

Act No. 104  
Public Acts of 1993  
Approved by the Governor  
July 15, 1993  
Filed with the Secretary of State  
July 15, 1993

**STATE OF MICHIGAN  
87TH LEGISLATURE  
REGULAR SESSION OF 1993**

Introduced by Reps. Voorhees, Porreca, Richard A. Young and Gilmer

Reps. Bandstra, Bullard, Crissman, Cropsey, Curtis, DeMars, Dobb, Gernaat, Gnodtke, Goschka, Hammerstrom, Horton, Jaye, Jersevic, Kukuk, Llewellyn, Lowe, Martin, McBryde, McManus, Owen, Palamara, Points, Profit, Rhead, Scott, Shepich, Shugars, Stille, Wallace and Wetters named co-sponsors

## **ENROLLED HOUSE BILL No. 4631**

AN ACT to make appropriations for various state departments and agencies for certain fiscal years; to provide for the expenditure of the appropriations; and to repeal certain acts and parts of acts.

*The People of the State of Michigan enact:*

Sec. 101. There is appropriated for the various state departments and agencies to supplement former appropriations for the fiscal year ending September 30, 1993, from the following funds:

**APPROPRIATION SUMMARY:**

Full-time equated classified positions.....	0	
GROSS APPROPRIATION.....	\$	64,822,100
Interdepartmental grant revenues:		
Less: Total interdepartmental grants and intradepartmental transfers.....		348,500
ADJUSTED GROSS APPROPRIATION.....	\$	64,473,600
Federal revenues:		
Total federal revenues.....		52,487,100
Special revenue funds:		
Total local and private revenues.....		0
Total other state restricted revenues.....		270,000
State general fund/general purpose .....	\$	11,716,500

**DEPARTMENT OF ATTORNEY GENERAL**

**APPROPRIATION SUMMARY:**

GROSS APPROPRIATION.....	\$	500,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION.....	\$	500,000

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Federal revenues:		
Total federal revenues .....	\$	0
Special revenue funds:		
Total local revenues .....		0
Total private revenues.....		0
Total other state restricted revenues .....		0
State general fund/general purpose .....	\$	500,000
<b>ADMINISTRATIVE SERVICES/LEGAL SERVICES—GENERAL FUND</b>		
Redistricting litigation costs.....	\$	500,000
GROSS APPROPRIATION.....	\$	500,000
Appropriated from:		
State general fund/general purpose .....	\$	500,000

## DEPARTMENT OF COMMERCE

### APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$	11,500,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION.....	\$	11,500,000
Federal revenues:		
Total federal revenues .....		11,500,000
Special revenue funds:		
Total local revenues .....		0
Total private revenues.....		0
Total other restricted revenues .....		0
State general fund/general purpose .....	\$	0

### EXECUTIVE DIRECTION

Wurtsmith base conversion authority .....	\$	4,300,000
GROSS APPROPRIATION.....	\$	4,300,000
Appropriated from:		
Federal revenues:		
DOD-air force base disposal agency.....		4,300,000
State general fund/general purpose .....	\$	0

### MICHIGAN DEVELOPMENT SERVICES

CDBG program administration .....	\$	200,000
CDBG-pass through .....		7,000,000
GROSS APPROPRIATION.....	\$	7,200,000
Appropriated from:		
Federal revenues:		
HUD-CPD, community development block grant (small cities) .....		7,200,000
State general fund/general purpose .....	\$	0

## DEPARTMENT OF EDUCATION

### APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$	5,528,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION.....	\$	5,528,000
Federal revenues:		
HHS-SSA, contract for services .....		5,528,000
Total federal revenues .....		5,528,000

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Special revenue funds:		
Total local revenues .....	\$	0
Total private revenues.....		0
Total local and private revenues.....		0
Total other state restricted revenues.....		0
State general fund/general purpose .....	\$	0

#### DISABILITY DETERMINATION SERVICES

Disability determination operations .....	\$	5,528,000
GROSS APPROPRIATION.....	\$	5,528,000
Appropriated from:		
Federal revenues:		
HHS-SSA, contract for services .....		5,528,000
State general fund/general purpose .....	\$	0

#### DEPARTMENT OF MANAGEMENT AND BUDGET

##### APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$	988,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION.....	\$	988,000
Federal revenues:		
Total federal revenues.....		738,000
Special revenue funds:		
Total local revenues .....		0
Total private revenues.....		0
Total local and private revenues.....		0
Total other state restricted revenues .....		250,000
State general fund/general purpose .....	\$	0

#### OFFICE OF SERVICES TO THE AGING

Community services.....	\$	738,000
GROSS APPROPRIATION.....	\$	738,000
Appropriated from:		
Federal revenues:		
HHS-OHDS, Grants for state and community services .....		738,000
State general fund/general purpose .....	\$	0

#### GRANTS

Crime victims rights services grants.....	\$	250,000
GROSS APPROPRIATION.....	\$	250,000
Appropriated from:		
Special revenue funds:		
Victims services fund.....		250,000
State general fund/general purpose .....	\$	0

#### MICHIGAN JOBS COMMISSION

##### APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$	14,600,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....	\$	0
ADJUSTED GROSS APPROPRIATION.....	\$	14,600,000
Federal revenues:		
Total federal revenues.....		14,600,000

Special revenue funds:	
Total local and private revenues.....	\$ 0
Total other state restricted revenues.....	0
State general fund/general purpose .....	\$ 0
<b>MICHIGAN JOBS COMMISSION</b>	
Summer youth employment program .....	\$ 11,000,000
Youth fair chance program .....	3,600,000
GROSS APPROPRIATION .....	\$ 14,600,000
Appropriated from:	
Federal revenues:	
DOL, job training partnership act.....	14,600,000
State general fund/general purpose .....	\$ 0
<b>DEPARTMENT OF NATURAL RESOURCES</b>	
<b>APPROPRIATION SUMMARY:</b>	
GROSS APPROPRIATION .....	\$ 857,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	\$ 0
ADJUSTED GROSS APPROPRIATION .....	\$ 857,000
Federal revenues:	
Total federal revenues .....	837,000
Special revenue funds:	
Total local revenues .....	0
Total private revenues.....	0
Total other state restricted revenues.....	20,000
State general fund/general purpose .....	\$ 0
<b>FISHERIES MANAGEMENT</b>	
Inland fisheries.....	\$ 200,000
GROSS APPROPRIATION .....	\$ 200,000
Appropriated from:	
Federal revenues:	
EPA, multiple grants.....	180,000
Game and fish protection fund .....	20,000
State general fund/general purpose .....	\$ 0
<b>FOREST RESOURCE MANAGEMENT</b>	
Forest resource inventory .....	\$ 7,000
GROSS APPROPRIATION .....	\$ 7,000
Appropriated from:	
Federal revenues:	
Department of energy .....	7,000
State general fund/general purpose .....	\$ 0
<b>GRANTS</b>	
Federal - SBA tree planting grants .....	\$ 50,000
Federal - Urban forestry grants.....	600,000
GROSS APPROPRIATION .....	\$ 650,000
Appropriated from:	
Federal revenues:	
DAG-FS, multiple grants.....	600,000
Small business administration.....	50,000
State general fund/general purpose .....	\$ 0

**DEPARTMENT OF PUBLIC HEALTH**

**APPROPRIATION SUMMARY:**

GROSS APPROPRIATION.....	\$	14,715,600
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		348,500
ADJUSTED GROSS APPROPRIATION.....	\$	14,367,100
Federal revenues:		
Total federal revenues .....		12,184,100
Special revenue funds:		
Total local revenues .....		0
Total private revenues.....		0
Total other state restricted revenues.....		0
State general fund/general purpose .....	\$	2,183,000

**INFECTIOUS DISEASE CONTROL**

Immunization local agreements .....	\$	749,000
Tuberculosis control program.....		320,800
GROSS APPROPRIATION.....	\$	1,069,800
Appropriated from:		
Interdepartmental grant revenues:		
Interdepartmental grant from social services.....		323,300
Federal revenues:		
Federal grants and contracts .....		320,800
Medical assistance program, title XIX .....		425,700
State general fund/general purpose .....	\$	0

**LABORATORY SERVICES**

Contractual services, supplies, and materials .....	\$	21,300
GROSS APPROPRIATION.....	\$	21,300
Appropriated from:		
Interdepartmental grant revenues:		
Interdepartmental grant from corrections .....		21,300
State general fund/general purpose .....	\$	0

**BIOLOGIC PRODUCTS**

Biologic products processing .....	\$	9,900
GROSS APPROPRIATION.....	\$	9,900
Appropriated from:		
Interdepartmental grant revenues:		
Interdepartmental grant from social services.....		3,900
Federal revenues:		
Medical assistance program, title XIX .....		6,000
State general fund/general purpose .....	\$	0

**CENTER FOR HEALTH PROMOTION**

Cancer prevention and control program .....	\$	1,735,000
Chronic disease prevention.....		51,400
Smoking prevention program.....		112,300
GROSS APPROPRIATION.....	\$	1,898,700
Appropriated from:		
Federal revenues:		
Federal grants and contracts .....		1,898,700
State general fund/general purpose .....	\$	0

**CHILD AND FAMILY SERVICES GRANTS**

Women, infants, and children program local agreements and food costs .....	\$	4,483,600
GROSS APPROPRIATION.....	\$	4,483,600
Appropriated from:		
Federal revenues:		
Special supplemental food program for women, infants, and children .....		4,483,600
State general fund/general purpose .....	\$	0

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#### SUBSTANCE ABUSE GRANTS AND CONTRACTS

Medicaid reimbursement for substance abuse services.....	\$	7,232,300
GROSS APPROPRIATION.....	\$	7,232,300
Appropriated from:		
Federal revenues:		
Alcohol, drug abuse, and mental health block grant.....		689,000
Medical assistance program, title XIX.....		4,360,300
State general fund/general purpose .....	\$	2,183,000

#### DEPARTMENT OF STATE POLICE

##### APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$	10,000,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....	\$	0
ADJUSTED GROSS APPROPRIATION.....	\$	10,000,000
Federal revenues:		
Total federal revenues .....		7,000,000
Special revenue funds:		
Total local revenues .....		0
Total private revenues.....		0
Total other state restricted revenues.....		0
State general fund/general purpose .....	\$	3,000,000

#### DEPARTMENTWIDE APPROPRIATIONS

Judgments and settlements .....		3,000,000
Federal police on the streets grants.....	\$	7,000,000
GROSS APPROPRIATION.....	\$	10,000,000
Appropriated from:		
Federal revenues:		
Federal grants and contracts .....		7,000,000
State general fund/general purpose .....	\$	3,000,000

#### DEPARTMENT OF TREASURY

##### APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$	6,133,500
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION.....	\$	6,133,500
Federal revenues:		
Total federal revenues .....		100,000
Special revenue funds:		
Total local revenues .....		0
Total private revenues.....		0
Total local and private revenues.....		0
Total other state restricted revenues.....		0
State general fund/general purpose .....	\$	6,033,500

#### TAX PROGRAMS

Joint federal/state motor fuel compliance project .....	\$	100,000
GROSS APPROPRIATION.....	\$	100,000
Appropriated from:		
Federal revenues:		
DOT-FHWA, intermodal surface transportation efficiency act .....		100,000
State general fund/general purpose .....	\$	0

		For Fiscal Year Ending Sept. 30, 1993
<b>GRANTS</b>		
Presidential primary-city of Detroit .....	\$	833,500
Special election costs, local reimbursement .....		5,200,000
GROSS APPROPRIATION .....	\$	6,033,500
Appropriated from:		
State general fund/general purpose .....	\$	6,033,500

Sec. 102. There is appropriated for the various state departments and agencies to supplement former appropriations for the fiscal years ending September 30, 1991 and September 30, 1992, from the following funds:

**APPROPRIATION SUMMARY:**

Full-time equated classified positions .....	0	
GROSS APPROPRIATION .....	\$	10,318,428
Interdepartmental grant revenues:		
Less: Total interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION .....	\$	10,318,428
Federal revenues:		
Total federal revenues .....		0
Special revenue funds:		
Total local and private revenues .....		0
Total other state restricted revenues .....		0
State general fund/general purpose .....	\$	10,318,428

		For Fiscal Year Ending Sept. 30, 1992
<b>DEPARTMENT OF MENTAL HEALTH</b>		
<b>APPROPRIATION SUMMARY:</b>		
GROSS APPROPRIATION .....	\$	1,300,528
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....	\$	0
ADJUSTED GROSS APPROPRIATION .....	\$	1,300,528
Federal revenues:		
Total federal revenues .....		0
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		0
Total local and private revenues .....		0
Total other state restricted revenues .....		0
State general fund/general purpose .....	\$	1,300,528

**COMMUNITY INPATIENT/RESIDENTIAL BEDS**

Clinton valley center reduction project .....	\$	1,300,528
GROSS APPROPRIATION .....	\$	1,300,528
Appropriated from:		
State general fund/general purpose .....	\$	1,300,528

		For Fiscal Year Ending Sept. 30, 1991
<b>DEPARTMENT OF SOCIAL SERVICES</b>		
<b>APPROPRIATION SUMMARY:</b>		
GROSS APPROPRIATION .....	\$	9,017,900
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....	\$	0
ADJUSTED GROSS APPROPRIATION .....	\$	9,017,900

Federal revenues:		
Total federal revenues.....	\$	0
Special revenue funds:		
Total private revenues.....		0
Total local revenues .....		0
Total other state restricted revenues.....		0
State general fund/general purpose .....	\$	9,017,900
<b>GENERAL ASSISTANCE MEDICAL</b>		
General assistance medical-hospitalization .....	\$	9,017,900
GROSS APPROPRIATION.....	\$	9,017,900
Appropriated from:		
State general fund/general purpose .....	\$	9,017,900

## **GENERAL SECTIONS**

Sec. 201. In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total spending from state resources in section 101 of this appropriation act is \$11,986,500.00 and state appropriations to be paid to units of local government in section 101 are \$6,033,500.00.

Sec. 202. The appropriations made and expenditures authorized under this act and the departments, agencies, commissions, boards, offices, and programs for which an appropriation is made under this act are subject to Act No. 431 of the Public Acts of 1984, being sections 18.1101 to 18.1594 of the Michigan Compiled Laws.

Sec. 203. If any portion of the language of section 301, section 351, section 402, section 501, section 602 and section 701 is declared to be unconstitutional or in violation of any section of the management and budget act, Act No. 431 of the Public Acts of 1984, being sections 18.1101 to 18.1594 of the Michigan Compiled Laws, by the attorney general or a court of competent jurisdiction, the language so declared shall not be severable and those sections shall have no effect.

## **DEPARTMENT OF COMMERCE**

Sec. 301. The department of commerce, Wurtsmith base conversion authority, may, upon the approval of the house and senate appropriations committees, receive and expend any federal funds received in excess of the amounts authorized in section 101 from the department of defense for the purpose of providing maintenance and security at the Wurtsmith air force base. Any such funds received are appropriated and may be expended for staffing and program expenses related to the administration and operation of these activities.

## **DEPARTMENT OF MANAGEMENT AND BUDGET**

Sec. 351. The department of management and budget may receive and expend federal funds associated with the president's economic stimulus package in addition to those appropriated in other departments, except the department of transportation, as part of this act. These funds are appropriated upon receipt, but shall not be expended until the completion of an interagency agreement with the appropriate department and upon approval of the house and senate appropriations committees of the amount of the funds to be received and expended. A report shall be provided by the department delivering services with the funds to the house and senate appropriations committees detailing the activities supported by the funds. This report shall be provided within 30 days after completion of the programs.

## **DEPARTMENT OF MENTAL HEALTH**

Sec. 401. The appropriations in section 102 for the department of mental health shall be used only to cover overexpenditures which occurred in the fiscal year ending September 30, 1992. The appropriations in section 102 are not intended to increase authorizations or expenditures for the fiscal year ending September 30, 1993. The purpose for



expenditure of the funds appropriated to the department of mental health in section 102 is to allow the state to pay vendors with bills outstanding to the state as a direct result of the prior fiscal year overexpenditures.

Sec. 402. In addition to the federal funds appropriated to the department of mental health under Act No. 167 of the Public Acts of 1992 and Act No. 19 of the Public Acts of 1993 for the fiscal year ending September 30, 1993, there is appropriated up to \$15,000,000.00 in additional federal title XIX funds associated with the medicaid hospital disproportionate share payment program that become available pursuant to changes in the state medicaid plan.

### **MICHIGAN JOBS COMMISSION**

Sec. 501. The Michigan jobs commission may, upon the approval of the house and senate appropriations committees, receive and expend any federal funds received in excess of the amounts authorized in section 101 from title IIB and H of the job training partnership act grant revenue. Any such funds received are appropriated and may be expended for staffing and program expenses related to the administration and operation of these programs.

### **DEPARTMENT OF SOCIAL SERVICES**

Sec. 601. The appropriations in section 102 for the department of social services shall be used only to cover overexpenditures which occurred in the fiscal year ending September 30, 1991. The appropriations in section 102 are not intended to increase authorizations or expenditures for the fiscal year ending September 30, 1993. The purpose for expenditure of the funds appropriated to the department of social services in section 102 is to allow the state to pay vendors with bills outstanding to the state as a direct result of these overexpenditures.

Sec. 602. The appropriation for the department of social services for the government operated long-term care facilities adjustor is increased by up to \$75,000,000.00 in accordance with any increase in intergovernmental transfer amounts made by affected counties above those included in Act No. 19 of the Public Acts of 1993. The department is authorized to appropriately adjust financing sources in accordance with the increased appropriation.

Sec. 603. (1) Pursuant to rule 20 of the department of social services, emergency rules on the state emergency relief program, filed with the secretary of state on October 14, 1992, 12 noon, the director, or person designated by the director, may grant an exemption of these rules to any individual currently receiving public assistance if the individual has received a final-shut off notice for electricity, heating or cooking gas services or has had these services involuntarily discontinued as a result of exceeding current energy spending caps.

(2) Rule 15 of the aforementioned emergency rules, "Eligibility; reimbursement of certain emergency relief grants" may be applied to individuals receiving exemptions under subsection (1).

(3) This section notwithstanding, rule 33(2) of these rules shall continue to be strictly enforced.

(4) In addition, notwithstanding the provisions of section 812(2) of Act No. 168 of the Public Acts of 1992, the department may increase energy caps based on available LEAP funding.

Sec. 605. The department of social services shall make every effort to submit an application by September 1, 1993, for a waiver for the medical assistance program, title XIX, in order to extend eligibility to 185% of poverty for family planning services. The waiver shall be submitted in order to obtain approval that would allow medicaid coverage commencing at the beginning and throughout fiscal year 1994.

### **DEPARTMENT OF STATE POLICE**

Sec. 701. The department of state police may, upon the approval of the house and senate appropriations committees, receive and expend federal funds associated with the federal police on the streets grant program in addition to those appropriated in section 101. Any such funds received are appropriated and may be expended for staffing and program expenses related to the administration and operation of this program.

## **DEPARTMENT OF TREASURY**

Sec. 801. The state shall reimburse each county, city, and township for the cost of conducting the special election to be held June 2, 1993 in the amounts and in the manner as stated in this section. Payments shall not exceed the actual cost of the election. Payments shall be made upon presentation and approval of a verified account of actual costs to the department of state, elections division. Reimbursable costs shall not include salaries of local officials or employees other than temporary local employees; county and local employees or officials that have been given election day off from work with pay and do not work on election business; and costs of reusable supplies and equipment. A county, city, or township shall not be reimbursed for its costs of conducting the special election if the county, city, or township by action of the legislative body of the jurisdiction places or causes to be placed another question on the ballot at the special election. Costs not in compliance with this section shall be disapproved. To qualify for reimbursement, a county, city, or township shall submit its verified account of actual costs within 60 days after the date of the special election. The state treasurer shall issue a payment to a county, city, or township from the appropriation in section 101 after the secretary of state has notified the state treasurer of the approved amount.

## **CAPITAL OUTLAY**

Sec. 901. (1) Section 1411 of Public Act 19 of 1993 which provides that the department of management and budget is responsible for the design and construction administration for any project that receives state building authority financing unless specifically waived by the joint capital outlay subcommittee, is repealed.

(2) Before proceeding with final planning and construction for projects at community colleges and universities included in Public Act 19 of 1993, the community college or university must sign an agreement with the department of management and budget that includes the following provisions:

(a) The university or community college agrees to construct the project within the total authorized cost established by the legislature pursuant to Public Act 431 of 1984 and Public Act 19 of 1993.

(b) The design and program scope of the project will not deviate from the design and program scope represented in the program statement approved by the department of management and budget.

(c) A capital outlay project included in Public Act 19 of 1993 will be managed by the department of management and budget - office of facilities unless a university or community college demonstrates the ability and institutional resources to provide those same project management services in an effective manner.

(3) If the department of management and budget determines that a university or community college will manage a construction project at that institution, the department of management and budget retains the authority and responsibility normally associated with the prudent maintenance of the public's financial and policy interests relative to the state-financed construction projects.

This act is ordered to take immediate effect.

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Co-Clerk of the House of Representatives.

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Secretary of the Senate.

Approved -----

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Governor.