewal applications not approved or
23 denied within the time requirements established in section 6 of the
24 Michigan medical marihuana act, 2008 IL 1, MCL 333.26426.

25 (i) The percentage of registry cards for approved initial
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 (j) The percentage of registry cards for approved renewal
3 applications not issued within the time requirements established in
4 section 6 of the Michigan medical marihuana act, 2008 IL 1, MCL
5 333.26426.

6 Sec. 727. By October 1, 2011, the department shall establish
7 and implement a bid process to identify a private or public
8 contractor to provide management of the medical marihuana program.
9 By January 1, the department shall transfer responsibility for
10 management of the medical marihuana program to the contractor
11 identified by the bid process.

12 Sec. 729. (1) A hospital or freestanding surgical outpatient
13 facility may report whether a registered nurse, qualified by
14 training and experience in operating room nursing, is present as a
15 circulating nurse in each separate operating room where surgery is
16 being performed for the duration of the operative procedure. This
17 section does not preclude a circulating nurse from leaving the
18 operating room as part of the procedure, leaving the operating room
19 as part of the operative procedure, leaving the operating room for
20 short periods, or, in accordance with employer rules or
21 regulations, being relieved during an operative procedure by
22 another circulating nurse assigned to continue the operative
23 procedure.

24 (2) The department shall report any data collected pursuant to
25 subsection (1) on the use of a circulating nurse in the operating
26 room of hospitals and freestanding surgical outpatient facilities
27 to the legislature on an annual basis. The circulating nurse shall

1 **GENERAL SECTIONS**

2 Sec. 1201. It is the intent of the legislature to provide
 3 appropriations for the fiscal year ending on September 30, 2013 for
 4 the line items listed in part 1. The fiscal year 2012-2013
 5 appropriations are anticipated to be the same as those for fiscal
 6 year 2011-2012, except that the line items will be adjusted for
 7 changes in caseload and related costs, federal fund match rates,
 8 economic factors, and available revenue. These adjustments will be
 9 determined after the January 2012 consensus revenue estimating
 10 conference.

11 ARTICLE XIII

12 DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

13 PART 1

14 LINE-ITEM APPROPRIATIONS

15 FOR FISCAL YEAR 2011-2012

16 Sec. 101. Subject to the conditions set forth in this article,
 17 the amounts listed in this part for the department of military and
 18 veterans affairs are appropriated for the fiscal year ending
 19 September 30, 2012 from the funds indicated in this part. The
 20 following is a summary of the appropriations in this part:

21 **DEPARTMENT OF MILITARY AND VETERANS AFFAIRS**

22 APPROPRIATION SUMMARY

23 Full-time equated unclassified positions..... 7.0
 24 Full-time equated classified positions..... 819.0

1	GROSS APPROPRIATION.....	\$	152,483,500
2	Total interdepartmental grants and intradepartmental		
3	transfers		1,152,800
4	Schedule of interdepartmental grant revenue sources:		
5	IDG, challenge grant		152,800
6	IDG, community health		100,000
7	IDG, state police		900,000
8	ADJUSTED GROSS APPROPRIATION	\$	151,330,700
9	Total federal revenues.....		87,678,000
10	Schedule of federal revenue sources:		
11	DOD-DOA-NGB		59,527,800
12	DVA-VHA		24,657,500
13	HHS-Medicare		3,262,000
14	HHS-Medicaid		180,700
15	Federal counter narcotics revenues.....		50,000
16	Total local revenues.....		744,800
17	Schedule of local revenue sources:		
18	Local - school aid revenue		744,800
19	Total private revenues.....		1,423,300
20	Schedule of private revenue sources:		
21	Private donations		883,300
22	Private-veterans' home post and posthumous		
23	funds		540,000
24	Total other state restricted revenues.....		28,439,700
25	Schedule of restricted revenue sources:		
26	Rental fees		346,400
27	Mackinac bridge authority		70,000

1	Test project fees	100,000	
2	Income and assessments	21,857,800	
3	Lease revenue	12,200	
4	Michigan veterans trust fund	5,053,300	
5	Michigan family relief fund	1,000,000	
6	State general fund/general purpose		\$ 33,044,900
7	Sec. 102. MILITARY		
8	Full-time equated unclassified positions.....	7.0	
9	Full-time equated classified positions.....	285.0	
10	Military.....		\$ <u>54,119,800</u>
11	GROSS APPROPRIATION.....		\$ 54,119,800
12	Appropriated from:		
13	Interdepartmental grant revenues.....		1,000,000
14	Federal revenues.....		38,523,900
15	State restricted revenues.....		884,500
16	State general fund/general purpose.....		\$ 13,711,400
17	Schedule of programs:		
18	Headquarters and armories	11,363,300	
19	Unclassified military personnel.....	665,000	
20	Military appeals tribunal	900	
21	State active duty	100,100	
22	Homeland security	1,000,000	
23	Military training sites and support		
24	facilities	28,212,100	
25	Military training site and support facilities test		
26	projects	100,000	
27	Departmentwide accounts	1,861,300	

1	Special maintenance - state	651,200	
2	Special maintenance - federal.....	5,300,000	
3	Military retirement	3,784,100	
4	Counter narcotic operations	50,000	
5	Information technology services and		
6	projects	1,031,800	
7	Sec. 103. VETERANS AND COMMUNITY OUTREACH		
8	Full-time equated classified positions.....	33.0	
9	Veterans and community outreach.....		\$ <u>15,402,100</u>
10	GROSS APPROPRIATION.....		\$ 15,402,100
11	Appropriated from:		
12	Interdepartmental grant revenues.....		152,800
13	Federal revenues.....		4,728,000
14	Local revenues.....		744,800
15	Private revenues.....		883,300
16	State restricted revenues.....		5,653,300
17	State general fund/general purpose.....		\$ 3,239,900
18	Schedule of programs:		
19	Veterans advice, advocacy and assistance		
20	grants	3,029,600	
21	Veterans' affairs directorate administration.	205,300	
22	Veterans' trust fund administration.....	1,306,800	
23	Veterans' trust fund grants	3,746,500	
24	Michigan emergency volunteers.....	5,000	
25	Challenge program	4,186,900	
26	Military family relief fund	600,000	
27	Starbase grant	2,322,000	

1	Sec. 104. HOMES		
2	Full-time equated classified positions.....	501.0	
3	Homes.....		\$ <u>66,261,600</u>
4	GROSS APPROPRIATION.....		\$ 66,261,600
5	Appropriated from:		
6	Federal revenues.....		27,726,100
7	Private revenues.....		540,000
8	State restricted revenues.....		21,901,900
9	State general fund/general purpose.....		\$ 16,093,600
10	Schedule of programs:		
11	Grand Rapids veterans' home	48,251,000	
12	Board of managers	665,000	
13	D.J. Jacobetti veterans' home.....	17,070,600	
14	Board of managers	275,000	
15	Sec. 105. CAPITAL OUTLAY		
16	Capital outlay.....		\$ <u>16,700,000</u>
17	GROSS APPROPRIATION.....		\$ 16,700,000
18	Appropriated from:		
19	Federal revenues.....		16,700,000
20	State general fund/general purpose.....		\$ 0
21	Schedule of programs:		
22	Special maintenance, remodeling and		
23	additions	15,000,000	
24	Camp Grayling - light demolition range.....	1,700,000	

25 PART 2

26 PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

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 2011-2012 is \$61,484,600.00 and state spending from state resources to be paid to local units of government for fiscal year 2011-2012 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

Military.....	\$	70,000
Schedule of programs:		
Payments in lieu of taxes.....		70,000
Veterans and community outreach.....		50,000
Schedule of programs:		
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.

1 (d) "DTMB" means the department of technology, management, and
2 budget.

3 (e) "DVA" means the United States department of veterans
4 affairs.

5 (f) "DVA-VHA" means the DVA veterans health administration.

6 (g) "IDG" means interdepartmental grant.

7 (h) "Work project" means, except as used in section 211, a
8 group of activities featuring a fixed duration, budget, and scope
9 that is expected to cause a measurable change in the delivery,
10 efficiency, or effectiveness of 1 or more operations.

11 (i) "Large veterans service organization" means a VSO that can
12 certify that its membership exceeds 30,000 individuals.

13 (j) "Medium veterans service organization" means a VSO that
14 can certify that its membership is between 2,500 and 30,000
15 individuals.

16 (k) "Small veterans service organization" means a VSO that can
17 certify that its membership is between 1,000 and 2,499 individuals.

18 (l) "VSO" means veterans service organization.

19 Sec. 204. The following shall constitute the appropriations
20 from part 1 for interdepartmental grant funds received by the
21 department from sources outside the department: \$152,800.00 from
22 challenge grant; \$100,000.00 from the department of community
23 health; and \$900,000.00 from the department of state police.

24 Sec. 206. (1) In addition to the funds appropriated in part 1,
25 there is appropriated an amount not to exceed \$10,000,000.00 for
26 federal contingency funds. These funds are not available for
27 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 (2) In addition to the funds appropriated in part 1, there is
4 appropriated an amount not to exceed \$2,000,000.00 for state
5 restricted contingency funds. These funds are not available for
6 expenditure until they have been transferred to another line item
7 in this article under section 393(2) of the management and budget
8 act, 1984 PA 431, MCL 18.1393.

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

21 Sec. 207. (1) The department shall maintain a searchable
22 website accessible by the public at no cost that includes, but it
23 not limited to, all of the following:

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

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

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

1 payment description.

2 (d) The number of active department employees by job
3 classification.

4 (e) Job specifications and wage rates.

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

8 Sec. 208. Unless otherwise specified, the department shall use
9 the Internet to fulfill the reporting requirements of this article.
10 This requirement may include transmission of reports via electronic
11 mail to the recipients identified for each reporting requirement,
12 or it may include placement of reports on an Internet or Intranet
13 site.

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

24 Sec. 210. The director of each department receiving
25 appropriations in part 1 shall take all reasonable steps to ensure
26 businesses in deprived and depressed communities compete for and
27 perform contracts to provide services or supplies, or both. Each

1 director shall strongly encourage firms with which the department
2 contracts to subcontract with certified businesses in depressed and
3 deprived communities for services, supplies, or both.

4 Sec. 211. 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. 212. The departments and agencies receiving
12 appropriations in part 1 shall receive and retain copies of all
13 reports funded from appropriations in part 1. Federal and state
14 guidelines for short-term and long-term retention of records shall
15 be followed. The department may electronically retain copies of
16 reports unless otherwise required by federal and state guidelines.

17 Sec. 213. (1) Due to the current budgetary problems in this
18 state, out-of-state travel for this fiscal year ending September
19 30, 2012 shall be limited to situations in which 1 or more of the
20 following conditions apply:

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

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

26 (c) The travel is necessary to produce budgetary savings or to
27 increase state revenues, including protecting existing federal

1 funds or securing additional federal funds.

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

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

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

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

13 Sec. 214. From the funds appropriated in part 1 for
14 information technology, departments and agencies shall pay user
15 fees to the department of technology, management, and budget for
16 technology-related services and projects. The user fees shall be
17 subject to provisions of an interagency agreement between the
18 department and agencies and the department of technology,
19 management, and budget.

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

23 Sec. 216. (1) Notwithstanding any other provision of this
24 article, the schedule of programs in part 1 lists programs which
25 may, but are not required to be, funded under this article.

26 (2) Notwithstanding any other provisions of this article, the
27 schedule of revenue sources in part 1 may or may not be received

1 from the funding entities listed.

2 (3) Any funding required by statute is not subject to funding
3 flexibility and shall be funded in accordance with that statute.

4 Sec. 217. The department shall improve its budgetary
5 efficiency pertaining to the delivery of core services delineated
6 in section 211 by doing all of the following:

7 (a) Prioritizing personnel over buildings in budgetary
8 efficiency considerations.

9 (b) Pursuing the physical or virtual consolidation of support
10 service functions such as information technology, human resources,
11 and accounting as a means of improving standardization and
12 efficiency.

13 (c) Seeking expenditure reductions whenever possible through
14 the streamlining of existing service delivery activities

15 (d) Identifying efficiencies that can be gained via the
16 reduction or elimination of programs, policies, and practices which
17 have outlived their usefulness.

18 Sec. 218. (1) Any unused general fund/general purpose funds
19 for this fiscal year created through efficiencies and identified by
20 the department as potential lapsed funds shall be designated as the
21 department incentive pool balance, provided that all the
22 requirements of this part have been met.

23 (2) Any funds associated with any supplemental general
24 fund/general purpose fund requests for this fiscal year shall be
25 debited against this fiscal year's department incentive pool
26 balance if it does not meet 1 or more of the following criteria:

27 (a) The supplemental funds pertain to the addition of a new

1 core service.

2 (b) The supplemental funds pertain to the expansion of
3 existing service capacity beyond current fiscal year expectations.

4 (3) At the end of this fiscal year, if the incentive pool
5 balance is positive, the department incentive pool balance shall be
6 allocated as follows:

7 (a) Ten percent of the unused funds shall be allocated as work
8 project funds to be used in a manner that provides direct benefit
9 to department employees or their families within 12 months of the
10 end of this fiscal year.

11 (b) Forty percent of the unused funds shall be allocated as
12 work project funds to be used at the discretion of the department
13 for projects designed to improve service delivery.

14 (c) Fifty percent of the unused funds shall be lapsed to the
15 general fund/general purpose fund.

16 Sec. 219. (1) The department shall be available to meet on a
17 quarterly basis before the appropriate senate and house
18 appropriations subcommittee.

19 (2) The department shall provide all information necessary to
20 validate that the requirements of this part have been achieved.

21 (3) The department shall provide a corrective action plan
22 within 30 days of a quarterly report under this section for any
23 requirements of this part that have not been achieved. The
24 department shall provide a monthly status of corrective action
25 plans.

26 (4) The department shall provide a summary of fund shifts,
27 that have been approved by the state budget office, that have

1 occurred between core services on a quarterly basis to the senate
2 and house appropriations subcommittees.

3 (5) The department shall provide the following data to the
4 senate and house appropriations subcommittees:

5 (a) A list of all major work projects, including a status
6 report of each project.

7 (b) The department's financial status, featuring a report of
8 budgeted versus actual expenditures by part 1 line item including a
9 year-end projection of budget requirements. If projected department
10 budget requirements exceed the allocated budget, the report shall
11 include a plan to reduce overall expenses while still satisfying
12 specified service level requirements.

13 (c) Evidence of efficiencies and management of funds within
14 established appropriations, documented through the DTMB monthly
15 expenditure report as described in section 301(3) of this part.

16 (d) A list of projected armory closings from section 302(6) of
17 this part.

18 (e) A list of property sales as described in section 223 of
19 this part.

20 (6) The department shall provide a corrective action plan for
21 any service metrics that do not meet requirements. The department
22 shall provide a status of correction action plans at the next
23 quarterly review.

24 (7) The Grand Rapids and D.J. Jacobetti veterans' homes shall
25 provide to the appropriate house and senate appropriations
26 subcommittees the results of the veterans' homes annual veterans'
27 affairs inspection and their corrective action plans.

1 Sec. 220. The department shall provide the following data to
2 the appropriate senate and house appropriations subcommittees on an
3 annual basis:

4 (a) Using information received from the grant recipients in
5 section 401 of this part, a progress report on metric requirements,
6 copies of certified financial audits and tax reports of grant
7 recipients, a listing from grant recipients of expenditures by
8 spending category, including a listing of individual salaries of
9 each officer and administrative staff, a listing of volunteer hours
10 including the hours, series, and donations provided to residents of
11 the Grand Rapids veterans' home and the D.J. Jacobetti veterans'
12 home. The department shall provide within the report a specific
13 notification whether any veterans grant recipients failed to comply
14 with established reporting requirements.

15 (b) The Grand Rapids veterans' home and the D.J. Jacobetti
16 veterans' home shall produce a report including an accounting of
17 member populations and bed space available, a description and
18 accounting of services and activities provided to members,
19 financial information, and current state nursing home licensure
20 status.

21 (c) A detailed report of the Michigan veteran's trust fund
22 that includes information on grants provided from the emergency
23 grant program, including details concerning the methodology of
24 allocations, the selection of emergency grant program authorized
25 agents, and a detailed breakdown of trust fund expenditures for
26 that year. The report shall also provide an update on the
27 department's efforts to reduce program administrative costs and

1 maintain the Michigan veterans' trust fund corpus to its original
2 amount of at least \$50,000,000.00.

3 Sec. 221. Grant recipients in section 401 of this part shall
4 submit a report to the department on the number of claims filed for
5 veterans in this state with the United States department of
6 veterans affairs and the number of actual claims awarded.

7 Sec. 222. The appropriations in part 1 are for the core
8 services, support services, and work projects of the department,
9 including, but not limited to, the following core services:
10 armories and joint forces readiness, maintenance and operation of
11 army national guard training facilities, operation and maintenance
12 of air national guard air bases, veterans affairs directorate and
13 administration of the veterans trust fund, administration and
14 oversight of veterans advice, advocacy, and assistance grants,
15 training support for county veterans counselors, administration of
16 the military family relief fund, the Michigan youth challenge
17 academy program, and the administration of the Grand Rapids
18 veterans' home and the D.J. Jacobetti veterans' home.

19 Sec. 223. Sixty days prior to the public announcement of the
20 intention to sell any department property, the department shall
21 submit notification of that intent to the appropriate senate and
22 house appropriations subcommittees and the senate and house fiscal
23 agencies.

24 Sec. 224. The department shall consult with the house and
25 senate appropriations subcommittees on state police and military
26 and veterans affairs regarding the projected closing or
27 consolidation of any national guard armories.

1 Sec. 225. 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. 226. The department shall seek partnerships with United
8 States armed forces reserve units for the colocation of activities,
9 including sharing in the acquisition and costs for facilities.

10 Sec. 227. Bids for contract services shall not exclude public
11 employee unions from the bid process.

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

21 Sec. 229. Within 14 days after the release of the executive
22 budget recommendation, the department shall provide the state
23 budget director, the senate and house appropriations chairs, the
24 senate and house appropriations subcommittees on state police and
25 military and veterans affairs, respectively, and the senate and
26 house fiscal agencies with an annual report on estimated state
27 restricted fund balances, state restricted fund projected revenues,

1 and state restricted fund expenditures for the fiscal years ending
2 September 30, 2011 and September 30, 2012.

3 **MILITARY**

4 Sec. 301. (1) The department shall provide administrative
5 support for department operations.

6 (2) The department shall maintain the staffing and resources
7 necessary to ensure proper accountability of state funds.

8 (3) The department shall maintain the staffing and resources
9 necessary to adhere to the state of Michigan financial management
10 guide for accounting, contracting, purchasing, budgeting, and
11 financial reporting and the administrative guide to state
12 government.

13 (4) The department shall ensure fiscal controls relating to
14 procurement of goods and services and other expenditures.

15 Sec. 302. (1) The department shall operate and maintain
16 national guard armories.

17 (2) The department shall provide resources necessary to ensure
18 that armories are maintained in accordance with army regulation
19 210-4.

20 (3) The department shall evaluate armories for consolidation,
21 energy, and utility efficiency and identify work projects that
22 would improve this efficiency.

23 (4) The department shall provide armory equipment maintenance
24 by maintaining equipment and tracking and monitoring trends in
25 repair maintenance to determine whether a piece of equipment is to
26 be retired or kept.

1 (5) The department shall provide security for national guard
2 armories by ensuring that a passive electronic security system is
3 in place at all armories.

4 (6) The department shall consult with the house and senate
5 appropriations subcommittees on state police and military and
6 veterans affairs regarding the projected closing or consolidation
7 of any national guard armories.

8 (7) Using individual facility assessments, the department
9 shall improve the adequacy of utilities and infrastructure of the
10 armories. The department shall improve quality rating at the armory
11 facilities based on the number of faults corrected and dollars
12 available (spent) during the fiscal year.

13 Sec. 303. (1) The department shall provide army national guard
14 forces, when directed, for state and local emergencies and in
15 support of national military requirements.

16 (2) The department shall provide resources necessary to train
17 and equip military forces to standards set by the United States
18 armed forces.

19 Sec. 304. (1) The department shall operate and maintain army
20 national guard training facilities, including Fort Custer and Camp
21 Grayling.

22 (2) The department shall provide resources necessary to meet
23 building maintenance requirements per performance specifications
24 established in master cooperative agreement appendix 1, section
25 104, national guard bureau regulations.

26 (3) Army national guard training facilities security
27 management shall secure all locations, monitor alarm equipment, and

1 adhere to state laws, statutes, and army regulation 190-56 and
2 master cooperative agreement appendix 3, section 308, national
3 guard bureau regulations.

4 (4) Using individual facility assessments, the department
5 shall improve the adequacy of utilities and infrastructure of the
6 air bases. The department shall improve quality rating at the air
7 base facilities based on the number of faults corrected and dollars
8 available (spent) during the fiscal year.

9 Sec. 305. (1) The department shall provide air national guard
10 forces when directed, for state and local emergencies and in
11 support of national military requirements.

12 (2) The department shall provide resources necessary to train
13 and equip military forces to standards set by the United States
14 armed forces.

15 (3) Using individual facility assessments, the department
16 shall improve the adequacy of utilities and infrastructure of the
17 military training sites and support facilities. The department
18 shall improve quality rating at the facilities based on the number
19 of faults corrected and dollars available (spent) during the fiscal
20 year.

21 Sec. 306. (1) The department shall operate and maintain air
22 national guard air bases, including Selfridge air national guard
23 base, Battle Creek air national guard base, and Alpena combat
24 readiness training center.

25 (2) The department shall provide resources necessary to meet
26 facility maintenance at air national guard bases, including
27 maintenance and preventive maintenance of authorized building and

1 systems at no less than the minimum standards required by
2 applicable federal, state, and local agencies.

3 (3) The department shall maintain the staffing and resources
4 necessary to provide security services at air national guard bases,
5 including the security of the location and the monitoring of alarm
6 equipment, in accordance with air force instruction 31-101 and
7 master cooperative agreement appendix 23, section 2308, national
8 guard bureau regulations.

9 **VETERANS AND COMMUNITY OUTREACH**

10 Sec. 401. (1) The department shall provide advice, advocacy,
11 and assistance services to Michigan veterans.

12 (2) The department shall maintain the staffing and resources
13 necessary to develop and operate a program that will provide
14 benefits counseling and representation to veterans of this state
15 for the purpose of assisting veterans to obtain United States
16 department of veteran affairs health, financial, and memorial
17 benefits for which they are eligible.

18 (3) The department shall create a 5-member advisory board
19 consisting of presidents/commanders from 2 large veterans service
20 organizations, 2 medium veterans service organizations, and 1 small
21 veterans service organization. The board shall meet no less than
22 twice a year, without reimbursement by the department, and have the
23 following duties:

24 (a) Assist the department in establishing criteria for grant
25 awards. The department, while utilizing advice provided by the
26 board in establishing grant criteria, is solely responsible for

1 determination of the amounts and recipients of the grants.

2 (b) Serve as a liaison between the grant recipients, the
3 department, and the legislature.

4 (c) Assist the department in developing plans, reviewing
5 service delivery, and identifying goals to better assist veterans
6 in applying for and receiving benefits from the federal, state, and
7 local governments.

8 (d) Provide a forum regarding veterans' issues, including
9 suggesting changes in department programs that address veterans'
10 changing needs.

11 (4) Of the appropriation in part 1 for veterans advice,
12 advocacy, and assistance, grants shall be distributed by the
13 department in the form of 5 grants for the period beginning October
14 1, 2011, including 1 specialized grant. The specialized grant shall
15 be awarded to a group specializing in advocacy for paralyzed
16 veterans.

17 (5) Money used for grants shall be used only for salaries,
18 wages, related personnel costs, in-state training, and equipment
19 for accredited veteran service advocacy officers and necessary
20 support and managerial staff.

21 (6) The department shall take steps to improve the
22 coordination of veterans' benefits counseling in the state to
23 maximize the effective and efficient use of taxpayer dollars in
24 this goal and to ensure that every veteran is served.

25 (7) The department shall increase its responsibility in the
26 administration, management, oversight, and outreach of the delivery
27 of services to veterans by working with grant recipients, the

1 veterans advisory board, county veterans counselors, and
2 representatives from the Michigan veterans trust fund to identify,
3 implement, and evaluate steps to do all the following:

4 (a) Maximize the coordination between all organizations that
5 assist veterans and identify areas of redundancy in services to
6 consolidate.

7 (b) Increase the percentage of veterans in this state who
8 become aware of their eligibility for service-connected disability
9 or pension benefits from the United States department of veterans
10 affairs.

11 (c) Improve national standing with regard to veterans affairs
12 benefits granted per veteran.

13 (d) Expand training opportunities for veteran service
14 organization service officers.

15 (e) Increase the percentage of veterans in this state who
16 become aware of their eligibility for enrollment in the veterans
17 affairs health care system.

18 (f) Publicize the availability, benefit, and value of burial
19 in the Fort Custer and Great Lakes national cemeteries.

20 Sec. 402. (1) The Michigan veterans' trust fund board together
21 with the department shall provide emergency grants for disbursement
22 from the Michigan veterans' trust fund.

23 (2) The Michigan veterans' trust fund board together with the
24 department shall maintain the staffing and resources necessary to
25 provide outreach to veterans who may need and qualify for veterans
26 trust fund emergency grants.

27 (3) The Michigan veterans' trust fund board shall work to

1 increase the percentage of grant applications that are approved and
2 received by eligible families by 5% over those approved and
3 received by eligible families in fiscal year 2009-2010.

4 Sec. 403. (1) The department shall provide grants for
5 disbursement from the military family relief fund.

6 (2) The department shall maintain the staffing and resources
7 necessary to provide outreach to the Michigan families of active
8 members of the armed forces.

9 (3) The department shall work to increase the percentage of
10 military family relief grant applications that are approved and
11 received by eligible families by 5% over those approved and
12 received by eligible families in fiscal year 2009-2010.

13 Sec. 404. (1) The department shall provide training support
14 for county veterans counselors.

15 (2) The department shall provide resources necessary to
16 provide county veterans counselors with training to ensure quality
17 services to veterans.

18 (3) The department shall work with counties towards the goal
19 of having at least 1 county veterans counselor in every county in
20 this state.

21 (4) The Michigan veterans' affairs directorate administration
22 and the Michigan veterans' trust fund administration shall take
23 steps to assist the county veterans counselors of this state to
24 obtain training necessary for the execution of their duties.

25 Sec. 405. (1) The department shall maintain the Michigan youth
26 challenge academy to provide values, skills, education, and self-
27 discipline instruction for at-risk youth.

1 (2) The department shall maintain the staffing and resources
2 necessary to recruit and train a starting class size of 144 cadets.

3 (3) The department shall provide food services for cadets
4 enrolled in the Michigan youth challenge academy which shall
5 include 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 (4) 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 (5) 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 (6) 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 (7) 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 (8) 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 series
24 programs. These eligible youth shall be given priority for
25 enrollment in the program.

26 (9) 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 **HOMES**

5 Sec. 501. (1) The department shall provide compassionate,
6 quality interdisciplinary care at the state's Grand Rapids and D.J.
7 Jacobetti veterans' homes so that members can achieve their highest
8 potential of wellness, independence, self-worth, and dignity.

9 (2) The department shall provide resources necessary to
10 provide adequate nursing care services to veterans in accordance
11 with federal standards, including the following:

12 (a) A licensed maximum capacity of skilled nursing beds of 618
13 at the Grand Rapids veterans' home.

14 (b) A licensed maximum capacity of domiciliary beds of 140 at
15 the Grand Rapids veterans' home.

16 (c) A licensed maximum capacity of skilled nursing beds of 182
17 at the D.J. Jacobetti veterans' home.

18 (d) A licensed maximum capacity of domiciliary beds of 59 at
19 the D.J. Jacobetti veterans' home.

20 (3) The Grand Rapids and D.J. Jacobetti veterans' homes shall
21 ensure that their medical staffing is in accordance with United
22 States department of veterans administration standards.

23 (4) The Grand Rapids and D.J. Jacobetti veterans' homes shall
24 ensure that transportation is assured for each resident for every
25 medical appointment outside the veterans' home.

26 (5) The Grand Rapids and D.J. Jacobetti veterans' homes shall

1 ensure that each member resident receives daily laundry service.

2 (6) The Grand Rapids and D.J. Jacobetti veterans' homes shall
3 ensure that maintenance and custodial services are provided for
4 each home in accordance with applicable local, state, and federal
5 standards.

6 (7) The Grand Rapids and D.J. Jacobetti veterans' homes shall
7 ensure that each resident receives a medical and care assessment
8 including a dietary plan upon admission to the home, with meals and
9 snacks provided in accordance with the plan and the United States
10 department of veterans administration rule 325.20803.

11 (8) The money appropriated in this article for the boards of
12 managers may be expended for facility improvements, the purchase
13 and repair of equipment and furnishings, member services, and other
14 purposes that benefit the Grand Rapids and D.J. Jacobetti veterans'
15 homes.

16 (9) Appropriations in this article for the Grand Rapids and
17 D.J. Jacobetti veterans' homes shall not be used for any purpose
18 other than for veterans and veterans' families.

19 (10) The department shall, prior to altering the spending plan
20 by the board of managers of post and posthumous funds, report to
21 the appropriate senate and house appropriations subcommittees 30
22 days prior to that action and shall indicate the rationale for that
23 decision.

24 (11) Any contractor providing competency evaluated nursing
25 assistants (CENA) to the Grand Rapids and D.J. Jacobetti veterans'
26 homes shall ensure that each CENA has at least 8 hours of training
27 on information provided by the veterans' home.

1 (12) Any contractor providing competency evaluated nursing
2 assistants to the Grand Rapids and D.J. Jacobetti veterans' homes
3 shall ensure that each CENA has at least 1 eight-hour shift of
4 shadowing at the veterans' home.

5 (13) Any contractor providing competency evaluated nursing
6 assistants to the Grand Rapids and D.J. Jacobetti veterans' homes
7 shall ensure that each CENA is competent in the basic skills needed
8 to perform his or her assigned duties at the veterans' home.

9 (14) Any contractor providing competency evaluated nursing
10 assistants to the Grand Rapids and D.J. Jacobetti veteran's homes
11 shall ensure that each CENA has at least 1 year of experience in
12 long-term care.

13 (15) The Grand Rapids and D.J. Jacobetti veterans' homes shall
14 provide each CENA at least 12 hours of in-service training once
15 that individual has been assigned to the veterans' home.

16 (16) The Grand Rapids and D.J. Jacobetti veterans' homes shall
17 ensure that care services are provided to each resident of the
18 veterans' homes in accordance with standards set by the United
19 States department of veterans' affairs.

20 CAPITAL OUTLAY

21 Sec. 601. (1) The director shall allocate lump-sum
22 appropriations made in this article consistent with statutory
23 provisions and the purposes for which funds were appropriated.
24 Lump-sum allocations shall address priority program or facility
25 needs and may include, but are not limited to, design,
26 construction, remodeling and addition, special maintenance, major

1 special maintenance, energy 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. 602. The appropriations in part 1 for capital outlay
10 shall be carried forward at the end of the fiscal year consistent
11 with section 248 of the management and budget act, 1984 PA 431, MCL
12 18.1248.

13 PART 2A

14 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

15 FOR FISCAL YEAR 2012-2013

16 GENERAL SECTIONS

17 Sec. 1201. It is the intent of the legislature to provide
18 appropriations for the fiscal year ending on September 30, 2013 for
19 the line items listed in part 1. The fiscal year 2012-2013
20 appropriations are anticipated to be the same as those for fiscal
21 year 2011-2012, except that the line items will be adjusted for
22 changes in caseload and related costs, federal fund match rates,
23 economic factors, and available revenue. These adjustments will be
24 determined after the January 2012 consensus revenue estimating
25 conference.

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ARTICLE XIV

DEPARTMENT OF NATURAL RESOURCES

PART 1

LINE-ITEM APPROPRIATIONS

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, 2012, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF NATURAL RESOURCES

APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions.....	2,173.4	
GROSS APPROPRIATION.....		\$ 330,195,800
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		1,935,000
ADJUSTED GROSS APPROPRIATION.....		\$ 328,260,800
Federal revenues:		
Total federal revenues.....		69,319,800
Special revenue funds:		
Total private revenues.....		2,842,400
Total other state restricted revenues.....		242,267,400
State general fund/general purpose.....		\$ 13,831,200

FUND SOURCE SUMMARY

1	Full-time equated unclassified positions.....	6.0	
2	Full-time equated classified positions.....	2,173.4	
3	GROSS APPROPRIATION.....		\$ 330,195,800
4	Interdepartmental grant revenues:		
5	IDG, land acquisition services to work orders.....		415,800
6	IDG, MacMullan conference center revenue.....		1,519,200
7	Total interdepartmental grants and intradepartmental		
8	transfers		1,935,000
9	ADJUSTED GROSS APPROPRIATION.....		\$ 328,260,800
10	Federal revenues:		
11	Federal funds.....		69,319,800
12	Total federal revenues.....		69,319,800
13	Special revenue funds:		
14	Private funds.....		2,842,400
15	Total private revenues.....		2,842,400
16	Aircraft fees.....		284,800
17	Cervidae licensing and inspection fees.....		124,100
18	Clean Michigan initiative fund.....		26,800
19	Commercial forest fund.....		59,400
20	Forest development fund.....		34,829,300
21	Forest land user charges.....		656,600
22	Forest recreation account.....		2,147,000
23	Game and fish protection fund.....		63,371,400
24	Game and fish protection fund - deer habitat reserve .		2,682,100
25	Game and fish protection fund - fisheries settlement .		937,600
26	Game and fish protection fund - turkey permit fees ...		1,530,800
27	Game and fish protection fund - waterfowl fees		117,100

1	Game and fish - wildlife resource protection fund....	1,147,600
2	Game and fish protection fund - youth hunting and	
3	fishing education and outreach fund.....	54,600
4	History fees fund.....	373,900
5	Land exchange facilitation fund.....	5,882,700
6	Local public recreation facilities fund.....	857,000
7	Mackinac Island state park fund.....	1,746,800
8	Mackinac Island state park operation fund.....	182,600
9	Marine safety fund.....	3,914,500
10	Michigan heritage publications fund.....	51,100
11	Michigan natural resources trust fund.....	979,000
12	Michigan state parks endowment fund.....	25,772,300
13	Michigan state waterways fund.....	23,617,700
14	Michigan trailways fund.....	30,900
15	Museum operations fund.....	549,000
16	Nongame wildlife fund.....	744,700
17	Off-road vehicle safety education fund.....	311,700
18	Off-road vehicle trail improvement fund.....	3,959,200
19	Park improvement fund.....	45,859,700
20	Permanent snowmobile trail easement fund.....	700,000
21	Public use and replacement deed fees.....	49,900
22	Recreation improvement account.....	1,510,300
23	Recreation passport fees.....	5,264,300
24	Snowmobile registration fee revenue.....	1,754,100
25	Snowmobile trail improvement fund.....	10,135,700
26	Sportsmen against hunger fund.....	51,100
27	Total other state restricted revenues.....	242,267,400

1	State general fund/general purpose.....	\$	13,831,200
2	Sec. 102. EXECUTIVE OPERATIONS		
3	Full-time equated unclassified positions.....	6.0	
4	Full-time equated classified positions.....	10.0	
5	Natural resources commission.....	\$	79,500
6	Unclassified salaries--6.0 FTE positions.....		315,500
7	Executive direction and citizen advisory		
8	councils--10.0 FTE positions		<u>1,700,600</u>
9	GROSS APPROPRIATION.....	\$	2,095,600
10	Appropriated from:		
11	Special revenue funds:		
12	Forest development fund.....		307,000
13	Forest land user charges.....		5,800
14	Forest recreation account.....		9,800
15	Game and fish protection fund.....		772,700
16	Game and fish protection fund - deer habitat reserve .		24,100
17	Game and fish protection fund - turkey permit fees ...		9,100
18	Game and fish protection fund - waterfowl fees		700
19	Game and fish protection fund - wildlife resource		
20	protection fund		9,100
21	Land exchange facilitation fund.....		16,200
22	Marine safety fund.....		17,700
23	Michigan natural resources trust fund.....		1,000
24	Michigan state parks endowment fund.....		147,100
25	Michigan state waterways fund.....		133,800
26	Nongame wildlife fund.....		3,200
27	Off-road vehicle trail improvement fund.....		35,300

1	Park improvement fund.....		328,600
2	Recreation improvement account.....		2,800
3	Snowmobile registration fee revenue.....		6,100
4	Snowmobile trail improvement fund.....		19,200
5	State general fund/general purpose.....	\$	246,300
6	Sec. 103. GREAT LAKES RESTORATION INITIATIVE		
7	Great Lakes restoration initiative.....	\$	<u>10,000,000</u>
8	GROSS APPROPRIATION.....	\$	10,000,000
9	Appropriated from:		
10	Federal revenues:		
11	Federal funds.....		10,000,000
12	State general fund/general purpose.....	\$	0
13	Sec. 104. DEPARTMENT SUPPORT SERVICES		
14	Full-time equated classified positions..... 126.2		
15	Central support services--119.2 FTE positions.....	\$	15,012,500
16	Accounting service center.....		1,348,500
17	Science and policy--7.0 FTE positions.....		703,700
18	Building occupancy charges.....		3,115,400
19	Rent - privately owned property.....		488,400
20	Gifts and bequests.....		<u>500,000</u>
21	GROSS APPROPRIATION.....	\$	21,168,500
22	Appropriated from:		
23	Interdepartmental grant revenues:		
24	IDG, land acquisition services to work orders.....		415,800
25	Federal revenues:		
26	Federal funds.....		214,900
27	Special revenue funds:		

1	Private funds.....	500,000
2	Clean Michigan initiative fund.....	26,800
3	Forest development fund.....	2,784,300
4	Forest land user charges.....	22,700
5	Forest recreation account.....	47,100
6	Game and fish protection fund.....	4,531,500
7	Game and fish protection fund - deer habitat reserve .	291,800
8	Game and fish protection fund - turkey permit fees ...	126,700
9	Game and fish protection fund - waterfowl fees	2,100
10	Game and fish protection fund - wildlife resource	
11	protection fund	36,700
12	Land exchange facilitation fund.....	5,704,200
13	Marine safety fund.....	365,400
14	Michigan natural resources trust fund.....	958,000
15	Michigan state parks endowment fund.....	539,800
16	Michigan state waterways fund.....	564,400
17	Nongame wildlife fund.....	19,600
18	Off-road vehicle trail improvement fund.....	25,100
19	Park improvement fund.....	1,331,200
20	Public use and replacement deed fees.....	49,900
21	Recreation improvement account.....	23,700
22	Snowmobile registration fee revenue.....	44,700
23	Snowmobile trail improvement fund.....	195,400
24	State general fund/general purpose.....	\$ 2,346,700
25	Sec. 105. COMMUNICATION AND CUSTOMER SERVICES	
26	Full-time equated classified positions.....	129.3
27	Marketing, education and technology--	78.3 FTE

1	positions	\$	13,368,200
2	Historical administration and services--36.0 FTE		
3	positions		3,958,200
4	Archives--8.0 FTE positions.....		800,100
5	Museum stores--6.0 FTE positions.....		549,000
6	Special programs (Mann house)--1.0 FTE positions		<u>113,300</u>
7	GROSS APPROPRIATION.....	\$	18,788,800
8	Appropriated from:		
9	Federal revenues:		
10	Federal funds.....		2,072,200
11	Special revenue funds:		
12	Private funds.....		650,100
13	Forest development fund.....		122,600
14	Forest recreation account.....		15,400
15	Game and fish protection fund.....		8,261,900
16	Game and fish protection fund - youth hunting and		
17	fishing education and outreach fund.....		49,800
18	History fees fund.....		373,900
19	Land exchange facilitation fund.....		42,600
20	Marine safety fund.....		32,800
21	Michigan heritage publications fund.....		51,100
22	Michigan state parks endowment fund.....		82,600
23	Michigan state waterways fund.....		136,100
24	Museum operations fund.....		549,000
25	Nongame wildlife fund.....		11,300
26	Off-road vehicle safety education fund.....		54,100
27	Off-road vehicle trail improvement fund.....		20,400

1	Park improvement fund.....		2,406,400
2	Recreation passport fees.....		21,900
3	Snowmobile registration fee revenue.....		65,100
4	Snowmobile trail improvement fund.....		42,100
5	Sportsmen against hunger fund.....		51,100
6	State general fund/general purpose.....	\$	3,676,300
7	Sec. 106. WILDLIFE MANAGEMENT		
8	Full-time equated classified positions.....	206.0	
9	Wildlife management--197.0 FTE positions.....		\$ 28,619,900
10	Natural resources heritage--9.0 FTE positions.....		1,178,000
11	State game and wildlife area maintenance.....		<u>750,000</u>
12	GROSS APPROPRIATION.....		\$ 30,547,900
13	Appropriated from:		
14	Federal revenues:		
15	Federal funds.....		14,971,100
16	Special revenue funds:		
17	Private funds.....		168,700
18	Cervidae licensing and inspection fees.....		76,000
19	Forest development fund.....		69,400
20	Game and fish protection fund.....		9,435,800
21	Game and fish protection fund - deer habitat reserve.		2,167,800
22	Game and fish protection fund - turkey permit fees...		1,323,900
23	Game and fish protection fund - waterfowl fees.....		106,200
24	Nongame wildlife fund.....		662,600
25	State general fund/general purpose.....	\$	1,566,400
26	Sec. 107. FISHERIES MANAGEMENT		
27	Full-time equated classified positions.....	232.0	

1	Aquatic resource mitigation--2.0 FTE positions	\$	937,600
2	Fish production--60.0 FTE positions		8,892,400
3	Fisheries resource management--170.0 FTE positions ...		19,882,700
4	Cormorant population mitigation program		<u>100,000</u>
5	GROSS APPROPRIATION	\$	29,812,700
6	Appropriated from:		
7	Federal revenues:		
8	Federal funds		11,459,600
9	Special revenue funds:		
10	Private funds		120,400
11	Game and fish protection fund		17,295,100
12	Game and fish protection fund - fisheries settlement .		937,600
13	State general fund/general purpose	\$	0
14	Sec. 108. LAW ENFORCEMENT		
15	Full-time equated classified positions..... 228.0		
16	General law enforcement--228.0 FTE positions	\$	<u>29,118,700</u>
17	GROSS APPROPRIATION	\$	29,118,700
18	Appropriated from:		
19	Federal revenues:		
20	Federal funds		5,338,900
21	Special revenue funds:		
22	Cervidae licensing and inspection fees		48,100
23	Forest recreation account		65,200
24	Game and fish protection fund		17,804,100
25	Game and fish protection fund - wildlife resource		
26	protection fund		1,050,200
27	Marine safety fund		1,433,600

1	Off-road vehicle safety education fund.....		87,400
2	Off-road vehicle trail improvement fund.....		1,065,100
3	Park improvement fund.....		65,200
4	Snowmobile registration fee revenue.....		908,700
5	State general fund/general purpose.....	\$	1,252,200
6	Sec. 109. RECREATION DIVISION		
7	Full-time equated classified positions.....	809.9	
8	MacMullan conference center--15.0 FTE positions.....	\$	1,519,200
9	Recreational boating--163.5 FTE positions.....		15,905,000
10	State parks--631.4 FTE positions.....		52,705,700
11	State parks improvement revenue bonds - debt service.		<u>1,153,700</u>
12	GROSS APPROPRIATION.....	\$	71,283,600
13	Appropriated from:		
14	Interdepartmental grant revenues:		
15	IDG, MacMullan conference center revenue.....		1,519,200
16	Federal revenues:		
17	Federal funds.....		125,900
18	Special revenue funds:		
19	Private funds.....		380,900
20	Michigan state parks endowment fund.....		12,486,000
21	Michigan state waterways fund.....		15,905,000
22	Off-road vehicle trail improvement fund.....		210,700
23	Park improvement fund.....		40,413,500
24	Recreation passport fees.....		242,400
25	State general fund/general purpose.....	\$	0
26	Sec. 110. MACKINAC ISLAND STATE PARK COMMISSION		
27	Full-time equated classified positions.....	37.0	

1	Historical facilities system--15.0 FTE positions	\$	1,746,800
2	Mackinac Island state park operations--22.0 FTE		
3	positions		<u>182,600</u>
4	GROSS APPROPRIATION.....	\$	1,929,400
5	Appropriated from:		
6	Special revenue funds:		
7	Mackinac Island state park fund.....		1,746,800
8	Mackinac Island state park operation fund.....		182,600
9	State general fund/general purpose.....	\$	0
10	Sec. 111. FOREST MANAGEMENT DIVISION		
11	Full-time equated classified positions.....		395.0
12	Adopt-a-forest program.....	\$	25,000
13	Cooperative resource programs--12.0 FTE positions		1,134,700
14	Forest management and timber market		
15	development--177.0 FTE positions.....		23,520,500
16	Forest fire equipment.....		431,500
17	Wildfire protection--122.0 FTE positions.....		12,474,800
18	Forest management initiatives--10.0 FTE positions		844,800
19	Forest recreation--48.0 FTE positions.....		5,338,900
20	Minerals management--26.0 FTE positions.....		<u>3,056,100</u>
21	GROSS APPROPRIATION.....	\$	46,826,300
22	Appropriated from:		
23	Federal revenues:		
24	Federal funds.....		3,053,900
25	Special revenue funds:		
26	Private funds.....		922,300
27	Aircraft fees.....		284,800

1	Commercial forest fund.....		54,600
2	Forest development fund.....		29,037,100
3	Forest land user charges.....		577,700
4	Forest recreation account.....		1,855,900
5	Game and fish protection fund.....		1,829,700
6	Michigan state parks endowment fund.....		2,278,000
7	Michigan state waterways fund.....		470,200
8	Michigan trailways fund.....		30,900
9	Off-road vehicle safety education fund.....		6,600
10	Off-road vehicle trail improvement fund.....		638,100
11	Recreation improvement account.....		356,600
12	Snowmobile registration fee revenue.....		15,600
13	Snowmobile trail improvement fund.....		1,759,500
14	State general fund/general purpose.....	\$	3,654,800
15	Sec. 112. GRANTS		
16	Federal - clean vessel act grants.....	\$	400,000
17	Federal - forest stewardship grants.....		3,125,000
18	Federal - land and water conservation fund payments ..		2,566,900
19	Federal - rural community fire protection.....		300,000
20	Federal - urban forestry grants.....		3,024,000
21	Grants to communities - federal oil, gas, and timber		
22	payments		3,450,000
23	National recreational trails.....		3,900,000
24	Game and nongame wildlife fund grants.....		10,000
25	Grant to counties - marine safety.....		3,647,400
26	Off-road vehicle safety training grants.....		150,000
27	Off-road vehicle trail improvement grants.....		1,953,500

1	Recreation improvement fund grants.....	1,100,000
2	Recreation passport local grants.....	857,000
3	Snowmobile law enforcement grants.....	673,000
4	Snowmobile local grants program.....	8,004,000
5	Trail easements.....	700,000
6	Deer habitat improvement partnership initiative.....	<u>50,000</u>
7	GROSS APPROPRIATION.....	\$ 33,910,800
8	Appropriated from:	
9	Federal revenues:	
10	Federal funds.....	18,333,300
11	Special revenue funds:	
12	Private funds.....	100,000
13	Game and fish protection fund - deer habitat reserve .	50,000
14	Local public recreation facilities fund.....	857,000
15	Marine safety fund.....	1,980,000
16	Nongame wildlife fund.....	10,000
17	Off-road vehicle safety education fund.....	150,000
18	Off-road vehicle trail improvement fund.....	1,953,500
19	Permanent snowmobile trail easement fund.....	700,000
20	Recreation improvement account.....	1,100,000
21	Snowmobile registration fee revenue.....	673,000
22	Snowmobile trail improvement fund.....	8,004,000
23	State general fund/general purpose.....	\$ 0
24	Sec. 113. INFORMATION TECHNOLOGY	
25	Information technology services and projects.....	\$ <u>9,633,500</u>
26	GROSS APPROPRIATION.....	\$ 9,633,500
27	Appropriated from:	

1	Special revenue funds:	
2	Commercial forest fund.....	4,800
3	Forest development fund.....	1,708,900
4	Forest land user charges.....	50,400
5	Forest recreation account.....	53,600
6	Game and fish protection fund.....	3,440,600
7	Game and fish protection fund - deer habitat reserve .	148,400
8	Game and fish protection fund - turkey permit fees ...	71,100
9	Game and fish protection fund - waterfowl fees.....	8,100
10	Game and fish protection fund - wildlife resource	
11	protection fund	51,600
12	Game and fish protection fund - youth hunting and	
13	fishing education and outreach fund.....	4,800
14	Land exchange facilitation fund.....	119,700
15	Marine safety fund.....	85,000
16	Michigan natural resources trust fund.....	20,000
17	Michigan state parks endowment fund.....	738,800
18	Michigan state waterways fund.....	478,200
19	Nongame wildlife fund.....	38,000
20	Off-road vehicle safety education fund.....	13,600
21	Off-road vehicle trail improvement fund.....	11,000
22	Park improvement fund.....	1,314,800
23	Recreation improvement account.....	27,200
24	Snowmobile registration fee revenue.....	40,900
25	Snowmobile trail improvement fund.....	115,500
26	State general fund/general purpose.....	\$ 1,088,500
27	Sec. 114. CAPITAL OUTLAY	

1	(a) STATE PARK AND FOREST AREA IMPROVEMENTS	
2	State parks repair and maintenance	\$ 14,500,000
3	Forest roads, bridges, and facilities	<u>900,000</u>
4	GROSS APPROPRIATION	\$ 15,400,000
5	Appropriated from:	
6	Special revenue funds:	
7	Forest development fund	800,000
8	Forest recreation account	100,000
9	Michigan state parks endowment fund	9,500,000
10	Recreation passport fees	5,000,000
11	State general fund/general purpose	\$ 0
12	(b) WATERWAYS BOATING PROGRAM	
13	Infrastructure improvements - local projects	\$ 480,000
14	Infrastructure improvements - state projects	1,950,000
15	Field initiatives - routine maintenance, paving,	
16	small-scale projects at state facilities	600,000
17	Land acquisition - acquire land for future boating	
18	access site development	400,000
19	Boating program, state boating access projects:	
20	South Higgins Lake, Roscommon County, new entrance,	
21	launch ramp, maneuver area, parking and traffic	
22	flow improvements (total authorized cost	
23	\$1,000,000; federal share \$750,000, state share	
24	\$250,000)	1,000,000
25	Cass Lake, Oakland County, parking improvements,	
26	maneuver area, launch ramp/road traffic flow	
27	improvements (total authorized cost \$2,000,000;	

1	federal share \$1,500,000; state share \$500,000).....	2,000,000
2	Boating program, harbors and docks, state facilities:	
3	East Tawas, Iosco County, harbor renovation, dock	
4	replacements, dredging, fueling station, new	
5	electrical/utilities, phase I (total authorized	
6	cost \$1,000,000; state share \$1,000,000).....	1,000,000
7	Fayette, Delta County, replace and expand existing	
8	dock, phase I (total authorized cost \$400,000;	
9	federal share \$300,000, state share \$100,000).....	400,000
10	Boating program, harbors and docks, local facilities:	
11	Cedarville, Mackinac County, dredging, steel sheet	
12	piling, parking improvements, launch ramps, docks,	
13	updated electrical/utilities, service building	
14	(total authorized cost \$2,040,000; state share	
15	\$1,020,000; local share \$1,020,000).....	1,020,000
16	Manistique, Schoolcraft County, marina improvements,	
17	new docks, new service building, phase I (total	
18	authorized cost \$1,660,000; state share \$830,000;	
19	local share \$830,000)	<u>830,000</u>
20	GROSS APPROPRIATION.....	\$ 9,680,000
21	Appropriated from:	
22	Federal revenues:	
23	Federal funds.....	3,750,000
24	Special revenue funds:	
25	Michigan state waterways fund.....	5,930,000
26	State general fund/general purpose.....	\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2011-2012 is \$256,098,600.00 and state spending from state resources to be paid to local units of government for fiscal year 2011-2012 is \$6,550,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF NATURAL RESOURCES

GRANTS

Grants to counties - marine safety.....	\$	1,980,000
Off-road vehicle safety training grants.....		150,000
Off-road vehicle trail improvement grants.....		450,000
Recreation improvement fund grants.....		110,000
Recreation passport local grants.....		857,000
Snowmobile law enforcement grants.....		673,000

CAPITAL OUTLAY

Waterways boating program.....	\$	<u>2,330,000</u>
TOTAL.....	\$	6,550,000

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) "Commission" means the natural resources commission.

1 (b) "Department" means the department of natural resources.

2 (c) "FTE" means full-time equated.

3 (d) "IDG" means interdepartmental grant.

4 (e) "IDT" means intradepartmental transfer.

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

10 Sec. 205. Unless otherwise specified, the department shall use
11 the Internet to fulfill the reporting requirements of this article.
12 This requirement may include transmission of reports via electronic
13 mail to the recipients identified for each reporting requirement,
14 or it may include placement of reports on an Internet or Intranet
15 site.

16 Sec. 206. Appropriations of state restricted game and fish
17 protection funds have been made in the following amounts to the
18 following departments and agencies in their respective
19 appropriation acts:

20	Legislative auditor general.....	\$	22,000
21	Attorney general.....		797,100
22	Department of technology, management, and budget.....		408,500
23	Department of treasury.....		1,201,500

24 Sec. 207. Pursuant to section 43703(3) of the natural
25 resources and environmental protection act, 1994 PA 451, MCL
26 324.43703, there is appropriated from the game and fish protection
27 trust fund to the game and fish protection account of the Michigan

1 conservation and recreation legacy fund, \$6,000,000.00 for the
2 fiscal year ending September 30, 2012.

3 Sec. 208. From the funds appropriated in part 1 for
4 information technology, departments and agencies shall pay user
5 fees to the department of technology, management, and budget for
6 technology-related services and projects. The user fees shall be
7 subject to provisions of an interagency agreement between the
8 department and agencies and the department of technology,
9 management, and budget.

10 Sec. 210. Funds appropriated in part 1 shall not be used for
11 the purchase of foreign goods or services, or both, if
12 competitively priced and of comparable quality American goods or
13 services, or both, are available. Preference shall be given to
14 goods or services, or both, manufactured or provided by Michigan
15 businesses if they are competitively priced and of comparable
16 quality. In addition, preference should be given to goods or
17 services, or both, that are manufactured or provided by Michigan
18 businesses owned and operated by veterans, if they are
19 competitively priced and of comparable quality.

20 Sec. 211. The director of the department shall take all
21 reasonable steps to ensure businesses in deprived and depressed
22 communities compete for and perform contracts to provide services
23 or supplies, or both. The director shall strongly encourage firms
24 with which the department contracts to subcontract with certified
25 businesses in depressed and deprived communities for services,
26 supplies, or both.

27 Sec. 212. The department shall not take disciplinary action

1 against an employee for communicating with a member of the
2 legislature or his or her staff.

3 Sec. 214. Funds appropriated in part 1 shall not be used by a
4 principal executive department, state agency, or authority to hire
5 a person to provide legal services that are the responsibility of
6 the attorney general. This prohibition does not apply to legal
7 services for bonding activities and for those activities that the
8 attorney general authorizes.

9 Sec. 215. (1) In addition to the funds appropriated in part 1,
10 there is appropriated an amount not to exceed \$3,000,000.00 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 \$10,000,000.00 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 \$100,000.00 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 \$1,000,000.00 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. 216. Amounts appropriated in part 1 for information
7 technology may be designated as work projects and carried forward
8 to support technology projects under the direction of the
9 department of technology, management, and budget. Funds designated
10 in this manner are not available for expenditure until approved as
11 work projects under section 451a of the management and budget act,
12 1984 PA 431, MCL 18.1451a.

13 Sec. 217. The department and agencies receiving appropriations
14 in part 1 shall receive and retain copies of all reports funded
15 from appropriations in part 1. Federal and state guidelines for
16 short-term and long-term retention of records shall be followed.
17 The department may electronically retain copies of reports unless
18 otherwise required by federal and state guidelines.

19 Sec. 220. Not later than November 15, the department shall
20 prepare and transmit a report that provides for estimates of the
21 total general fund/general purpose appropriation lapses at the
22 close of the fiscal year. This report shall summarize the projected
23 year-end 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. 222. Within 14 days after the release of the executive
2 budget recommendation, the department shall provide the state
3 budget director, the senate and house appropriations chairs, the
4 senate and house appropriations subcommittees on natural resources,
5 respectively, and the senate and house fiscal agencies with an
6 annual report on estimated state restricted fund balances, state
7 restricted fund projected revenues, and state restricted fund
8 expenditures for the fiscal years ending September 30, 2011 and
9 September 30, 2012.

10 Sec. 223. Before January 31, 2012, the department, in
11 cooperation with the Michigan state waterways commission, shall
12 provide to the state budget director, the senate and house
13 appropriations subcommittees on natural resources, and the senate
14 and house fiscal agencies a list of projects completed by the
15 commission in fiscal year 2010-2011, including the county and
16 municipality in which each project is located.

17 Sec. 233. On a quarterly basis, the department shall report on
18 the number of FTEs in pay status by civil service classification to
19 the senate and house appropriations subcommittees on natural
20 resources and environment and the senate and house fiscal agencies.

21 Sec. 234. (1) The department shall maintain a searchable
22 website accessible by the public at no cost that includes, but is
23 not limited to, all of the following:

- 24 (a) Fiscal year-to-date expenditures by category.
25 (b) Fiscal year-to-date expenditures by appropriation unit.
26 (c) Fiscal year-to-date payments to a selected vendor,
27 including the vendor name, payment date, payment amount, and

1 payment description.

2 (d) The number of active department employees by job
3 classification.

4 (e) Job specifications and wage rates.

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

8 Sec. 235. The department shall not expend more than \$10,000.00
9 from the appropriations in part 1 to implement the requirements of
10 section 234.

11 EXECUTIVE OPERATIONS AND DEPARTMENT SUPPORT

12 Sec. 301. The department may charge the appropriations
13 contained in part 1, including all special maintenance and capital
14 projects appropriated for the fiscal year ending September 30,
15 2012, for engineering services provided, a standard percentage fee
16 to recover actual costs. The department may use the revenue derived
17 to support the engineering services charges provided for in part 1.

18 Sec. 302. The department may charge land acquisition projects
19 appropriated for the fiscal year ending September 30, 2012, and for
20 prior fiscal years, a standard percentage fee to recover actual
21 costs, and may use the revenue derived to support the land
22 acquisition service charges provided for in part 1.

23 Sec. 303. As appropriated in part 1, the department may charge
24 both application fees and transaction fees related to the exchange
25 or sale of state-owned land or rights in land authorized by part 21
26 of the natural resources and environmental protection act, 1994 PA

1 451, MCL 324.2101 to 324.2162. The fees shall be set by the
2 director of the department at a rate which allows the department to
3 recover its costs for providing these services.

4 Sec. 304. For the purposes of administering the museum store
5 as provided in section 7a of 1913 PA 271, MCL 399.7a, the
6 department is exempt from section 261 of the management and budget
7 act, 1984 PA 431, MCL 18.1261.

8 Sec. 305. As appropriated in part 1, proceeds in excess of
9 costs incurred in the conduct of auctions, sales, or transfers of
10 artifacts no longer considered suitable for the collections of the
11 state historical museum may be expended upon receipt for additional
12 material for the collection. The department shall notify the
13 chairpersons, vice chairpersons, and minority vice chairpersons of
14 the senate and house appropriations subcommittees on natural
15 resources 1 week prior to any auctions or sales. Any unexpended
16 funds may be carried forward into the next succeeding fiscal year.

17 Sec. 306. As appropriated in part 1, funds collected by the
18 department for historical markers; document reproduction and
19 services; conferences, admissions, workshops, and training classes;
20 and the use of specialized equipment, facilities, exhibits,
21 collections, and software shall be used for expenses necessary to
22 provide the required services. The department may charge fees for
23 the aforementioned services, including admission fees. It is the
24 intent of the legislature that if sufficient revenues are
25 available, as a condition of the expenditure of revenue from
26 admission fees to the Michigan historical museum, admission to the
27 museum shall be free for children under 18 years of age. The

1 department may accept voluntary admissions contributions of \$2.00
2 for children under 18 years of age. Any unexpended funds may be
3 carried forward into the next succeeding fiscal year.

4 Sec. 308. By October 21, 2011, the department shall submit to
5 the senate and house appropriations subcommittees on natural
6 resources a report on all land transactions approved by the
7 commission in the fiscal year ending September 30, 2011. For each
8 land transaction, the report shall include the size of the parcel,
9 the county and municipality in which the parcel is located, the
10 dollar amount of the transaction, the fund source affected by the
11 transaction, and whether the transaction is by purchase, public
12 auction, transfer, exchange, or conveyance.

13 Sec. 309. By January 1, 2012, the department shall produce a
14 report identifying active oil and gas leases entered into before
15 July 1995 which are larger than 160 acres in size and where the
16 acreage held in a producing unit is less than or equal to 1/4 of
17 the total lease acreage.

18 WILDLIFE DIVISION

19 Sec. 402. It is the intent of the legislature that, from the
20 funds appropriated in part 1, the department shall reimburse the
21 department of agriculture and rural development for costs incurred
22 for indemnification payments for livestock losses caused by wolves,
23 coyotes, or cougars under the animal industry act, 1988 PA 466, MCL
24 287.701 to 287.746.

25 FISHERIES DIVISION

1 Sec. 501. (1) From the appropriation in part 1 for aquatic
2 resource mitigation, not more than \$758,000.00 shall be allocated
3 for grants to watershed councils, resource development councils,
4 soil conservation districts, local governmental units, and other
5 nonprofit organizations for stream habitat stabilization and soil
6 erosion control.

7 (2) The fisheries division in the department shall develop
8 priority and cost estimates for all projects recommended for grants
9 under subsection (1).

10 Sec. 502. As a condition of expenditure of fisheries
11 management appropriations under part 1, the department of natural
12 resources shall not impede the certification process for water
13 control structures on Michigan waterways. The department of natural
14 resources shall fund from funds appropriated in part 1 all non-
15 water-quality studies or requirements that the department requests
16 of either of the following:

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

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

22 RECREATION DIVISION

23 Sec. 601. Pursuant to section 1902(2) of the natural resources
24 and environmental protection act, 1994 PA 451, MCL 324.1902, there
25 is appropriated from the Michigan natural resources trust fund to
26 the Michigan state parks endowment fund an amount not to exceed

1 \$10,000,000.00 for the fiscal year ending September 30, 2012.

2 Sec. 602. The department shall notify the house and senate
3 appropriations subcommittees on natural resources and the house and
4 senate fiscal agencies if it intends to reduce operations or reduce
5 recreation opportunities in any state park or recreation area.

6 **FOREST MANAGEMENT DIVISION**

7 Sec. 701. In addition to the funds appropriated in part 1,
8 \$350,000.00 is appropriated to the department to cover costs
9 related to any declared emergency involving the collapse of any
10 abandoned mine shaft located on state land. This appropriation
11 shall not be expended unless the state budget director recommends
12 the expenditure and the department notifies the house and senate
13 committees on appropriations.

14 Sec. 702. Of the funds appropriated in part 1, the department
15 shall, subject to the forest certification process, prescribe
16 treatment on 79,000 acres, prepare appropriate treatment for not
17 less than 67,500 acres at the current average rate of 12.5 to 15
18 cords per acre, and offer those cords for sale in 2012, provided
19 that the department shall take into consideration the impact of
20 timber harvesting on wildlife habitat and recreation uses. The
21 department shall, subject to the forest certification process,
22 increase marking or treatment of hardwood timber for sale and
23 harvest by 10% over 2011 levels. In addition, the department shall
24 take into consideration silvicultural analysis and report annually
25 to the legislature on plans and efforts to address factors limiting
26 management of timber. The department shall increase the number of

1 prepared acres if it appears that regional market demand requires
2 increased volumes of harvested timber. The department shall provide
3 quarterly reports on the number of acres treated, pursuant to this
4 section, to the senate and house appropriations subcommittees on
5 natural resources and the standing committees of the senate and
6 house of representatives with primary responsibility for natural
7 resources issues. The department shall complete and deliver these
8 reports no later than 45 days after the end of the fiscal quarter.

9 Sec. 703. In addition to the money appropriated in this
10 article, the department may receive and expend money from federal
11 sources for the purpose of providing response to wildfires as
12 required by a compact with the federal government. If additional
13 expenditure authorization is required, the department shall notify
14 the state budget office that expenditure under this section is
15 required. The department shall notify the house and senate
16 appropriations subcommittees on natural resources and the house and
17 senate fiscal agencies of the expenditures under this section by
18 November 1, 2012.

19 Sec. 704. The department shall continue to work cooperatively
20 with horseback riding interests to maximize riding opportunities in
21 the state.

22 Sec. 705. The department shall spend amounts appropriated in
23 part 1 for forest-related activities to employ or contract for
24 sufficient foresters to mark timber, pursuant to section 702.

25 Sec. 706. It is the intent of the legislature that forest
26 campgrounds proposed for closure by the department will be open and
27 accessible to the general public.

1 Sec. 707. The department shall complete the development of a
2 strategic plan to incorporate selected state forest campgrounds
3 into the state park system as mini-state parks in order to qualify
4 them for funding under section 2045 of the natural resources and
5 environmental protection act, 1994 PA 451, MCL 324.2045, from state
6 recreation passport revenue. Both currently open and closed
7 campgrounds shall be included in the strategic plan. To fully
8 develop this program and to test its viability throughout the
9 state, the department shall finish designing and implementing a
10 pilot program that includes 6 forest campgrounds selected on a
11 broad geographical basis from those forest campgrounds closed by
12 Executive Order No. 2009-22. In making the selection for the pilot
13 program, the department shall select 3 forest campgrounds from the
14 Upper Peninsula and 3 from the Lower Peninsula. The department
15 shall report to the house and senate appropriations subcommittees
16 on natural resources and the house and senate fiscal agencies by
17 October 31, 2011 on the design of the pilot program, the status of
18 the plan's implementation, and any additional state forest
19 campground closures that are planned for fiscal year 2011-2012 or
20 have occurred since the issuance of Executive Order No. 2009-22.

21 Sec. 710. The department shall provide a report on the
22 wildfire protection use of department aircraft to the house and
23 senate appropriations subcommittees on natural resources and the
24 house and senate fiscal agencies by December 1, 2011. The report
25 shall include the following information for the preceding fiscal
26 year: how many airplanes the department owns, how much the
27 airplanes cost annually, which DNR divisions used the aircraft

1 throughout the year, how many wildfires occurred in which the
2 aircraft were used to help provide detection, surveillance, or
3 suppression support, and how many flight hours were logged for the
4 fleet in that year.

5 **LAW ENFORCEMENT**

6 Sec. 801. The appropriation in part 1 for snowmobile law
7 enforcement grants shall be used by the department to provide
8 grants to county law enforcement agencies to enforce part 821 of
9 the natural resources and environmental protection act, 1994 PA
10 451, MCL 324.82101 to 324.82160, including rules promulgated under
11 that part and ordinances enacted pursuant to that part. The
12 department shall consider the number of enforcement hours and the
13 number of miles of snowmobile trails in each county in allocating
14 these grants. Any funds not distributed to counties revert back to
15 the snowmobile registration fee subaccount created under section
16 82111 of the natural resources and environmental protection act,
17 1994 PA 451, MCL 324.82111. Counties shall provide semiannual
18 reports to the department on the use of grant money received under
19 this section.

20 Sec. 802. The department shall provide a report on the marine
21 safety grant program to the senate and house appropriations
22 subcommittees on natural resources and the senate and house fiscal
23 agencies by December 1, 2011. The report shall include the
24 following information for the preceding year: the total amount of
25 revenue received for watercraft registrations, the amount deposited
26 into the marine safety fund, and the expenditures made from the

1 marine safety fund, including the amounts expended for department
2 administration, other state agencies, the law enforcement division,
3 and grants to counties. The report shall also include the
4 distribution methodology used by the department to distribute the
5 marine safety grants and a list of the grants and the amounts
6 awarded by county.

7 **GRANTS**

8 Sec. 901. Federal pass-through funds to local institutions and
9 governments that are received in amounts in addition to those
10 included in part 1 for grants to communities - federal oil, gas,
11 and timber payments and that do not require additional state
12 matching funds are appropriated for the purposes intended. By
13 November 30, 2011, the department shall report to the senate and
14 house appropriations subcommittees on natural resources, the senate
15 and house fiscal agencies, and the state budget director on all
16 amounts appropriated under this section during the fiscal year
17 ending September 30, 2011.

18 Sec. 902. Subject to part 811 of the natural resources and
19 environmental protection act, 1994 PA 451, MCL 324.81101 to
20 324.81150, from the funds appropriated in part 1 for off-road
21 vehicle trail improvements grants, not less than \$980,000.00 shall
22 be spent on the development of new trails in accordance with the
23 off-road vehicle trail expansion plan submitted to the legislature
24 pursuant to section 807 of article 14 of 2005 PA 154.

25 **CAPITAL OUTLAY**

1 Sec. 1001. The appropriation made in this article for the
2 harbors and docks program is for the purpose of participating with
3 the federal government and assisting local units of government,
4 public colleges and universities, or other governmental entities in
5 this state with the construction and improvement of recreational
6 boating facilities within this state. Subject to the approval of
7 the state administrative board, this money shall be allocated by
8 the department to the federal government, or to the governmental
9 entities involved in the particular projects. An allocation shall
10 not exceed the state portion as listed with each project
11 description. The department shall take the steps necessary to match
12 federal money available for the construction and improvement of
13 recreational boating facilities within the state, and to meet
14 requirements of the federal government.

15 Sec. 1002. (1) The director of the department shall allocate
16 lump-sum appropriations to the department made in this article
17 consistent with statutory provisions and the purposes for which
18 funds were appropriated. Lump-sum allocations shall address
19 priority program or facility needs and may include, but are not
20 limited to, design, construction, remodeling and addition, special
21 maintenance, major special maintenance, energy conservation, and
22 demolition.

23 (2) The state budget director may authorize that funds
24 appropriated for lump-sum appropriations shall be available for no
25 more than 3 fiscal years following the fiscal year in which the
26 original appropriation was made. Any remaining balance from
27 allocations made in this section shall lapse to the fund from which

1 it was appropriated pursuant to the lapsing of funds as provided in
2 the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

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

7 Sec. 1004. Upon receiving notification that necessary permits
8 have been obtained, the department shall fund a capital outlay
9 project to construct a breakwall at the Grand Marais harbor
10 according to a plan to be prepared by Burt Township. The project
11 has an estimated completion cost of \$7,000,000.00 and an estimated
12 completion date of September 30, 2015.

13 **ONE-TIME BASIS ONLY**

14 Sec. 1101. For the state fiscal year ending September 30,
15 2012, there is appropriated from general fund/general purpose
16 revenue, on a 1-time basis only, \$4,000,000.00 for the Grand Marais
17 harbor capital outlay project provided for in section 1004.

18 PART 2A

19 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS
20 FOR FISCAL YEAR 2012-2013

21 **GENERAL SECTIONS**

22 Sec. 1201. It is the intent of the legislature to provide
23 appropriations for the fiscal year ending on September 30, 2013 for
24 the line items listed in part 1. The fiscal year 2012-2013

1 appropriations are anticipated to be the same as those for fiscal
2 year 2011-2012, except that the line items will be adjusted for
3 changes in caseload and related costs, federal fund match rates,
4 economic factors, and available revenue. These adjustments will be
5 determined after the January 2012 consensus revenue estimating
6 conference.

7 ARTICLE XVI

8 DEPARTMENT OF STATE POLICE

9 PART 1

10 LINE-ITEM APPROPRIATIONS

11 FOR FISCAL YEAR 2011-2012

12 Sec. 101. Subject to the conditions set forth in this article,
13 the amounts listed in this part for the department of state police
14 are appropriated for the fiscal year ending September 30, 2012,
15 from the funds indicated in this part. The following is a summary
16 of the appropriations in this part:

17 DEPARTMENT OF STATE POLICE

18 APPROPRIATION SUMMARY

19	Full-time equated unclassified positions.....	2.0	
20	Full-time equated classified positions.....	2,751.0	
21	GROSS APPROPRIATION.....		\$ 524,282,700
22	Total interdepartmental grants and intradepartmental		
23	transfers		23,546,200
24	Schedule of interdepartmental grant revenue sources:		
25	IDG, training academy charges.....	2,505,200	

1	IDG-MDOC, contract	167,100	
2	IDG-MDOS	332,000	
3	IDG-MDOT, state trunkline fund.....	10,586,900	
4	IDG-MDTR, casino gaming fees	5,190,800	
5	IDG-MDTR, emergency telephone fund		
6	coordinator	585,800	
7	IDG-MDTR, emergency telephone fund		
8	operations	628,900	
9	IDT, auto theft funds	633,400	
10	IDT, Michigan justice training fund.....	1,450,000	
11	IDT, truck safety fund	1,466,100	
12	ADJUSTED GROSS APPROPRIATION		\$ 500,736,500
13	Total federal revenues		106,051,600
14	Schedule of federal revenue sources:		
15	DHS	56,202,400	
16	DOJ	15,950,000	
17	DOJ interest bearing	8,136,500	
18	DOT	24,133,800	
19	Federal investigations-reimbursed		
20	services	1,034,600	
21	Federal narcotics investigation revenues.....	594,300	
22	Total local revenues.....		6,456,700
23	Schedule of local revenue sources:		
24	Local-AFIS fees	78,100	
25	Local-LEIN fees	1,173,100	
26	Local-MPSCS subscriber & maintenance fees..	1,713,100	
27	Local-reimbursed services	1,962,800	

1	Local-school bus revenue	1,529,600	
2	Total private revenues.....		216,100
3	Schedule of private revenue sources:		
4	Private donations	216,100	
5	Total state restricted revenues.....		123,336,100
6	Schedule of restricted revenue sources:		
7	Auto theft prevention fund	6,704,500	
8	Commercial mobile radio service fees.....	7,000,000	
9	CJIC service fees	16,370,400	
10	Concealed weapons enforcement fee.....	100,000	
11	Drunk driving prevention & training fund...	1,299,700	
12	Forensic science reimbursement fees.....	1,352,700	
13	Forfeiture funds	75,000	
14	Hazardous materials training center fees...	1,281,200	
15	Highway safety fund	11,814,000	
16	Licensing fees	9,100	
17	Michigan justice training fund.....	8,188,400	
18	Michigan merit award trust fund.....	682,000	
19	Motor carrier fees	3,865,900	
20	Narcotics investigation revenue.....	989,200	
21	Nuclear plant emergency planning		
22	reimbursement	2,065,700	
23	Precision driving track fees	287,500	
24	Reimbursement services	1,195,800	
25	Rental of department aircraft.....	53,300	
26	Secondary road patrol & training fund.....	15,100,500	
27	Sex offenders registration fund.....	283,200	

1	State forensic laboratory fund.....	1,852,900	
2	State police service fees	2,087,100	
3	State services fee fund	10,254,100	
4	Tobacco tax revenue	3,000,000	
5	Traffic crash revenue	315,800	
6	Traffic law enforcement and safety fund...	24,094,400	
7	Trooper school recruitment fund.....	1,100	
8	Truck driver safety fund	3,012,600	
9	State general fund/general purpose.....		\$ 264,676,000
10	Sec. 102. EXECUTIVE DIRECTION		
11	Full-time equated unclassified positions.....	2.0	
12	Full-time equated classified positions.....	38.5	
13	Executive direction.....		\$ <u>5,083,700</u>
14	GROSS APPROPRIATION.....		\$ 5,083,700
15	Appropriated from:		
16	Interdepartmental grant revenues.....		31,300
17	State restricted revenues.....		483,600
18	State general fund/general purpose.....		\$ 4,568,800
19	Schedule of programs:		
20	Unclassified positions	261,100	
21	Executive direction	2,602,400	
22	Special operations and events.....	2,220,200	
23	Sec. 103. SCIENCE, TECHNOLOGY, AND TRAINING BUREAU		
24	Full-time equated classified positions.....	459.5	
25	Science, technology, and training bureau.....		\$ <u>100,304,700</u>
26	GROSS APPROPRIATION.....		\$ 100,304,700
27	Appropriated from:		

1	Interdepartmental grant revenues.....	5,458,300
2	Federal revenues.....	9,332,800
3	Local revenues.....	2,913,000
4	State restricted revenues.....	45,379,700
5	State general fund/general purpose.....	\$ 37,220,900
6	Schedule of programs:	
7	Criminal justice information center	
8	division	11,355,700
9	Criminal records improvement	2,249,500
10	Traffic safety	1,922,900
11	Laboratory operations	28,960,100
12	DNA analysis program	7,982,800
13	Standards and training/justice training	
14	grants	8,970,400
15	Concealed weapons enforcement training.....	100,000
16	Training only to local units	587,900
17	Public safety officers benefit program.....	149,600
18	Training administration	4,813,300
19	Information technology services and	
20	projects	18,701,700
21	Michigan public safety communications	
22	system	13,060,800
23	In-service training-law enforcement	
24	distribution	450,000
25	In-service training-competitive.....	1,000,000
26	Sec. 104. FIELD SERVICES BUREAU	
27	Full-time equated classified positions.....	1,999.0

1	Field services bureau.....	\$	<u>270,391,600</u>
2	GROSS APPROPRIATION.....	\$	270,391,600
3	Appropriated from:		
4	Interdepartmental grant revenues.....		16,680,500
5	Federal revenues.....		18,354,300
6	Local revenues.....		3,484,400
7	Private revenues.....		216,100
8	State restricted revenues.....		47,139,400
9	State general fund/general purpose.....	\$	184,516,900
10	Schedule of programs:		
11	Narcotics investigation funds.....		265,100
12	Uniform services		44,974,600
13	Capitol security		659,200
14	At-post troopers		129,238,300
15	Reimbursed services		2,087,100
16	Operational support		7,297,100
17	Aviation program		1,529,700
18	Criminal investigations		34,574,500
19	Federal antidrug initiatives		10,861,900
20	Reimbursed services, materials, and		
21	equipment		2,997,400
22	Auto theft prevention		1,041,700
23	Casino gaming oversight		5,028,200
24	Fire investigations		1,811,800
25	Parole absconder sweeps		12,200
26	Motor carrier enforcement		11,019,900
27	Truck safety enforcement team operations...		1,434,300

1	Safety inspections	6,803,500	
2	School bus inspections	1,521,600	
3	Safety projects	1,802,100	
4	Traffic services	5,431,400	
5	Sec. 105. SUPPORT SERVICES		
6	Full-time equated classified positions.....	254.0	
7	Support services.....		\$ <u>148,502,700</u>
8	GROSS APPROPRIATION.....		\$ 148,502,700
9	Appropriated from:		
10	Interdepartmental grant revenues.....		1,376,100
11	Federal revenues.....		78,364,500
12	Local revenues.....		59,300
13	State restricted revenues.....		30,333,400
14	State general fund/general purpose.....		\$ 38,369,400
15	Schedule of programs:		
16	Auto theft prevention program.....	6,694,100	
17	Special maintenance and utilities.....	402,800	
18	Rent and building occupancy charges.....	8,363,200	
19	Worker's compensation	3,266,300	
20	Fleet leasing	12,980,700	
21	Management services	12,476,200	
22	Budget and financial services.....	1,746,000	
23	Office of justice program grants.....	8,497,100	
24	Accounting service center	1,031,100	
25	State program planning and administration..	1,094,100	
26	Secondary road patrol program.....	14,041,600	
27	Truck safety program	3,011,000	

1	Federal highway traffic safety	
2	coordination	12,585,500
3	Emergency management planning and	
4	administration	5,701,200
5	Grants to local government	2,482,100
6	FEMA program assistance	4,930,200
7	Nuclear power plant emergency planning.....	2,030,000
8	Hazardous materials programs	47,169,400
9	Interdepartmental grant to legislature.....	100

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

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 2011-2012 is \$388,012,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2011-2012 is \$19,006,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF STATE POLICE

22	Science, technology, and training bureau.....	\$	4,541,000
23	Schedule of programs:		
24	Justice training grants.....		4,375,100
25	Training only to local units.....		165,900

1	Support services.....	14,465,000
2	Schedule of programs:	
3	Secondary road patrol.....	13,901,200
4	Management services.....	<u>563,800</u>
5	TOTAL.....	\$ 19,006,000

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

9 Sec. 203. As used in this article:

10 (a) "AFIS" means the automated fingerprint identification
11 system.

12 (b) "Department" means the department of state police.

13 (c) "DHS" means the United States department of homeland
14 security.

15 (d) "DNA" means deoxyribonucleic acid.

16 (e) "DOJ" means the United State department of justice.

17 (f) "DOT" means the United States department of
18 transportation.

19 (g) "DTMB" means the department of technology, management, and
20 budget.

21 (h) "FEMA" means the federal emergency management agency.

22 (i) "IDG" means interdepartmental grant.

23 (j) "IDT" means intradepartmental transfer.

24 (k) "LEIN" means the law enforcement information network.

25 (l) "MCOLES" means Michigan commission on law enforcement
26 standards.

27 (m) "MDCH" means the Michigan department of community health.

1 (n) "MDOC" means the Michigan department of corrections.
2 (o) "MDOS" means the Michigan department of state.
3 (p) "MDOT" means the Michigan department of transportation.
4 (q) "MDTR" means the Michigan department of treasury.
5 (r) "MPSCS" means Michigan public safety communications
6 system.

7 (s) "Work project" means, except as used in section 211, a
8 group of activities featuring a fixed duration, budget, and scope
9 that is expected to cause a measurable change in the delivery,
10 efficiency, or effectiveness of 1 or more operations.

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: \$2,505,200.00 from
14 training academy charges; \$167,100.00 from the department of
15 corrections contract; \$332,000.00 from the department of state;
16 \$10,586,900.00 from the department of transportation – state
17 trunkline funds; \$5,190,800.00 from casino gaming fees; \$585,800.00
18 from the department of treasury – emergency telephone fund
19 coordinator; and \$628,900.00 from the department of treasury –
20 emergency telephone fund operations.

21 Sec. 205. (1) The following shall constitute the
22 appropriations from part 1 for interdepartmental grant funds made
23 from the department to other departments: \$1,095,900.00 to the
24 department of environmental quality--radiological emergency
25 preparedness; \$139,000.00 to the department of attorney general--
26 justice training competitive grant; \$300,000.00 to the judiciary--
27 justice training competitive grant; \$322,300.00 to the department

1 of attorney general--operations; \$900,000.00 to the department of
2 military and veterans affairs--homeland security grant;
3 \$18,701,700.00 to DTMB--information technology services and
4 projects; and \$13,060,800.00 to DTMB--Michigan public safety
5 communications systems.

6 (2) Based on the availability of federal funding and the
7 demonstrated need as indicated by applications submitted to the
8 state court administrative office, the department shall provide
9 \$1,800,000.00 in Byrne justice assistance grant program funding to
10 the judiciary by interdepartmental grant.

11 Sec. 206. (1) In addition to the funds appropriated in part 1,
12 there is appropriated an amount not to exceed \$10,000,000.00 for
13 federal 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 (2) In addition to the funds appropriated in part 1, there is
18 appropriated an amount not to exceed \$3,500,000.00 for state
19 restricted contingency funds. These funds are not available for
20 expenditure until they have been transferred to another line item
21 in this article under section 393(2) of the management and budget
22 act, 1984 PA 431, MCL 18.1393.

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

1 PA 431, MCL 18.1393.

2 (4) In addition to the funds appropriated in part 1, there is
3 appropriated an amount not to exceed \$200,000.00 for private
4 contingency funds. These funds are not available for expenditure
5 until they have been transferred to another line item in this
6 article under section 393(2) of the management and budget act, 1984
7 PA 431, MCL 18.1393.

8 Sec. 207. (1) The department shall maintain a searchable
9 website accessible by the public at no cost that includes, but is
10 not limited to, all of the following:

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

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

13 (c) Fiscal year-to-date payments to a selected vendor,
14 including the vendor name, payment, date, payment amount, and
15 payment description.

16 (d) The number of active department employees by job
17 classification.

18 (e) Job specifications and wage rates.

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

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,
26 or 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 should 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. 210. The department shall take all reasonable steps to
12 ensure businesses in deprived and depressed communities compete for
13 and perform contracts to provide services or supplies, or both, for
14 the department. The director of the department shall strongly
15 encourage firms with which the department contracts to subcontract
16 with certified businesses in depressed and deprived communities for
17 services or supplies, or both.

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

25 Sec. 212. The departments and agencies receiving
26 appropriations in part 1 shall receive and retain copies of all
27 reports funded from appropriations in part 1. Federal and state

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

4 Sec. 213. (1) Due to the current budgetary problems in this
5 state, out-of-state travel for this fiscal year ending September
6 30, 2012 shall be limited to situations in which 1 or more of the
7 following conditions apply:

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

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

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

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

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

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

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

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

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

11 Sec. 216. (1) Notwithstanding any other provision of this
12 article, the schedule of programs in part 1 lists programs which
13 may, but are not required to be, funded under this article, with
14 the following exceptions:

15 (a) Standard & training/justice training grants.

16 (b) Casino gaming oversight.

17 (c) Commercial mobile radio service fees.

18 (2) Notwithstanding any other provisions of this article, the
19 schedule of revenue sources in part 1 may or may not be received
20 from the funding entities listed.

21 (3) The secondary road patrol funding is not subject to
22 funding flexibility and shall be funded in accordance with section
23 629e of the Michigan vehicle code, 1949 PA 300, of MCL 257.629e.

24 (4) Any funding required by statute is not subject to funding
25 flexibility and shall be funded in accordance with that statute.

26 Sec. 217. The department shall improve its budgetary
27 efficiency pertaining to the delivery of core services delineated

1 in section 221 by doing all of the following:

2 (a) Prioritizing personnel over buildings in budgetary
3 efficiency considerations.

4 (b) Pursuing the physical or virtual consolidation of support
5 service functions such as information technology, human resources,
6 and accounting as a means of improving standardization and
7 efficiency.

8 (c) Seeking expenditure reductions whenever possible through
9 the streamlining of existing service delivery activities.

10 (d) Identifying efficiencies that can be gained via the
11 reduction or elimination of programs, policies, and practices which
12 have outlived their usefulness.

13 Sec. 218. (1) Any unused general fund/general purpose funds
14 for this fiscal year created through efficiencies and identified by
15 the department as potential lapsed funds shall be designated as the
16 department incentive pool balance, provided that all the
17 requirements of this part have been achieved.

18 (2) Any funds associated with any supplemental general
19 fund/general purpose fund requests for this fiscal year shall be
20 debited against this fiscal year's department incentive pool
21 balance if it does not meet 1 or more of the following criteria:

22 (a) The supplemental funds pertain to the addition of a new
23 core service.

24 (b) The supplemental funds pertain to the expansion of
25 existing service capacity beyond current fiscal year expectations.

26 (3) At the end of this fiscal year, if the incentive pool
27 balance is positive, the department incentive pool balance shall be

1 allocated as follows:

2 (a) Ten percent of the unused funds shall be allocated as work
3 project funds to be used in a manner that provides direct benefit
4 to department employees or their families within 12 months of the
5 end of this fiscal year.

6 (b) Forty percent of the unused funds shall be allocated as
7 work project funds to be used at the discretion of the department
8 for projects designed to improve service delivery.

9 (c) Fifty percent of the unused funds shall be lapsed to the
10 general fund/general purpose fund.

11 Sec. 219. (1) The department shall be available to meet on a
12 quarterly basis before the appropriate senate and house
13 appropriations subcommittees.

14 (2) The department shall provide all information necessary to
15 validate that the requirements of this part have been achieved.

16 (3) The department shall provide a corrective action plan
17 within 30 days of a quarterly report under this section for any
18 requirements of this part that have not been achieved. The
19 department shall provide a monthly status of correction action
20 plans.

21 (4) The department shall provide a summary of fund shifts,
22 that have been approved by the state budget office, that have
23 occurred between items listed in the schedule of programs mentioned
24 in part 1 on a quarterly basis to the senate and house
25 appropriations subcommittees.

26 (5) The department shall provide the following data to the
27 appropriate senate and house appropriations subcommittees:

1 (a) A list of major work projects, including the status of
2 each project.

3 (b) The department's financial status, featuring a report of
4 budgeted versus actual expenditures by part 1 line item including a
5 year-end projection of budget requirements. If projected department
6 budget requirements exceed the allocated budget, the report shall
7 include a plan to reduce overall expenses while still satisfying
8 specified service level requirements.

9 (c) Forensic laboratory system staffing levels and vacancies
10 and backlogs in all disciplines.

11 Sec. 220. The department shall provide the following data to
12 the appropriate senate and house appropriations subcommittees on an
13 annual basis:

14 (a) Bridge card enforcement as described section 306(4) of
15 this part.

16 (b) As it pertains to inspections conducted by the traffic
17 safety division, all of the following:

18 (i) The number of buses and vehicles inspected by the
19 department.

20 (ii) The number of buses and vehicles passing and failing
21 inspection.

22 (iii) The estimated number of buses and vehicles not inspected.

23 (c) A report on the status of assessments collected and
24 authorized under section 629e of the Michigan vehicle code, 1949 PA
25 300, MCL 257.629e, for the purpose of supporting the secondary road
26 patrol grant program. The report shall contain updated information
27 on collection levels, revised projected grant allotments to

1 counties for the year, a comparison of projected collections and
2 grant distribution levels with the funds appropriated in part 1 for
3 the secondary road patrol program, and the extent collection levels
4 have exceeded or failed to meet appropriated levels for the current
5 fiscal year or expenditure levels from the previous fiscal year.

6 (d) A report regarding the department's activities related to
7 casino gaming oversight. The report shall contain the following:

8 (i) The amount of money received and expended.

9 (ii) The nature and structure of the casino gaming oversight
10 unit.

11 (iii) The positions and classifications of employees assigned.

12 (iv) The number of full-time and part-time employees and the
13 aggregate number of FTEs.

14 (v) The duties and responsibilities of the assigned employees.

15 Sec. 221. The appropriations in part 1 are for the core
16 services, support services, and work projects of the department,
17 including, but not limited to, the following core services: traffic
18 safety and enforcement, complaint and criminal investigations, fire
19 investigation, sex offender registry and enforcement, specialty
20 teams, regional communication centers, civil disorder response -
21 mobilization, capitol security, hazardous materials response
22 training, intelligence gathering and dissemination, state emergency
23 operations center, criminal history system, fingerprint and
24 background checks, the law enforcement information network,
25 forensics, training and recruiting, public awareness campaigns,
26 establishing and monitoring law enforcement standards, and grants
27 administration.

1 Sec. 222. The department shall notify the house and senate
2 appropriations subcommittees on state police and military and
3 veterans affairs and the house and senate fiscal agencies not less
4 than 90 days before recommending to close or consolidate any state
5 police posts. The notification shall include a local and state
6 impact study of the proposed post closure or consolidation.

7 Sec. 223. At least 60 days before beginning any effort to
8 privatize, the department shall submit a complete project plan to
9 the appropriate senate and house fiscal agencies. The plan shall
10 include the criteria under which the privatization initiative will
11 be evaluated. The evaluation shall be completed and submitted to
12 the appropriate senate and house appropriations subcommittees and
13 the senate and house fiscal agencies within 30 months.

14 Sec. 224. 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 activities that the
19 attorney general authorizes.

20 Sec. 225. (1) It is the intent of the legislature that the
21 department shall not provide any subsidy for contractual services
22 it provides.

23 (2) When the department provides contractual services to a
24 local unit of government, the department shall be reimbursed for
25 all costs incurred in providing the services, including, but not
26 limited to, retirement and overtime costs.

27 (3) The department shall define service cost models for those

1 services requiring reimbursement.

2 (4) Contractual services provided to an entity other than a
3 local unit of government may be provided by department personnel,
4 but only on an overtime basis outside the normal work schedule of
5 the personnel.

6 (5) This section does not apply to state agencies.

7 Sec. 226. The department shall strive to inspect its worksites
8 annually to ensure internal control and quality of service.

9 Sec. 227. The department shall define interoperability
10 standards to ensure effective communication between state, local,
11 regional, and federal agencies under public safety scenarios. The
12 department shall monitor compliance with these interoperability
13 standards by the agencies and notify the legislature and pertinent
14 agency management of noncompliance within 30 days of this
15 determination.

16 Sec. 228. Not later than November 15, the department shall
17 prepare and transmit a report that provides for estimates of the
18 total general fund/general purpose appropriations lapses at the
19 close of the fiscal year. This report shall summarize the projected
20 year-end general fund/general purpose appropriations lapses by
21 major departmental program or program areas. The report shall be
22 transmitted to the office of the state budget, the chairperson of
23 the senate and house standing committees on appropriations, and the
24 senate and house fiscal agencies.

25 Sec. 229. Within 14 days after the release of the executive
26 budget recommendation, the department shall provide the state
27 budget director, the senate and house appropriations chairs, the

1 senate and house appropriations subcommittees on state police and
2 military and veterans affairs, respectively, and the senate and
3 house fiscal agencies with an annual report on estimated state
4 restricted fund balances, state restricted fund projected revenues,
5 and state restricted fund expenditures for the fiscal years ending
6 September 30, 2011 and September 30, 2012.

7 Sec. 230. The department may pursue entering into an agreement
8 with Calhoun County to build a new facility in that county which
9 would serve as the new state police post for region 4 of district
10 5, as identified by the department.

11 Sec. 231. The department, in keeping with its role as the
12 general law enforcement agency of the state and as the law
13 enforcement agency of last resort for communities that are either
14 without local law enforcement resources or are seriously
15 underserved by local law enforcement resources, shall provide
16 general law enforcement assistance to those communities until
17 adequate law enforcement services can be provided to those
18 communities by other means.

19 Sec. 232. The department shall serve as an active liaison
20 between the department of technology, management, and budget and
21 local public safety agencies to facilitate the use of the MPSCS
22 towers by those local public safety agencies that have an interest
23 in using the towers as a part of their communication system.

24 **SCIENCE, TECHNOLOGY, AND TRAINING BUREAU**

25 Sec. 301. (1) The department shall provide forensic testing
26 services to aid in criminal investigations.

1 (2) The department shall maintain the staffing and resources
2 necessary to provide forensic evidence with an average turnaround
3 time of 82 days assuming an annual caseload volume commensurate
4 with that received in fiscal year 2009-2010.

5 (3) The department shall define and implement improved methods
6 with the intent of reaching an average 55-day turnaround for
7 forensic evidence.

8 (4) If changes are made to the department's protocol for
9 retaining and purging DNA analysis samples and records, the
10 department shall post a copy of the protocol changes on the
11 department's website.

12 Sec. 302. (1) The department shall develop and deliver
13 professional, innovative, and quality training that supports the
14 enforcement and public safety efforts of the criminal justice
15 community.

16 (2) The department shall maintain the staffing and resources
17 necessary to provide educational opportunities for personal and
18 professional growth to a minimum of 10,000 state and local law
19 enforcement employees and other public safety partners.

20 (3) The department shall maintain the staffing and resources
21 necessary to provide educational opportunities for personal and
22 professional growth to a minimum of 3,000 community members.

23 (4) The department shall define and implement methods with a
24 goal of reducing the cost of training services delivery by 20%.
25 These methods may include the pursuit of technology to reach
26 students throughout the state utilizing distance learning.

27 (5) The department shall place emphasis on recruiting MCOLES-

1 certified police officers for the trooper recruit school. Emphasis
2 shall be given in the hiring process to those officers who are on
3 layoff and possess valid MCOLES certification. Any emphasis given
4 in the recruiting and selection process shall be consistent with
5 the department's hiring standards and in accordance with civil
6 service rules.

7 (6) The department shall develop and provide a service
8 delivery cost model for its training activities.

9 Sec. 303. (1) MCOLES shall establish standards for the
10 selection, employment, training, education, licensing, and
11 revocation of all law enforcement officers.

12 (2) MCOLES shall maintain the staffing and resources necessary
13 to provide the basic law enforcement training curriculum for 20
14 academy programs statewide.

15 (3) MCOLES shall maintain a minimum 98% passing rate from the
16 MCOLES licensing exam without lowering academic standards to
17 achieve this rate.

18 Sec. 304. (1) The department shall maintain a criminal history
19 system and the state accident data collection system in the support
20 of public safety and law enforcement communities in this state.

21 (2) The department shall maintain the staffing and resources
22 necessary to adhere to 1925 PA 289, MCL 28.241 to 28.248.

23 (3) The department shall improve the accuracy, timeliness, and
24 completeness of criminal history information through outreach
25 targeted to criminal justice agencies.

26 (4) The department shall maintain the state accident data
27 collection system and make this information available to the public

1 at a reasonable cost. For bulk access to the accident records in
2 which the vehicle identification number has been collected and
3 computerized, the department shall make those records available to
4 the public at cost, provided that the name and address have been
5 excluded.

6 Sec. 305. (1) The department shall provide fingerprint and
7 background check services in support of public safety and law
8 enforcement communities in this state.

9 (2) The department shall maintain the staffing and resources
10 necessary to process fingerprint and background check services
11 commensurate with fiscal year 2009-2010.

12 (3) The department shall maintain resources and educational
13 outreach for the electronic submission of fingerprint information
14 from local law enforcement agencies and maintain at least a 97%
15 submission rate.

16 (4) The department shall define and maintain a cost model
17 pertaining to providing fingerprint check services and provide for
18 the following:

19 (a) Fingerprint service fees shall be commensurate with the
20 actual costs of delivering this service.

21 (b) The department shall pursue means of reducing the expenses
22 associated with delivering this service.

23 Sec. 306. (1) The department shall maintain the law
24 enforcement information network in support of public safety and law
25 enforcement communities in this state.

26 (2) The department shall maintain the staffing and resources
27 necessary to adhere to the C.J.I.S. policy council act, 1974 PA

1 163, MCL 28.211 to 28.215.

2 (3) The department shall audit criminal justice agencies as
3 required by federal guidelines.

4 (4) The department shall work cooperatively with the
5 department of human services to coordinate the functions of the
6 state police LEIN system and the department of human services
7 bridges case management system to provide obtainable data that will
8 allow authorized users of the bridges case management system to
9 identify those persons who may be ineligible to receive certain
10 assistance services due to their law enforcement status.

11 (5) The department shall implement procedures by which all
12 probation information is placed on the LEIN system and provide for
13 the following:

14 (a) The LEIN system shall include information on each
15 probationer, including any probation conditions placed on a
16 probationer and the name of the probation officer assigned to the
17 probationer. The LEIN system shall also include any nonstandard
18 probation terms.

19 (b) If the department determines that amendments to the code
20 of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are
21 required to include all probation information on the LEIN system,
22 the department shall deliver to members of the senate and house
23 appropriations subcommittees on state police and military and
24 veterans affairs amendments to the code of criminal procedure, 1927
25 PA 175, MCL 760.1 to 777.69, that, in the department's view, are
26 necessary to accomplish this goal. These proposed amendments shall
27 be delivered to subcommittee members not later than December 1,

1 2011.

2 (6) The appropriations in part 1 do not contain any funding
3 from LEIN user fees for services rendered in fiscal year 2011-2012.
4 If the department chooses to propose such a fee for fiscal year
5 2011-2012, the department shall do each of the following:

6 (a) Notify the senate and house appropriations subcommittees
7 on state police and military and veterans affairs no less than 90
8 days prior to establishing the fee.

9 (b) Define and maintain a cost model pertaining to the
10 provision of LEIN administration services. LEIN service fees shall
11 be commensurate with the actual costs of delivering this service.
12 The department shall pursue means of reducing the expenses
13 associated with delivering this service.

14 **FIELD SERVICES BUREAU**

15 Sec. 401. (1) The department shall oversee traffic safety and
16 enforcement in this state.

17 (2) The department shall maintain the staffing and resources
18 necessary to make traffic contacts per patrol hours commensurate
19 with the service level and contact areas exhibited in fiscal year
20 2010-2011. There shall be no degradation of road patrol services to
21 any region of this state.

22 (3) The department shall maintain the staffing and resources
23 necessary to continually work to enhance traffic safety throughout
24 the state.

25 (4) The department shall maintain the staffing and resources
26 necessary to annually inspect at least 75,000 commercial vehicles.

1 (5) Department enlisted personnel who are employed to enforce
2 traffic laws as provided in section 629e of the Michigan vehicle
3 code, 1949 PA 300, MCL 257.629e, shall not be prohibited from
4 responding to crimes in progress or other emergency situations and
5 are responsible for protecting every citizen of this state from
6 harm.

7 Sec. 402. (1) The department shall identify and apprehend
8 criminals through criminal investigations in this state.

9 (2) The department shall maintain the staffing and resources
10 necessary to devote a comparable number of hours investigating
11 crimes as those performed in fiscal year 2009-2010.

12 (3) The department shall maintain the staffing and resources
13 necessary to annually meet or exceed a case clearance rate of 56%.

14 (4) The department shall work with the department of community
15 health, the Michigan health and hospital association, the Michigan
16 state medical society, and the Michigan nurses association to
17 ensure that the recommendations included in the "Standard
18 Recommended Procedure for the Emergency Treatment of Sexual Assault
19 Victims" are followed in the collection of evidence.

20 (5) The department shall provide protection to this state, its
21 economy, welfare, and vital state-sponsored programs through the
22 prevention and suppression of organized smuggling of untaxed
23 tobacco products in the state, through enforcement of the tobacco
24 products tax act, 1993 PA 327, MCL 205.421 to 205.436, and other
25 laws pertaining to combating criminal activity in this state, by
26 maintaining a tobacco tax enforcement unit. The appropriations in
27 part 1 include funding from the potential receipt of \$3,000,000.00

1 in tobacco tax revenue. If these funds become available for
2 expenditure by the department, the department shall utilize them
3 only for costs associated with an increased effort to enforce
4 tobacco tax laws, including the deployment of additional tobacco
5 tax enforcement personnel.

6 Sec. 403. (1) The department shall provide fire investigation
7 services to citizens of this state through investigative assistance
8 to local law enforcement agencies.

9 (2) The department shall maintain the staffing and resources
10 necessary to maintain readiness to respond appropriately to at
11 least the number of requests for service which occurred in fiscal
12 year 2009-2010.

13 (3) The fire investigation unit shall be available for call
14 out statewide 100% of the time.

15 Sec. 404. (1) The department shall oversee the sex offender
16 registry and its enforcement in this state.

17 (2) The department shall maintain the staff and resources
18 necessary to enforce the provision of the sex offenders
19 registration act, 1994 PA 295, MCL 28.721 to 28.736.

20 (3) The department shall maintain the staffing and resources
21 necessary to perform activities to maintain a 93% compliance rate
22 for reporting by registered sex offenders.

23 Sec. 405. (1) The department shall provide specialty services
24 to citizens of this state in accordance with all applicable state
25 and federal laws and regulations.

26 (2) The department shall maintain the staffing and resources
27 necessary to provide training to maintain readiness to respond

1 appropriately to at least the number of requests for specialty
2 services which occurred in fiscal year 2009-2010.

3 (3) The canine unit shall be available for call out statewide
4 100% of the time.

5 (4) The bomb squad unit shall be available for call out
6 statewide 100% of the time.

7 (5) The emergency support teams shall be available for call
8 out statewide 100% of the time.

9 (6) The underwater recovery unit shall be available for call
10 out statewide 100% of the time.

11 (7) Aviation services shall be available for call out
12 statewide 100% of the time, unless prohibited by weather or
13 unexpected mechanical breakdowns.

14 (8) Money privately donated to the department is appropriated
15 under part 1 to be used for the purposes designated by the donor of
16 the money. Money privately donated to the department's canine unit
17 shall be used to purchase equipment and other items to enhance the
18 operation of the canine unit.

19 Sec. 406. (1) The department shall operate and maintain
20 regional communication centers.

21 (2) The department shall maintain staffing and resources
22 necessary to provide communication to Michigan state police law
23 enforcement through the regional communication centers by
24 maintaining 47,000 radio contacts per dispatcher.

25 (3) The department shall improve its budgetary and operational
26 efficiency by consolidating at least 1 regional communication
27 center.

1 Sec. 407. (1) The department shall provide security services
2 at the state capitol building.

3 (2) The department shall maintain the staff and resources
4 necessary to respond to emergencies at the house office building,
5 Farnum building, capitol parking lot, Townsend parking ramp, and
6 Roosevelt parking ramp.

7 (3) The department shall pursue federal grants to improve the
8 security at the capitol building.

9 (4) The department may develop a phased approach for improving
10 security at the capitol building.

11 Sec. 408. (1) The department shall respond to civil disorders
12 and natural disasters.

13 (2) The department shall, at a minimum, maintain readiness
14 including training and equipment to respond to civil disorders and
15 natural disasters commensurate with the capabilities of fiscal year
16 2009-2010.

17 Sec. 409. The department shall develop a law enforcement
18 delivery of service model in conjunction with each state police
19 post area in the state. In the development of this model, the
20 department shall consider local and county law enforcement
21 capabilities to ensure the efficient delivery of services.

22 SUPPORT SERVICES

23 Sec. 501. (1) The department shall operate the Michigan
24 intelligence operation center as the state's federally recognized
25 fusion center.

26 (2) The department shall ensure public safety through the

1 emergency management and homeland security division by providing
2 public and private sector partners with timely and accurate
3 information and regarding critical information key resources
4 threats as reported to or discovered by the Michigan intelligence
5 operations center and increase public awareness on how to report
6 suspicious activity through website or telephone communications.

7 (3) The department shall seek to increase the number of public
8 and private sector contacts which receive vital homeland security
9 information and intelligence in order to enhance the safety and
10 security for citizens of this state.

11 Sec. 502. (1) The department shall provide hazardous materials
12 response training.

13 (2) The department shall maintain the staffing and resources
14 necessary to serve approximately 110 local emergency management
15 preparedness programs and 88 local emergency planning committees in
16 this state.

17 (3) The department shall conduct a minimum of 3 training
18 sessions to enhance safe response in the event of natural or
19 manmade incidents, emergencies, or disasters.

20 (4) The department's emergency management division shall make
21 every effort to ensure both of the following:

22 (a) That homeland security grants offered by the federal
23 government and channeled through the department are allocated to
24 first responder entities in the highest percentage possible.

25 (b) That homeland security grants awarded to the city of
26 Detroit shall not be used to supplant city general funds designated
27 to support first responder operations.

1 Sec. 503. (1) The department shall operate and maintain the
2 state's emergency operations center and provide command and control
3 in support of emergency response services.

4 (2) The department shall maintain readiness, including
5 training and equipment to respond to civil disorders and natural
6 disasters.

7 (3) The department shall relocate the state's emergency
8 operations center from its present site at Collins Road to another
9 suitable facility.

10 (4) The state director of emergency management may expend
11 money appropriated under this article to call upon any agency or
12 department of the state or any resource of the state to protect
13 life or property or to provide for the health or safety of the
14 population in any area of the state in which the governor proclaims
15 a state of emergency or state of disaster under 1945 PA 302, MCL
16 10.31 to 10.33, or under the emergency management act, 1976 PA 390,
17 MCL 30.401 to 30.421. The state director of emergency management
18 may expend the amounts the director considers necessary to
19 accomplish these purposes. The director shall submit to the state
20 budget director as soon as possible a complete report of all
21 actions taken under the authority of this section. The report shall
22 contain, as a separate item, a statement of all money expended that
23 is not reimbursable from federal money. The state budget director
24 shall review the expenditures and submit recommendations to the
25 legislature in regard to any possible need for a supplemental
26 appropriation.

27 (5) In addition to the money appropriated in this article, the

1 department may receive and expend money from local, private,
2 federal, or state sources for the purpose of providing emergency
3 management training to local or private interests and for the
4 purpose of supporting emergency preparedness, response, recovery,
5 and mitigation activity. If additional expenditure authorization in
6 the Michigan administrative information network is approved by the
7 state budget office under this section, the department and the
8 state budget office shall notify the house and senate
9 appropriations subcommittees on state police and military and
10 veterans affairs and the house and senate fiscal agencies within 10
11 days after the approval. The notification shall include the amount
12 and source and the additional authorization, the date of its
13 approval, and the projected use of funds to be expended under the
14 authorization.

15 Sec. 504. (1) The department shall conduct public awareness
16 campaigns regarding various public safety issues.

17 (2) The department shall provide resources and technical
18 assistance to train child passenger safety technicians to promote
19 public education and awareness to parents.

20 (3) Based on available grants, the department shall attempt to
21 identify a trained child passenger safety technician in each county
22 in this state.

23 Sec. 505. (1) The department shall administer various public
24 safety grants to state, local, and private entities within this
25 state.

26 (2) The department shall comply with all federal and state
27 guidelines pertaining to grant distributions.

PART 1

LINE-ITEM APPROPRIATIONS
FOR FISCAL YEAR 2011-2012

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, 2012, 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.....	3,043.3	
GROSS APPROPRIATION.....		\$ 3,327,770,700
Total interdepartmental grants and intradepartmental transfers		3,451,500
ADJUSTED GROSS APPROPRIATION.....		\$ 3,324,319,200
Federal revenues:		
DOT, federal transit administration.....		61,985,000
DOT-FHWA, highway research, planning, and construction		1,082,019,600
DOT-FRA, local rail service assistance.....		100,000
DOT-FRA, rail passenger/HSGT.....		3,000,000
DOT, federal aviation administration.....		94,090,600
Total federal revenues.....		1,241,195,200
Special revenue funds:		
Local revenues.....		53,968,500

1	Total local and private revenues.....		53,968,500
2	Blue Water Bridge fund.....		16,980,700
3	Comprehensive transportation fund.....		239,494,100
4	Economic development fund.....		41,819,000
5	IRS debt service rebate.....		7,523,500
6	Intercity bus equipment fund.....		200,000
7	Local bridge fund.....		30,514,300
8	Michigan transportation fund.....		974,103,300
9	Rail freight fund.....		2,000,000
10	State aeronautics fund.....		14,537,700
11	State trunkline fund.....		701,982,900
12	Total other state restricted revenues.....		2,029,155,500
13	State general fund/general purpose.....	\$	0
14	Sec. 102. DEBT SERVICE		
15	State trunkline.....	\$	247,449,700
16	Economic development.....		9,174,600
17	Local bridge fund.....		3,261,800
18	Blue Water Bridge fund.....		4,115,000
19	Airport safety and protection plan.....		3,473,500
20	Comprehensive transportation.....		<u>19,998,800</u>
21	GROSS APPROPRIATION.....	\$	287,473,400
22	Appropriated from:		
23	Federal revenues:		
24	DOT-FHWA, highway research, planning, and construction		53,434,300
25	Special revenue funds:		
26	Blue Water Bridge fund.....		4,115,000
27	Comprehensive transportation fund.....		19,998,800

1	Economic development fund.....		9,174,600
2	Local bridge fund.....		3,261,800
3	IRS debt service rebate.....		7,523,500
4	State aeronautics fund.....		3,473,500
5	State trunkline fund.....		186,491,900
6	State general fund/general purpose.....	\$	0
7	Sec. 103. COLLECTION, ENFORCEMENT, AND OTHER AGENCY		
8	SUPPORT SERVICES		
9	MTF grant to department of natural resources and		
10	environment	\$	1,165,900
11	MTF grant to department of state for collection of		
12	revenue and fees		20,000,000
13	MTF grant to department of treasury.....		8,379,000
14	MTF grant to legislative auditor general.....		204,300
15	STF grant to department of attorney general.....		2,817,500
16	STF grant to civil service commission.....		5,697,000
17	STF grant to department of technology, management, and		
18	budget		1,388,000
19	STF grant to department of state police.....		10,586,900
20	STF grant to department of treasury.....		131,600
21	STF grant to legislative auditor general.....		474,600
22	SAF grant to department of attorney general.....		165,900
23	SAF grant to civil service commission.....		150,000
24	SAF grant to department of technology, management, and		
25	budget		40,100
26	SAF grant to department of treasury.....		74,500
27	SAF grant to legislative auditor general.....		19,600

1	CTF grant to department of attorney general	177,200
2	CTF grant to civil service commission	200,000
3	CTF grant to department of technology, management, and	
4	budget	44,000
5	CTF grant to department of treasury	7,600
6	CTF grant to legislative auditor general	<u>25,200</u>
7	GROSS APPROPRIATION	\$ 51,748,900
8	Appropriated from:	
9	Special revenue funds:	
10	Comprehensive transportation fund	454,000
11	Michigan transportation fund	29,749,200
12	State aeronautics fund	450,100
13	State trunkline fund	21,095,600
14	State general fund/general purpose	\$ 0
15	Sec. 104. EXECUTIVE DIRECTION	
16	Full-time equated unclassified positions	6.0
17	Full-time equated classified positions	31.3
18	Unclassified salaries	\$ 602,800
19	Asset management council	1,626,400
20	Commission audit--31.3 FTE positions	<u>2,971,800</u>
21	GROSS APPROPRIATION	\$ 5,201,000
22	Appropriated from:	
23	Special revenue funds:	
24	Michigan transportation fund	1,626,400
25	State trunkline fund	3,574,600
26	State general fund/general purpose	\$ 0
27	Sec. 105. BUSINESS SUPPORT	

1	Full-time equated classified positions.....	58.0	
2	Business support services--49.0 FTE positions.....		\$ 6,215,900
3	Economic development and enhancement programs--9.0 FTE		
4	positions		1,219,800
5	Property management.....		7,915,000
6	Worker's compensation.....		<u>1,760,600</u>
7	GROSS APPROPRIATION.....		\$ 17,111,300
8	Appropriated from:		
9	Special revenue funds:		
10	Comprehensive transportation fund.....		1,590,300
11	Economic development fund.....		381,000
12	Michigan transportation fund.....		213,700
13	State aeronautics fund.....		603,900
14	State trunkline fund.....		14,322,400
15	State general fund/general purpose.....		\$ 0
16	Sec. 106. INFORMATION TECHNOLOGY		
17	Information technology services and projects.....		<u>\$ 28,335,000</u>
18	GROSS APPROPRIATION.....		\$ 28,335,000
19	Appropriated from:		
20	Federal revenues:		
21	DOT-FHWA, highway research, planning, and construction		520,500
22	Special revenue funds:		
23	Blue Water Bridge fund.....		48,400
24	Comprehensive transportation fund.....		195,900
25	Economic development fund.....		37,200
26	Michigan transportation fund.....		258,800
27	State aeronautics fund.....		152,900

1	State trunkline fund.....		27,121,300
2	State general fund/general purpose.....	\$	0
3	Sec. 107. FINANCE, CONTRACTS, AND SUPPORT SERVICES		
4	Full-time equated classified positions.....	277.5	
5	Financial operations--114.0 FTE positions.....	\$	10,874,500
6	Contract services--53.6 FTE positions.....		4,853,600
7	Department services--41.9 FTE positions.....		5,098,500
8	Performance excellence--13.0 FTE positions.....		1,427,400
9	Welcome center operations--55.0 FTE positions.....		<u>3,959,400</u>
10	GROSS APPROPRIATION.....	\$	26,213,400
11	Appropriated from:		
12	Interdepartmental grant revenues:		
13	IDG for accounting service center user charges.....		3,451,500
14	Special revenue funds:		
15	Michigan transportation fund.....		1,976,900
16	State trunkline fund.....		20,785,000
17	State general fund/general purpose.....	\$	0
18	Sec. 108. TRANSPORTATION PLANNING		
19	Full-time equated classified positions.....	176.0	
20	Statewide planning services--124.0 FTE positions.....	\$	14,533,700
21	Data collection services--52.0 FTE positions.....		6,887,700
22	Specialized planning services and local studies.....		16,504,800
23	Grants to regional planning councils.....		<u>488,800</u>
24	GROSS APPROPRIATION.....	\$	38,415,000
25	Appropriated from:		
26	Federal revenues:		
27	DOT-FHWA, highway research, planning, and construction		22,000,000

1	Special revenue funds:		
2	Comprehensive transportation fund.....		960,300
3	Michigan transportation fund.....		6,304,500
4	State aeronautics fund.....		15,000
5	State trunkline fund.....		9,135,200
6	State general fund/general purpose.....	\$	0
7	Sec. 109. DESIGN AND ENGINEERING SERVICES		
8	Full-time equated classified positions.....	1,491.8	
9	Engineering services--799.1 FTE positions.....		\$ 66,623,300
10	Program services--680.7 FTE positions.....		39,482,700
11	Intelligent transportation systems operations--12.0		
12	FTE positions		<u>10,579,200</u>
13	GROSS APPROPRIATION.....	\$	116,685,200
14	Appropriated from:		
15	Federal revenues:		
16	DOT-FHWA, highway research, planning, and construction		23,529,800
17	Special revenue funds:		
18	Michigan transportation fund.....		6,828,400
19	State trunkline fund.....		86,327,000
20	State general fund/general purpose.....	\$	0
21	Sec. 110. HIGHWAY MAINTENANCE		
22	Full-time equated classified positions.....	837.7	
23	State trunkline operations--837.7 FTE positions.....		\$ <u>267,017,700</u>
24	GROSS APPROPRIATION.....	\$	267,017,700
25	Appropriated from:		
26	Special revenue funds:		
27	State trunkline fund.....		267,017,700

1	State general fund/general purpose	\$	0
2	Sec. 111. ROAD AND BRIDGE PROGRAMS		
3	State trunkline federal aid and road and bridge		
4	construction	\$	842,310,000
5	Local federal aid and road and bridge construction ...		240,443,000
6	Grants to local programs		33,000,000
7	Rail grade crossing		3,000,000
8	Local bridge program		27,252,500
9	County road commissions		570,598,400
10	Cities and villages		<u>318,134,200</u>
11	GROSS APPROPRIATION	\$	2,034,738,100
12	Appropriated from:		
13	Federal revenues:		
14	DOT-FHWA, highway research, planning, and construction		982,535,000
15	Special revenue funds:		
16	Local funds		30,000,000
17	Blue Water Bridge fund		7,107,300
18	Local bridge fund		27,252,500
19	Michigan transportation fund		924,732,600
20	State trunkline fund		63,110,700
21	State general fund/general purpose	\$	0
22	Sec. 112. BLUE WATER BRIDGE		
23	Full-time equated classified positions		41.0
24	Blue Water Bridge operations--41.0 FTE positions	\$	<u>5,710,000</u>
25	GROSS APPROPRIATION	\$	5,710,000
26	Appropriated from:		
27	Special revenue funds:		

1	Blue Water Bridge fund.....		5,710,000
2	State general fund/general purpose.....	\$	0
3	Sec. 113. TRANSPORTATION ECONOMIC DEVELOPMENT		
4	Forest roads.....	\$	5,000,000
5	Rural county urban system.....		2,500,000
6	Target industries/economic redevelopment.....		8,113,200
7	Urban county congestion.....		8,306,500
8	Rural county primary.....		<u>8,306,500</u>
9	GROSS APPROPRIATION.....	\$	32,226,200
10	Appropriated from:		
11	Special revenue funds:		
12	Economic development fund.....		32,226,200
13	State general fund/general purpose.....	\$	0
14	Sec. 114. AERONAUTICS AND FREIGHT SERVICES		
15	Full-time equated classified positions.....		84.0
16	Airport improvement services--30.0 FTE positions.....	\$	3,021,900
17	Aviation services--26.0 FTE positions.....		4,193,900
18	Freight and safety services--28.0 FTE positions.....		3,853,900
19	Air service program.....		<u>100,000</u>
20	GROSS APPROPRIATION.....	\$	11,169,700
21	Appropriated from:		
22	Special revenue funds:		
23	Comprehensive transportation fund.....		1,667,400
24	Michigan transportation fund.....		2,186,500
25	State aeronautics fund.....		7,315,800
26	State general fund/general purpose.....	\$	0
27	Sec. 115. PUBLIC TRANSPORTATION SERVICES		

1	Full-time equated classified positions.....	46.0	
2	Passenger transportation services--46.0 FTE positions		\$ <u>6,093,400</u>
3	GROSS APPROPRIATION.....		\$ 6,093,400
4	Appropriated from:		
5	Federal revenues:		
6	DOT, federal transit administration.....		862,100
7	Special revenue funds:		
8	Comprehensive transportation fund.....		5,005,000
9	Michigan transportation fund.....		226,300
10	State general fund/general purpose.....		\$ 0
11	Sec. 116. BUS TRANSIT DIVISION: STATUTORY OPERATING		
12	Local bus operating.....		\$ 166,624,000
13	Nonurban operating/capital.....		<u>22,787,900</u>
14	GROSS APPROPRIATION.....		\$ 189,411,900
15	Appropriated from:		
16	Federal revenues:		
17	DOT, federal transit administration.....		21,987,900
18	Special revenue funds:		
19	Comprehensive transportation fund.....		166,624,000
20	Local funds.....		800,000
21	State general fund/general purpose.....		\$ 0
22	Sec. 117. INTERCITY PASSENGER AND FREIGHT		
23	Freight property management.....		\$ 1,000,000
24	Detroit/Wayne County port authority.....		468,200
25	Intercity services.....		6,100,000
26	Rail passenger service.....		11,667,000
27	Freight preservation and development.....		5,100,000

1	Marine passenger service.....	400,000
2	Terminal development.....	<u>461,000</u>
3	GROSS APPROPRIATION.....	\$ 25,196,200
4	Appropriated from:	
5	Federal revenues:	
6	DOT, federal transit administration.....	4,500,000
7	DOT-FRA, local rail service assistance.....	100,000
8	DOT-FRA, rail passenger/HSGT.....	3,000,000
9	Special revenue funds:	
10	Local funds.....	50,000
11	Comprehensive transportation fund.....	15,346,200
12	Intercity bus equipment fund.....	200,000
13	Rail freight fund.....	2,000,000
14	State general fund/general purpose.....	\$ 0
15	Sec. 118. PUBLIC TRANSPORTATION DEVELOPMENT	
16	Specialized services.....	\$ 8,913,800
17	Municipal credit program.....	2,000,000
18	Transit capital.....	50,048,400
19	Van pooling.....	195,000
20	Service initiatives.....	1,415,000
21	Transportation to work.....	<u>9,700,000</u>
22	GROSS APPROPRIATION.....	\$ 72,272,200
23	Appropriated from:	
24	Federal revenues:	
25	DOT, federal transit administration.....	34,635,000
26	Special revenue funds:	
27	Local funds.....	9,985,000

1	Comprehensive transportation fund.....		27,652,200
2	State general fund/general purpose.....	\$	0
3	Sec. 119. CAPITAL OUTLAY		
4	(1) BUILDINGS AND FACILITIES		
5	Special maintenance, remodeling, and additions.....	\$	3,001,500
6	GROSS APPROPRIATION.....		3,001,500
7	Appropriated from:		
8	State trunkline fund.....		3,001,500
9	State general fund/general purpose.....	\$	0
10	(2) AIRPORT IMPROVEMENT PROGRAMS		
11	Airport safety, protection, and improvement program..	\$	109,750,600
12	GROSS APPROPRIATION.....		109,750,600
13	Appropriated from:		
14	Federal revenues:		
15	DOT, federal aviation administration.....		94,090,600
16	Special revenue funds:		
17	Local funds.....		13,133,500
18	State aeronautics fund.....		2,526,500
19	State general fund/general purpose.....	\$	0

20 PART 2
21 PROVISIONS CONCERNING APPROPRIATIONS
22 FOR FISCAL YEAR 2011-2012

23 **GENERAL SECTIONS**

24 Sec. 201. Pursuant to section 30 of article IX of the state
25 constitution of 1963, total state spending from state resources

1 under part 1 for fiscal year 2011-2012 is \$2,029,155,500.00 and
 2 state spending from state resources to be paid to local units of
 3 government for fiscal year 2011-2012 is \$1,182,737,000.00. The
 4 itemized statement below identifies appropriations from which
 5 spending to units of local government will occur:

6 DEPARTMENT OF TRANSPORTATION

7	Grants to regional planning councils.....	\$	488,800
8	Grants to local programs.....		33,000,000
9	Rail grade crossing.....		3,000,000
10	Local bridge program.....		27,252,500
11	Grants to county road commissions.....		570,598,400
12	Grants to cities and villages.....		318,134,200
13	Economic development fund.....		32,226,200
14	Air service program.....		100,000
15	Local bus operating.....		166,624,000
16	Detroit/Wayne County port authority.....		468,200
17	Marine passenger service.....		400,000
18	Terminal development.....		461,000
19	Specialized services.....		3,943,800
20	Municipal credit program.....		2,000,000
21	Transit capital.....		16,748,400
22	Service initiatives.....		65,000
23	Transportation to work.....		4,700,000
24	Airport safety, protection, and improvement		
25	program.....		<u>2,526,500</u>
26	Total payments to local units of government.....	\$	1,182,737,000

27 Sec. 202. The appropriations authorized under this article are

1 subject to the management and budget act, 1984 PA 431, MCL 18.1101
2 to 18.1594.

3 Sec. 203. As used in this article:

4 (a) "AASHTO" means the American association of state highway
5 and transportation officials.

6 (b) "ASTM" means the American society for testing and
7 materials.

8 (c) "CTF" means comprehensive transportation fund.

9 (d) "Department" means the department of transportation.

10 (e) "DOT" means the United States department of
11 transportation.

12 (f) "DOT-FHWA" means DOT, federal highway administration.

13 (g) "DOT-FRA" means DOT, federal railroad administration.

14 (h) "DOT-FRA, rail passenger/HSGT" means DOT, federal railroad
15 administration, high-speed ground transportation.

16 (i) "EDF" means economic development fund.

17 (j) "FTE" means full-time equated.

18 (k) "IRS" means the internal revenue service.

19 (l) "MTF" means Michigan transportation fund.

20 (m) "RIF" means recreation improvement fund.

21 (n) "SAF" means state aeronautics fund.

22 (o) "STF" means state trunkline fund.

23 Sec. 204. The civil service commission shall bill the
24 departments 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. 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 pursuant to section 393(2) of the management and
6 budget 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 pursuant to section 393(2) of the management and
12 budget 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 pursuant to section 393(2) of the management and budget
18 act, 1984 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 pursuant to section 393(2) of the management and budget
24 act, 1984 PA 431, MCL 18.1393.

25 Sec. 207. (1) The department shall maintain a searchable
26 website accessible by the public at no cost that includes, but is
27 not 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 (2) The department may develop and operate its own website to
10 provide this information or may reference the state's central
11 transparency website as the source for this information.

12 Sec. 208. Unless otherwise specified, the department shall use
13 the Internet to fulfill the reporting requirements of this article.
14 This requirement may include transmission of reports via electronic
15 mail to the recipients identified for each reporting requirement or
16 it may include placement of reports on an Internet or Intranet
17 site.

18 Sec. 209. Funds appropriated in part 1 shall not be used for
19 the purchase of foreign goods or services, or both, if
20 competitively priced and of comparable quality American goods or
21 services, or both, are available. Preference shall be given to
22 goods or services, or both, manufactured or provided by Michigan
23 businesses, if they are competitively priced and of comparable
24 quality. In addition, preference shall be given to goods or
25 services, or both, that are manufactured or provided by Michigan
26 businesses owned and operated by veterans, if they are
27 competitively priced and of comparable quality.

1 Sec. 211. 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. 212. The department and agencies receiving appropriations
9 in part 1 shall receive and retain copies of all reports funded
10 from appropriations in part 1. Federal and state guidelines for
11 short-term and long-term retention of records shall be followed.
12 The department may electronically retain copies of reports unless
13 otherwise required by federal and state guidelines.

14 Sec. 214. From the funds appropriated in part 1 for
15 information technology, the department shall pay user fees to the
16 department of technology, management, and budget for technology-
17 related services and projects. The user fees shall be subject to
18 provisions of an interagency agreement between the department and
19 the department of technology, management, and budget.

20 Sec. 215. A department shall not take disciplinary action
21 against an employee for communicating with a member of the
22 legislature or his or her staff.

23 Sec. 216. When beginning any effort to privatize, the
24 department shall submit a complete project plan to the house of
25 representatives and senate appropriations subcommittees on
26 transportation, the state budget office, and the house and senate
27 fiscal agencies. The plan shall include the rationale for

1 privatization, including a cost-benefit analysis if appropriate.
2 The evaluation shall be completed and submitted to the appropriate
3 senate and house of representatives appropriations subcommittees
4 and the senate and house fiscal agencies. As used in this section,
5 "privatize" or "privatization" means the transfer of state highway
6 maintenance or activities currently performed by department forces,
7 or by boards of county road commissioners, county boards of
8 commissioners, or local units of government under contract with the
9 department, to private contractors.

10 Sec. 228. 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 of representatives standing committees on
18 appropriations, and the senate and house fiscal agencies.

19 Sec. 229. 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 on transportation,
23 respectively, and the senate and house fiscal agencies with an
24 annual report on estimated state restricted fund balances, state
25 restricted fund projected revenues, and state restricted fund
26 expenditures for the fiscal years ending September 30, 2011 and
27 September 30, 2012.

1 Sec. 260. (1) Due to the current budgetary problems in this
2 state, out-of-state travel shall be limited to situations in which
3 1 or more of the following conditions apply:

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

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

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

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

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

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

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

23 (3) Not later than January 1 of each year, each department
24 shall prepare a travel report listing 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 chairs and members of the house and senate
2 appropriations committees, the fiscal agencies, and the state
3 budget director. The report shall include the following
4 information:

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

7 (b) The destination of each travel occurrence.

8 (c) The dates of each travel occurrence.

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

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

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

18 Sec. 262. Funds appropriated in part 1 shall not be used by a
19 principal executive department, state agency, or authority to hire
20 a person to provide legal services that are the responsibility of
21 the attorney general. This prohibition does not apply to legal
22 services for bonding activities and for those activities that the
23 attorney general authorizes.

24 Sec. 263. (1) The department shall report no later than April
25 1, 2012 on each specific policy change made to implement a public
26 act affecting the department that took effect during the prior
27 calendar year to the house and senate appropriations subcommittees

1 on the budget for the department, the joint committee on
2 administrative rules, and the senate and house fiscal agencies.

3 (2) Funds appropriated in part 1 shall not be used by the
4 department to adopt a rule that will apply to a small business and
5 that will have a disproportionate economic impact on small
6 businesses because of the size of those businesses if the
7 department fails to reduce the disproportionate economic impact of
8 the rule on small businesses as provided under section 40 of the
9 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

10 (3) As used in this section:

11 (a) "Rule" means that term as defined under section 7 of the
12 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

13 (b) "Small business" means that term as defined under section
14 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
15 24.207a.

16 Sec. 270. In order to reduce costs and maintain quality, it is
17 the intent of the legislature that, excluding the fleet of motor
18 vehicles for the department of state police, the department will
19 prioritize the utilization of remanufactured parts as the primary
20 means of maintenance and repair for the state of Michigan's fleet
21 of motor vehicles.

22 **DEPARTMENTAL SECTIONS**

23 Sec. 301. (1) The department may establish a fee schedule and
24 collect fees sufficient to cover the costs to issue the permits
25 that the department is authorized by law to issue upon request,
26 unless otherwise stipulated by law. All permit fees are

1 nonrefundable application fees and shall be credited to the
2 appropriate fund to recover the direct and indirect costs of
3 receiving, reviewing, and processing the requests.

4 (2) A bridge authority shall hold 3 public hearings on an
5 increase in any toll charged by the authority at least 30 days
6 before the toll change will become effective. Two of the hearings
7 shall be held within 5 miles of the bridge over which the bridge
8 authority has jurisdiction. One hearing shall be held in Lansing.
9 Public hearings held under this section shall be conducted in
10 accordance with the open meetings act, 1976 PA 267, MCL 15.261 to
11 15.275, and shall be conducted so as to provide a reasonable
12 opportunity for public comment, including both spoken and written
13 comments.

14 Sec. 303. On request, the department shall provide to a
15 legislator, in writing, a report on the amount of money to be
16 received by each city and village and the county road commission of
17 each county, that is included in whole or in part within the
18 legislator's legislative district.

19 Sec. 304. If, as a requirement of bidding on a highway
20 project, the department requires a contractor to submit financial
21 or proprietary documentation as to how the bid was calculated, that
22 bid documentation shall be kept confidential and shall not be
23 disclosed other than to a department representative without the
24 contractor's written consent. The department may disclose the bid
25 documentation if necessary to address or defend a claim by a
26 contractor.

27 Sec. 305. The department shall permit space on public

1 passenger transportation properties to be occupied by public or
2 private tenants on a competitive market rate basis. The department
3 shall require that revenue from the tenants be placed in an account
4 to be used to pay the costs to maintain and improve the property.

5 Sec. 306. (1) The amounts appropriated in section 103 to
6 support tax and fee collection, law enforcement, and other program
7 services provided to the department and to transportation funds by
8 other state departments shall be expended from transportation funds
9 pursuant to annual contracts between the department and those other
10 state departments. The contracts shall be executed prior to the
11 expenditure or obligation of those funds. The contracts shall
12 provide, but are not limited to, the following data applicable to
13 each state department:

14 (a) Estimated costs to be recovered from transportation funds.

15 (b) Description of services provided to the department and/or
16 transportation funds and financed with transportation funds.

17 (c) Detailed cost allocation methods appropriate to the type
18 of services being provided and the activities financed with
19 transportation funds.

20 (2) Not later than 2 months after publication of the state of
21 Michigan comprehensive annual financial report, each state
22 department receiving funding pursuant to an interdepartment
23 contract with the department shall submit a written report to the
24 department, the state budget director, and the house and senate
25 fiscal agencies stating by spending authorization account the
26 amount of estimated funds contracted with the department, the
27 amount of funds expended, the amount of funds returned to the

1 transportation funds, and any unreimbursed transportation-related
2 costs incurred but not billed to transportation funds. A copy of
3 the report shall be submitted to the auditor general, and the
4 report shall be subject to audit by the auditor general as provided
5 in subsection (3).

6 (3) In addition to the requirements of subsection (2), the
7 state treasurer shall develop a cost allocation plan to identify
8 the actual costs of work based on time and effort performed by the
9 department of treasury for state-restricted transportation funds.
10 The cost allocation plan shall specifically identify the costs of
11 collecting constitutionally restricted motor fuel taxes. The cost
12 allocation plan shall be submitted to the senate and house of
13 representatives standing committees on appropriations subcommittees
14 on general government, the senate and house fiscal agencies, the
15 auditor general, and the state budget director by November 1. The
16 cost allocation plan shall be subject to audit by the auditor
17 general.

18 (4) Biennially, in each even-numbered fiscal year, the auditor
19 general shall conduct an audit of charges to transportation funds
20 by state departments for the 2 preceding fiscal years. The audit
21 shall include both charges governed by interdepartmental contracts
22 as well as miscellaneous charges from other state departments not
23 governed by contracts. The auditor general shall prepare a detailed
24 report, with recommendations and conclusions, including a summary
25 of charges and related services to transportation funds by
26 department, the appropriateness of those charges, the cost
27 allocation methodologies used in determining the level of funding,

1 and any unreimbursed transportation-related costs, if any. The
2 report shall be provided to the senate and house of representatives
3 committees on appropriations, the senate and house fiscal agencies,
4 and the state budget director 9 months after publication of the
5 state of Michigan comprehensive annual financial report.

6 Sec. 307. Before March 1 of each year, the department will
7 provide to the legislature, the state budget office, and the house
8 and senate fiscal agencies its rolling 5-year plan listing by
9 county or by county road commission all highway construction
10 projects for the fiscal year and all expected projects for the
11 ensuing fiscal years.

12 Sec. 308. (1) The department and local road agencies that
13 receive appropriations under this article shall pursue compliance
14 with contract specifications for construction and maintenance of
15 state highways and local roads and streets. Work shall not be
16 accepted and paid for until it complies with contract requirements.
17 Contractors with unsatisfactory performance ratings shall be
18 restricted from future bidding through the prequalification process
19 established by the department or a local road agency. The
20 department, county road commissions, and cities and villages shall
21 report to the house of representatives and senate appropriations
22 subcommittees on transportation, the senate and house fiscal
23 agencies, and the state budget director on their respective
24 activities under this section.

25 (2) A contractor's prequalification rating shall not be
26 reduced or restricted until all administrative appeals have been
27 completed. The department can take immediate action regarding a

1 contractor's prequalification rating for public safety reasons or
2 to prevent fraud and malfeasance of public funds.

3 Sec. 309. The department shall continue its efforts to reduce
4 administrative costs and provide the maximum funding possible for
5 construction projects.

6 Sec. 310. The department shall provide in a timely manner
7 copies of the agenda and approved minutes of monthly transportation
8 commission meetings to the members of the house and senate
9 appropriations subcommittees on transportation, the house and
10 senate fiscal agencies, and the state budget director.

11 Sec. 312. At the close of the fiscal year, any unencumbered
12 and unexpended balance in the state trunkline fund shall remain in
13 the state trunkline fund and shall carry forward and is
14 appropriated for federal aid road and bridge programs for projects
15 contained in the annual state transportation program.

16 Sec. 313. (1) From funds appropriated in part 1, the
17 department may increase a state infrastructure bank program and
18 grant or loan funds in accordance with regulations of the state
19 infrastructure bank program of the United States department of
20 transportation. The state infrastructure bank is to be administered
21 by the department for the purpose of providing a revolving, self-
22 sustaining resource for financing transportation infrastructure
23 projects.

24 (2) In addition to funds provided in subsection (1), money
25 received by the state as federal grants, repayment of state
26 infrastructure bank loans, or other reimbursement or revenue
27 received by the state as a result of projects funded by the program

1 and interest earned on that money shall be deposited in the
2 revolving state infrastructure bank fund and shall be available for
3 transportation infrastructure projects. At the close of the fiscal
4 year, any unencumbered funds remaining in the state infrastructure
5 bank fund shall remain in the fund and be carried forward into the
6 succeeding fiscal year.

7 Sec. 319. The department shall post signs at each rest area to
8 identify the agency or contractor responsible for maintenance of
9 the rest area. The signs shall include a department telephone
10 number and shall indicate that unsafe or unclean conditions at the
11 rest area may be reported to that telephone number.

12 Sec. 353. The department shall review its contractor payment
13 process and ensure that all prime contractors are paid promptly.
14 The department shall ensure that prime contractors are in
15 compliance with special provision 109.10 regarding the prompt
16 payment of subcontractors.

17 Sec. 354. On or before March 1, 2012, the department shall
18 solicit and evaluate proposals for services related to the audit of
19 vendor and contract payments and the recovery of overpayments and
20 duplicate payments. The department shall report to the house and
21 senate committees on appropriations and the house and senate fiscal
22 agencies on the results of the proposal solicitation and results of
23 the subsequent payment audits.

24 Sec. 357. When presented with complete local federal aid
25 project submittals, the department shall complete all necessary
26 reviews and inspections required to let local federal aid projects
27 within 120 days of receipt. The department shall implement a system

1 for monitoring the local federal aid project review process.

2 Sec. 375. The department is prohibited from reimbursing
3 contractors or consultants for costs associated with groundbreaking
4 ceremonies, receptions, open houses, or press conferences related
5 to transportation projects funded, in whole or in part, by revenue
6 appropriated in part 1.

7 Sec. 382. The department and the state budget office shall
8 provide for an independent study of the state government needs for
9 a state aircraft fleet. The department and the state budget office
10 shall review the findings of that study and the costs associated
11 with the current fleet or other arrangements for air travel. The
12 department and the state budget office shall report the findings to
13 the legislature no later than March 30, 2012, and shall consider
14 those findings in any decision to sell airplanes.

15 Sec. 383. (1) The department shall prepare an annual report on
16 all travel by executive branch employees, and others including
17 local public officials, university employees, and other public
18 employees on department-owned aircraft. The report shall include,
19 by department, the name of the traveler, the travel origination
20 location, the travel destination location, type of aircraft, and
21 the total estimated costs associated with the air travel.

22 (2) The report shall be submitted to the senate and house
23 appropriations subcommittees on transportation and the house and
24 senate fiscal agencies no later than July 1.

25 (3) From the funds appropriated in part 1, the department is
26 prohibited from transporting legislators or legislative staff on
27 state-owned aircraft without prior approval from the senate

1 majority leader or the speaker of the house of representatives and
2 only when the aircraft is already scheduled by state employees on
3 related official state business.

4 (4) The department shall maintain a system for recovering the
5 cost of operating department-owned aircraft through charges to
6 aircraft users.

7 Sec. 384. (1) The department shall not expend any state
8 transportation revenue for construction planning or construction of
9 the Detroit River International Crossing or a renamed successor. In
10 addition, except as provided in subsection (3), the department
11 shall not commit the state to any new contract related to the
12 construction planning or construction of the Detroit River
13 International Crossing or a renamed successor unless the
14 legislature has enacted specific enabling legislation to allow for
15 the construction of the Detroit River International Crossing or a
16 renamed successor.

17 (2) On or before March 31, 2012, the department shall report
18 to the state budget director, the house and senate appropriations
19 subcommittees on transportation, and the house and senate fiscal
20 agencies on department activities related to the Detroit River
21 International Crossing or a renamed successor.

22 (3) If the legislature enacts specific enabling legislation for
23 the construction of the Detroit River International Crossing or a
24 renamed successor, subsection (1) does not apply once the enabling
25 legislation goes into effect.

26 Sec. 385. (1) The department shall use all available toll
27 credits, as provided by private toll facilities in this state and

1 certified by the federal highway administration, to match available
2 federal aid highway funds.

3 (2) The department shall not use toll credits generated by a
4 private tolled bridge crossing to finance, design, plan, construct,
5 operate, or maintain any international bridge crossing within 5
6 miles of that privately tolled bridge.

7 Sec. 393. The department shall promote best practices for
8 public transportation services in this state, including, but not
9 limited to, the following:

10 (a) Transit vehicle rehabilitation to reduce life-cycle cost
11 of public transportation through mid-life rehabilitation of transit
12 buses.

13 (b) 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 (c) 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 (d) 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. 398. For the fiscal year ending September 30, 2012, the
27 appropriation to a street railway pursuant to section 10e(22) of

1 1951 PA 51, MCL 247.660e, is \$0.

2 **FEDERAL**

3 Sec. 401. Within 30 days of receiving the applicable fiscal
4 year authorization from the federal government to commit
5 transportation funds, the department shall notify local agency
6 representatives, the senate and house of representatives
7 appropriations transportation subcommittees, the senate and house
8 fiscal agencies, and the state budget director regarding the amount
9 of federal aid for categorical allocations to state and local
10 agency programs not specifically allocated in either federal or
11 state law.

12 Sec. 402. A portion of the federal DOT-FHWA highway research,
13 planning, and construction funds made available to the state shall
14 be allocated to transportation programs administered by local
15 jurisdictions in accordance with section 10o of 1951 PA 51, MCL
16 247.660o. A local road agency, with respect to a project approved
17 for federal aid funding in a state transportation improvement
18 program, may enter into a voluntary buyout agreement with the
19 department or with another local road agency to exchange the
20 federal aid with state restricted transportation funds as agreed to
21 by the respective parties. The state restricted transportation
22 funds received in exchange for federal aid funds shall be used for
23 the same purpose as the federal aid funds were originally intended.

24 **MICHIGAN TRANSPORTATION FUND**

25 Sec. 501. The money received under the motor carrier act, 1933

1 PA 254, MCL 475.1 to 479.43, and not appropriated to the department
2 of energy, labor, and economic growth or the department of state
3 police is deposited in the Michigan transportation fund.

4 Sec. 503. (1) The funds appropriated in part 1 for the
5 economic development and local bridge programs shall not lapse at
6 the end of the fiscal year but shall carry forward each fiscal year
7 for the purposes for which appropriated in accordance with 1987 PA
8 231, MCL 247.901 to 247.913, and section 10(5) of 1951 PA 51, MCL
9 247.660.

10 (2) Interest earned in the department of transportation
11 economic development fund and local bridge fund shall remain in the
12 respective funds and shall be allocated to the respective programs
13 based on actual interest earned at the end of each fiscal year.

14 (3) In addition to the funds appropriated in part 1, the
15 department of transportation economic development fund and local
16 bridge fund may receive federal, local, or private funds or
17 restricted source funds such as interest earnings. These funds are
18 appropriated for projects that are consistent with the purposes of
19 the respective funds.

20 (4) None of the funds statutorily dedicated to the
21 transportation economic development fund and local bridge fund
22 shall be diverted to other projects.

23 Sec. 504. Funds from the Michigan transportation fund (MTF)
24 shall be distributed to the comprehensive transportation fund
25 (CTF), the economic development fund (EDF), the recreation
26 improvement fund (RIF), and the state trunkline fund (STF), in
27 accordance with this article and part 711 of the natural resources

1 and environmental protection act, 1994 PA 451, MCL 324.71101 to
2 324.71108, and may only be used as specified in this article, 1951
3 PA 51, MCL 247.651 to 247.675, and part 711 of the natural
4 resources and environmental protection act, 1994 PA 451, MCL
5 324.71101 to 324.71108.

6 **STATE TRUNKLINE FUND**

7 Sec. 601. The department shall work with the road construction
8 industry and engineering consulting community to develop
9 performance and road construction warranties for construction
10 contracts. The development of warranties shall include warranties
11 on materials, workmanship, performance criteria, and design/build
12 projects. The department will report by September 30 of each
13 calendar year to the house of representatives and senate
14 appropriations subcommittees on transportation, the state budget
15 director, and the house and senate fiscal agencies on the status of
16 efforts to develop performance and road construction warranties.

17 Sec. 602. If the department uses manufactured pipe for road
18 construction drainage, the department shall require that pipe used
19 under certain load-bearing conditions beneath the roadway meets the
20 standards established by the American society for testing and
21 materials (ASTM) or American association of state highway and
22 transportation officials (AASHTO). The department may also use the
23 mandrel test for manufactured pipe 60 days after installation and
24 provide a summary of the results of these inspections to the house
25 of representatives and senate appropriations subcommittees on
26 transportation and house and senate fiscal agencies.

1 Sec. 603. The department shall use traffic congestion as 1 of
2 the criteria in determining the priorities for designating which
3 roads shall be remediated in its 5-year road plan, which must be
4 submitted on or before March 1 of each year. Criteria for
5 evaluating traffic congestion shall include, but not be limited to,
6 coordination with local, county, and regional planning, improvement
7 in traffic operations, improvement in physical roadway conditions,
8 accident reduction, and coordination with area public
9 transportation planning.

10 Sec. 610. It is the intent of the legislature that the
11 department have as a priority the removal of dead deer and other
12 large animal remains from the traveled portion and shoulder of
13 state highways. The department, and counties that perform state
14 highway maintenance under contract, shall remove animal remains,
15 wherever practicable, away from the traveled portion and shoulder
16 of state highways.

17 Sec. 612. The department shall establish guidelines governing
18 incentives and disincentives provided under contracts for state
19 trunkline projects. The guidelines shall include specific financial
20 information concerning incentives and disincentives. On or before
21 January 1 of each year, the department shall prepare a report for
22 the immediately preceding fiscal year regarding contract incentives
23 and disincentives. This report shall include a list, by project, of
24 the contractors that received contract incentives and/or
25 disincentives, the amount of the incentives and/or disincentives,
26 and the number of days that each project was completed either ahead
27 or past the contracted completion date. This report shall be

1 provided to the senate and house appropriations subcommittees on
2 transportation, the senate and house standing committees on
3 transportation, and the senate and house fiscal agencies.

4 Sec. 660. (1) The legislature encourages the department to
5 examine the use of alternative road surface materials, including
6 recycled materials, and to develop criteria and specifications for
7 their use in both department-managed and contracted projects.

8 (2) The department shall evaluate the use of a bituminous mix
9 which incorporates crumb rubber from scrap tires.

10 Sec. 664. It is the intent of the legislature that if actual
11 state-restricted revenue deposited to the Michigan transportation
12 fund exceeds the revenue estimates upon which the appropriations in
13 part 1 of this article were based, the department shall give
14 priority to reinstating delayed and deferred projects.

15 **COMPREHENSIVE TRANSPORTATION FUND**

16 Sec. 701. Money that is received by the state as a lease
17 payment for state-owned intercity bus equipment is not money to be
18 deposited in the comprehensive transportation fund under section
19 10b of 1951 PA 51, MCL 247.660b, but is money that is deposited in
20 an intercity bus equipment fund for appropriation for the purchase
21 and repair of intercity bus equipment. Proceeds received by the
22 state from the sale of intercity bus equipment are deposited in an
23 intercity bus equipment fund for appropriation for the purchase and
24 repair of intercity bus equipment. Security deposits from the lease
25 of state-owned intercity bus equipment not returned to the lessee
26 of the equipment under terms of the lease agreement are deposited

1 in an intercity bus equipment fund for appropriation for the repair
2 of intercity bus equipment. At the close of the fiscal year, any
3 funds remaining in the intercity bus equipment fund shall remain in
4 the fund and be carried forward into the succeeding fiscal year.

5 Sec. 702. Money that is received by the state as repayment for
6 loans made for rail or water freight capital projects, and as a
7 result of the sale of property or equipment used or projected to be
8 used for rail or water freight projects shall be deposited in the
9 fund created by section 17 of the state transportation preservation
10 act of 1976, 1976 PA 295, MCL 474.67. At the close of the fiscal
11 year, any funds remaining in the rail freight fund shall remain in
12 the fund and be carried forward into the succeeding fiscal year.

13 Sec. 703. After receiving notification from a railroad company
14 pursuant to section 8 of the state transportation preservation act
15 of 1976, 1976 PA 295, MCL 474.58, the department shall immediately
16 notify the house of representatives and senate appropriations
17 subcommittees on transportation and the state budget office that
18 the railroad company has filed with the appropriate governmental
19 agencies for abandonment of a line.

20 Sec. 706. The Detroit/Wayne County port authority shall issue
21 a complete operations assessment and a financial disclosure
22 statement. The operations assessment shall include operational
23 goals for the next 5 years and recommendations to improve land
24 acquisition and development efficiency. The report shall be
25 completed and submitted to the house of representatives and senate
26 appropriations subcommittees on transportation, the state budget
27 director, and the house and senate fiscal agencies by February 15

1 of each fiscal year for the prior fiscal year.

2 Sec. 708. If funds appropriated in part 1 are used to provide
3 state-owned or state-leased buses to private intercity bus
4 carriers, the department shall charge not less than \$1,000.00 per
5 bus per year for their use.

6 Sec. 711. (1) From the funds appropriated in part 1 from the
7 comprehensive transportation fund for rail passenger service, the
8 department shall negotiate with a rail carrier to provide rail
9 service between Grand Rapids and Chicago and between Port Huron and
10 Chicago, consistent with the other provisions of this section.

11 (2) The rail carrier shall, as a condition to receiving a
12 state operating subsidy, maintain a system to monitor, collect, and
13 resolve customer complaints and shall make the information
14 available to the department, the house and senate appropriations
15 subcommittees on transportation, and the house and senate fiscal
16 agencies.

17 (3) Future state support for the service between Grand Rapids
18 and Chicago and Port Huron and Chicago is dependent on the
19 department's ability to provide a plan and a contract for services
20 that increase ridership and revenue, reduce operating costs, and
21 improve on-time performance.

22 (4) No state subsidy shall be provided from the funds
23 appropriated in part 1 if the chosen rail carrier is Amtrak and
24 Amtrak discontinued service or any portion of the service between
25 Port Huron and Chicago or Grand Rapids and Chicago during the
26 preceding fiscal year, unless the discontinuance of service was for
27 track maintenance or was caused by acts of God.

1 (5) For rail passenger service supported in any part through
2 capital or operating assistance from funds appropriated in this
3 article, the department shall work with the rail carrier to
4 identify ways in which reasonable transport of bicycles by
5 passengers can be accommodated.

6 (6) The department shall report to the house and senate
7 appropriations subcommittees on transportation, and the house and
8 senate fiscal agencies, not later than July 1, 2012, on the status
9 of capital grants related to rail passenger service in Michigan.
10 The report shall identify, and describe the status of, capital
11 improvement projects related to higher train speeds, reduced travel
12 time, station renovations, and other service improvements. The
13 report shall also identify actual or anticipated costs of these
14 projects, funding sources, and anticipated costs and funding
15 sources required to maintain the improvements.

16 Sec. 714. The department, in cooperation with local transit
17 agencies, shall work to ensure that demand-response services are
18 provided throughout Michigan. The department shall continue to work
19 with local units of government to address the unmet transit needs
20 in Michigan.

21 Sec. 731. The department shall charge public transit agencies
22 and intercity bus carriers equal rates per square foot for leasing
23 space in state-owned intermodal facilities.

24 Sec. 734. (1) The department shall ensure that all public
25 transit agencies provide the highest quality public transit service
26 by moving people in a cost-effective, safe, and user-friendly
27 manner that maintains and attracts residents and businesses.

1 (2) Public transit agencies receiving funds under part 1 shall
2 do all of the following:

3 (a) Provide efficient, cost-effective, safe, well-maintained,
4 reliable, customer-driven transportation services.

5 (b) Provide a quality work environment that has and fulfills
6 employee performance, productivity, and development standards.

7 (c) Identify and capture all available funding or create cost-
8 effective programs to eliminate debt and have a balanced budget.

9 (d) Maintain sufficient local and community funding.

10 (e) Support business development by providing transportation
11 to areas of employment and commerce, emerging or established
12 businesses, and health care facilities.

13 Sec. 740. The department shall report by March 1 of each year
14 to the house of representatives and senate appropriations
15 subcommittees on transportation, the house and senate fiscal
16 agencies, and the state budget director the encumbered and
17 unencumbered balances of the comprehensive transportation fund.

18 **AERONAUTICS FUND**

19 Sec. 801. Except as otherwise provided in section 903 for
20 capital outlay, at the close of the fiscal year, any unobligated
21 and unexpended balance in the state aeronautics fund created in the
22 aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.1
23 to 259.208, shall lapse to the state aeronautics fund and be
24 appropriated by the legislature in the immediately succeeding
25 fiscal year.

1 **CAPITAL OUTLAY**

2 Sec. 901. (1) From federal-state-local project appropriations
3 contained in part 1 for the purpose of assisting political entities
4 and subdivisions of this state in the construction and improvement
5 of publicly used airports and landing fields within this state, the
6 state transportation department may permit the award of contracts
7 on behalf of units of local government for the authorized locations
8 not to exceed the indicated amounts, of which the state allocated
9 portion shall not exceed the amount appropriated in part 1.

10 (2) Political entities and subdivisions shall provide not less
11 than 2.5% of the cost of any project under this section, unless a
12 total nonfederal share greater than 5% is otherwise specified in
13 federal law. State money shall not be allocated until local money
14 is allocated. State money for any 1 project shall not exceed 1/3 of
15 the total appropriation in part 1 from state funds for airport
16 improvement programs.

17 (3) The Michigan aeronautics commission may take those steps
18 necessary to match federal money available for airport construction
19 and improvement within this state and to meet the matching
20 requirements of the federal government. Whether acting alone or
21 jointly with another political subdivision or public agency or with
22 this state, a political subdivision or public agency of this state
23 shall not submit to any agency of the federal government a project
24 application for airport planning or development unless it is
25 authorized in this article and the project application is approved
26 by the governing body of each political subdivision or public
27 agency making the application and by the Michigan aeronautics

1 commission.

2 Sec. 902. Before the end of each fiscal year, the state
3 transportation department shall report to the house and senate
4 appropriations subcommittees on transportation the status of
5 airport improvement projects funded in part 1 with the estimated
6 dollars allocated for each project. If there has to be a delay in
7 reporting, the state transportation department shall notify the
8 house and senate appropriations subcommittees on transportation in
9 writing of the date the report will be received.

10 Sec. 903. The appropriations in part 1 for capital outlay
11 shall be carried forward at the end of the fiscal year consistent
12 with the provisions of section 248 of the management and budget
13 act, 1984 PA 431, MCL 18.1248.

14 Sec. 904. (1) The director shall allocate lump-sum
15 appropriations made in this article consistent with statutory
16 provisions and the purposes for which funds were appropriated.
17 Lump-sum allocations shall address priority program or facility
18 needs and may include, but are not limited to, design,
19 construction, remodeling and addition, special maintenance, major
20 special maintenance, energy conservation, and demolition.

21 (2) The state budget director may authorize that funds
22 appropriated for lump-sum appropriations and designated as work
23 project appropriations shall be available for no more than 3 fiscal
24 years following the fiscal year in which the original appropriation
25 was made. Any remaining balance from allocations made in this
26 section shall lapse to the fund from which it was appropriated
27 pursuant to the lapsing of funds as provided in the management and

1 budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

2 **ONE-TIME BASIS ONLY**

3 Sec. 1001. For the state fiscal year ending September 30,
4 2012, there is appropriated from general fund/general purpose
5 revenue, on a 1-time basis only, \$500,000.00 for the following
6 purpose:

7 Maintenance of 2 swing bridges..... \$ 500,000

8 PART 2A

9 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

10 FOR FISCAL YEAR 2012-2013

11 **GENERAL SECTIONS**

12 Sec. 1201. It is the intent of the legislature to provide
13 appropriations for the fiscal year ending on September 30, 2013 for
14 the line items listed in part 1. The fiscal year 2012-2013
15 appropriations are anticipated to be the same as those for fiscal
16 year 2011-2012, except that the line items will be adjusted for
17 changes in caseload and related costs, federal fund match rates,
18 economic factors, and available revenue. These adjustments will be
19 determined after the January 2012 consensus revenue estimating
20 conference.