

SUBSTITUTE FOR

SENATE BILL NO. 1166

(As amended July 1, 2010)

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2010, from the following funds:

APPROPRIATION SUMMARY

Full-time equated classified positions.....	1.0	
GROSS APPROPRIATION.....	\$	[50,380,100]

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1	Total interdepartmental grants and intradepartmental		
2	transfers		0
3	ADJUSTED GROSS APPROPRIATION.....	\$	[50,380,100]
4	Total federal revenues.....		47,880,000
5	Total local revenues.....		0
6	Total private revenues.....		0
7	Total other state restricted revenues.....		0
8	State general fund/general purpose.....	\$	[2,500,100]
9	Sec. 102. DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC		
10	GROWTH		
11	(1) APPROPRIATION SUMMARY		
12	Full-time equated classified positions.....	1.0	
13	GROSS APPROPRIATION.....	\$	47,880,000
14	Interdepartmental grant revenues:		
15	Total interdepartmental grants and intradepartmental		
16	transfers		0
17	ADJUSTED GROSS APPROPRIATION.....	\$	47,880,000
18	Federal revenues:		
19	Total federal revenues.....		47,880,000
20	Special revenue funds:		
21	Total local revenues.....		0
22	Total private revenues.....		0
23	Total other state restricted revenues.....		0
24	State general fund/general purpose.....	\$	0
25	(2) PUBLIC SERVICE COMMISSION AND ENERGY SYSTEMS		
26	Energy office (ARRA)--1.0 FTE positions.....	\$	<u>30,000,000</u>

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1	GROSS APPROPRIATION.....	\$	30,000,000
2	Appropriated from:		
3	Federal revenues:		
4	DOE, energy efficiency and conservation block grant		
5	(ARRA)		30,000,000
6	State general fund/general purpose	\$	0
7	(3) BOARDS, AUTHORITIES, AND COMMISSIONS		
8	Land bank fast track authority (ARRA)	\$	<u>17,880,000</u>
9	GROSS APPROPRIATION.....	\$	17,880,000
10	Appropriated from:		
11	Federal revenues:		
12	Federal revenues (ARRA)		17,880,000
13	State general fund/general purpose	\$	0
	[Sec. 103. DEPARTMENT OF STATE POLICE		
	(1) APPROPRIATION SUMMARY:		
	GROSS APPROPRIATION.....	\$	2,500,000
	Interdepartmental grant revenues:		
	Total interdepartmental grants and intradepartmental		
	transfers		0
	ADJUSTED GROSS APPROPRIATION.....	\$	2,500,000
	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	\$	2,500,000
	(2) FORENSIC SCIENCES		
	Marquette laboratory property acquisition and		
	renovations	\$	<u>2,500,000</u>
	GROSS APPROPRIATION.....	\$	2,500,000
	Appropriated from:		
	State general fund/general purpose	\$	2,500,000
	Sec. 119. CAPITAL OUTLAY		
	(1) APPROPRIATION SUMMARY		
	GROSS APPROPRIATION.....	\$	100
	Interdepartmental grant revenues:		
	Total interdepartmental grants and intradepartmental		
	transfers.....		0
	ADJUSTED GROSS APPROPRIATION	\$	100
	Federal revenues:		
	Total federal revenues		0

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Total local revenues	0
Total other state restricted revenues	0
State general fund/general purpose	\$ 100

(2) STATE BUILDING AUTHORITY FINANCED

CONSTRUCTION AUTHORIZATIONS

Western Michigan University - Sangren hall

Replacement - (total authorized cost

\$60,000,000; state building authority share

\$11,699,800; Western Michigan University share

\$48,300,000; state general fund share \$200)	\$	100
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GROSS APPROPRIATION	\$	100
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Appropriated from:

State general fund/general purpose	\$	100]
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14 PART 2

15 PROVISIONS CONCERNING APPROPRIATIONS

16 **GENERAL SECTIONS**

17 Sec. 201. In accordance with the provisions of section 30 of
 18 article IX of the state constitution of 1963, total state spending
 19 from state resources in this appropriation act for the fiscal year
 20 ending September 30, 2010 is [\$2,500,100.00] and state appropriations
 21 paid to local units of government are \$0.

22 Sec. 202. The appropriations made and expenditures authorized
 23 under this act and the departments, commissions, boards, offices,
 24 and programs for which appropriations are made under this act are
 25 subject to the management and budget act, 1984 PA 431, MCL 18.1101

1 to 18.1594.

2 Sec. 203. The line-item appropriations in part 1 financed by
3 federal funds designated as ARRA funding represent federal funds
4 associated with the American recovery and reinvestment act of 2009,
5 Public Law 111-5. These federal funds are temporary in nature. It
6 is the intent of the legislature that when these temporary federal
7 funds are fully expended, the program funding levels and any state
8 employees supported by these temporary federal funds will not be
9 continued.

10 Sec. 210. (1) In addition to the funds appropriated in part 1,
11 there is appropriated an amount equal to any additional federal
12 funding awarded to this state through recalculation of formulas and
13 under the redistribution provisions of the American recovery and
14 reinvestment act of 2009, Public Law 111-5.

15 (2) Within 30 days of receiving such an award, a department
16 shall report to the senate and house appropriations subcommittees,
17 senate and house fiscal agencies, state budget director, and the
18 governor on the amount of funds received and the purposes for which
19 they will be spent.

20 Sec. 211. The unexpended funds appropriated in part 1 and in
21 section 210 and any unencumbered or unallotted funds are carried
22 forward into the succeeding fiscal year. The following is in
23 compliance with section 451a(1) of the management and budget act,
24 1984 PA 431, MCL 18.1451a:

25 (a) The purposes of the projects to be carried forward are to
26 protect and invest in the natural resources, infrastructure, and
27 people of the state of Michigan in accordance with the provisions

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1 of the American recovery and reinvestment act of 2009, Public Law
2 111-5.

3 (b) The projects will be accomplished by state employees and
4 by contract.

5 (c) The total estimated cost of all projects is identified in
6 each line-item appropriation.

7 (d) The tentative completion date is September 30, 2013.

8 Sec. 212. (1) In a form and manner determined by the recipient
9 department, local governments and other eligible sub-recipients
10 receiving funds through this act shall comply with all requirements
11 corresponding to the receipt of funds, including, but not limited
12 to, any certifications, assurances, and accountability and
13 transparency provisions required in the American recovery and
14 reinvestment act of 2009, Public Law 111-5.

15 (2) Funds appropriated in part 1 may be transferred to
16 subrecipient state departments or agencies in an interdepartmental
17 grant consistent with the requirements of the American recovery and
18 reinvestment act of 2009, Public Law 111-5.

[CAPITAL OUTLAY PROCESSES, PROCEDURES AND REPORTS]

Sec. 301. (1) Before proceeding with final planning and construction for projects at community colleges and universities included in an appropriations act, the community college or university shall sign an agreement with the department that includes the following provisions:

(a) The university or community college agrees to construct the project within the total authorized cost established by the legislature pursuant to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, and an appropriations act.

(b) The design and program scope of the project shall not deviate from the design and program scope represented in the program statement and preliminary planning documents approved by the department.

(c) Any other items as identified by the department that are necessary to complete the project.

(2) The department retains the authority and responsibility normally associated with the prudent maintenance of the public's financial and policy interests relative to the state-financed construction projects managed by a community college or university.

Sec. 302. A state agency, college, or university shall take steps necessary to make available federal and other money indicated in this

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act, to make available federal or other money that may become available
for the purposes for which appropriations are made in this act, and to
use any part or all of the appropriations to meet matching requirements
that are considered to be in the best interest of this state. However,
the purpose, scope, and total estimated cost of a project shall not be
altered to meet the matching requirements.

Sec. 303. If matching revenues are received in an amount less than
the appropriations contained in this act, the state funds of the
appropriation shall be reduced in the proportion to the amount of
matching revenue received.

Sec. 304. (1) The director may require that the community colleges
and universities that have an authorized project listed in part 1 submit
documentation regarding the project match and governing board approval of
the authorized project not more than 60 days after the beginning of the
fiscal year.

(2) If the documentation required by the director under subsection
(1) is not submitted, or does not adequately authenticate the
availability of the project match or board approval of the authorized
project, the authorization may terminate. The authorization terminates 30
days after the director notifies the JCOS of the intent to terminate the
project unless the JCOS convenes to extend the authorization.]

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

20 Sec. 351. The department shall report by September 30, 2010 on
21 the spending from the appropriations in part 1 to the senate and
22 house appropriations committees, the senate and house fiscal
23 agencies, and the state budget director.