

Act No. 111
Public Acts of 2010
Approved by the Governor
July 12, 2010
Filed with the Secretary of State
July 12, 2010
EFFECTIVE DATE: July 12, 2010

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2010**

Introduced by Senator Jelinek

ENROLLED SENATE BILL No. 1166

AN ACT 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:

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
Total interdepartmental grants and intradepartmental transfers.....			0
ADJUSTED GROSS APPROPRIATION		\$	50,380,100
Total federal revenues			47,880,000
Total local revenues.....			0
Total private revenues.....			0
Total other state restricted revenues			0
State general fund/general purpose		\$	2,500,100

Sec. 102. DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

(1) APPROPRIATION SUMMARY

Full-time equated classified positions.....	1.0		
GROSS APPROPRIATION		\$	47,880,000
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers.....			0
ADJUSTED GROSS APPROPRIATION		\$	47,880,000
Federal revenues:			
Total federal revenues			47,880,000
Special revenue funds:			
Total local revenues.....			0
Total private revenues.....			0
Total other state restricted revenues			0
State general fund/general purpose		\$	0

(2) PUBLIC SERVICE COMMISSION AND ENERGY SYSTEMS

Full-time equated classified positions.....1.0	
Energy office (ARRA)—1.0 FTE position.....	\$ 30,000,000
GROSS APPROPRIATION	\$ 30,000,000

Appropriated from:

Federal revenues:

DOE, energy efficiency and conservation block grant (ARRA).....	30,000,000
State general fund/general purpose	\$ 0

(3) BOARDS, AUTHORITIES, AND COMMISSIONS

Land bank fast track authority (ARRA).....	\$ 17,880,000
GROSS APPROPRIATION	\$ 17,880,000

Appropriated from:

Federal revenues:

Federal revenues (ARRA).....	17,880,000
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
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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	\$ 2,500,000
GROSS APPROPRIATION	\$ 2,500,000

Appropriated from:

State general fund/general purpose	\$ 2,500,000
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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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Special revenue funds:

Total local revenues.....	0
Total private 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
GROSS APPROPRIATION	\$ 100
Appropriated from:	
State general fund/general purpose	\$ 100

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

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

Sec. 202. The appropriations made and expenditures authorized under this act and the departments, commissions, boards, offices, and programs for which appropriations are made under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

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

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

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

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

(a) The purposes of the projects to be carried forward are to protect and invest in the natural resources, infrastructure, and people of the state of Michigan in accordance with the provisions of the American recovery and reinvestment act of 2009, Public Law 111-5.

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

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

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

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

(2) Funds appropriated in part 1 may be transferred to subrecipient state departments or agencies in an interdepartmental grant consistent with the requirements of the American recovery and 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 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.

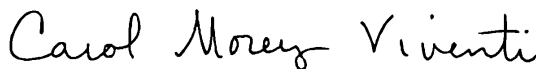
Sec. 304. (1) The director may require that the community colleges and universities that have an authorized project listed in part 1 submit documentation regarding the project match and governing board approval of the authorized project not more than 60 days after the beginning of the fiscal year.

(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.

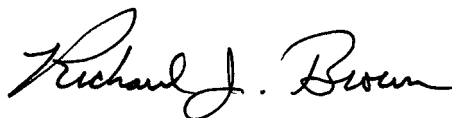
DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

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

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor