

SUBSTITUTE FOR
SENATE BILL NO. 831

A bill to make interim general appropriations for various state departments and agencies, capital outlay, the legislative branch, the judicial branch, and certain other purposes for the period of October 1, 2009 to October 31, 2009; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by various state departments and agencies; to provide for the appointment of special committees; and to declare the effect of this act.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 1

2 Sec. 1. (1) To eliminate any possible disturbance of normal
3 state fiscal operations which will occur if the 2009-2010

appropriations bills are not enacted into law by October 1, 2009 and to provide for the uninterrupted continuous operations of state government, there is appropriated for the various state departments and agencies, capital outlay, the legislative branch, the judicial branch, and certain other purposes, for the period from October 1, 2009 to October 31, 2009, the amounts authorized in this act.

(2) The expenditure of the interim appropriations authorized under this act shall be predicated on activities, programs, or projects for which appropriations were authorized for the fiscal year ending September 30, 2009:

APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	177.5	
Full-time equated classified positions.....	55,775.8	
Full-time equated exempted positions.....	491.0	
GROSS APPROPRIATION.....		\$ 2,890,060,700
Total interdepartmental grants and intradepartmental transfers		65,063,500
ADJUSTED GROSS APPROPRIATION.....		\$ 2,824,997,200
Total federal revenues:.....		1,382,265,300
Total local revenues.....		33,459,500
Total private revenues.....		8,234,100
Total other state restricted revenues.....		712,283,900
State general fund/general purpose.....		\$ 688,754,400

Sec. 102. DEPARTMENT OF AGRICULTURE

Full-time equated unclassified positions.....	6.0
Full-time equated classified positions.....	594.5

1	Operations, grants, and services.....	\$	<u>8,381,600</u>
2	GROSS APPROPRIATION.....	\$	8,381,600
3	Appropriated from:		
4	Interdepartmental grant revenues:		
5	Total interdepartmental grants and intradepartmental		
6	transfers		794,900
7	Federal revenues:		
8	Total federal revenues.....		1,445,500
9	Special revenue funds:		
10	Total private revenues.....		19,800
11	Total other state restricted revenues.....		3,572,400
12	State general fund/general purpose.....	\$	2,549,000
13	Sec. 103. DEPARTMENT OF ATTORNEY GENERAL		
14	Full-time equated unclassified positions.....		6.0
15	Full-time equated classified positions.....		537.0
16	Operations, grants, and services.....	\$	<u>6,086,400</u>
17	GROSS APPROPRIATION.....	\$	6,086,400
18	Appropriated from:		
19	Interdepartmental grant revenues:		
20	Total interdepartmental grants and intradepartmental		
21	transfers		2,002,100
22	Federal revenues:		
23	Total federal revenues.....		703,000
24	Special revenue funds:		
25	Total other state restricted revenues.....		982,500
26	State general fund/general purpose.....	\$	2,398,800

1 **Sec. 104. DEPARTMENT OF CIVIL RIGHTS**

2 Full-time equated unclassified positions..... 5.0

3 Full-time equated classified positions..... 125.0

4 Operations, grants, and services..... \$ 1,108,700

5 GROSS APPROPRIATION..... \$ 1,108,700

6 Appropriated from:

7 Federal revenues:

8 Total federal revenues..... 184,700

9 State general fund/general purpose..... \$ 924,000

10 **Sec. 105. COMMUNITY COLLEGES**

11 Operations, grants, and services..... \$ 24,946,700

12 GROSS APPROPRIATION..... \$ 24,946,700

13 Appropriated from:

14 State general fund/general purpose..... \$ 24,946,700

15 **Sec. 106. DEPARTMENT OF COMMUNITY HEALTH**

16 Full-time equated unclassified positions..... 6.0

17 Full-time equated classified positions..... 4,602.7

18 Average population 970.4

19 Operations, grants, and services..... \$ 1,052,014,600

20 GROSS APPROPRIATION..... \$ 1,052,014,600

21 Appropriated from:

22 Interdepartmental grant revenues:

23 Total interdepartmental grants and intradepartmental

24 transfers 3,359,200

1	Federal revenues:	
2	Total federal revenues.....	700,100,000
3	Special revenue funds:	
4	Total local revenues.....	20,086,900
5	Total private revenues.....	5,993,000
6	Total other state restricted revenues.....	136,336,700
7	State general fund/general purpose.....	\$ 186,138,800
8	Sec. 107. DEPARTMENT OF CORRECTIONS	
9	Full-time equated unclassified positions.....	21.0
10	Full-time equated classified positions.....	17,087.0
11	Operations, grants, and services.....	\$ <u>158,436,300</u>
12	GROSS APPROPRIATION.....	\$ 158,436,300
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	Total interdepartmental grants and intradepartmental	
16	transfers	106,400
17	Federal revenues:	
18	Total federal revenues.....	1,222,100
19	Special revenue funds:	
20	Total local revenues.....	35,900
21	Total other state restricted revenues.....	4,538,600
22	State general fund/general purpose.....	\$ 152,533,300
23	Sec. 108. DEPARTMENT OF EDUCATION	
24	Full-time equated unclassified positions.....	6.0
25	Full-time equated classified positions.....	543.5

1	Operations, grants, and services.....	\$	<u>9,795,000</u>
2	GROSS APPROPRIATION.....	\$	9,795,000
3	Appropriated from:		
4	Federal revenues:		
5	Total federal revenues.....		6,765,900
6	Special revenue funds:		
7	Total local revenues.....		573,400
8	Total private revenues.....		257,300
9	Total other state restricted revenues.....		579,300
10	State general fund/general purpose.....	\$	1,619,100

11 **Sec. 109. DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC**
 12 **GROWTH**

13	Full-time equated unclassified positions.....	58.5
14	Full-time equated classified positions.....	4,359.0
15	Operations, grants, and services.....	\$ <u>115,686,000</u>
16	GROSS APPROPRIATION.....	\$ 115,686,000
17	Appropriated from:	
18	Interdepartmental grant revenues:	
19	Total interdepartmental grants and intradepartmental	
20	transfers	2,548,000
21	Federal revenues:	
22	Total federal revenues.....	73,523,300
23	Special revenue funds:	
24	Total local revenues.....	1,324,100
25	Total private revenues.....	442,900
26	Total other state restricted revenues.....	33,373,500

1	State general fund/general purpose	\$	4,474,200
2	Sec. 110. DEPARTMENT OF ENVIRONMENTAL QUALITY		
3	Full-time equated unclassified positions	6.0	
4	Full-time equated classified positions	1,518.7	
5	Operations, grants, and services	\$	<u>28,781,000</u>
6	GROSS APPROPRIATION	\$	28,781,000
7	Appropriated from:		
8	Interdepartmental grant revenues:		
9	Total interdepartmental grants and intradepartmental		
10	transfers		1,570,300
11	Federal revenues:		
12	Total federal revenues		10,819,400
13	Special revenue funds:		
14	Total private revenues		46,300
15	Total other state restricted revenues		14,099,100
16	State general fund/general purpose	\$	2,245,900
17	Sec. 111. EXECUTIVE OFFICE		
18	Full-time equated unclassified positions	10.0	
19	Full-time equated classified positions	74.2	
20	Operations, grants, and services	\$	<u>402,000</u>
21	GROSS APPROPRIATION	\$	402,000
22	Appropriated from:		
23	State general fund/general purpose	\$	402,000
24	Sec. 112. HIGHER EDUCATION		

1	Full-time equated classified positions.....	1.0	
2	Operations, grants, and services.....		\$ <u>141,442,100</u>
3	GROSS APPROPRIATION.....		\$ 141,442,100
4	Appropriated from:		
5	Federal revenues:		
6	Total federal revenues.....		672,700
7	Special revenue funds:		
8	Total other state restricted revenues.....		15,127,300
9	State general fund/general purpose.....		\$ 125,642,100
10	Sec. 113. DEPARTMENT OF HUMAN SERVICES		
11	Full-time equated unclassified positions.....	6.0	
12	Full-time equated classified positions.....	10,395.8	
13	Operations, grants, and services.....		\$ <u>437,351,700</u>
14	GROSS APPROPRIATION.....		\$ 437,351,700
15	Appropriated from:		
16	Interdepartmental grant revenues:		
17	Total interdepartmental grants and intradepartmental		
18	transfers		201,400
19	Federal revenues:		
20	Total federal revenues.....		357,821,100
21	Special revenue funds:		
22	Total local revenues.....		3,839,500
23	Total private revenues.....		844,800
24	Total other state restricted revenues.....		5,255,800
25	State general fund/general purpose.....		\$ 69,389,100

Sec. 114. DEPARTMENT OF INFORMATION TECHNOLOGY

Full-time equated unclassified positions..... 3.0

Full-time equated classified positions..... 1,659.0

Operations, grants, and services..... \$ 35,016,900

GROSS APPROPRIATION..... \$ 35,016,900

Appropriated from:

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 35,016,900

State general fund/general purpose..... \$ 0

Sec. 115. JUDICIARY

Full-time equated exempted positions..... 491.0

Operations, grants, and services..... \$ 21,309,800

GROSS APPROPRIATION..... \$ 21,309,800

Appropriated from:

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 214,500

Federal revenues:

Total federal revenues..... 427,200

Special revenue funds:

Total local revenues..... 507,800

Total private revenues..... 70,200

Total other state restricted revenues..... 7,329,000

State general fund/general purpose..... \$ 12,761,100

1	Sec. 116. LEGISLATURE		
2	Senate.....	\$	2,223,900
3	Senate automated data processing.....		191,100
4	Senate fiscal agency.....		241,300
5	House of representatives.....		3,524,400
6	House automated data processing.....		151,800
7	House fiscal agency.....		241,300
8	Legislative council.....		761,300
9	Legislative service bureau automated data processing .		103,000
10	Legislative corrections ombudsman.....		30,800
11	General nonretirement expenses.....		377,800
12	Capitol building.....		210,100
13	Cora Anderson building.....		618,500
14	Farnum building and other properties.....		<u>151,200</u>
15	GROSS APPROPRIATION.....	\$	8,826,500
16	Appropriated from:		
17	Special revenue funds:		
18	Total private revenues.....		33,300
19	Total other state restricted revenues.....		92,500
20	State general fund/general purpose.....	\$	8,700,700
21	Sec. 117. LEGISLATIVE AUDITOR GENERAL		
22	Operations, grants, and services.....	\$	<u>1,214,900</u>
23	GROSS APPROPRIATION.....	\$	1,214,900
24	Appropriated from:		
25	Interdepartmental grant revenues:		
26	Total interdepartmental grants and intradepartmental		

1	transfers	150,100
2	Special revenue funds:	
3	Total other state restricted revenues	128,300
4	State general fund/general purpose	\$ 936,500
5	Sec. 118. DEPARTMENT OF MANAGEMENT AND BUDGET	
6	Full-time equated unclassified positions.....	7.0
7	Full-time equated classified positions.....	1,441.0
8	Operations, grants, and services	\$ 24,564,500
9	State building authority rent	<u>37,176,700</u>
10	GROSS APPROPRIATION	\$ 61,741,200
11	Appropriated from:	
12	Interdepartmental grant revenues:	
13	Total interdepartmental grants and intradepartmental	
14	transfers	13,928,900
15	Federal revenues:	
16	Total federal revenues	946,100
17	Special revenue funds:	
18	Total local revenues	164,600
19	Total private revenues	12,500
20	Total other state restricted revenues	6,743,400
21	State general fund/general purpose	\$ 39,945,700
22	Sec. 119. MICHIGAN STRATEGIC FUND	
23	Full-time equated classified positions.....	158.0
24	Operations, grants, and services	\$ <u>12,427,000</u>
25	GROSS APPROPRIATION	\$ 12,427,000

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	Total interdepartmental grants and intradepartmental	
4	transfers	6,700
5	Federal revenues:	
6	Total federal revenues.....	5,536,500
7	Special revenue funds:	
8	Total local revenues.....	59,600
9	Total other state restricted revenues.....	4,562,900
10	State general fund/general purpose.....	\$ 2,261,300
11	Sec. 120. DEPARTMENT OF MILITARY AND VETERANS AFFAIRS	
12	Full-time equated unclassified positions.....	7.0
13	Full-time equated classified positions.....	985.0
14	Operations, grants, and services.....	\$ <u>16,759,300</u>
15	GROSS APPROPRIATION.....	\$ 16,759,300
16	Appropriated from:	
17	Interdepartmental grant revenues:	
18	Total interdepartmental grants and intradepartmental	
19	transfers	140,100
20	Federal revenues:	
21	Total federal revenues.....	10,877,800
22	Special revenue funds:	
23	Total local revenues.....	106,400
24	Total private revenues.....	122,000
25	Total other state restricted revenues.....	2,477,500
26	State general fund/general purpose.....	\$ 3,035,500

1 **Sec. 121. DEPARTMENT OF NATURAL RESOURCES**

2 Full-time equated unclassified positions..... 6.0

3 Full-time equated classified positions..... 2,268.9

4 Operations, grants, and services..... \$ 25,251,900

5 GROSS APPROPRIATION..... \$ 25,251,900

6 Appropriated from:

7 Interdepartmental grant revenues:

8 Total interdepartmental grants and intradepartmental

9 transfers 306,000

10 Federal revenues:

11 Total federal revenues..... 4,518,300

12 Special revenue funds:

13 Total private revenues..... 369,900

14 Total other state restricted revenues..... 18,664,000

15 State general fund/general purpose..... \$ 1,393,700

16 **Sec. 122. DEPARTMENT OF STATE**

17 Full-time equated unclassified positions..... 6.0

18 Full-time equated classified positions..... 1,809.0

19 Operations, grants, and services..... \$ 17,670,100

20 GROSS APPROPRIATION..... \$ 17,670,100

21 Appropriated from:

22 Interdepartmental grant revenues:

23 Total interdepartmental grants and intradepartmental

24 transfers 1,666,700

25 Federal revenues:

1	Total federal revenues.....	639,500
2	Special revenue funds:	
3	Total private revenues.....	100
4	Total other state restricted revenues.....	13,425,800
5	State general fund/general purpose.....	\$ 1,938,000
6	Sec. 123. DEPARTMENT OF STATE POLICE	
7	Full-time equated unclassified positions..... 3.0	
8	Full-time equated classified positions..... 2,924.0	
9	Operations, grants, and services.....	\$ <u>42,959,900</u>
10	GROSS APPROPRIATION.....	\$ 42,959,900
11	Appropriated from:	
12	Interdepartmental grant revenues:	
13	Total interdepartmental grants and intradepartmental	
14	transfers	2,158,300
15	Federal revenues:	
16	Total federal revenues.....	7,967,600
17	Special revenue funds:	
18	Total local revenues.....	700,500
19	Total private revenues.....	22,000
20	Total other state restricted revenues.....	9,839,900
21	State general fund/general purpose.....	\$ 22,271,600
22	Sec. 124. STATE TRANSPORTATION DEPARTMENT	
23	Full-time equated unclassified positions..... 6.0	
24	Full-time equated classified positions..... 3,008.0	
25	Operations, grants, and services.....	\$ 359,003,900

1	Debt service.....	<u>72,640,100</u>
2	GROSS APPROPRIATION.....	\$ 431,644,000
3	Appropriated from:	
4	Federal revenues:	
5	Total federal revenues.....	195,032,800
6	Special revenue funds:	
7	Total local revenues.....	5,968,700
8	Total other state restricted revenues.....	230,642,500
9	State general fund/general purpose.....	\$ 0
10	Sec. 125. DEPARTMENT OF TREASURY	
11	Full-time equated unclassified positions.....	9.0
12	Full-time equated classified positions.....	1,684.5
13	Operations, grants, and services.....	\$ 29,224,700
14	Debt service.....	21,322,000
15	Constitutional state general revenue sharing grants ..	124,000,000
16	Statutory state general revenue sharing grants	<u>56,260,400</u>
17	GROSS APPROPRIATION.....	\$ 230,807,100
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	Total interdepartmental grants and intradepartmental	
21	transfers	893,000
22	Federal revenues:	
23	Total federal revenues.....	3,061,800
24	Special revenue funds:	
25	Total local revenues.....	92,100
26	Total other state restricted revenues.....	204,512,900

1 State general fund/general purpose..... \$ 22,247,300

2 PART 2

3 Sec. 201. (1) Upon enactment of the respective full fiscal
4 year appropriation acts for the fiscal year ending September 30,
5 2010, authority for interim appropriations authorized by this act
6 for a department or other purpose shall terminate.

7 (2) All obligations incurred and expenditures made under this
8 act shall become the obligations and expenditures authorized under
9 the appropriate line items in the respective full fiscal year
10 appropriation act.

11 Sec. 203. Upon enactment of the appropriations in this bill,
12 the state budget director shall authorize allotments of the
13 appropriations in this bill for each department and agency. These
14 allotments shall be based on the continuation of activities,
15 programs, or projects for which appropriations were authorized for
16 the fiscal year ending September 30, 2009.

17 **DEPARTMENT OF ATTORNEY GENERAL**

18 Sec. 302. (1) The attorney general shall perform all legal
19 services, including representation before courts and administrative
20 agencies rendering legal opinions and providing legal advice to a
21 principal executive department or state agency. A principal
22 executive department or state agency shall not employ or enter into
23 a contract with any other person for services described in this
24 section.

1 (2) The attorney general shall defend judges of all state
2 courts if a claim is made or a civil action is commenced for
3 injuries to persons or property caused by the judge through the
4 performance of the judge's duties while acting within the scope of
5 his or her authority as a judge.

6 (3) The attorney general shall perform the duties specified in
7 1846 RS 12, MCL 14.28 to 14.35, and 1919 PA 232, MCL 14.101 to
8 14.102, and as otherwise provided by law.

9 DEPARTMENT OF CIVIL RIGHTS

10 Sec. 350. (1) In addition to the appropriations contained in
11 part 1, the department of civil rights may receive and expend funds
12 from local or private sources for all of the following purposes:

13 (a) Developing and presenting training for employers on equal
14 employment opportunity law and procedures.

15 (b) The publication and sale of civil rights related
16 informational material.

17 (c) The provision of copy material made available under
18 freedom of information requests.

19 (d) Other copy fees, subpoena fees, and witness fees.

20 (e) Developing, presenting, and participating in mediation
21 processes for certain civil rights cases.

22 (f) Workshops, seminars, and recognition or award programs
23 consistent with the programmatic mission of the individual unit
24 sponsoring or coordinating the programs.

25 (2) The department of civil rights shall annually report to
26 the state budget director, the senate and house of representatives

1 standing committees on appropriations, and the senate and house
2 fiscal agencies the amount of funds received and expended for
3 purposes authorized under this section.

4 **DEPARTMENT OF COMMUNITY HEALTH**

5 Sec. 375. A county required under the provisions of the mental
6 health code, 1974 PA 258, MCL 330.1001 to 330.2106, to provide
7 matching funds to a CMHSP for mental health services rendered to
8 residents in its jurisdiction shall pay the matching funds in equal
9 installments on not less than a quarterly basis throughout the
10 fiscal year, with the first payment being made by October 1, 2009.

11 Sec. 376. The department may make available to interested
12 entities customized listings of nonconfidential information in its
13 possession, such as names and addresses of licensees. The
14 department may establish and collect a reasonable charge to provide
15 this service. The revenue received from this service shall be used
16 to offset expenses to provide the service. Any balance of this
17 revenue collected and unexpended at the end of the fiscal year
18 shall revert to the appropriate restricted fund.

19 Sec. 377. If a county that has participated in a district
20 health department or an associated arrangement with other local
21 health departments takes action to cease to participate in such an
22 arrangement after October 1, 2009, the department shall have the
23 authority to assess a penalty from the local health department's
24 operational accounts in an amount equal to no more than 5% of the
25 local health department's local public health operations funding.
26 This penalty shall only be assessed to the local county that

1 requests the dissolution of the health department.

2 Sec. 378. (1) Funds appropriated in part 1 for local public
3 health operations shall be prospectively allocated to local health
4 departments to support immunizations, infectious disease control,
5 sexually transmitted disease control and prevention, hearing
6 screening, vision services, food protection, public water supply,
7 private groundwater supply, and on-site sewage management. Food
8 protection shall be provided in consultation with the Michigan
9 department of agriculture. Public water supply, private groundwater
10 supply, and on-site sewage management shall be provided in
11 consultation with the Michigan department of environmental quality.

12 (2) Local public health departments will be held to
13 contractual standards for the services in subsection (1).

14 (3) Distributions in subsection (1) shall be made only to
15 counties that maintain local spending in fiscal year 2009-2010 of
16 at least the amount expended in fiscal year 1992-1993 for the
17 services described in subsection (1).

18 (4) By April 1, 2010, the department shall make available upon
19 request a report to the senate or house of representatives
20 appropriations subcommittee on community health, the senate or
21 house fiscal agency, or the state budget director on the planned
22 allocation of the funds appropriated for local public health
23 operations.

24 Sec. 379. The area agencies and local providers may receive
25 and expend fees for the provision of day care, care management,
26 respite care, and certain eligible home- and community-based
27 services. The fees shall be based on a sliding scale, taking client

1 income into consideration. The fees shall be used to expand
2 services.

3 Sec. 380. (1) For care provided to medical services recipients
4 with other third-party sources of payment, medical services
5 reimbursement shall not exceed, in combination with such other
6 resources, including Medicare, those amounts established for
7 medical services-only patients. The medical services payment rate
8 shall be accepted as payment in full. Other than an approved
9 medical services copayment, no portion of a provider's charge shall
10 be billed to the recipient or any person acting on behalf of the
11 recipient. Nothing in this section shall be considered to affect
12 the level of payment from a third-party source other than the
13 medical services program. The department shall require a
14 nonenrolled provider to accept medical services payments as payment
15 in full.

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

22 Sec. 381. (1) For fee-for-service recipients who do not reside
23 in nursing homes, the pharmaceutical dispensing fee shall be \$2.50
24 or the pharmacy's usual or customary cash charge, whichever is
25 less. For nursing home residents, the pharmaceutical dispensing fee
26 shall be \$2.75 or the pharmacy's usual or customary cash charge,
27 whichever is less.

1 (2) The department shall require a prescription copayment for
2 Medicaid recipients of \$1.00 for a generic drug and \$3.00 for a
3 brand-name drug, except as prohibited by federal or state law or
4 regulation.

5 Sec. 382. (1) The department shall use procedures and rebates
6 amounts specified under section 1927 of title XIX, 42 USC 1396r-8,
7 to secure quarterly rebates from pharmaceutical manufacturers for
8 outpatient drugs dispensed to participants in the MICHild program,
9 maternal outpatient medical services program, children's special
10 health care services, and adult benefit waiver program.

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

14 Sec. 383. (1) The department shall require copayments on
15 dental, podiatric, chiropractic, vision, and hearing aid services
16 provided to Medicaid recipients, except as prohibited by federal or
17 state law or regulation.

18 (2) Except as otherwise prohibited by federal or state law or
19 regulations, the department shall require Medicaid recipients to
20 pay the following copayments:

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

22 (b) Six dollars for a hospital emergency room visit.

23 (c) Fifty dollars for the first day of an inpatient hospital
24 stay.

25 (d) One dollar for an outpatient hospital visit.

26 Sec. 384. An institutional provider that is required to submit
27 a cost report under the medical services program shall submit cost

1 reports completed in full within 5 months after the end of its
2 fiscal year.

3 Sec. 385. All nursing home rates, class I and class III, must
4 have their respective fiscal year rate set 30 days prior to the
5 beginning of their rate year. Rates may take into account the most
6 recent cost report prepared and certified by the preparer, provider
7 corporate owner or representative as being true and accurate, and
8 filed timely, within 5 months of the fiscal year end in accordance
9 with Medicaid policy. If the audited version of the last report is
10 available, it shall be used. Any rate factors based on the filed
11 cost report may be retroactively adjusted upon completion of the
12 audit of that cost report.

13 Sec. 386. (1) As may be allowed by federal law or regulation,
14 the department may use funds provided by a local or intermediate
15 school district, which have been obtained from a qualifying health
16 system, as the state match required for receiving federal Medicaid
17 or children health insurance program funds. Any such funds received
18 shall be used only to support new school-based or school-linked
19 health services.

20 (2) A qualifying health system is defined as any health care
21 entity licensed to provide health care services in the state of
22 Michigan, that has entered into a contractual relationship with a
23 local or intermediate school district to provide or manage school-
24 based or school-linked health services.

25 Sec. 387. The funds appropriated in part 1 for forensic mental
26 health services provided to the department of corrections are in
27 accordance with the interdepartmental plan developed in cooperation

1 with the department of corrections. The department is authorized to
2 receive and expend funds from the department of corrections in
3 addition to the appropriations in part 1 to fulfill the obligations
4 outlined in the interdepartmental agreements.

5 Sec. 388. (1) From funds appropriated in part 1, final
6 authorizations to CMHSPs or PIHPs shall be made upon the execution
7 of contracts between the department and CMHSPs or PIHPs. The
8 contracts shall contain an approved plan and budget as well as
9 policies and procedures governing the obligations and
10 responsibilities of both parties to the contracts. Each contract
11 with a CMHSP or PIHP that the department is authorized to enter
12 into under this subsection shall include a provision that the
13 contract is not valid unless the total dollar obligation for all of
14 the contracts between the department and the CMHSPs or PIHPs
15 entered into under this subsection for fiscal year 2009-2010 does
16 not exceed the amount of money appropriated in part 1 for the
17 contracts authorized under this subsection.

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

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

24 (b) Any amendments to contracts with CMHSPs or PIHPs that
25 would affect rates or expenditures are enacted.

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

1 expenditures.

2 **DEPARTMENT OF CORRECTIONS**

3 Sec. 400. The department may charge fees and collect revenues
4 in excess of appropriations in part 1 not to exceed the cost of
5 offender services and programming, employee meals, parolee loans,
6 academic/vocational services, custody escorts, compassionate
7 visits, union steward activities, public work programs, and
8 services provided to units of government. The revenues and fees
9 collected are appropriated for all expenses associated with these
10 services and activities.

11 Sec. 406. (1) The department shall administer a county jail
12 reimbursement program from the funds appropriated in part 1 for the
13 purpose of reimbursing counties for housing in jails felons who
14 otherwise would have been sentenced to prison.

15 (2) The county jail reimbursement program shall reimburse
16 counties for housing and custody of convicted felons if the
17 conviction was for a crime committed on or after January 1, 1999
18 and 1 of the following applies:

19 (a) The felon's sentencing guidelines recommended range upper
20 limit is more than 18 months, the felon's sentencing guidelines
21 recommended range lower limit is 12 months or less, the felon's
22 prior record variable score is 35 or more points, and the felon's
23 sentence is not for commission of a crime in crime class G or crime
24 class H under chapter XVII of the code of criminal procedure, 1927
25 PA 175, MCL 777.1 to 777.69.

26 (b) The felon's minimum sentencing guidelines range minimum is

1 more than 12 months.

2 (3) State reimbursement under this section for prisoner
3 housing and custody expenses per diverted offender shall be \$43.50
4 per diem for up to a 1-year total.

5 **DEPARTMENT OF EDUCATION**

6 Sec. 425. (1) Upon receipt of the federal drug-free grant, the
7 department shall allocate \$225,000.00 of the grant to the safe
8 school program within the department. The safe school program shall
9 work with local school boards, parents of enrolled students, law
10 enforcement agencies, community leaders, and the office of drug
11 control policy for the prevention of school violence. The safe
12 school program shall develop and implement, and serve as
13 coordinator of, a statewide clearinghouse for information, program
14 development, model programs and policies, and technical assistance
15 on school violence prevention.

16 (2) To accomplish its functions under this section, the safe
17 school program shall do all of the following:

18 (a) Coordinate with the office of drug control policy in the
19 department of community health to ensure that there is a meaningful
20 linkage between the efforts under this act to provide safe schools
21 and the initiatives undertaken through that office, including, but
22 not limited to, school districts' safe and drug-free school plans,
23 and to facilitate timely applications for and distribution of
24 available grant money.

25 (b) Provide through the Internet the availability to access,
26 and provide through the Internet information regarding, the state

1 model policy on locker searches, the state model policy on firearm
2 safety and awareness, and any other state or local safety policies
3 that the office considers exemplary.

4 (c) Advance, promote, and encourage the awareness and use of
5 the state police anti-violence hotline.

6 Sec. 427. For each student enrolled at the Michigan schools
7 for the deaf and blind, the department shall assess the
8 intermediate school district of residence 100% of the cost of
9 operating the student's instructional program. The amount shall
10 exclude room and board related costs and the cost of weekend
11 transportation between the school and the student's home.

12 Sec. 429. (1) The department may assess rent or lease excess
13 property located on the campus of the Michigan schools for the deaf
14 and blind in Flint to private or publicly funded organizations.

15 (2) In addition to those funds appropriated in part 1, the
16 department may receive and expend additional funds from lease
17 agreements at the Michigan schools for the deaf and blind Flint
18 campus that have been negotiated with the approval of the
19 department of management and budget. These funds are appropriated
20 to the department for the operation, maintenance, and renovation
21 expenses associated with the leased space.

22 Sec. 430. In addition to the funds appropriated in part 1, the
23 funds collected by the department for document reproduction and
24 services; conferences, workshops, and training classes; and the use
25 of specialized equipment, facilities, and software are appropriated
26 for all expenses necessary to provide the required services. These
27 funds are available for expenditure when they are received and may

be carried forward into the next succeeding fiscal year.

DEPARTMENT OF ENVIRONMENTAL QUALITY

Sec. 450. (1) The department of environmental quality is authorized to expend amounts remaining from the current and prior fiscal year appropriations to meet funding needs of legislatively approved sites for the environmental cleanup and redevelopment program and the leaking underground storage tank cleanup program.

(2) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection bond fund contained in 2003 PA 173 and 2006 PA 343 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(3) Unexpended and unencumbered amounts remaining from appropriations from the cleanup and redevelopment fund contained in 2003 PA 173 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(4) Unexpended and unencumbered amounts remaining from appropriations from the clean Michigan initiative fund - response activities contained in 2000 PA 506, 2001 PA 120, 2003 PA 173, 2003 PA 237, 2004 PA 309, 2004 PA 350, 2005 PA 11, 2006 PA 343, and 2007 PA 121 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(5) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection fund contained in

1 2001 PA 43, 2002 PA 520, and 2003 PA 171 are appropriated for
2 expenditure for any site listed in this act and any site listed in
3 the public acts referenced in this section.

4 (6) Unexpended and unencumbered amounts remaining from
5 appropriations from the refined petroleum fund activities contained
6 in 2005 PA 154, 2007 PA 121, and 2008 PA 247 are appropriated for
7 expenditure for any site listed in this act and any site listed in
8 the public acts referenced in this section.

9 **DEPARTMENT OF HUMAN SERVICES**

10 Sec. 550. From the funds appropriated in part 1 for foster
11 care, the department shall provide 50% reimbursement to Indian
12 tribal governments for foster care expenditures for children who
13 are under the jurisdiction of Indian tribal courts and who are not
14 otherwise eligible for federal foster care cost sharing.

15 Sec. 552. Agencies receiving teenage parent counseling funds
16 shall provide at least 10% in matching funds, through any
17 combination of local, state, or federal funds or in-kind or other
18 donations.

19 Sec. 556. Counties shall be subject to 50% charge-back for the
20 use of alternative regional detention services, if those detention
21 services do not fall under the basic provision of section 117e of
22 the social welfare act, 1939 PA 280, MCL 400.117e, or if a county
23 operates those detention services programs primarily with
24 professional rather than volunteer staff.

25 Sec. 558. (1) The appropriations in part 1 assume a total
26 federal child support incentive payment of \$26,500,000.00.

1 (2) From the federal money received for child support
2 incentive payments, \$12,000,000.00 shall be retained by the state
3 and expended for child support program expenses.

4 (3) From the federal money received for child support
5 incentive payments, \$14,500,000.00 shall be paid to the counties
6 based on each county's performance level for each of the federal
7 performance measures as established in the code of federal
8 regulations, CFR 45.305.2.

9 (4) If the child support incentive payment to the state from
10 the federal government is greater than \$26,500,000.00, then 100% of
11 the excess shall be retained by the state and is appropriated until
12 the total retained by the state reaches \$15,397,400.00.

13 (5) If the child support incentive payment to the state from
14 the federal government is greater than the amount needed to satisfy
15 the provisions identified in subsections (1), (2), (3), and (4),
16 the additional funds shall be subject to appropriation by the
17 legislature.

18 (6) If the child support incentive payment to the state from
19 the federal government is less than \$26,500,000.00, then the state
20 and county share shall each be reduced by 50% of the shortfall.

21 Sec. 560. The department shall assess fees in the licensing
22 and regulation of child care organizations as defined in 1973 PA
23 116, MCL 722.111 to 722.128, and adult foster care facilities as
24 defined in the adult foster care facility licensing act, 1979 PA
25 218, MCL 400.701 to 400.737. Fees collected by the department shall
26 be used exclusively for the purpose of licensing and regulating
27 child care organizations and adult foster care facilities.

1 **DEPARTMENT OF INFORMATION TECHNOLOGY**

2 Sec. 575. (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 information technology shall assess all
6 subscribers of the Michigan public safety communications system
7 reasonable access and maintenance fees.

8 (3) All money received by the department of information
9 technology under this section shall be expended for the support and
10 maintenance of the Michigan public safety communications system.

11 (4) The department of information technology shall provide a
12 report to the senate and house of representatives standing
13 committees on appropriations, the senate and house fiscal agencies,
14 and the state budget director on April 15 and on October 15,
15 indicating the amount of revenue collected under this section and
16 expended for support and maintenance of the Michigan public safety
17 communications system for the immediately preceding 6-month period.
18 Any deposits made under this section and unencumbered funds are
19 restricted revenues and may be carried forward into succeeding
20 fiscal years.

21 **JUDICIAL BRANCH**

22 Sec. 580. (1) The direct trial court automation support
23 program of the state court administrative office shall recover
24 direct and overhead costs from trial courts by charging for
25 services rendered. The fee shall cover the actual costs incurred to

1 the direct trial court automation support program in providing the
2 service, including development of future versions of case
3 management systems. A report of amounts collected in excess of
4 funds identified as user service charges in part 1 shall be
5 submitted to the state budget director and to the house and senate
6 appropriations subcommittees on judiciary 30 days before
7 expenditure by the direct trial court automation support program.

8 (2) From funds appropriated in part 1, the direct trial court
9 automation support program of the state court administrative office
10 shall provide to the state budget director, the senate and house
11 appropriations committees, and the senate and house fiscal agencies
12 before January 1 of each year, a detailed list of user service
13 charges collected during the immediately preceding state fiscal
14 year.

15 **DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH**

16 Sec. 600. The funds collected by the office of financial and
17 insurance services in connection with a conservatorship pursuant to
18 section 32 of the mortgage brokers, lenders, and servicers
19 licensing act, 1987 PA 173, MCL 445.1682, shall be appropriated for
20 all expenses necessary to provide for the required services. Funds
21 are available for expenditure when they are received by the
22 department of treasury and shall not lapse to the general fund at
23 the end of the fiscal year.

24 Sec. 601. In addition to the funds appropriated in part 1, the
25 funds collected by state historic preservation programs for
26 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 Sec. 602. The funds collected by the department from
6 corporations being liquidated pursuant to the insurance code of
7 1956, 1956 PA 218, MCL 500.100 to 500.8302, shall be appropriated
8 for all expenses necessary to provide for the required services.
9 Funds are available for expenditure when they are received by the
10 department of treasury and shall not lapse to the general fund at
11 the end of the fiscal year.

12 Sec. 604. The department may make available to interested
13 entities otherwise unavailable customized listings of
14 nonconfidential information in its possession, such as names and
15 addresses of licensees, and charge for this information as follows:
16 base fee for 1 to 1,000 records at the cost to the department;
17 1,001 to 10,000 records at 2.5 cents per record; and 10,001 or more
18 records at .5 cents per record. The revenue received from this
19 service may be used to offset expenses of programs as appropriated
20 in part 1. The balance of this revenue collected and unexpended at
21 the end of the fiscal year shall revert to the appropriate
22 restricted revenue account or fund or, in absence of such an
23 account or fund, to the general fund. The department shall submit
24 an annual report on or before December 1 of each year to the state
25 budget office and the subcommittees that states the amount of
26 revenue received from the sale of information.

27 Sec. 606. Money appropriated under this article for the bureau

of fire services shall not be expended unless, in accordance with section 2c of the fire prevention code, 1941 PA 207, MCL 29.2c, inspection and plan review fees will be charged according to the following schedule:

Operation and maintenance inspection fee

<u>Facility type</u>	<u>Facility size</u>	<u>Fee</u>
Hospitals	Any	\$8.00 per bed

Plan review and construction inspection fees for
hospitals and schools

<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
\$10,000,001.00 or more	\$1.10 per \$1,000.00
	or a maximum fee of \$60,000.00.

Sec. 608. The department shall sell documents at a price not to exceed the cost of production and distribution. Money received from the sale of these documents shall revert to the department. The funds are available for expenditure when they are received by the department of treasury and may only be used for costs directly related to the continued updating and distribution of the documents pursuant to this section. This section applies only for the following documents:

(a) Corporation and securities division documents, reports, and papers required or permitted by law pursuant to section 1060(5) of the business corporation act, 1972 PA 284, MCL 450.2060.

(b) The subdivision control manual, the state boundary

1 commission operations manual, and other local government assistance
2 manuals.

3 (c) The Michigan liquor control code of 1998, 1998 PA 58, MCL
4 436.1101 to 436.2303.

5 (d) The mobile home commission act, 1987 PA 96, MCL 125.2301
6 to 125.2349; the business corporation act, 1972 PA 284, MCL
7 450.1101 to 450.2098; the nonprofit corporation act, 1982 PA 162,
8 MCL 450.2101 to 450.3192; and the uniform securities act, 1964 PA
9 265, MCL 451.501 to 451.818.

10 (e) Labor law books.

11 (f) Worker's compensation health care services rules.

12 (g) Construction code manuals.

13 (h) Copies of transcripts from administrative law hearings.

14 Sec. 610. In addition to the amounts appropriated in part 1
15 for the administration of the land bank fast track authority, the
16 authority may expend revenues received under the land bank fast
17 track act, 2003 PA 258, MCL 124.751 to 124.774, for the purposes
18 authorized by the act including, but not limited to, the
19 acquisition, lease, management, demolition, maintenance, or
20 rehabilitation of real or personal property, payment of debt
21 service for notes or bonds issued by the authority, and other
22 expenses to clear or quiet title property held by the authority.

23 Sec. 612. Funds collected by the department under sections 55,
24 57, 58, and 59 of the administrative procedures act of 1969, 1969
25 PA 306, MCL 24.255, 24.257, 24.258, and 24.259, and section 203 of
26 the legislative council act, 1986 PA 268, MCL 4.1203, are
27 appropriated for all expenses necessary to provide for the cost of

1 publication and distribution. The funds appropriated under this
2 section are allotted for expenditure when they are received by the
3 department of treasury and shall not lapse to the general fund at
4 the end of the fiscal year.

5 Sec. 614. The department may carry into the succeeding fiscal
6 year unexpended federal pass-through funds to local institutions
7 and governments that do not require additional state matching
8 funds. Federal pass-through funds to local institutions and
9 governments that are received in amounts in addition to those
10 included in part 1 and that do not require additional state
11 matching funds are appropriated for the purposes intended.

12 **DEPARTMENT OF MANAGEMENT AND BUDGET**

13 Sec. 625. (1) The department of management and budget may
14 receive and expend funds in addition to those authorized by part 1
15 for maintenance and operation services provided specifically to
16 other principal executive departments or state agencies, the
17 legislative branch, the judicial branch, or private tenants, or
18 provided in connection with facilities transferred to the
19 operational jurisdiction of the department of management and
20 budget.

21 (2) The department of management and budget may receive and
22 expend funds in addition to those authorized by part 1 for real
23 estate, architectural, design, and engineering services provided
24 specifically to other principal executive departments or state
25 agencies, the legislative branch, or the judicial branch.

26 (3) The department of management and budget may receive and

1 expend funds in addition to those authorized in part 1 for mail
2 pickup and delivery services provided specifically to other
3 principal executive departments and state agencies, the legislative
4 branch, or the judicial branch.

5 (4) The department of management and budget may receive and
6 expend funds in addition to those authorized in part 1 for
7 purchasing services provided specifically to other principal
8 executive departments and state agencies, the legislative branch,
9 or the judicial branch.

10 Sec. 627. (1) The source of financing in part 1 for statewide
11 appropriations shall be funded by assessments against longevity and
12 insurance appropriations throughout state government in a manner
13 prescribed by the department of management and budget. Funds shall
14 be used as specified in joint labor/management agreements or
15 through the coordinated compensation hearings process. Any deposits
16 made under this subsection and any unencumbered funds are
17 restricted revenues, may be carried over into the succeeding fiscal
18 years, and are appropriated.

19 (2) In addition to the funds appropriated in part 1 for
20 statewide appropriations, the department of management and budget
21 may receive and expend funds in such additional amounts as may be
22 specified in joint labor/management agreements or through the
23 coordinated compensation hearings process in the same manner and
24 subject to the same conditions as prescribed in subsection (1).

25 Sec. 631. In addition to the funds appropriated in part 1, the
26 funds collected by the department for document and data imaging
27 services, copies, media, and storage, as well as conferences,

workshops, and training classes, are appropriated for all expenses necessary to provide the required services. These funds are available for expenditure when they are received and may be carried forward into the next succeeding fiscal year.

CIVIL SERVICE

Sec. 635. (1) All restricted funds shall be assessed a sum not less than 1% of the total aggregate payroll paid from those funds for financing the civil service commission on the basis of actual 1% restricted sources total aggregate payroll of the classified service for fiscal year 2008 in accordance with section 5 of article XI of the state constitution of 1963. This includes, but is not limited to, restricted funds appropriated in part 1 of any appropriations act. Unexpended 1% appropriated funds shall be returned to each 1% fund source at the end of the fiscal year.

(2) The 1% appropriations in part 1 are estimates of actual 1% charges based on payroll appropriations. With the approval of the state budget director, the commission is authorized to adjust financing sources for civil service 1% charges based on actual payroll expenditures, provided that such adjustments do not increase the total appropriation for the civil service commission.

(3) The financing from restricted sources shall be credited to the civil service commission by the end of the second fiscal quarter.

Sec. 637. The appropriation in part 1 to the civil service commission, for state-sponsored group insurance, flexible spending accounts, and COBRA, represents amounts, in part, included within the various appropriations throughout state government for the

1 current fiscal year to fund the flexible spending account program
2 included within the civil service commission. Deposits against
3 state-sponsored group insurance, flexible spending accounts, and
4 COBRA for the flexible spending account program shall be made from
5 assessments levied during the current fiscal year in a manner
6 prescribed by the civil service commission. Unspent employee
7 contributions to the flexible spending accounts may be used to
8 offset administrative costs for the flexible spending account
9 program, with any remaining balance of unspent employee
10 contributions to be lapsed to the general fund.

11 STATE BUILDING AUTHORITY

12 Sec. 645. (1) Subject to section 242 of the management and
13 budget act, 1984 PA 431, MCL 18.1242, and upon the approval of the
14 state building authority, the department may expend from the
15 general fund of the state during the fiscal year ending September
16 30, 2010 an amount to meet the cash flow requirements of those
17 state building authority projects solely for lease to a state
18 agency identified in both part 1 and this section, and for which
19 state building authority bonds or notes have not been issued, and
20 for the sole acquisition by the state building authority of
21 equipment and furnishings for lease to a state agency as permitted
22 by 1964 PA 183, MCL 830.411 to 830.425, for which the issuance of
23 bonds or notes is authorized by a legislative concurrent resolution
24 that is effective for the fiscal year ending September 30, 2010.
25 Any general fund advances for which state building authority bonds
26 have not been issued shall bear an interest cost to the state
27 building authority at a rate not to exceed that earned by the state

1 treasurer's common cash fund during the period in which the
2 advances are outstanding and are repaid to the general fund of the
3 state.

4 (2) Upon sale of bonds or notes for the projects identified in
5 part 1 or for equipment as authorized by legislative concurrent
6 resolution and in this section, the state building authority shall
7 credit the general fund of the state an amount equal to that
8 expended from the general fund plus interest, if any, as defined in
9 this section.

10 (3) For state building authority projects for which bonds or
11 notes have been issued and upon the request of the state building
12 authority, the state treasurer shall make advances without interest
13 from the general fund as necessary to meet cash flow requirements
14 for the projects, which advances shall be reimbursed by the state
15 building authority when the investments earmarked for the financing
16 of the projects mature.

17 (4) In the event that a project identified in part 1 is
18 terminated after final design is complete, advances made on behalf
19 of the state building authority for the costs of final design shall
20 be repaid to the general fund in a manner recommended by the
21 director and approved by the JCOS.

22 Sec. 650. (1) State building authority funding to finance
23 construction or renovation of a facility that collects revenue in
24 excess of money required for the operation of that facility shall
25 not be released to a university or community college unless the
26 institution agrees to reimburse that excess revenue to the state
27 building authority. The excess revenue shall be credited to the

1 general fund to offset rent obligations associated with the
2 retirement of bonds issued for that facility. The auditor general
3 shall annually identify and present an audit of those facilities
4 that are subject to this section. Costs associated with the
5 administration of the audit shall be charged against money
6 recovered pursuant to this section.

7 (2) As used in this section, "revenue" includes state
8 appropriations, facility opening money, other state aid, indirect
9 cost reimbursement, and other revenue generated by the activities
10 of the facility.

11 Sec. 660. (1) The state building authority rent appropriations
12 in part 1 may also be expended for the payment of required premiums
13 for insurance on facilities owned by the state building authority
14 or payment of costs that may be incurred as the result of any
15 deductible provisions in such insurance policies.

16 (2) If the amount appropriated in part 1 for state building
17 authority rent is not sufficient to pay the rent obligations and
18 insurance premiums and deductibles identified in subsection (1) for
19 state building authority projects, there is appropriated from the
20 general fund of the state the amount necessary to pay such
21 obligations.

22 **DEPARTMENT OF MILITARY AND VETERANS AFFAIRS**

23 Sec. 675. The department may charge reasonable rental and
24 equipment usage fees for renting an armory or using the distance-
25 learning network. The fee shall include the cost of overtime
26 compensation, insurance coverage, and any maintenance required.

1 **DEPARTMENT OF NATURAL RESOURCES**

2 Sec. 700. The department may charge both application fees and
3 transaction fees related to the exchange or sale of state-owned
4 land or rights in land authorized by part 21 of the natural
5 resources and environmental protection act, 1994 PA 451, MCL
6 324.2101 to 324.2162. The fees shall be set by the director at a
7 rate which allows the department to recover its costs for providing
8 these services.

9 Sec. 721. Funds collected by the department under sections 6,
10 7, and 7a of 1913 PA 271, MCL 399.6, 399.7, and 399.7a, are
11 appropriated to the department for the purposes for which they were
12 received.

13 Sec. 722. In addition to the funds appropriated in part 1, the
14 funds collected by the department for document reproduction and
15 services; conferences, admissions, workshops, and training classes;
16 and the use of specialized equipment, facilities, exhibits,
17 collections, and software; are appropriated for all expenses
18 necessary to provide the required services. These funds are
19 available for expenditure when they are received and may be carried
20 forward into the next succeeding fiscal year.

21 Sec. 723. In addition to the funds appropriated in part 1,
22 funds collected by the department under sections 6, 7, and 7a of
23 1913 PA 271, MCL 399.6, 399.7, and 399.7a, are appropriated to the
24 department for the purposes for which they were received, upon
25 receipt.

1 DEPARTMENT OF STATE

2 Sec. 725. All funds made available by section 3171 of the
3 insurance code of 1956, 1956 PA 218, MCL 500.3171, are appropriated
4 and made available to the department of state to be expended only
5 for the uses and purposes for which the funds are received as
6 provided by sections 3171 to 3177 of the insurance code of 1956,
7 1956 PA 218, MCL 500.3171 to 500.3177.

8 Sec. 730. From the funds appropriated in part 1, the
9 department of state shall sell copies of records including, but not
10 limited to, records of motor vehicles, off-road vehicles,
11 snowmobiles, watercraft, mobile homes, personal identification
12 cardholders, drivers, and boat operators and shall charge \$7.00 per
13 record sold only as authorized in section 208b of the Michigan
14 vehicle code, 1949 PA 300, MCL 257.208b, section 7 of 1972 PA 222,
15 MCL 28.297, and sections 80130, 80315, 81114, and 82156 of the
16 natural resources and environmental protection act, 1994 PA 451,
17 MCL 324.80130, 324.80315, 324.81114, and 324.82156. The revenue
18 received from the sale of records shall be credited to the
19 transportation administration collection fund created under section
20 810b of the Michigan vehicle code, 1949 PA 300, MCL 257.810b.

21 Sec. 735. From the funds appropriated in part 1, the
22 department of state may restrict funds from miscellaneous revenue
23 to cover cash shortages created from normal branch office
24 operations. This amount shall not exceed \$50,000.00 of the total
25 funds available in miscellaneous revenue.

26 Sec. 740. (1) Commemorative and specialty license plate fee
27 revenue collected by the department of state and deposited into the

1 transportation administration collection fund is authorized for
2 expenditure up to the amount of revenue collected but not to exceed
3 the amount appropriated to the department of state in part 1 to
4 administer commemorative and specialty license plate programs.

5 (2) Commemorative and specialty license plate fee revenue
6 collected by the department of state and deposited in the
7 transportation administration collection fund, in addition to the
8 amount appropriated in part 1 to the department of state, shall
9 remain in the transportation administration collection fund and be
10 available for future appropriation.

11 Sec. 745. (1) Any service assessment collected by the
12 department of state from the user of a credit or debit card under
13 section 3 of 1995 PA 144, MCL 11.23, is appropriated to the
14 department for necessary expenses related to that service and may
15 be remitted to a credit or debit card company, bank, or other
16 financial institution. Funds are allocated for expenditure when
17 they are received by the department of treasury.

18 (2) The service assessment imposed by the department of state
19 for credit and debit card services may be based either on a
20 percentage of each individual credit or debit card transaction, or
21 on a flat rate per transaction, or both scaled to the amount of the
22 transaction. However, the department shall not charge any amount
23 for a service assessment which exceeds the costs billable to the
24 department for service assessments.

25 (3) If there is a balance of service assessments received from
26 credit and debit card services remaining on September 30, the
27 balance may be carried forward to the following fiscal year and

1 appropriated for the same purpose.

2 (4) As used in this section, "service assessment" means and
3 includes costs associated with service fees imposed by credit and
4 debit card companies and processing fees imposed by banks and other
5 financial institutions.

6 **DEPARTMENT OF STATE POLICE**

7 Sec. 750. (1) The state director of emergency management may
8 expend money appropriated under this article to call upon any
9 agency or department of the state or any resource of the state to
10 protect life or property or to provide for the health or safety of
11 the population in any area of the state in which the governor
12 proclaims a state of emergency or state of disaster under 1945 PA
13 302, MCL 10.31 to 10.33, or under the emergency management act,
14 1976 PA 390, MCL 30.401 to 30.421. The state director of emergency
15 management may expend the amounts the director considers necessary
16 to accomplish these purposes. The director shall submit to the
17 state budget director as soon as possible a complete report of all
18 actions taken under the authority of this section. The report shall
19 contain, as a separate item, a statement of all money expended that
20 is not reimbursable from federal money. The state budget director
21 shall review the expenditures and submit recommendations to the
22 legislature in regard to any possible need for a supplemental
23 appropriation.

24 (2) In addition to the money appropriated in this article, the
25 department may receive and expend money from local, private,
26 federal, or state sources for the purpose of providing emergency

1 management training to local or private interests and for the
2 purpose of supporting emergency preparedness, response, recovery,
3 and mitigation activity. If additional expenditure authorization in
4 the Michigan administrative information network is approved by the
5 state budget office under this section, the department and the
6 state budget office shall notify the house and senate
7 appropriations subcommittees on state police and military and
8 veterans affairs and the house and senate fiscal agencies within 10
9 days after the approval. The notification shall include the amount
10 and source of the additional authorization, the date of its
11 approval, and the projected use of funds to be expended under the
12 authorization.

13 Sec. 751. The money appropriated in part 1 for computer
14 services shall be funded by LEIN user fees sufficient to pay 1/3 of
15 the service and contract maintenance costs of the LEIN system.

16 **MICHIGAN STRATEGIC FUND**

17 Sec. 775. Travel Michigan may establish and collect a fee to
18 cover the cost of materials and processing of photographic prints,
19 slides, videotapes, and travel product database information that
20 are requested by the media and other segments of the public and
21 private sectors. The fees collected shall be appropriated for all
22 expenses necessary to purchase and distribute these photographic
23 prints, slides, videotapes, and travel product database
24 information. The funds are available for expenditure when they are
25 received by the department of treasury.

26 Sec. 780. Travel Michigan may receive and expend private

1 revenue related to the use of the "Michigan Great Lakes. Great
2 Times." and "Pure Michigan." copyrighted slogans and images. This
3 revenue may come from the direct licensing of the name and image or
4 from the royalty payments from various merchandise sales. Revenue
5 collected is appropriated for the marketing of the state as a
6 travel destination. The funds are available for expenditure when
7 they are received by the department of treasury.

8 DEPARTMENT OF TRANSPORTATION

9 Sec. 800. Funds from the Michigan transportation fund shall be
10 distributed to the comprehensive transportation fund, the economic
11 development fund, the recreation improvement fund, and the state
12 trunkline fund, in accordance with this act and part 711 of the
13 natural resources and environmental protection act, 1994 PA 451,
14 MCL 324.71101 to 324.71108, and may only be used as specified in
15 this act, 1951 PA 51, MCL 247.651 to 247.675, and part 711 of the
16 natural resources and environmental protection act, 1994 PA 451,
17 MCL 324.71101 to 324.71108.

18 DEPARTMENT OF TREASURY

19 Sec. 825. (1) Amounts needed to pay for interest, fees,
20 principal, mandatory and optional redemptions, arbitrage rebates as
21 required by federal law, and costs associated with the payment,
22 registration, trustee services, credit enhancements, and issuing
23 costs in excess of the amount appropriated to the department of
24 treasury in part 1 for debt service on notes and bonds that are
25 issued by the state under sections 14, 15, and 16 of article IX of

1 the state constitution of 1963 as implemented by 1967 PA 266, MCL
2 17.451 to 17.455, are appropriated.

3 (2) In addition to the amount appropriated to the department
4 of treasury for debt service in part 1, there is appropriated an
5 amount for fiscal year cash-flow borrowing costs to pay for
6 interest on interfund borrowing made under 1967 PA 55, MCL 12.51 to
7 12.53.

8 (3) In addition to the amount appropriated to the department
9 of treasury for debt service in part 1, there is appropriated all
10 repayments received by the state on loans made from the school bond
11 loan fund not required to be deposited in the school loan revolving
12 fund by or pursuant to section 4 of 1961 PA 112, MCL 388.984, to
13 the extent determined by the state treasurer, for the payment of
14 debt service, including, without limitation, optional and mandatory
15 redemptions, on bonds, notes or commercial paper issued by the
16 state pursuant to 1961 PA 112, MCL 388.981 to 388.985.

17 Sec. 826. (1) From the funds appropriated in part 1, the
18 department of treasury may contract with private collection
19 agencies and law firms to collect taxes and other accounts due this
20 state. In addition to the amounts appropriated in part 1 to the
21 department of treasury, there are appropriated amounts necessary to
22 fund collection costs and fees not to exceed 25% of the collections
23 or 2.5% plus operating costs, whichever amount is prescribed by the
24 contract. The appropriation to fund collection costs and fees for
25 the collection of taxes or other accounts due this state are from
26 the fund or account to which the revenues being collected are
27 recorded or dedicated. However, if the taxes collected are

1 constitutionally dedicated for a specific purpose, the
2 appropriation of collection costs and fees are from the general
3 purpose account of the general fund.

4 (2) From the funds appropriated in part 1, the department of
5 treasury may contract with private collections agencies and law
6 firms to collect defaulted student loans and other accounts due the
7 Michigan guaranty agency. In addition to the amounts appropriated
8 in part 1 to the department of treasury, there are appropriated
9 amounts necessary to fund collection costs and fees not to exceed
10 22% of the collection or a lesser amount as prescribed by the
11 contract. The appropriation to fund collection costs and fees for
12 the auditing and collection of defaulted student loans due the
13 Michigan guaranty agency is from the fund or account to which the
14 revenues being collected are recorded or dedicated.

15 (3) The department of treasury shall submit a report for the
16 immediately preceding fiscal year ending September 30 to the state
17 budget director and the senate and house of representatives
18 standing committees on appropriations not later than November 30
19 stating the agencies or law firms employed, the amount of
20 collections for each, the costs of collection, and other pertinent
21 information relating to determining whether this authority should
22 be continued.

23 Sec. 827. (1) There is appropriated an amount sufficient to
24 recognize and pay expenditures for financial services provided by
25 financial institutions as provided under section 1 of 1861 PA 111,
26 MCL 21.181.

27 (2) The appropriations under subsection (1) shall be funded by

1 restricting revenues from common cash interest earnings and
2 investment earnings in an amount sufficient to record these
3 expenditures.

4 Sec. 828. 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. 829. From funds appropriated in part 1, the department of
15 treasury may contract with private auditing firms to audit for and
16 collect unclaimed property due this state in accordance with the
17 Michigan uniform unclaimed property act. In addition to the amounts
18 appropriated in part 1 to the department of treasury, there are
19 appropriated amounts necessary to fund auditing and collection
20 costs and fees not to exceed 12% of the collections, or a lesser
21 amount as prescribed by the contract. The appropriation to fund
22 collection costs and fees for the auditing and collection of
23 unclaimed property due this state is from the fund or account to
24 which the revenues being collected are recorded or dedicated.

25 Sec. 830. The department of treasury may provide receipt,
26 warrant and cash processing, data, collection, investment, fiscal
27 agent, levy and warrant cost assessment, writ of garnishment, and

1 other user services on a contractual basis for other principal
2 executive departments and state agencies. Funds for the services
3 provided are appropriated and shall be expended for salaries and
4 wages, fees, supplies, and equipment necessary to provide the
5 services. Any unobligated balance of the funds received shall
6 revert to the general fund of this state as of September 30.

7 Sec. 831. Revenue received under the Michigan education trust
8 act, 1986 PA 316, MCL 390.1421 to 390.1442, may be expended by the
9 board of directors of the Michigan education trust for necessary
10 salaries, wages, supplies, contractual services, equipment,
11 worker's compensation insurance premiums, and grants to the civil
12 service commission and state employees' retirement fund.

13 Sec. 832. The department of treasury may expend revenues
14 received under the hospital finance authority act, 1969 PA 38, MCL
15 331.31 to 331.84, for necessary salaries, wages, supplies,
16 contractual services, equipment, worker's compensation insurance
17 premiums, and grants to the civil service commission and state
18 employees' retirement fund. The department of treasury shall
19 maintain accounting records in sufficient detail to enable the
20 hospital clients to be reimbursed periodically for fees that are
21 determined by the department of treasury to be surplus to needs.

22 Sec. 833. The department of treasury may expend revenue
23 received under the shared credit rating act, 1985 PA 227, MCL
24 141.1051 to 141.1076, for necessary salaries, wages, supplies,
25 contractual services, equipment, worker's compensation insurance
26 premiums, and grants to the civil service commission and state
27 employees' retirement fund.

1 Sec. 834. The department of treasury shall establish a
2 separate account for the funds related to the Michigan higher
3 education facilities authority. The department of treasury may
4 expend revenue received under the higher education facilities
5 authority act, 1969 PA 295, MCL 390.921 to 390.934, for necessary
6 salaries, wages, supplies, contractual services, equipment,
7 worker's compensation insurance premiums, and grants to the civil
8 service commission and state employees' retirement fund. The
9 department of treasury shall maintain accounting records in
10 sufficient detail to enable the educational institution clients to
11 be reimbursed periodically for fees that are determined by the
12 department to be surplus to needs.

13 Sec. 835. The department of treasury may expend revenues
14 received under the Michigan public educational facilities
15 authority, Executive Order No. 2002-3, for necessary salaries,
16 wages, supplies, contractual services, equipment, worker's
17 compensation insurance premiums, and grants to the civil service
18 commission and state employees' retirement fund.

19 Sec. 836. In addition to the funds appropriated in part 1 to
20 the bureau of state lottery, there is appropriated from lottery
21 revenues the amount necessary for, and directly related to,
22 implementing and operating lottery games. Appropriations under this
23 section shall only be expended for contractually mandated payments
24 for vendor commissions, contractually mandated payments for instant
25 tickets intended for resale, the contractual costs of providing and
26 maintaining the on-line system communications network, and
27 incentive and bonus payments to lottery retailers.

1 Sec. 837. In addition to the funds appropriated in part 1,
2 funds distributed by the Michigan gaming control board to the
3 department of treasury for oversight of casino gaming are
4 appropriated upon receipt. These funds may be used to pay for costs
5 incurred for casino gaming oversight activities.

6 Sec. 838. (1) Funds appropriated in part 1 for local
7 government programs may be used to provide assistance to a local
8 revenue sharing board referenced in an agreement authorized by the
9 Indian gaming regulatory act, Public Law 100-497.

10 (2) A local revenue sharing board described in subsection (1)
11 shall comply with the open meetings act, 1976 PA 267, MCL 15.261 to
12 15.275, and the freedom of information act, 1976 PA 442, MCL 15.231
13 to 15.246.

14 (3) A county treasurer is authorized to receive and administer
15 funds received for and on behalf of a local revenue sharing board.
16 Funds appropriated in part 1 for local government programs may be
17 used to audit local revenue sharing board funds held by a county
18 treasurer. This section does not limit the ability of local units
19 of government to enter into agreements with federally recognized
20 Indian tribes to provide financial assistance to local units of
21 government or to jointly provide public services.

22 (4) The director of the department of state police and the
23 executive director of the Michigan gaming control board are
24 authorized to assist the local revenue sharing boards in
25 determining allocations to be made to local public safety
26 organizations.

27 (5) The department of treasury shall submit a report by

1 September 30 to the senate and house of representatives standing
2 committees on appropriations and the state budget director on the
3 receipts and distribution of revenues by local revenue sharing
4 boards.

5 Sec. 839. The department of treasury may expend revenue
6 received under the Michigan tobacco settlement finance authority
7 act, 2005 PA 226, MCL 129.261 to 129.279, for necessary salaries
8 and wages, supplies, contractual services, equipment, worker's
9 compensation insurance premiums, and grants to the civil service
10 commission and state employees' retirement fund.

11 Sec. 840. (1) The funds appropriated in part 1 for
12 constitutional revenue sharing shall be distributed by the
13 department to cities, villages, and townships, as required under
14 section 10 of article IX of the state constitution of 1963. Revenue
15 collected in accordance with section 10 of article IX of the state
16 constitution of 1963 in excess of the amount appropriated in part 1
17 for constitutional revenue sharing is appropriated for distribution
18 to cities, villages, and townships, on a population basis as
19 required under section 10 of article IX of the state constitution
20 of 1963.

21 (2) The funds appropriated in part 1 for statutory revenue
22 sharing shall be distributed to cities, villages, and townships so
23 that each city, village, and township shall receive 14.5% of the
24 statutory distribution received during the 2007-2008 state fiscal
25 year.

26 **REVENUE STATEMENT**

Sec. 850. Pursuant to section 18 of article V of the state constitution of 1963, fund balances and estimates are presented in the following statement:

BUDGET RECOMMENDATIONS BY OPERATING FUNDS

(Amounts in millions)

Fiscal Year 2009-2010

		Beginning		
	Fund	Unreserved		
	Fund	Estimated	Ending	
	Balance	Revenue	Balance	
OPERATING FUNDS				
General fund/general purpose	0110	199.6	7,713.0	0.0
General fund/special purpose		446.6	17,451.8	482.6
Special Revenue Funds:				
Countercyclical budget and				
economic stabilization	0111	2.2	0.1	2.3
Game and fish protection	0112	4.1	61.4	3.3
Michigan employment security act				
administration	0113	10.2	12.5	8.2
State aeronautics	0114	2.2	132.7	1.6
Michigan veterans' benefit				
trust	0115	0.0	2.3	0.0
State trunkline	0116	(6.2)	1,808.9	(6.9)
Michigan state waterways	0117	1.3	28.6	0.0
Blue Water Bridge	0118	6.2	15.3	6.8

1	Michigan transportation	0119	0.0	1,819.9	0.0
2	Comprehensive transportation	0120	6.3	299.7	(6.4)
3	School aid	0122	171.0	12,165.6	0.0
4	Game and fish protection trust	0124	6.0	14.3	6.0
5	State park improvement	0125	0.0	41.1	0.0
6	Forest development	0126	3.4	29.7	0.7
7	Michigan civilian conservation				
8	corps endowment	0128	0.3	0.0	0.0
9	Michigan natural resources				
10	trust	0129	32.4	60.2	31.2
11	Michigan state parks endowment	0130	6.1	12.1	4.1
12	Safety education and training	0131	6.2	9.3	7.1
13	Bottle deposit	0136	0.0	12.6	0.0
14	State construction code	0138	0.9	15.0	4.3
15	Children's trust	0139	1.0	3.8	0.5
16	State casino gaming	0140	1.8	34.8	1.8
17	Homeowner construction lien				
18	recovery	0141	0.8	1.0	(1.2)
19	Michigan nongame fish and				
20	wildlife	0143	0.1	0.3	0.0
21	Michigan merit award trust	0154	0.0	191.7	0.0
22	Outdoor recreation legacy	0162	(0.2)	2.3	(0.2)
23	Off-road vehicle account	0163	1.7	3.6	0.4
24	Snowmobile account	0164	2.1	10.1	0.0
25	Silicosis dust disease				
26	and logging	0870	2.1	1.3	1.7
27	Utility consumer				

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1	representation	0893	3.5	1.2	3.6
2	TOTALS		\$911.7	\$41,956.2	\$551.6