

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 671

A bill to amend 1984 PA 431, entitled  
"The management and budget act,"  
by amending section 353c (MCL 18.1353c), as amended by 2001  
PA 112, and by adding section 397.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 353c. (1) For the fiscal year ending September 30,  
2 1995 only, there is appropriated from the fund to the general  
3 fund the sum of \$59,500,000.00 to be used to pay the court set-  
4 tlement amount for the department of natural resources in the  
5 matter of Miller Brothers, et al v State of Michigan, et al  
6 (Court of Claims docket no. 88-11848-CM).  
7       (2) For the fiscal year ending September 30, 1995 only,  
8 there is appropriated from the fund to the general fund the sum  
9 of \$875,000.00 to be used to pay the court settlement liquidated  
10 damages for the department of natural resources in the matter of

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1 Miller Brothers, et al v State of Michigan, et al (Court of  
2 Claims docket no. 88-11848-CM).

3 (3) For the fiscal year ending September 30, 1995 only,  
4 there is appropriated from the fund to the general fund the sum  
5 of \$30,000,000.00 to be used to pay the court settlement and pur-  
6 chase mineral rights for the department of natural resources in  
7 the matter of Carnagel Oil Associates, et al v State of Michigan,  
8 et al (Court of Claims docket no. 88-11848-CC).

9 (4) For the fiscal year ending September 30, 1995 only,  
10 there is appropriated to the department of natural resources from  
11 the general fund \$59,500,000.00. This appropriation may only be  
12 used to pay the court settlement associated with the matter of  
13 Miller Brothers, et al v State of Michigan, et al (Court of  
14 Claims docket no. 88-11848-CM).

15 (5) For the fiscal year ending September 30, 1995 only,  
16 there is appropriated to the department of natural resources from  
17 the general fund \$875,000.00. This appropriation may only be  
18 used to pay the court settlement liquidated damages associated  
19 with the matter of Miller Brothers, et al v State of Michigan, et  
20 al (Court of Claims docket no. 88-11848-CM).

21 (6) For the fiscal year ending September 30, 1995 only,  
22 there is appropriated to the department of natural resources from  
23 the general fund \$30,000,000.00. This appropriation may only be  
24 used to pay the court settlement and purchase mineral rights  
25 associated with the matter of Carnagel Oil Associates, et al v  
26 State of Michigan, et al (Court of Claims docket

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1 no. 88-11848-CC). The payment authorized under this subsection  
2 shall be made on or before November 30, 1995.

3 (7) It is the intent of the legislature that money appropri-  
4 ated from the fund to pay the court settlement and liquidated  
5 damages associated with the matter of Miller Brothers, et al v  
6 State of Michigan, et al (Court of Claims docket no. 88-11848-CM)  
7 be repaid to the fund from the Michigan strategic fund created in  
8 the Michigan strategic fund act, 1984 PA 270, MCL 125.2001 to  
9 125.2093.

10 (8) It is the intent of the legislature that money appropri-  
11 ated from the fund to pay the court settlement and purchase min-  
12 eral rights associated with the matter of Carnagel Oil  
13 Associates, et al v State of Michigan, et al (Court of Claims  
14 docket no. 88-11848-CC) be repaid to the fund from the Michigan  
15 strategic fund created in the Michigan strategic fund act, 1984  
16 PA 270, MCL 125.2001 to 125.2093.

17 (9) Following November 13, 1995, if the recipient of the  
18 \$59,500,000.00 appropriation pursuant to subsections (1) and (4)  
19 obtains, by lease, purchase, or otherwise, the mineral rights for  
20 the real property that was the subject of the court settlement  
21 referenced in this section, the state shall seek repayment of  
22 that portion of the \$59,500,000.00 settlement that was not  
23 attributed to the cost of the initial lease or to lawfully  
24 accrued interest.

25 (10) For the fiscal year ending September 30, 2001 only,  
26 there is appropriated from the fund to the general fund the sum  
27 of \$77,000,000.00.

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1       (11) For the fiscal year ending September 30, 2001 only, the  
2 state budget director, before the final accounting of state reve-  
3 nues and expenditures is completed, shall calculate the amount of  
4 funds that will be necessary to ensure a zero balance in the gen-  
5 eral fund/general purpose state budget at bookclosing. This cal-  
6 culation shall be made ~~counting~~ EXCLUDING any net general  
7 fund/general purpose appropriation lapses that occur when the  
8 final accounting of state expenditures is completed. FOR PUR-  
9 POSES OF THIS CALCULATION, THE CLOSURE OR REDUCTION OF PRIOR YEAR  
10 WORK PROJECTS SHALL NOT BE CONSIDERED APPROPRIATION LAPSES. The  
11 state budget director shall provide a report to the house and  
12 senate appropriations committees and the house and senate fiscal  
13 agencies of this calculation as soon as it is completed. Based  
14 on this calculation, there is appropriated from the fund to the  
15 general fund the amount calculated by the state budget director,  
16 not to exceed ~~\$50,000,000.00~~ \$200,000,000.00.

17       (12) For the fiscal year ending September 30, 2002 only,  
18 there is appropriated from the fund to the general fund the sum  
19 of \$155,000,000.00.

20       (13) IN ADDITION TO SUBSECTION (12), FOR THE FISCAL YEAR  
21 ENDING SEPTEMBER 30, 2002 ONLY, THE STATE BUDGET DIRECTOR, BEFORE  
22 THE FINAL ACCOUNTING OF STATE REVENUES AND EXPENDITURES IS COM-  
23 PLETED, SHALL CALCULATE THE AMOUNT OF FUNDS THAT WILL BE NECES-  
24 SARY TO ENSURE A ZERO BALANCE IN THE SCHOOL AID FUND STATE BUDGET  
25 AT BOOKCLOSING. THE STATE BUDGET DIRECTOR SHALL PROVIDE A REPORT  
26 TO THE HOUSE AND SENATE APPROPRIATIONS COMMITTEES AND THE HOUSE  
27 AND SENATE FISCAL AGENCIES OF THIS CALCULATION AS SOON AS IT IS

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1 COMPLETED. BASED ON THIS CALCULATION, THERE IS APPROPRIATED FROM  
2 THE FUND TO THE SCHOOL AID FUND THE AMOUNT CALCULATED BY THE  
3 STATE BUDGET DIRECTOR, NOT TO EXCEED \$350,000,000.00.

4 SEC. 397. (1) APPROPRIATIONS FOR THE 2001-2002 FISCAL YEAR  
5 ARE SUPPLEMENTED AND ADJUSTED AS FOLLOWS:

6 APPROPRIATION SUMMARY:

7	GROSS APPROPRIATION.....	\$	(9,916,100)
8	INTERDEPARTMENTAL GRANT REVENUES:		
9	TOTAL INTERDEPARTMENTAL GRANTS AND INTRADE-		
10	PARTMENTAL TRANSFERS.....		0
11	ADJUSTED GROSS APPROPRIATION.....	\$	(9,916,100)
12	FEDERAL REVENUES:		
13	TOTAL FEDERAL REVENUES.....		0
14	SPECIAL REVENUE FUNDS:		
15	TOTAL LOCAL REVENUES.....		0
16	TOTAL PRIVATE REVENUES.....		0
17	TOTAL OTHER STATE RESTRICTED REVENUES.....		0
18	STATE GENERAL FUND/GENERAL PURPOSE.....	\$	(9,916,100)
19	(A) JUDICIARY		
20	(i) APPROPRIATION SUMMARY:		
21	GROSS APPROPRIATION.....	\$	(4,777,700)
22	INTERDEPARTMENTAL GRANT REVENUES:		
23	TOTAL INTERDEPARTMENTAL GRANTS AND INTRADE-		
24	PARTMENTAL TRANSFERS.....		0
25	ADJUSTED GROSS APPROPRIATION.....	\$	(4,777,700)
26	FEDERAL REVENUES:		

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1	TOTAL FEDERAL REVENUES.....	0
2	SPECIAL REVENUE FUNDS:	
3	TOTAL LOCAL REVENUES.....	0
4	TOTAL PRIVATE REVENUES.....	0
5	TOTAL OTHER STATE RESTRICTED REVENUES.....	0
6	STATE GENERAL FUND/GENERAL PURPOSE..... \$	(4,777,700)
7	(ii) JUDICIARY	
8	JUDICIARY REDUCTIONS..... \$	<u>(4,777,700)</u>
9	GROSS APPROPRIATION..... \$	(4,777,700)
10	APPROPRIATED FROM:	
11	STATE GENERAL FUND/GENERAL PURPOSE..... \$	(4,777,700)
12	(B) LEGISLATURE	
13	(i) APPROPRIATION SUMMARY:	
14	GROSS APPROPRIATION..... \$	(5,138,400)
15	INTERDEPARTMENTAL GRANT REVENUES:	
16	TOTAL INTERDEPARTMENTAL GRANTS AND INTRADE-	
17	PARTMENTAL TRANSFERS.....	0
18	ADJUSTED GROSS APPROPRIATION..... \$	(5,138,400)
19	FEDERAL REVENUES:	
20	TOTAL FEDERAL REVENUES.....	0
21	SPECIAL REVENUE FUNDS:	
22	TOTAL LOCAL REVENUES.....	0
23	TOTAL PRIVATE REVENUES.....	0
24	TOTAL OTHER STATE RESTRICTED REVENUES.....	0
25	STATE GENERAL FUND/GENERAL PURPOSE..... \$	(5,138,400)
26	(ii) LEGISLATURE	

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1	SENATE.....	\$	(1,267,500)
2	SENATE AUTOMATED DATA PROCESSING.....		(113,400)
3	SENATE FISCAL AGENCY.....		(168,700)
4	HOUSE OF REPRESENTATIVES.....		(1,548,600)
5	HOUSE AUTOMATED DATA PROCESSING.....		(89,200)
6	HOUSE FISCAL AGENCY.....		(159,100)
7	LEGISLATIVE AUDITOR GENERAL.....		<u>(672,800)</u>
8	GROSS APPROPRIATION.....	\$	(4,019,300)
9	APPROPRIATED FROM:		
10	STATE GENERAL FUND/GENERAL PURPOSE.....	\$	(4,019,300)
11	(iii) LEGISLATIVE COUNCIL		
12	LEGISLATIVE COUNCIL.....	\$	(575,700)
13	LEGISLATIVE SERVICE BUREAU AUTOMATED DATA		
14	PROCESSING.....		(79,000)
15	E-LAW, LEGISLATIVE COUNCIL TECHNOLOGY		
16	ENHANCEMENT PROJECT.....		(125,300)
17	LEGISLATIVE CORRECTIONS OMBUDSMAN.....		(29,000)
18	WORKER'S COMPENSATION.....		(8,000)
19	NATIONAL ASSOCIATION DUES.....		<u>(20,300)</u>
20	GROSS APPROPRIATION.....	\$	(837,300)
21	APPROPRIATED FROM:		
22	STATE GENERAL FUND/GENERAL PURPOSE.....	\$	(837,300)
23	(iv) LEGISLATIVE RETIREMENT SYSTEM		
24	GENERAL NONRETIREMENT EXPENSES.....	\$	<u>(164,000)</u>
25	GROSS APPROPRIATION.....	\$	(164,000)
26	APPROPRIATED FROM:		

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1 STATE GENERAL FUND/GENERAL PURPOSE..... \$ (164,000)  
2 (v) PROPERTY MANAGEMENT  
3 CAPITOL BUILDING..... \$ (117,800)  
4 GROSS APPROPRIATION..... \$ (117,800)  
5 APPROPRIATED FROM:  
6 STATE GENERAL FUND/GENERAL PURPOSE..... \$ (117,800)  
7 (2) NOTWITHSTANDING ANY OTHER PROVISIONS IN THIS SECTION,  
8 UNEXPENDED FISCAL YEAR 2000-2001 APPROPRIATIONS FROM THE TRIAL  
9 COURT IMPROVEMENTS WORK PROJECT MAY BE USED TO SATISFY THE NEGA-  
10 TIVE APPROPRIATIONS FIGURE REFLECTED IN SUBSECTION (1)(A).  
11 (3) THE APPROPRIATIONS REDUCTION IN SUBSECTION (1)(A) FOR  
12 JUDICIARY MAY INCLUDE A REDUCTION TO THE GENERAL FUND PORTION OF  
13 THE COURT EQUITY FUND REIMBURSEMENTS LINE ITEM NOT TO EXCEED  
14 7-1/2%.