



SENATE BILL No. 1305

November 10, 1994, Introduced by Senator WELBORN and referred to the Committee on Appropriations.

A bill to amend section 393 of Act No. 431 of the Public Acts of 1984, entitled as amended "The management and budget act," as amended by Act No. 504 of the Public Acts of 1988, being section 18.1393 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 393 of Act No. 431 of the Public Acts of
2 1984, as amended by Act No. 504 of the Public Acts of 1988, being
3 section 18.1393 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 393. (1) Administrative transfers of appropriations
6 within any department to adjust for current cost and price varia-
7 tions from the enacted budget items, or to adjust amounts between
8 federal sources of financing, may be made by the state budget
9 director not less than 30 days after notifying the senate and

1 house appropriations committees. Administrative transfers shall
2 not include adjustments that have policy implications or that
3 have the effect of creating, expanding, or reducing programs
4 within that department. Those transfers may be disapproved by
5 either appropriations committee within the 30 days and, if disap-
6 proved within that time, shall not be effective.

7 (2) A transfer of appropriations within any department for
8 reasons other than cost and price variances from those appropria-
9 tions as enacted into law shall not be made by the state budget
10 director unless approved by ~~both appropriations committees~~
11 CONCURRENT RESOLUTION BY A MAJORITY VOTE OF THOSE ELECTED AND
12 SERVING IN EACH HOUSE OF THE LEGISLATURE. If the budget director
13 does not approve transfers adopted by ~~both appropriations~~
14 ~~committees~~ THE LEGISLATURE under this subsection, the budget
15 director shall notify the ~~appropriations committees~~ RESPECTIVE
16 LEGISLATIVE LEADERS of his or her action within 15 days.

17 (3) A transfer approved by the appropriations committees
18 shall not be effective unless it is identical in terms of funding
19 sources and dollar amounts.

20 (4) A transfer approved pursuant to this section shall con-
21 stitute authorization to transfer the amount recommended and
22 approved. However, the amount shall be reduced by the state
23 budget director to be within the current unobligated amount of
24 the appropriation.

25 (5) A transfer approved by law shall not subsequently be
26 withdrawn or reversed in whole or in part.

1 (6) Transfers between capital outlay appropriations accounts
2 shall not be made except as provided in section 247.

3 (7) The state budget director may make transfers between
4 departments for federal and other restricted flow-through funds
5 when funds are appropriated in the budget of both departments.

6 (8) Transfers of appropriations shall not be made between
7 state operating funds except as provided in subsections (6) and
8 (7). Transfers shall not be allowed into or from an open-end
9 appropriation ~~, nor shall a transfer~~ OR TO create a new line
10 expenditure item appropriation. Transfers of appropriations for
11 financing sources shall be made concurrently with related trans-
12 fers of appropriations for line expenditure items.

13 (9) The state budget director shall not make transfers
14 between items appropriated except as provided in this section or
15 section 396(2).