

Act No. 69
Public Acts of 1995
Approved by the Governor
May 30, 1995
Filed with the Secretary of State
May 31, 1995

STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1995

Introduced by Reps. Bankes, Berman, Jellema, Dolan, Middleton and Yokich

ENROLLED HOUSE BILL No. 4365

AN ACT to make appropriations for various state departments and agencies for the fiscal year ending September 30, 1995; and to provide for the expenditure of the appropriations.

The People of the State of Michigan enact:

Sec. 101. There is appropriated for various state departments and agencies to supplement former appropriations for the fiscal year ending September 30, 1995, from the following funds:

BILL SUMMARY

APPROPRIATION SUMMARY:

| | | |
|---|----|------------|
| Full-time equated classified positions.....7.0 | | |
| GROSS APPROPRIATION..... | \$ | 23,581,050 |
| Interdepartmental grant revenues: | | |
| Less: Total interdepartmental grants and intradepartmental transfers..... | | 2,550,000 |
| ADJUSTED GROSS APPROPRIATION..... | \$ | 21,031,050 |
| Federal revenues: | | |
| Total federal revenues..... | | 3,831,050 |
| Special revenue funds: | | |
| Total local revenues..... | | 0 |
| Total private revenues..... | | 0 |
| Total other state restricted revenues..... | | 17,200,000 |
| State general fund/general purpose..... | \$ | 0 |

DEPARTMENT OF MANAGEMENT AND BUDGET

APPROPRIATION SUMMARY:

| | | |
|---|----|---------|
| GROSS APPROPRIATION..... | \$ | 250,000 |
| Interdepartmental grant revenues: | | |
| Total interdepartmental grants and intradepartmental transfers..... | | 250,000 |
| ADJUSTED GROSS APPROPRIATION..... | \$ | 0 |
| Federal revenues: | | |
| Total federal revenues..... | | 0 |

For Fiscal Year
Ending Sept. 30,
1995

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

OFFICE OF SERVICES TO THE AGING

| | |
|--|------------|
| Nutrition services..... | \$ 250,000 |
| GROSS APPROPRIATION..... | \$ 250,000 |
| Appropriated from: | |
| Interdepartmental grant revenues: | |
| Interdepartmental grant from public health | 250,000 |
| State general fund/general purpose | \$ 0 |

DEPARTMENT OF MENTAL HEALTH

APPROPRIATION SUMMARY:

| | |
|--|--------------|
| GROSS APPROPRIATION..... | \$ 1,250,000 |
| Interdepartmental grant revenues: | |
| Total interdepartmental grants and intradepartmental transfers | 1,250,000 |
| ADJUSTED GROSS APPROPRIATION..... | \$ 0 |
| 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 | \$ 0 |

COMMUNITY MENTAL HEALTH PROGRAMS

| | |
|--|--------------|
| Respite care | \$ 1,250,000 |
| GROSS APPROPRIATION..... | \$ 1,250,000 |
| Appropriated from: | |
| Interdepartmental grant revenues: | |
| Interdepartmental grant from public health | 1,250,000 |
| State general fund/general purpose | \$ 0 |

DEPARTMENT OF PUBLIC HEALTH

APPROPRIATION SUMMARY:

| | |
|--|---------------|
| GROSS APPROPRIATION..... | \$ 20,175,000 |
| Interdepartmental grant revenues: | |
| Total interdepartmental grants and intradepartmental transfers | 0 |
| ADJUSTED GROSS APPROPRIATION..... | \$ 20,175,000 |
| Federal revenues: | |
| Total federal revenues | 2,975,000 |
| Special revenue funds: | |
| Total local revenues | 0 |
| Total private revenues..... | 0 |
| Total other state restricted revenues..... | 17,200,000 |
| State general fund/general purpose | \$ 0 |

EXECUTIVE SERVICES

| | |
|---|------------|
| Vital records & health statistics | \$ 128,250 |
| GROSS APPROPRIATION..... | \$ 128,250 |

| | | |
|--|----|------------------|
| Appropriated from: | | |
| Special revenue funds: | | |
| State restricted-tobacco tax revenue..... | | 128,250 |
| State general fund/general purpose | \$ | 0 |
| INFECTIOUS DISEASE CONTROL | | |
| Immunization local agreements | \$ | 2,000,000 |
| GROSS APPROPRIATION | \$ | <u>2,000,000</u> |
| Appropriated from: | | |
| Federal revenues: | | |
| Federal grants and contracts | | 1,750,000 |
| Special revenue funds: | | |
| State restricted-tobacco tax revenue..... | | 250,000 |
| State general fund/general purpose | \$ | 0 |
| HEALTH SYSTEMS ADMINISTRATION | | |
| Local health services..... | \$ | 112,500 |
| Training and evaluation..... | | 121,750 |
| GROSS APPROPRIATION | \$ | <u>234,250</u> |
| Appropriated from: | | |
| Special revenue funds: | | |
| State restricted-tobacco tax revenue..... | | 234,250 |
| State general fund/general purpose | \$ | 0 |
| HEALTH SYSTEMS LOCAL GRANTS | | |
| Local public health surveillance..... | \$ | 1,187,500 |
| Michigan center for rural health..... | | 200,000 |
| Michigan essential health care provider program | | 500,000 |
| GROSS APPROPRIATION | \$ | <u>1,887,500</u> |
| Appropriated from: | | |
| Federal revenues: | | |
| Federal grants and contracts | | 250,000 |
| Special revenue funds: | | |
| State restricted-tobacco tax revenue..... | | 1,637,500 |
| State general fund/general purpose | \$ | 0 |
| CENTER FOR HEALTH PROMOTION | | |
| Cancer prevention and control program | \$ | 500,000 |
| Chronic disease prevention..... | | 3,975,000 |
| Physical fitness, nutrition, and health | | 975,000 |
| Tobacco free Michigan | | 2,450,000 |
| Violence prevention..... | | 1,300,000 |
| GROSS APPROPRIATION | \$ | <u>9,200,000</u> |
| Appropriated from: | | |
| Special revenue funds: | | |
| State restricted-tobacco tax revenue..... | | 9,200,000 |
| State general fund/general purpose | \$ | 0 |
| BUREAU OF CHILD AND FAMILY SERVICES | | |
| Special projects | \$ | 75,000 |
| GROSS APPROPRIATION | \$ | <u>75,000</u> |
| Appropriated from: | | |
| Special revenue funds: | | |
| State restricted-tobacco tax revenues..... | | 75,000 |
| State general fund/general purpose | \$ | 0 |
| CHILD AND FAMILY SERVICES GRANTS | | |
| Adolescent health care services..... | \$ | 375,000 |
| Children and adult respite care-reimbursement to the department of mental health | | 1,250,000 |

For Fiscal Year
Ending Sept. 30,
1995

| | |
|--|--------------|
| Commission on children..... | 100,000 |
| Dental programs | 100,000 |
| Early and periodic screening, diagnosis, and treatment outreach | 1,700,000 |
| Infant and child support services-reimbursement to the department of social services | 500,000 |
| Poison control | 150,000 |
| Pregnancy prevention program | 2,225,000 |
| Prenatal care outreach and service delivery support | 250,000 |
| GROSS APPROPRIATION..... | \$ 6,650,000 |
| Appropriated from: | |
| Federal revenues: | |
| Medical assistance program, title XIX | 975,000 |
| Special revenue funds: | |
| State restricted-tobacco tax revenue..... | 5,675,000 |
| State general fund/general purpose | \$ 0 |

DEPARTMENT OF SOCIAL SERVICES

| | |
|--|--------------|
| GROSS APPROPRIATION..... | \$ 1,506,050 |
| Interdepartmental grant revenues: | |
| Total interdepartmental grants and intradepartmental transfers | 650,000 |
| ADJUSTED GROSS APPROPRIATION..... | \$ 856,050 |
| Federal revenues: | |
| Total federal revenues | 856,050 |
| Special revenue funds: | |
| Total local revenues | 0 |
| Total private revenues..... | 0 |
| Total other state restricted revenues..... | 0 |
| State general fund/general purpose | \$ 0 |

MEDICAL SERVICES

| | |
|--|--------------|
| Physician services—infant support services expansion..... | \$ 1,158,500 |
| Subtotal basic medicaid program..... | 1,158,500 |
| Outpatient hospital adjustor..... | 347,550 |
| Subtotal special medicaid payments..... | 347,550 |
| CROSS APPROPRIATION..... | \$ 1,506,050 |
| Appropriated from: | |
| Interdepartmental grant revenues: | |
| Interdepartmental grant from the department of public health | 650,000 |
| Federal revenues: | |
| Total federal revenues | 856,050 |
| Special revenue funds: | |
| State general fund/general purpose | \$ 0 |

DEPARTMENT OF STATE POLICE

APPROPRIATION SUMMARY:

| | |
|--|------------|
| Full-time equated classified positions.....7.0 | |
| GROSS APPROPRIATION..... | \$ 300,000 |
| Interdepartmental grant revenues: | |
| Total interdepartmental grants and intradepartmental transfers | 300,000 |
| ADJUSTED GROSS APPROPRIATION..... | \$ 0 |
| 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 | \$ 0 |

INVESTIGATIVE SERVICES

| | |
|--|------------|
| Full-time equated classified positions.....7.0 | |
| Investigative services—7.0 FTE positions | \$ 300,000 |
| GROSS APPROPRIATION..... | \$ 300,000 |
| Appropriated from: | |
| Interdepartmental grant revenues: | |
| Interdepartmental grant from public health | 300,000 |
| Special revenue funds: | |
| State general fund/general purpose | \$ 0 |

DEPARTMENT OF TREASURY

APPROPRIATION SUMMARY:

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

TAX PROGRAMS

| | |
|--|------------|
| Tobacco tax collection..... | \$ 100,000 |
| GROSS APPROPRIATION..... | \$ 100,000 |
| Appropriated from: | |
| Interdepartmental grant revenues: | |
| Interdepartmental grant from public health | 100,000 |
| Special revenue funds: | |
| State general fund/general purpose | \$ 0 |

Sec. 201. In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending from state resources for the fiscal year ending September 30, 1995 is \$17,200,000.00 and the state appropriations to be paid to units of local governments in section 101 are as follows:

DEPARTMENT OF PUBLIC HEALTH

| | |
|--|--------------|
| Children and adult respite care-reimbursement to the department of mental health | \$ 1,250,000 |
| Chronic disease prevention..... | 1,250,000 |
| Pregnancy prevention programs | 1,800,000 |
| Local public health surveillance..... | 1,187,500 |
| Prenatal care outreach..... | 50,000 |
| Tobacco free Michigan | 1,000,000 |
| Violence prevention..... | 500,000 |
| Total | \$ 7,037,500 |

Sec. 202. The appropriations made and the 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 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.

Sec. 203. The balance of each appropriation for the fiscal period October 1, 1994 to March 31, 1995 under Act No. 293 of the Public Acts of 1994 not expended by March 31, 1995 is appropriated for expenditure in the fiscal year ending September 30, 1995 only for the purpose authorized by Act No. 293 of the Public Acts of 1994.

Sec. 301. Agencies which currently receive pregnancy prevention funds and either receive or are eligible for other family planning funds shall have the option of receiving all of their family planning funds directly from the department of public health and be designated as delegate agencies.

Sec. 302. The department shall ensure that outreach networks supported with funds appropriated in section 101 for chronic disease prevention shall cover a regional area that would serve more than 3 counties or 2 local health departments.

Sec. 303. The funds appropriated in section 101 for physical fitness, nutrition, and health shall not be used for per diem reimbursement to members of the governor's council on physical fitness.

Sec. 304. The funds appropriated in section 101 for physical fitness, nutrition, and health shall be distributed for the purpose of lifetime physical fitness. These activities shall include, but are not limited to, walking, jogging, aerobics, swimming, bicycling, weight training, stretching, and dance. The funds shall not be used to support team sports activities.

Sec. 305. The healthy Michigan fund act requires that healthy Michigan funds shall be utilized to improve the public health of the citizens of Michigan. All unexpended funds shall lapse to the healthy Michigan fund and be available for appropriation in the following fiscal year.

Sec. 306. The department of public health shall develop RFP guidelines for funds to be distributed under the tobacco tax. The guidelines shall provide opportunities for funding by nongovernmental agencies. The department shall not specify funding for any particular type of organization, except that line item that is identified as funding for local health departments. Where line item appropriations are awarded through an RFP process, the most appropriate agency or agencies agreeing to meet the department's guidelines shall be chosen. Local health departments may be offered the opportunity to administer funds to community based organizations, when the local health department is deemed appropriate and agrees to administer the contract in accordance with the department's guidance.

Sec. 307. The funds appropriated in section 101 for pregnancy prevention programs shall not be used to provide abortion counseling, referrals, or services.

Sec. 308. The state departments, agencies, and commissions receiving funds from section 101 shall report quarterly beginning April 1, 1995, to the senate and house appropriations committees, the senate and house fiscal agencies, and the department of management and budget on the following:

- (a) Detailed spending plan by appropriation line item including description of programs.
- (b) Allocations from funds appropriated under these sections.
- (c) Description of allocations or bid processes including need or demand indicators used to determine allocations.
- (d) Eligibility criteria for program participation and maximum benefit levels where applicable.
- (e) Outcome measures to be used to evaluate programs.
- (f) Any other information deemed necessary by the house or senate appropriations committees or the department of management and budget.

Sec. 309. Of the funds appropriated in section 101 for tobacco free Michigan, not less than \$50,000.00 shall be allocated for prenatal smoking cessation programs.

Sec. 310. From the funds appropriated in section 101 for tobacco free Michigan, a maximum of 2.5% shall be allocated to adolescent health care centers that currently provide smoking prevention programs. These funds shall be distributed under the current adolescent health center allocation formula.

Sec. 311. (1) The funds appropriated in section 101 for violence prevention shall be used for, but not be limited to, the following:

- (a) Programs aimed at the prevention of spouse, partner, or child abuse and rape.

(b) Programs aimed at the prevention of workplace violence.

(2) The emphasis of programs supported with the funds appropriated in section 101 for violence prevention and for the state coordinating council on violence shall be on prevention.

(3) In awarding grants from the amounts appropriated in section 102 for violence prevention, the department shall give equal consideration to public and private nonprofit applicants.

Sec. 312. From the funds appropriated in section 101 for physical fitness, nutrition, and health, up to \$1,000,000.00 may be allocated to the Michigan physical fitness and sports foundation. The allocation to the Michigan physical fitness and sports foundation is contingent upon the foundation providing at least a 20% cash match.

Sec. 313. Of the funds appropriated in section 101 for poison control, the department of public health may transfer \$150,000.00 to the department of social services.

Sec. 314. The department of social services shall distribute \$347,550.00 to children's hospitals that have a high indigent care volume if the department receives a \$150,000.00 interdepartmental grant from the department of public health. The amount to be distributed, if any, to any given hospital shall be based on a formula determined by the department of social services.

Sec. 315. If federal medicaid revenues are earned in the family planning program under a federal family planning medicaid waiver, amounts appropriated from the tobacco tax equivalent to the federal medicaid earnings shall be allocated on a quarterly basis as follows:

(a) 50% for violence prevention.

(b) 25% for adolescent health care services.

(c) 10% for dental programs.

(d) 15% for prenatal care outreach and service delivery support.

Sec. 316. The use of state restricted tobacco tax revenue received for the purpose of tobacco prevention, education, and reduction efforts and deposited in the healthy Michigan fund shall not be used for lobbying as that term is defined in section 5 of Act No. 472 of the Public Acts of 1978, being section 4.415 of the Michigan Compiled Laws.

Sec. 318. The funds appropriated in section 101 for the Michigan essential health care provider program may also provide loan repayment for dentists that fit the criteria established by part 27 of the public health code, Act No. 368 of the Public Acts of 1978, being sections 333.2701 to 333.2727 of the Michigan Compiled Laws.

Sec. 319. From the amount appropriated in section 101 for physical fitness, the department shall fund up to 20 competitively bid projects to parks and recreation programs and organizations that sponsor community prevention programs. The maximum grant shall be \$5,000.00, contingent upon a 20% cash match by the grantee.

Sec. 320. From the funds appropriated in section 101 for chronic disease prevention, a maximum of \$100,000.00 shall be allocated for education and outreach at the community level.

Sec. 322. The funds appropriated for local public health surveillance shall include funding for water quality assessment.

Sec. 323. (1) From the amount appropriated in section 101 for violence prevention, the department shall fund 5 competitively bid pilot projects to local school districts. The maximum amount of a pilot project shall be \$20,000.00.

(2) The projects funded under subsection (1) shall emphasize family violence prevention and reduction.

Sec. 324. All revenues collected pursuant to section 12(4)(d) of the tobacco products tax act, Act No. 327 of the Public Acts of 1993, being section 205.432 of the Michigan Compiled Laws, shall be appropriated to the health and safety fund created by the health and safety fund act, and shall be distributed in accordance with the health and safety fund act. As used in this section, "health and safety fund act" means Act No. 264 of the Public Acts of 1987, being sections 141.471 to 141.479 of the Michigan Compiled Laws.

Sec. 325. For those children dually eligible for funding under crippled children services in section 101 of Act No. 201 of the Public Acts of 1994, enrollment in medicaid managed care initiatives shall be optional, not mandatory.

Sec. 326. From the amounts appropriated in section 101 for cancer prevention and control, \$500,000.00 shall be allocated to a regional cancer program operated jointly by the Michigan cancer foundation, Wayne State University, and the Detroit medical center.

Sec. 327. None of the funds appropriated in section 101 for the department of public health shall be expended for programs or activities concerning the detection of or education regarding the alleged dangers of naturally occurring radon gas.

Sec. 328. The funds appropriated in section 101 for the Michigan center for rural health shall be used for 1-time start-up costs associated with the development of a rural health telecommunications system. The funds may be used as a match for grants jointly applied for with the department of public health. The Michigan center for rural health shall utilize a competitive bid process for the purchase of the telecommunications related equipment.

Sec. 329. In addition to appropriations in section 101 of Act No. 288 of the Public Acts of 1994 for the department of state, there is appropriated from the olympic education - training center fund for the fiscal year ending September 30, 1995, \$31,500.00 for the department of state, olympic education - training center plate program in accordance with section 811c of the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being section 257.811c of the Michigan Compiled Laws.

Sec. 330. (1) The state trunkline fund in the department of transportation is authorized to receive an amount not to exceed \$38,000,000.00 from the federal highway administration under the intermodal surface transportation efficiency act of 1991. These funds may be loaned to the blue water bridge fund in the department of transportation for the purpose of improving or replacing the blue water bridge as specified in the application for these federal funds.

(2) Funds received by the blue water bridge fund as a result of loans received from the state trunkline fund are appropriated. This appropriation shall be a work project as defined by section 451(3) of the management and budget act, Act No. 431 of the Public Acts of 1984, being section 18.1451 of the Michigan Compiled Laws. The project is the improvement or construction of the blue water bridge. The improvements or construction shall be competitively bid. The total project cost is estimated at \$90,000,000.00. The project is expected to be completed by September 30, 2000.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.