

Act No. 191  
Public Acts of 2010  
Approved by the Governor\*  
September 30, 2010  
Filed with the Secretary of State  
September 30, 2010  
EFFECTIVE DATE: September 30, 2010

\*Item Vetoes

**Sec. 314.**  
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**STATE OF MICHIGAN  
95TH LEGISLATURE  
REGULAR SESSION OF 2010**

Introduced by Rep. Durhal

# ENROLLED HOUSE BILL No. 5880

AN ACT to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, state, technology, management, and budget, and treasury, the executive office, and the legislative branch for the fiscal years ending September 30, 2010 and September 30, 2011; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

*The People of the State of Michigan enact:*

## PART 1

### LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the departments of attorney general, civil rights, state, technology, management, and budget, and treasury, the executive office, the legislative branch, and certain other state purposes, for the fiscal year ending September 30, 2011, from the funds indicated in this part. The following is a summary of the appropriations in this part:

#### **TOTAL GENERAL GOVERNMENT APPROPRIATION SUMMARY**

Full-time equated unclassified positions .....	43.0	
Full-time equated classified positions .....	7,666.2	
GROSS APPROPRIATION .....		\$ 3,321,660,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		644,781,100
ADJUSTED GROSS APPROPRIATION .....		\$ 2,676,879,000
Federal revenues:		
Total federal revenues .....		277,499,300
Special revenue funds:		
Total local revenues .....		3,434,400
Total private revenues .....		1,414,500
Total other state restricted revenues .....		1,804,038,200
State general fund/general purpose .....		\$ 590,492,600

**Sec. 102. DEPARTMENT OF ATTORNEY GENERAL**

**(1) APPROPRIATION SUMMARY**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	514.0	
GROSS APPROPRIATION .....		\$ 73,413,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		21,300,300
ADJUSTED GROSS APPROPRIATION .....		\$ 52,112,800
Federal revenues:		
Total federal revenues .....		8,565,700
Special revenue funds:		
Total local revenues.....		0
Total private revenues .....		0
Total other state restricted revenues .....		14,987,700
State general fund/general purpose .....		\$ 28,559,400

**(2) ATTORNEY GENERAL OPERATIONS**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	514.0	
Attorney general.....		\$ 115,800
Unclassified positions—5.0 FTE positions.....		476,300
Attorney general operations—477.0 FTE positions.....		66,953,100
Child support enforcement—25.0 FTE positions.....		2,959,700
Prosecuting attorneys coordinating council—12.0 FTE positions.....		2,032,100
GROSS APPROPRIATION .....		\$ 72,537,000

Appropriated from:

Interdepartmental grant revenues:		
IDG from MDCH, health services .....		1,968,700
IDG from MDCH, WIC .....		73,500
IDG from department of corrections .....		503,800
IDG from MDE .....		302,500
IDG from MDELEG, career education services.....		196,100
IDG from MDELEG, children's protection registry .....		39,100
IDG from MDELEG, financial and insurance services .....		1,101,900
IDG from MDELEG, licensing and regulation fees.....		188,700
IDG from MDELEG, Michigan occupational safety and health administration.....		100,800
IDG from MDELEG, Michigan state housing development authority .....		515,700
IDG from MDELEG, remonumentation fees .....		81,100
IDG from MDHS .....		3,452,400
IDG from MDMVA.....		125,500
IDG from MDNRE.....		1,830,400
IDG from MDOT, comprehensive transportation fund.....		169,100
IDG from MDOT, state aeronautics fund.....		165,900
IDG from MDOT, state trunkline fund.....		2,817,500
IDG from MDSP .....		307,600
IDG from MDSP, Michigan justice training fund .....		325,000
IDG from MDTMB .....		198,600
IDG from MDTMB, civil service commission.....		300,600
IDG from MDTMB, risk management revolving fund .....		1,417,100
IDG from treasury .....		4,982,500
IDG from treasury, Michigan strategic fund .....		136,200
Federal revenues:		
DAG, state administrative match grant/food stamps .....		413,300
Federal funds.....		2,591,600
HHS, medical assistance, medigrant.....		645,100
HHS-OS, state Medicaid fraud control units.....		4,815,700
National criminal history improvement program.....		100,000

Special revenue funds:		
Antitrust enforcement collections .....	\$	656,600
Assigned claims assessments .....		126,800
Attorney general's operations fund .....		940,900
Auto repair facilities fees .....		249,300
Franchise fees .....		316,500
Game and fish protection fund .....		797,100
Liquor purchase revolving fund .....		1,112,600
Manufactured housing fees .....		207,400
Merit award trust fund .....		408,600
Michigan employment security act - administrative fund .....		1,704,500
Prisoner reimbursement .....		491,700
Prosecuting attorneys training fees .....		375,000
Public utility assessments .....		1,802,700
Real estate enforcement fund .....		549,100
Reinstatement fees .....		167,500
Retirement funds .....		794,300
Second injury fund .....		1,050,700
Self-insurers security fund .....		173,300
Silicosis and dust disease fund .....		533,000
State building authority revenue .....		104,200
State casino gaming fund .....		1,179,000
State lottery fund .....		263,100
Utility consumers fund .....		595,400
Waterways fund .....		106,600
Worker's compensation administrative revolving fund .....		281,800
State general fund/general purpose .....	\$	27,683,300
<b>(3) INFORMATION TECHNOLOGY</b>		
Information technology services and projects .....	\$	876,100
<b>GROSS APPROPRIATION</b> .....	\$	876,100
Appropriated from:		
State general fund/general purpose .....	\$	876,100

## **Sec. 103. DEPARTMENT OF CIVIL RIGHTS**

### **(1) APPROPRIATION SUMMARY**

Full-time equated unclassified positions .....	5.0	
Full-time equated classified positions .....	113.0	
<b>GROSS APPROPRIATION</b> .....		\$ 12,778,700
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		0
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 12,778,700
Federal revenues:		
Total federal revenues .....		1,750,000
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		0
Total other state restricted revenues .....		53,000
State general fund/general purpose .....		\$ 10,975,700

### **(2) CIVIL RIGHTS OPERATIONS**

Full-time equated unclassified positions .....	5.0	
Full-time equated classified positions .....	113.0	
Unclassified positions—5.0 FTE positions .....		\$ 267,100
Civil rights operations—113.0 FTE positions .....		11,789,000
<b>GROSS APPROPRIATION</b> .....		\$ 12,056,100
Appropriated from:		
Federal revenues:		
EEOC, state and local antidiscrimination agency contracts .....		885,000
HUD, grant .....		850,000

Special revenue funds:		
State restricted indirect funds .....	\$	53,000
State general fund/general purpose .....	\$	10,268,100
<b>(3) INFORMATION TECHNOLOGY</b>		
Information technology services and projects.....	\$	722,600
GROSS APPROPRIATION .....	\$	722,600
Appropriated from:		
Federal revenues:		
EEOC, state and local antidiscrimination agency contracts.....		15,000
State general fund/general purpose .....	\$	707,600

#### **Sec. 104. EXECUTIVE OFFICE**

##### **(1) APPROPRIATION SUMMARY**

Full-time equated unclassified positions .....	10.0	
Full-time equated classified positions .....	74.2	
GROSS APPROPRIATION .....	\$	4,630,800
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION .....	\$	4,630,800
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 .....	\$	4,630,800

##### **(2) EXECUTIVE OFFICE OPERATIONS**

Full-time equated unclassified positions .....	10.0	
Full-time equated classified positions .....	74.2	
Governor.....	\$	169,600
Lieutenant governor .....		118,700
Executive office—74.2 FTE positions.....		3,492,700
Unclassified positions—8.0 FTE positions.....		849,800
GROSS APPROPRIATION .....	\$	4,630,800
Appropriated from:		
State general fund/general purpose .....	\$	4,630,800

#### **Sec. 105. LEGISLATURE**

##### **(1) APPROPRIATION SUMMARY**

GROSS APPROPRIATION .....	\$	102,334,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		250,000
ADJUSTED GROSS APPROPRIATION .....	\$	102,084,100
Federal revenues:		
Total federal revenues .....		0
Special revenue funds:		
Total local revenues.....		0
Total private revenues .....		400,000
Total other state restricted revenues .....		1,109,800
State general fund/general purpose .....	\$	100,574,300

##### **(2) LEGISLATURE**

Senate .....	\$	25,504,300
Senate automated data processing .....		2,203,200
Senate fiscal agency .....		2,781,900
House of representatives .....		40,241,100
House automated data processing.....		1,749,800
House fiscal agency .....		2,781,900
GROSS APPROPRIATION .....	\$	75,262,200

Appropriated from:		
State general fund/general purpose .....	\$	75,262,200
<b>(3) LEGISLATIVE COUNCIL</b>		
Legislative council .....	\$	8,791,300
Legislative service bureau automated data processing .....		1,188,000
Worker's compensation .....		133,000
National association dues .....		148,900
Legislative corrections ombudsman .....		619,700
GROSS APPROPRIATION .....	\$	10,880,900
Appropriated from:		
Interdepartmental grant revenues:		
IDG from Michigan department of corrections .....		250,000
Special revenue funds:		
Private - gifts and bequests revenues .....		400,000
State general fund/general purpose .....	\$	10,230,900
<b>(4) LEGISLATIVE RETIREMENT SYSTEM</b>		
General nonretirement expenses .....	\$	4,397,700
GROSS APPROPRIATION .....	\$	4,397,700
Appropriated from:		
Special revenue funds:		
Court fees .....		1,109,800
State general fund/general purpose .....	\$	3,287,900
<b>(5) PROPERTY MANAGEMENT</b>		
Capitol building .....	\$	2,552,800
Cora Anderson building .....		7,424,800
Farnum building and other properties .....		1,815,700
GROSS APPROPRIATION .....	\$	11,793,300
Appropriated from:		
State general fund/general purpose .....	\$	11,793,300
<b>Sec. 106. LEGISLATIVE AUDITOR GENERAL</b>		
<b>(1) APPROPRIATION SUMMARY</b>		
GROSS APPROPRIATION .....	\$	14,996,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		2,301,500
ADJUSTED GROSS APPROPRIATION .....	\$	12,694,900
Federal revenues:		
Total federal revenues .....		0
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		0
Total other state restricted revenues .....		1,539,900
State general fund/general purpose .....	\$	11,155,000
<b>(2) OFFICE OF THE AUDITOR GENERAL</b>		
Unclassified positions .....	\$	313,500
Field operations .....		14,682,900
GROSS APPROPRIATION .....	\$	14,996,400
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDELEG, liquor purchase revolving fund .....		11,300
IDG from MDOC .....		500,000
IDG from MDOT, comprehensive transportation fund .....		25,200
IDG from MDOT, Michigan transportation fund .....		204,300
IDG from MDOT, state aeronautics fund .....		19,600
IDG from MDTMB, civil service commission .....		107,900
IDG from MDOT, state trunkline fund .....		474,600
IDG, single audit act .....		958,600

Special revenue funds:		
21st century jobs trust fund .....	\$	50,000
Clean Michigan initiative implementation bond fund .....		38,300
Commercial mobile radio system emergency telephone fund .....		38,300
Contract audit administration fees .....		53,900
Correctional industries revolving fund .....		32,000
Fee adequacy, air quality delegated authority .....		9,600
Game and fish protection fund .....		22,000
Legislative retirement system .....		19,100
Michigan economic development corporation .....		54,400
Michigan education trust fund .....		30,700
Michigan justice training commission fund .....		28,700
Michigan state housing development authority fees .....		22,600
Michigan strategic fund .....		89,000
Michigan tobacco settlement authority .....		27,000
Michigan veterans' trust fund .....		24,900
Motor transport revolving fund .....		5,200
Office services revolving fund .....		6,900
State disbursement unit, office of child support .....		27,600
State services fee fund .....		952,100
Waterways fund .....		7,600
State general fund/general purpose .....	\$	11,155,000

## **Sec. 107. DEPARTMENT OF STATE**

### **(1) APPROPRIATION SUMMARY**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	1,809.0	
GROSS APPROPRIATION .....		\$ 213,520,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		20,000,000
ADJUSTED GROSS APPROPRIATION .....		\$ 193,520,400
Federal revenues:		
Total federal revenues .....		1,810,000
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		100
Total other state restricted revenues .....		177,799,500
State general fund/general purpose .....		\$ 13,910,800

### **(2) EXECUTIVE DIRECTION**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	30.0	
Secretary of state .....		\$ 115,800
Unclassified positions—5.0 FTE positions .....		453,200
Operations—30.0 FTE positions .....		3,127,100
GROSS APPROPRIATION .....		\$ 3,696,100
Appropriated from:		
Special revenue funds:		
Auto repair facilities fees .....		60,500
Driver fees .....		222,400
Expedient service fees .....		58,500
Parking ticket court fines .....		8,300
Personal identification card fees .....		13,800
Reinstatement fees - operator licenses .....		155,400
Transportation administration collection fund .....		2,069,100
Vehicle theft prevention fees .....		35,600
State general fund/general purpose .....		\$ 1,072,500

**(3) DEPARTMENT SERVICES**

Full-time equated classified positions.....	159.0		
Operations—152.0 FTE positions .....		\$	22,984,500
Assigned claims assessments—7.0 FTE positions.....			946,600
GROSS APPROPRIATION .....		\$	23,931,100
Appropriated from:			
Special revenue funds:			
Abandoned vehicle fees .....			468,600
Assigned claims assessments .....			946,600
Auto repair facilities fees .....			415,000
Child support clearance fees.....			34,300
Driver fees .....			920,200
Driver improvement course fund .....			300,000
Expedient service fees.....			256,800
Marine safety fund .....			79,600
Off-road vehicle title fees .....			8,000
Parking ticket court fines.....			52,700
Personal identification card fees .....			88,600
Reinstatement fees - operator licenses.....			569,000
Scrap tire fund .....			72,900
Snowmobile registration fee revenue .....			18,100
Transportation administration collection fund.....			18,804,600
Vehicle theft prevention fees.....			243,400
State general fund/general purpose .....		\$	652,700

**(4) REGULATORY SERVICES**

Full-time equated classified positions.....	210.5		
Operations—208.5 FTE positions .....		\$	22,185,000
County clerk education and training.....			100,000
Motorcycle safety education administration—2.0 FTE positions .....			307,100
Motorcycle safety education grants .....			1,500,000
GROSS APPROPRIATION .....		\$	24,092,100
Appropriated from:			
Special revenue funds:			
Auto repair facilities fees .....			4,144,800
Driver education provider and instructor fund.....			72,900
Driver fees .....			2,688,200
Expedient service fees.....			35,200
Motorcycle safety fund .....			1,807,100
Notary education and training fund.....			100,000
Notary fee fund.....			314,000
Parking ticket court fines.....			20,700
Personal identification card fees .....			52,400
Reinstatement fees - operator licenses.....			1,872,300
Transportation administration collection fund.....			10,921,800
Vehicle theft prevention fees.....			1,330,900
State general fund/general purpose .....		\$	731,800

**(5) CUSTOMER DELIVERY SERVICES**

Full-time equated classified positions.....	1,373.5		
Branch operations—931.5 FTE positions .....		\$	75,944,000
Central operations—415.0 FTE positions .....			44,156,100
Commemorative license plates—24.0 FTE positions .....			2,147,300
Specialty license plates—3.0 FTE positions .....			1,922,000
Credit and debit assessment service fees .....			1,000,000
Olympic center plate .....			75,700
Organ donor program .....			79,100
GROSS APPROPRIATION .....		\$	125,324,200
Appropriated from:			
Interdepartmental grant revenues:			
IDG from MDOT, Michigan transportation fund .....			20,000,000

Federal revenues:		
Federal funds.....	\$	1,460,000
Special revenue funds:		
Private funds .....		100
Abandoned vehicle fees .....		197,600
Auto repair facilities fees .....		93,100
Child support clearance fees.....		295,500
Credit and debit assessment service fees .....		1,000,000
Driver fees .....		23,934,800
Driver improvement course fund .....		1,200,000
Enhanced driver license and enhanced official state personal identification card fund .....		4,226,700
Expedient service fees.....		2,465,200
Marine safety fund .....		1,269,800
Michigan state police auto theft fund.....		118,900
Mobile home commission fees.....		476,000
Off-road vehicle title fees .....		136,800
Parking ticket court fines.....		1,490,500
Personal identification card fees .....		1,691,400
Recreation passport fee revenue .....		1,000,000
Reinstatement fees - operator licenses.....		1,264,900
Snowmobile registration fee revenue .....		348,100
Transportation administration collection fund.....		60,934,500
Vehicle theft prevention fees.....		209,500
State general fund/general purpose .....	\$	1,510,800
<b>(6) ELECTION REGULATION</b>		
Full-time equated classified positions.....	36.0	
Election administration and services—36.0 FTE positions .....	\$	5,137,700
Fees to local units.....		109,800
Help America vote act .....		350,000
GROSS APPROPRIATION .....	\$	5,597,500
Appropriated from:		
Federal revenues:		
Federal Funds - HAVA HHS.....		350,000
State general fund/general purpose .....	\$	5,247,500
<b>(7) DEPARTMENTWIDE APPROPRIATIONS</b>		
Building occupancy charges/rent .....	\$	10,060,500
Worker's compensation .....		284,500
GROSS APPROPRIATION .....	\$	10,345,000
Appropriated from:		
Special revenue funds:		
Auto repair facilities fees .....		135,300
Driver fees .....		763,700
Expedient service fees.....		26,000
Parking ticket court fines.....		447,800
Transportation administration collection fund.....		5,925,000
State general fund/general purpose .....	\$	3,047,200
<b>(8) INFORMATION TECHNOLOGY</b>		
Information technology services and projects.....	\$	20,534,400
GROSS APPROPRIATION .....	\$	20,534,400
Appropriated from:		
Special revenue funds:		
Administrative order processing fee.....		11,100
Auto repair facilities fees .....		179,300
Child support clearance fees.....		16,200
Driver fees .....		743,000
Expedient service fees.....		1,024,500
Parking ticket court fines.....		82,600
Personal identification card fees .....		98,300



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Reinstatement fees - operator licenses.....	\$	509,300
Transportation administration collection fund.....		16,051,000
Vehicle theft prevention fees.....		170,800
State general fund/general purpose .....	\$	1,648,300

## **Sec. 108. DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET**

### **(1) APPROPRIATION SUMMARY**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	2,966.5	
GROSS APPROPRIATION .....	\$	974,362,200
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		586,552,900
ADJUSTED GROSS APPROPRIATION .....	\$	387,809,300
Federal revenues:		
Total federal revenues .....		2,682,000
Special revenue funds:		
Total local revenues.....		1,380,400
Total private revenues.....		170,800
Total other state restricted revenues .....		83,827,300
State general fund/general purpose .....	\$	299,748,800

### **(2) EXECUTIVE DIRECTION**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	14.0	
Unclassified positions—6.0 FTE positions.....	\$	796,500
Executive operations—14.0 FTE positions .....		2,215,100
GROSS APPROPRIATION .....	\$	3,011,600
Appropriated from:		
Interdepartmental grant revenues:		
IDG from building occupancy and parking charges .....		371,500
IDG from technology user fees .....		904,100
IDT from technology user fees .....		70,200
Special revenue funds:		
Special revenue, internal service, and pension trust funds .....		552,800
State general fund/general purpose .....	\$	1,113,000

### **(3) DEPARTMENT SERVICES**

Full-time equated classified positions.....	670.5	
Administrative services—61.5 FTE positions .....	\$	6,126,100
Budget and financial management—158.5 FTE positions .....		16,452,300
Office of the state employer—23.0 FTE positions .....		2,923,800
Design and construction services—40.0 FTE positions.....		5,644,000
Business support services—94.0 FTE positions .....		9,400,700
Building operation services—221.0 FTE positions.....		88,347,300
Building occupancy charges, rent, and utilities.....		4,915,800
Motor vehicle fleet—46.0 FTE positions.....		57,194,600
Enterprisewide services—26.5 FTE positions .....		6,966,700
Information technology services and projects.....		26,510,700
GROSS APPROPRIATION .....	\$	224,482,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG from accounting service centers user charges .....		859,600
IDG from building occupancy and parking charges .....		90,946,600
IDG from MDELEG .....		100,000
IDG from MDCH.....		445,000
IDG from MDHS .....		180,900
IDG from MDOT, comprehensive transportation fund.....		37,400
IDG from MDOT, state aeronautics fund.....		32,800
IDG from MDOT, state trunkline fund.....		1,218,600
IDG from motor transport fund.....		57,194,600

For Fiscal Year  
Ending Sept. 30,  
2011

IDG from technology user fees .....	\$	6,465,200
IDT from technology user fees .....		501,500
IDG from user fees.....		5,799,700
Federal revenues:		
Federal funds.....		100
Special revenue funds:		
Deferred compensation.....		2,600
Game and fish protection fund .....		283,200
Health management funds .....		1,938,300
MAIN user charges.....		4,884,400
Pension trust funds .....		6,670,300
Special revenue, internal service, and pension trust funds .....		13,603,600
State building authority revenue.....		649,100
State lottery fund .....		256,800
State restricted indirect funds .....		2,012,800
State services fee fund .....		136,100
Waterways fund .....		73,100
State general fund/general purpose .....	\$	30,189,700
<b>(4) TECHNOLOGY SERVICES</b>		
Full-time equated classified positions.....	1,598.5	
Education services—32.0 FTE positions.....	\$	3,324,100
Health and human services—694.5 FTE positions.....		232,214,800
Public protection—283.0 FTE positions .....		57,472,200
Resources services—163.0 FTE positions .....		18,580,600
Transportation services—99.5 FTE positions .....		27,656,500
General services—326.5 FTE positions .....		75,887,900
GROSS APPROPRIATION .....	\$	415,136,100
Appropriated from:		
Interdepartmental grant revenues:		
IDG from technology user fees .....		385,229,100
IDT from technology user fees .....		29,907,000
State general fund/general purpose .....	\$	0
<b>(5) STATEWIDE APPROPRIATIONS</b>		
Professional development fund - AFSCME.....	\$	50,000
Professional development fund - MPE, SEIU, scientific, and engineering unit.....		125,000
Professional development fund - MPE, SEIU, technical unit .....		50,000
GROSS APPROPRIATION .....	\$	225,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG from employer contributions .....		225,000
State general fund/general purpose .....	\$	0
<b>(6) SPECIAL PROGRAMS</b>		
Full-time equated classified positions.....	177.0	
Building occupancy charges - property management services for executive/legislative building occupancy .....	\$	1,225,400
Retirement services—166.0 FTE positions .....		17,961,000
Office of children's ombudsman—11.0 FTE positions.....		1,430,000
Transition costs .....		1,500,000
GROSS APPROPRIATION .....	\$	22,116,400
Appropriated from:		
Special revenue funds:		
Deferred compensation.....		1,542,400
Pension trust funds .....		16,418,600
State general fund/general purpose .....	\$	4,155,400
<b>(7) STATE BUILDING AUTHORITY RENT</b>		
State building authority rent - state agencies .....	\$	59,065,100
State building authority rent - department of corrections .....		47,210,900
State building authority rent - universities.....		113,084,200
State building authority rent - community colleges.....		22,510,400
GROSS APPROPRIATION .....	\$	241,870,600

Appropriated from:  
State general fund/general purpose ..... \$ 241,870,600

**(8) CIVIL SERVICE COMMISSION**

Full-time equated classified positions .....506.5  
Agency services—102.5 FTE positions ..... \$ 11,800,000  
Executive direction—33.0 FTE positions ..... 8,860,700  
Employee benefits—31.0 FTE positions ..... 5,997,400  
Training..... 1,300,000  
Human resources operations—340.0 FTE positions ..... 33,594,400  
Information technology services and projects..... 3,968,000  
GROSS APPROPRIATION ..... \$ 65,520,500

Appropriated from:

Interdepartmental grant revenues:

IDG, training charges ..... 1,300,000  
IDG, 1% special funds..... 2,764,100

Federal revenues:

Federal funds 1%..... 2,681,900

Special revenue funds:

Local funds 1% ..... 1,380,400  
Private funds 1%..... 170,800  
State restricted funds 1%..... 20,922,200  
State restricted indirect funds ..... 5,093,200  
State sponsored group insurance..... 2,650,000  
State sponsored group insurance, flexible spending accounts, and COBRA..... 6,137,800  
State general fund/general purpose ..... \$ 22,420,100

**(9) CAPITAL OUTLAY**

Major special maintenance, remodeling and addition for state agencies ..... \$ 2,000,000  
GROSS APPROPRIATION ..... \$ 2,000,000

Appropriated from:

Interdepartmental grant revenues:

IDG from building occupancy charges ..... 2,000,000  
State general fund/general purpose ..... \$ 0

**Sec. 109. DEPARTMENT OF TREASURY**

**(1) APPROPRIATION SUMMARY**

Full-time equated unclassified positions .....10.0  
Full-time equated classified positions .....2,189.5  
GROSS APPROPRIATION ..... \$ 1,925,624,400

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental transfers..... 14,376,400  
ADJUSTED GROSS APPROPRIATION ..... \$ 1,911,248,000

Federal revenues:

Total federal revenues ..... 262,691,600

Special revenue funds:

Total local revenues..... 2,054,000  
Total private revenues ..... 843,600  
Total other state restricted revenues ..... 1,524,721,000  
State general fund/general purpose ..... \$ 120,937,800

**(2) EXECUTIVE DIRECTION**

Full-time equated unclassified positions .....10.0  
Full-time equated classified positions .....5.0  
Unclassified positions—10.0 FTE positions ..... \$ 923,000  
Office of the director—5.0 FTE positions ..... 956,100  
GROSS APPROPRIATION ..... \$ 1,879,100

Appropriated from:

Federal revenues:

DED-OPSE, federal lenders allowance ..... 20,000  
DED-OPSE, higher education act of 1965 insured loans ..... 45,000

Special revenue funds:		
State lottery fund .....	\$	196,400
State services fee fund .....		358,200
State general fund/general purpose .....	\$	1,259,500
<b>(3) DEPARTMENTWIDE APPROPRIATIONS</b>		
Travel .....	\$	1,215,900
Rent and building occupancy charges - property management services .....		5,463,900
Worker's compensation insurance premium.....		188,600
GROSS APPROPRIATION .....	\$	6,868,400
Appropriated from:		
Special revenue funds:		
Delinquent tax collection revenue .....		3,905,500
State general fund/general purpose .....	\$	2,962,900
<b>(4) LOCAL GOVERNMENT PROGRAMS</b>		
Full-time equated classified positions.....		93.0
Supervision of the general property tax law—59.0 FTE positions.....	\$	12,849,400
Property tax assessor training—4.0 FTE positions.....		449,200
Local finance—23.0 FTE positions .....		2,487,600
Business property tax appeal—7.0 FTE positions .....		900,000
GROSS APPROPRIATION .....	\$	16,686,200
Appropriated from:		
Special revenue funds:		
Local - assessor training fees .....		1,284,200
Local - audit charges .....		629,800
Local - equalization study charge-backs.....		40,000
Local - revenue from local government.....		100,000
Land reutilization fund .....		4,379,500
Municipal finance fees.....		507,600
Delinquent tax collection revenue .....		1,425,300
State general fund/general purpose .....	\$	8,319,800
<b>(5) TAX PROGRAMS</b>		
Full-time equated classified positions.....		762.0
Customer contact—112.0 FTE positions.....	\$	9,845,100
Tax compliance—345.0 FTE positions .....		36,922,900
Tax and economic policy—121.0 FTE positions .....		13,308,900
Tax processing—156.0 FTE positions.....		14,992,600
Home heating assistance.....		2,697,800
Bottle act implementation.....		250,000
Michigan business tax—28.0 FTE positions .....		5,456,500
GROSS APPROPRIATION .....	\$	83,473,800
Appropriated from:		
Interdepartmental grant revenues:		
IDG, data/collection services fees .....		50,900
IDG from MDOT, Michigan transportation fund .....		7,855,900
IDG from MDOT, state aeronautics fund.....		68,700
Federal revenues:		
HHS-SSA, low-income energy assistance .....		2,697,800
Special revenue funds:		
Bottle deposit fund .....		250,000
Delinquent tax collection revenue .....		62,304,800
Emergency 911 fund .....		150,000
Tobacco tax revenue.....		983,300
Waterways fund .....		80,500
State general fund/general purpose .....	\$	9,031,900
<b>(6) BANKING AND MANAGEMENT SERVICES</b>		
Full-time equated classified positions.....		338.0
Departmental and budget services—48.0 FTE positions.....	\$	4,400,900

		For Fiscal Year Ending Sept. 30, 2011
Unclaimed property—21.0 FTE positions .....	\$	3,583,000
Collections—209.0 FTE positions .....		24,017,600
Finance and accounting—21.0 FTE positions .....		1,954,900
Receipts processing—39.0 FTE positions .....		3,784,600
GROSS APPROPRIATION .....	\$	37,741,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG, levy/warrant cost assessment fees .....		2,000,000
IDG, state agency collection fees .....		2,426,800
IDG from MDHS, title IV-D .....		650,900
IDG data/collection service fees .....		206,400
IDG from accounting service center user charges .....		391,500
Special revenue funds:		
Delinquent tax collection revenue .....		20,264,000
Escheats revenue .....		3,583,000
Justice system fund .....		672,500
Garnishment fees .....		2,321,300
State restricted indirect funds .....		258,500
Treasury fees .....		43,900
State general fund/general purpose .....	\$	4,922,200
<b>(7) FINANCIAL PROGRAMS</b>		
Full-time equated classified positions .....	243.5	
Investments—82.0 FTE positions .....	\$	17,130,500
Common cash and debt management—22.5 FTE positions .....		1,322,700
Student financial assistance programs—113.0 FTE positions .....		36,870,800
Michigan finance authority - bond finance—18.0 FTE positions .....		2,971,500
Land bank fast track authority - bond finance—6.0 FTE positions .....		1,879,700
Public private partnership investment—2.0 FTE positions .....		1,472,000
John R. Justice grant program .....		282,100
GROSS APPROPRIATION .....	\$	61,929,300
Appropriated from:		
Interdepartmental grant revenues:		
IDG, fiscal agent service fees .....		178,000
Federal revenues:		
DED-OPSE, federal lenders allowance .....		10,698,400
DED-OPSE, higher education act of 1965, insured loans .....		23,783,500
Federal - John R. Justice grant .....		282,100
Special revenue funds:		
Defined contribution administrative fee revenue .....		100,000
Land bank fast track fund .....		1,879,700
Michigan finance authority bond and loan program revenue .....		2,971,500
Michigan merit award trust fund .....		959,600
Public private partnership investment fund .....		1,472,000
Retirement funds .....		16,108,100
School bond fees .....		659,800
Treasury fees .....		1,100,700
State general fund/general purpose .....	\$	1,735,900
<b>(8) DEBT SERVICE</b>		
Water pollution control bond and interest redemption .....	\$	2,195,100
Quality of life bond .....		27,938,100
Clean Michigan initiative .....		24,625,100
Great Lakes water quality bond .....		2,874,500
GROSS APPROPRIATION .....	\$	57,632,800
Appropriated from:		
Special revenue funds:		
Refined petroleum fund .....		15,514,500
State general fund/general purpose .....	\$	42,118,300

**(9) GRANTS**

Convention facility development distribution .....	\$	74,850,000
Senior citizen cooperative housing tax exemption program.....		14,520,000
Emergency 911 payments .....		27,000,000
Health and safety fund grants .....		9,000,000
GROSS APPROPRIATION .....	\$	125,370,000

Appropriated from:

Special revenue funds:

Emergency 911 fund .....		27,000,000
Convention facility development fund .....		74,850,000
Health and safety fund .....		9,000,000
State general fund/general purpose .....	\$	14,520,000

**(10) BUREAU OF STATE LOTTERY**

Full-time equated classified positions.....179.0

Lottery operations—179.0 FTE positions.....	\$	21,509,000
Promotion and advertising.....		17,690,900
Lottery information technology services and projects .....		4,706,000
GROSS APPROPRIATION .....	\$	43,905,900

Appropriated from:

Special revenue funds:

State lottery fund .....		43,905,900
State general fund/general purpose .....	\$	0

**(11) CASINO GAMING**

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

Michigan gaming control board.....	\$	50,000
Casino gaming control administration—115.0 FTE positions .....		21,960,000
Casino gaming information technology services and projects.....		1,609,000
Racing commission—10.0 FTE positions .....		2,083,100
GROSS APPROPRIATION .....	\$	25,702,100

Appropriated from:

Special revenue funds:

Casino gambling agreements.....		629,100
Equine development fund .....		2,206,100
Laboratory fees.....		700,000
State services fee fund .....		22,166,900
State general fund/general purpose .....		0

**(12) PAYMENTS IN LIEU OF TAXES**

Commercial forest reserve.....	\$	2,343,100
Purchased lands .....		4,386,000
Swamp and tax reverted lands .....		6,227,300
GROSS APPROPRIATION .....	\$	12,956,400

Appropriated from:

Special revenue funds:

Game and fish protection fund .....		1,787,900
Michigan natural resources trust fund .....		521,200
Michigan state waterways fund .....		140,900
State general fund/general purpose .....		10,506,400

**(13) MICHIGAN STRATEGIC FUND**

Full-time equated classified positions.....155.0

Administration—22.0 FTE positions .....	\$	2,505,200
Job creation services—127.0 FTE positions .....		16,628,000
Jobs for Michigan investment program - 21st century jobs fund.....		75,000,000
Michigan promotion program .....		5,402,800
Community development block grants .....		53,000,000
Arts and cultural program .....		2,567,400
Michigan film office—6.0 FTE positions .....		742,800
GROSS APPROPRIATION .....	\$	155,846,200

Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDEQ, air quality fees.....	\$	81,200
Federal revenues:		
HUD-CPD, community development block grants .....		55,516,900
NFAH-NEA, promotion of the arts, partnership agreements.....		1,050,000
Special revenue funds:		
Private - special project advances .....		743,600
Private - Michigan council for the arts fund.....		100,000
Industry support fees .....		5,500
21st century jobs trust fund .....		75,000,000
Michigan film promotion fund .....		567,500
State general fund/general purpose .....	\$	22,781,500
<b>(14) REVENUE SHARING</b>		
Constitutional state general revenue sharing grants .....	\$	633,481,800
Statutory state general revenue sharing grants .....		307,061,700
County revenue sharing payments.....		114,740,700
GROSS APPROPRIATION .....	\$	1,055,284,200
Appropriated from:		
Special revenue funds:		
Sales tax .....		1,055,284,200
State general fund/general purpose .....	\$	0
<b>(15) MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY</b>		
Full-time equated classified positions.....		289.0
Payments on behalf of tenants .....	\$	166,860,000
Housing and rental assistance—266.0 FTE positions .....		46,354,700
State historic preservation program—23.0 FTE positions .....		3,085,700
Lighthouse preservation program.....		307,500
Rent and administrative support.....		3,790,100
Michigan state housing development authority technology services and projects .....		3,265,600
GROSS APPROPRIATION .....	\$	223,663,600
Appropriated from:		
Federal revenues:		
DOI-NPS, historic preservation grants-in-aid .....		1,184,200
HUD, lower income housing assistance.....		166,860,000
Special revenue funds:		
Michigan state housing development authority fees and charges .....		55,311,900
Michigan lighthouse preservation fund .....		307,500
State general fund/general purpose .....	\$	0
<b>(16) INFORMATION TECHNOLOGY</b>		
Treasury operations information technology services and projects.....	\$	16,685,400
GROSS APPROPRIATION .....	\$	16,685,400
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDOT, Michigan transportation fund .....		466,100
Federal revenues:		
DED-OPSE, federal lender allowance .....		553,700
Special revenue funds:		
Delinquent tax collection revenue .....		11,940,400
Land bank fast track fund.....		157,500
Retirement funds.....		676,400
Tobacco tax revenue.....		111,900
State general fund/general purpose .....	\$	2,779,400

## PART 2

### PROVISIONS CONCERNING APPROPRIATIONS

#### GENERAL SECTIONS

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2010-2011 is \$2,394,530,800.00 and state spending from state resources to be paid to local units of government for fiscal year 2010-2011 is \$1,208,071,400.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

#### DEPARTMENT OF STATE

Fees to local units.....	\$	109,800
Motorcycle safety grants.....		1,251,000
Subtotal .....	\$	1,360,800

#### DEPARTMENT OF TREASURY

Senior citizen cooperative housing tax exemption .....	\$	14,520,000
Health and safety fund grants .....		9,000,000
Constitutional state general revenue sharing grants .....		633,481,800
Statutory state general revenue sharing grants .....		307,061,700
Convention facility development fund distribution .....		74,850,000
Emergency 9-1-1 payments .....		27,000,000
County revenue sharing payments.....		114,740,700
Airport parking distribution pursuant to section 909.....		13,100,000
Payments in lieu of taxes .....		12,956,400
Subtotal .....	\$	1,206,710,600
TOTAL GENERAL GOVERNMENT.....	\$	1,208,071,400

(2) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 2010-2011 is estimated at \$26,244,224,600.00 in the 2010-2011 appropriations acts and total state spending from state sources paid to local units of government for fiscal year 2010-2011 is estimated at \$15,182,770,900.00. The state-local proportion is estimated at 57.9% of total state spending from state resources.

(3) If payments to local units of government and state spending from state sources for fiscal year 2010-2011 are different than the amounts estimated in subsection (2), the state budget director shall report the payments to local units of government and state spending from state sources that were made for fiscal year 2010-2011 to the senate and house of representatives standing committees on appropriations within 30 days after the final book-closing for fiscal year 2010-2011.

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "AFSCME" means American federation of state, county, and municipal employees.
- (b) "ARRA" means American recovery and reinvestment act of 2009, Public Law 111-5.
- (c) "CDBG" means community development block grants.
- (d) "COBRA" means the consolidated omnibus budget reconciliation act of 1985, Public Law 99-272, 100 Stat. 82.
- (e) "CPI" means consumer price index.
- (f) "DAG" means the United States department of agriculture.
- (g) "DED-OPSE" means the United States department of education, office of postsecondary education.
- (h) "DOL-ETA" means the United States department of labor, employment and training administration.
- (i) "DOL-OSHA" means the United States department of labor, occupational safety and health administration.
- (j) "EEOC" means the United States equal employment opportunity commission.
- (k) "EPA" means the United States environmental protection agency.
- (l) "FTE" means full-time equated.
- (m) "Fund" means the Michigan strategic fund.
- (n) "GF/GP" means general fund/general purpose.
- (o) "HHS" means the United States department of health and human services.



- (p) "HHS-OS" means the HHS office of the secretary.
- (q) "HHS-SSA" means the HHS social security administration.
- (r) "HUD" means the United States department of housing and urban development.
- (s) "HUD-CPD" means the United States department of housing and urban development – community planning and development.
- (t) "IDG" means interdepartmental grant.
- (u) "IDT" means intradepartmental transfer.
- (v) "JCOS" means the joint capital outlay subcommittee.
- (w) "MAIN" means the Michigan administrative information network.
- (x) "MCL" means the Michigan Compiled Laws.
- (y) "MDCH" means the Michigan department of community health.
- (z) "MDELEG" means the Michigan department of energy, labor, and economic growth.
- (aa) "MDHS" means the Michigan department of human services.
- (bb) "MDNRE" means the Michigan department of natural resources and environment.
- (cc) "MDOC" means the Michigan department of corrections.
- (dd) "MDOT" means the Michigan department of transportation.
- (ee) "MDSP" means the Michigan department of state police.
- (ff) "MDTMB" means the Michigan department of technology, management, and budget.
- (gg) "MEDC" means the Michigan economic development corporation, which is the public body corporate created under section 28 of article VII of the state constitution of 1963 and the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by contractual interlocal agreement effective April 5, 1999, between local participating economic development corporations formed under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636, and the Michigan strategic fund.
- (hh) "MFA" means the Michigan finance authority.
- (ii) "MPE" means the Michigan public employees.
- (jj) "MSC" means managerial, supervisory, and confidential.
- (kk) "MSHDA" means Michigan state housing development authority.
- (ll) "NERE" means nonexclusively represented employees.
- (mm) "PA" means public act.
- (nn) "PACC" means the prosecuting attorneys coordinating council.
- (oo) "SEIU" means service employees international union.

Sec. 204. The civil service commission shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. (1) A hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

(2) The attorney general and secretary of state may grant exceptions to the hiring freeze for their respective departments pursuant to the same criteria that the state budget director is able to grant exceptions under this subsection. The state budget director may grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause loss of revenue to the state, result in the inability of the state to receive federal funds, or necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exception.

Sec. 208. The departments and agencies receiving appropriations in part 1 shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

Sec. 209. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 210. The director of each department receiving appropriations in part 1 shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 211. Pursuant to section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, which provides for a transfer of state general funds into or out of the countercyclical budget and economic stabilization fund, there is appropriated from the countercyclical budget and economic stabilization fund the sum of \$0.00. The calculation required by section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, is determined as follows:

	2010	2011
Michigan personal income (millions) .....	\$343,289	\$352,215
less: transfer payments .....	77,424	78,586
Subtotal .....	\$265,865	\$273,629
Divided by: Detroit CPI for 12 months ending June 30 .....	2.054	2.085
Equals: real adjusted Michigan personal income .....	\$129,424	\$131,235
Percentage change .....		+1.4%
Percentage change between 0 and 2% .....		0.0%
Multiplied by: estimated GF/GP revenue in FY 2010-2011 (millions) .....		7,096.7
Equals: countercyclical budget and economic stabilization fund payout calculation for the fiscal year ending September 30, 2011 .....		\$0

Sec. 212. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed.

Sec. 213. Funds appropriated in part 1 shall not be used by this state, a department, an agency, or an authority of this state to purchase an ownership interest in a casino enterprise or a gambling operation as those terms are defined in the Michigan gaming control and revenue act, 1996 IL 1, MCL 432.201 to 432.226.

Sec. 214. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of technology, management, and budget for technology-related services and projects. Such user fees shall be subject to provisions of an interagency agreement between the departments and agencies and the department of technology, management, and budget.

Sec. 215. A department or state agency shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.

Sec. 216. (1) Due to the current budgetary problems in this state, out-of-state travel shall be limited to situations in which 1 or more of the following conditions apply:

- (a) The travel is required by legal mandate or court order or for law enforcement purposes.
- (b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.
- (c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.
- (d) The travel is necessary to comply with federal requirements.
- (e) The travel is necessary to secure specialized training for staff that is not available within this state.
- (f) The travel is financed entirely by federal or nonstate funds.

(2) Not later than January 1 of each year, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director. The report shall include the following information:

- (a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

(d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 217. General fund appropriations in this act shall not be expended for items in cases where federal funding is available for the same expenditures.

Sec. 221. (1) Each department shall report no later than April 1 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house of representatives standing committees on appropriations subcommittees on general government, the joint committee on administrative rules, and the senate and house fiscal agencies.

(2) Funds appropriated in part 1 shall not be used by a department to adopt a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(3) As used in this section:

(a) "Rule" means that term as defined under section 7 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

(b) "Small business" means that term as defined under section 7a of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207a.

Sec. 226. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 228. Not later than October 15, each department or agency receiving appropriations in part 1 shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies.

Sec. 229. If the office of the auditor general has identified an initiative or made a recommendation that is related to savings and efficiencies in an audit report for an executive branch department or agency, the department or agency shall report within 6 months of the release of the audit on their efforts and progress made toward achieving the savings and efficiencies identified in the audit report. The report shall be submitted to the chairs of the senate and house of representatives standing committees on appropriations, the chairs of the senate and house of representatives standing committees with jurisdiction over matters relating to the department that is audited, and the senate and house fiscal agencies.

Sec. 230. (1) On a quarterly basis, each executive branch department and agency receiving appropriations in part 1 shall report on the number of full-time equated positions in pay status by civil service classification to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies.

(2) From the funds appropriated in part 1, each executive branch department and agency shall develop, post, and maintain on a user-friendly and publicly accessible Internet site, all expenditures made by the departments and agencies within a fiscal year. The posting must include the purpose for which each expenditure is made. Funds appropriated in part 1 from the federal American recovery and reinvestment act shall also be included on a publicly accessible website maintained by the Michigan economic recovery office. Departments and agencies shall not provide financial information on their websites under this section if doing so would violate a federal or state law, rule, regulation, or guideline that establishes privacy or security standards applicable to that section.

Sec. 231. The department shall not expend more than \$10,000.00 from the appropriations in part 1 to implement the requirements of section 230(2).

## **DEPARTMENT OF ATTORNEY GENERAL**

Sec. 301. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,500,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

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

Sec. 303. The attorney general may sell copies of the biennial report in excess of the 350 copies that the attorney general may distribute on a gratis basis. Gratis copies shall not be provided to members of the legislature. Electronic copies of biennial reports shall be made available on the department of attorney general's website. The attorney general shall sell copies of the report at not less than the actual cost of the report and shall deposit the money received into the general fund.

Sec. 304. The department of attorney general is responsible for the legal representation for state of Michigan state employee worker's disability compensation cases. The risk management revolving fund revenue appropriation in part 1 is to be satisfied by billings from the department of attorney general for the actual costs of legal representation, including salaries and support costs.

Sec. 305. In addition to the funds appropriated in part 1, not more than \$400,000.00 shall be reimbursed per fiscal year for food stamp fraud cases heard by the third circuit court of Wayne County that were initiated by the department of attorney general pursuant to the existing contract between the department of human services, the prosecuting attorneys association of Michigan, and the department of attorney general. The source of this funding is money earned by the department of attorney general under the agreement after the allowance for reimbursement to the department of attorney general for costs associated with the prosecution of food stamp fraud cases. It is recognized that the federal funds are earned by the department of attorney general for its documented progress on the prosecution of food stamp fraud cases according to the United States department of agriculture regulations and that, once earned by this state, the funds become state funds.

Sec. 306. Any proceeds from a lawsuit initiated by or settlement agreement entered into on behalf of this state against a manufacturer of tobacco products by the attorney general are state funds and are subject to appropriation as provided by law.

Sec. 307. (1) In addition to the antitrust revenues in part 1, antitrust, securities fraud, consumer protection or class action enforcement revenues, or attorney fees recovered by the department, not to exceed \$250,000.00, are appropriated to the department for antitrust, securities fraud, and consumer protection or class action enforcement cases.

(2) Any unexpended funds from antitrust, securities fraud, or consumer protection or class action enforcement revenues at the end of the fiscal year, including antitrust funds in part 1, may be carried forward for expenditure in the following fiscal year up to the maximum authorization of \$250,000.00.

Sec. 308. (1) In addition to the funds appropriated in part 1, there is appropriated up to \$500,000.00 from litigation expense reimbursements awarded to the state.

(2) The funds may be expended for the payment of court judgments or settlements, attorney fees, and litigation expenses not including salaries and support costs, assessed against the office of the governor, the department of the attorney general, the governor, or the attorney general when acting in an official capacity as the named party in litigation against the state. The funds may also be expended for the payment of state costs incurred under section 16 of chapter X of the code of criminal procedure, 1927 PA 175, MCL 770.16.

(3) Unexpended funds at the end of the fiscal year may be carried forward for expenditure in the following year, up to a maximum authorization of \$500,000.00.

Sec. 309. From the prisoner reimbursement funds appropriated in part 1, the department may spend up to \$497,900.00 on activities related to the state correctional facilities reimbursement act, 1935 PA 253, MCL 800.401 to 800.406. In addition to the funds appropriated in part 1, if the department collects in excess of \$1,131,000.00 in gross annual prisoner reimbursement receipts provided to the general fund, the excess, up to a maximum of \$1,000,000.00, is appropriated to the department of attorney general and may be spent on the representation of the department of corrections and its officers, employees, and agents, including, but not limited to, the defense of litigation against the state, its departments, officers, employees, or agents in civil actions filed by prisoners.

Sec. 310. (1) For the purposes of providing title IV-D child support enforcement funding, the department of human services, as the state IV-D agency, shall maintain a cooperative agreement with the attorney general for federal IV-D funding to support the child support enforcement activities within the office of the attorney general.

(2) The attorney general or his or her designee shall, to the extent allowable under federal law, have access to any information used by the state to locate parents who fail to pay court-ordered child support.

Sec. 312. The department of attorney general shall not receive and expend funds in addition to those authorized in part 1 for legal services provided specifically to other state departments or agencies except for costs for expert witnesses, court costs, or other nonsalary litigation expenses associated with a pending legal action.

Sec. 314. Funds collected by the department of attorney general under section 10b of the medicaid false claim act, 1977 PA 72, MCL 400.610b, are appropriated to the department of attorney general for the purpose for which they were received. Any unexpended funds at the end of the fiscal year shall be carried forward for expenditure in subsequent fiscal years.

## **DEPARTMENT OF CIVIL RIGHTS**

Sec. 401. In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$2,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 402. (1) In addition to the appropriations contained in part 1, the department of civil rights may receive and expend funds from local or private sources for all of the following purposes:

- (a) Developing and presenting training for employers on equal employment opportunity law and procedures.
- (b) The publication and sale of civil rights related informational material.
- (c) The provision of copy material made available under freedom of information requests.
- (d) Other copy fees, subpoena fees, and witness fees.
- (e) Developing, presenting, and participating in mediation processes for certain civil rights cases.
- (f) Workshops, seminars, and recognition or award programs consistent with the programmatic mission of the individual unit sponsoring or coordinating the programs.

(2) The department of civil rights shall annually report to the state budget director, the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies the amount of funds received and expended for purposes authorized under this section.

Sec. 403. The department of civil rights may contract with local units of government to review equal employment opportunity compliance of potential contractors and may charge for and expend amounts received from local units of government for the purpose of developing and providing these contractual services.

## **LEGISLATURE**

Sec. 600. The senate, the house of representatives, or an agency within the legislative branch may receive, expend, and transfer funds in addition to those authorized in part 1.

Sec. 601. (1) Funds appropriated in part 1 to an entity within the legislative branch shall not be expended or transferred to another account without written approval of the authorized agent of the legislative entity. If the authorized agent of the legislative entity notifies the state budget director of its approval of an expenditure or transfer before the year-end book-closing date for that legislative entity, the state budget director shall immediately make the expenditure or transfer. The authorized legislative entity agency shall be designated by the speaker of the house of representatives for house entities, the senate majority leader for senate entities, and the legislative council for legislative council entities.

(2) Funds appropriated within the legislative branch, to a legislative council component, shall not be expended by any agency or other subgroup included in that component without the approval of the legislative council.

Sec. 602. The senate may charge rent and assess charges for utility costs. The amounts received for rent charges and utility assessments are appropriated to the senate for the renovation, operation, and maintenance of the Farnum building and other properties.

Sec. 603. The appropriation contained in part 1 for national association dues is to be distributed by the legislative council. If the funding is available, \$51,000.00 shall be paid as annual dues to the national conference of commissioners on uniform state laws.

Sec. 604. (1) The appropriation in part 1 to the legislative council includes funds to operate the legislative parking facilities in the capitol area. The legislative council shall establish rules regarding the operation of the legislative parking facilities.

(2) The legislative council shall collect a fee from state employees and the general public using certain legislative parking facilities. The revenues received from the parking fees shall be allocated by the legislative council.

Sec. 605. The appropriation in part 1 to the legislative council for publication of the Michigan manual is a work project account. The unexpended portion remaining on September 30 shall not lapse and shall be carried forward into the subsequent fiscal year for use in paying the associated biennial costs of publication of the Michigan manual.

Sec. 606. The appropriations in part 1 to the legislative branch, for property management, shall be used to purchase equipment and services for building maintenance in order to ensure a safe and productive work environment. These funds are designated as work project appropriations and shall not lapse at the end of the fiscal year, and shall continue to be available for expenditure until the project has been completed. The total cost is estimated at \$500,000.00, and the tentative completion date is September 30, 2012.

Sec. 607. The appropriations in part 1 to the legislative branch, for automated data processing, shall be used to purchase equipment, software, and services in order to support and implement data processing requirements and technology improvements. These funds are designated as work project appropriations and shall not lapse at the end of the fiscal year, and shall continue to be available for expenditure until the project has been completed. The total cost is estimated at \$500,000.00, and the tentative completion date is September 30, 2012.

Sec. 608. In addition to funds appropriated in part 1, the Michigan capitol committee publications save the flags fund account may accept contributions, gifts, bequests, devises, grants, and donations. Those funds that are not expended in the fiscal year ending September 30 shall not lapse at the close of the fiscal year, and shall be carried forward for expenditure in the following fiscal years.

## **LEGISLATIVE AUDITOR GENERAL**

Sec. 620. Pursuant to section 53 of article IV of the state constitution of 1963, the auditor general shall conduct audits of the judicial branch. The audits may include the supreme court and its administrative units, the court of appeals, and trial courts.

Sec. 621. (1) The auditor general shall take all reasonable steps to ensure that certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities participate in the audits of the books, accounts, and financial affairs of each principal executive department, branch, institution, agency, and office of this state.

(2) The auditor general shall strongly encourage firms with which the auditor general contracts to perform audits of the principal executive departments and state agencies to subcontract with certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities.

(3) The auditor general shall compile an annual report regarding the number of contracts entered into with certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities. The auditor general shall deliver the report to the state budget director and the senate and house of representatives standing committees on appropriations subcommittees on general government by November 1 of each year.

Sec. 622. From the funds appropriated in part 1 to the legislative auditor general, the auditor general's salary and the salaries of the remaining 2.0 FTE unclassified positions shall be set by the speaker of the house of representatives, the senate majority leader, the house of representatives minority leader, and the senate minority leader.

Sec. 623. Any audits, reviews, or investigations requested of the auditor general by the legislature or by legislative leadership, legislative committees, or individual legislators shall include an estimate of the additional costs involved and, when those costs exceed \$50,000.00, should provide supplemental funding. The auditor general shall determine whether to perform those activities in keeping with Audit Directive No. 29, which describes the office of the auditor general's policy on responding to legislative requests.

## **DEPARTMENT OF STATE**

Sec. 701. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$2,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$7,500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$50,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 702. All funds made available by section 3171 of the insurance code of 1956, 1956 PA 218, MCL 500.3171, are appropriated and made available to the department of state to be expended only for the uses and purposes for which the funds are received as provided by sections 3171 to 3177 of the insurance code of 1956, 1956 PA 218, MCL 500.3171 to 500.3177.

Sec. 703. From the funds appropriated in part 1, the department of state shall sell copies of records including, but not limited to, records of motor vehicles, off-road vehicles, snowmobiles, watercraft, mobile homes, personal identification cardholders, drivers, and boat operators and shall charge \$7.00 per record sold only as authorized in section 208b of the Michigan vehicle code, 1949 PA 300, MCL 257.208b, section 7 of 1972 PA 222, MCL 28.297, and sections 80130, 80315, 81114, and 82156 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.80130, 324.80315, 324.81114, and 324.82156. The revenue received from the sale of records shall be credited to the transportation administration collection fund created under section 810b of the Michigan vehicle code, 1949 PA 300, MCL 257.810b.

Sec. 704. From the funds appropriated in part 1, the secretary of state may enter into agreements with the department of corrections for the manufacture of vehicle registration plates 15 months before the registration year in which the registration plates will be used.

Sec. 705. (1) The department of state may accept gifts, donations, contributions, and grants of money and other property from any private or public source to underwrite, in whole or in part, the cost of a departmental publication that is prepared and disseminated under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. A private or public funding source may receive written recognition in the publication and may furnish a traffic safety message, subject to departmental approval, for inclusion in the publication. The department may reject a gift, donation, contribution, or grant. The department may furnish copies of a publication underwritten, in whole or in part, by a private source to the underwriter at no charge.

(2) The department of state may sell and accept paid advertising for placement in a departmental publication that is prepared and disseminated under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. The department may charge and receive a fee for any advertisement appearing in a departmental publication and shall review and approve the content of each advertisement. The department may refuse to accept advertising from any person or organization. The department may furnish a reasonable number of copies of a publication to an advertiser at no charge.

(3) Pending expenditure, the funds received under this section shall be deposited in the Michigan department of state publications fund created by section 211 of the Michigan vehicle code, 1949 PA 300, MCL 257.211. Funds given, donated, or contributed to the department from a private source are appropriated and allocated for the purpose for which the revenue is furnished. Funds granted to the department from a public source are allocated and may be expended upon receipt. The department shall not accept a gift, donation, contribution, or grant if receipt is conditioned upon a commitment of state funding at a future date. Revenue received from the sale of advertising is appropriated and may be expended upon receipt.

(4) Any unexpended revenues received under this section shall be carried over into subsequent fiscal years and shall be available for appropriation for the purposes described in this section.

(5) On March 1 of each year, the department of state shall file a report with the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director. The report shall include all of the following information:

(a) The amount of gifts, contributions, donations, and grants of money received by the department under this section for the prior fiscal year.

(b) A listing of the expenditures made from the amounts received by the department as reported in subdivision (a).

(c) A listing of any gift, donation, contribution, or grant of property other than funding received by the department under this section for the prior year.

(d) The total revenue received from the sale of paid advertising accepted under this section and a statement of the total number of advertising transactions.

(6) In addition to copies delivered without charge as the secretary of state considers necessary, the department of state may sell copies of manuals and other publications regarding the sale, ownership, or operation or regulation of motor vehicles, with amendments, at prices to be established by the secretary of state. As used in this subsection, the term "manuals and other publications" includes videos and proprietary electronic publications. All funds received from sales of these manuals and other publications shall be credited to the Michigan department of state publications fund.

Sec. 706. On October 1 of each year, the department of state shall file a report with the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies. The report shall include details on the activities and success of the department's enforcement and compliance with the help America vote act of 2002, Public Law 107-252.

Sec. 707. Funds collected by the department of state under section 211 of the Michigan vehicle code, 1949 PA 300, MCL 257.211, are appropriated for all expenses necessary to provide for the costs of the publication. Funds are allotted for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.

Sec. 708. From the funds appropriated in part 1, the department of state shall use available balances at the end of the state fiscal year to provide payment to the department of state police in the amount of \$332,000.00 for the services provided by the traffic accident records program as first appropriated in 1990 PA 196 and 1990 PA 208.

Sec. 709. From the funds appropriated in part 1, the department of state may restrict funds from miscellaneous revenue to cover cash shortages created from normal branch office operations. This amount shall not exceed \$50,000.00 of the total funds available in miscellaneous revenue.

Sec. 710. (1) Commemorative and specialty license plate fee revenue collected by the department of state and deposited into the transportation administration collection fund is authorized for expenditure up to the amount of revenue collected but not to exceed the amount appropriated to the department of state in part 1 to administer commemorative and specialty license plate programs.

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

Sec. 711. (1) Collector plate and fund-raising registration plate revenues collected by the department of state are appropriated and allotted for distribution to the recipient university or public or private agency overseeing a state-sponsored goal when received. Distributions shall occur on a quarterly basis or as otherwise authorized by law. Any revenues remaining at the end of the fiscal year shall not lapse to the general fund but shall remain available for distribution to the university or agency in the next fiscal year.



(2) Funds or revenues in the Olympic education training center fund are appropriated for distribution to the Olympic education training center at Northern Michigan University. Distributions shall occur on a quarterly basis. Any undistributed revenue remaining at the end of the fiscal year shall be carried over into the next fiscal year.

Sec. 712. The department of state may produce and sell copies of a training video designed to inform registered automotive repair facilities of their obligations under Michigan law. The price shall not exceed the cost of production and distribution. The money received from the sale of training videos shall revert to the department of state and be placed in the auto repair facility account.

Sec. 713. (1) The department of state, in collaboration with the gift of life transplantation society or its successor federally designated organ procurement organization, may develop and administer a public information campaign concerning the Michigan organ donor program.

(2) The department may solicit funds from any private or public source to underwrite, in whole or in part, the public information campaign authorized by this section. The department may accept gifts, donations, contributions, and grants of money and other property from private and public sources for this purpose. A private or public funding source underwriting the public information campaign, in whole or in substantial part, shall receive sponsorship credit for its financial backing.

(3) Funds received under this section, including grants from state and federal agencies, shall not lapse to the general fund at the end of the fiscal year but shall remain available for expenditure for the purposes described in this section.

(4) Funding appropriated in part 1 for the organ donor program shall be used for producing a pamphlet to be distributed with driver licenses and personal identification cards regarding organ donations. The funds shall be used to update and print a pamphlet that will explain the organ donor program and encourage people to become donors by marking a checkoff on driver license and personal identification card applications.

(5) The pamphlet shall include a return reply form addressed to the gift of life organization. Funding appropriated in part 1 for the organ donor program shall be used to pay for return postage costs.

(6) In addition to the appropriations in part 1, the department of state may receive and expend funds from the organ and tissue donation education fund for administrative expenses.

Sec. 714. At least 180 days before closing or consolidating a branch office and at least 60 days before relocating a branch office, the department of state shall inform members of the senate and house of representatives standing committees on appropriations and legislators who represent affected areas regarding the details of the proposal. The information provided shall be in written form and include all analyses done regarding criteria for changes in the location of branch offices, including, but not limited to, branch transactions, revenue, and the impact on citizens of the affected area. The impact on citizens shall include information regarding additional distance to branch office locations resulting from the plan. The written notice provided by the department of state shall also include detailed estimates of costs and savings that will result from the overall changes made to the branch office structure and the same level of detail regarding costs for new leased facilities and expansions of current leased space.

Sec. 715. (1) Any service assessment collected by the department of state from the user of a credit or debit card under section 3 of 1995 PA 144, MCL 11.23, may be used by the department for necessary expenses related to that service and may be remitted to a credit or debit card company, bank, or other financial institution.

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

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

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

Sec. 716. (1) Funds in part 1 for motorcycle safety education grants and administration are appropriated to the department of state for operation of the motorcycle safety education program previously operated by the department of education under section 811a of the Michigan vehicle code, 1949 PA 300, MCL 257.811a.

(2) Funds in part 1 for motorcycle safety education grants and administration shall be derived from original and renewal motorcycle license endorsements, annual motorcycle registration fees, and motorcycle operator driving test fees.

(3) Funds in part 1 for motorcycle safety education grants and administration shall be used to provide grants to colleges, universities, intermediate school districts, local school districts, law enforcement agencies, or other governmental agencies located in the state, to help subsidize safety training courses for individuals interested in operating motorcycles.

(4) Funds in part 1 for motorcycle safety education grants and administration may be used by the department of state for administration costs of the motorcycle safety education program, to include, but not be limited to, review and approval or disapproval of grant applications, monitoring eligibility of motorcycle safety instructors, conducting program evaluation, certifying third-party testers, and inspecting training sites.

Sec. 716b. The department of state shall provide a report that calculates the total amount of funds expended for the business application modernization project to date from the inception of the program. The report shall contain information on the original start and completion dates for the project, the original cost to complete the project, and a listing of all revisions to project completion dates and costs. The report shall include the total amount of funds paid to the state by the contract provider for penalties. The report shall be submitted to the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director by January 1.

Sec. 716c. The department of state shall provide a report that assesses the optimal network connectivity in secretary of state branch offices, including a review of the number of service providers, and makes recommendations on how best to meet the increasing demands of online transactions. The report shall be submitted to the senate and house of representatives standing committees on appropriations subcommittees on general government by April 1.

Sec. 717. (1) The department of state may accept nonmonetary gifts, donations, or contributions of property from any private or public source to support, in whole or in part, the operation of a departmental function relating to licensing, regulation, or safety. The department may recognize a private or public contributor for making the contribution. The department may reject a gift, donation, or contribution.

(2) The department of state shall not accept a gift, donation, or contribution under subsection (1) if receipt of the gift, donation, or contribution is conditioned upon a commitment of future state funding.

(3) On March 1 of each year, the department of state shall file a report with the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director. The report shall list any gift, donation, or contribution received by the department under subsection (1) for the prior calendar year.

Sec. 718. From the funds appropriated in part 1 to the department of state, branch operations, the department shall maintain a full service secretary of state branch office in Buena Vista Township.

Sec. 719. From the funds appropriated in part 1 for the department of state, the department shall first use restricted funding for expenditures, when available for that purpose, before using general fund dollars.

Sec. 720. The funds appropriated in part 1 for department of state, branch operations, are contingent upon the department complying with the following guidelines for branch office placement:

(a) The department of state shall, whenever possible, avoid leasing space for branch offices on greenfield sites or other noncentral locations that require the construction of new infrastructure to service the office or facility, except in limited circumstances when the constituency served or programs supported require the use of a noncentral or open space location.

(b) The department shall encourage public investment in this state's urban areas by locating branch offices and facilities in urban areas. As used in this section, "urban areas" means a downtown area, town centers, or central business districts.

(c) The department shall, whenever possible, locate branch offices at locations consistent with local planning and zoning and compatible with existing land uses.

(d) In selecting a site for a branch office, the department shall give priority to locations in urban areas, whenever reasonably possible and consistent with state law. In making location decisions, the department shall also give consideration to the following:

(i) Use of existing space in state-owned facilities in urban areas.

(ii) Adaptive use or rehabilitation of historic buildings or reuse of other buildings within an urban area.

(iii) Use of vacant buildings in an urban area.

(iv) Use of vacant land in an urban area.

(v) Use and rehabilitation of brownfield areas.

Sec. 721. From the funds appropriated in part 1, the department of state may collect ATM commission fees from companies that have ATMs located in secretary of state branch offices. The commission received from the use of these ATMs shall be credited to the transportation administration collection fund created under section 810b of the Michigan vehicle code, 1949 PA 300, MCL 257.810b.

## **DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET**

Sec. 801. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$4,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$8,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$150,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 802. Proceeds in excess of necessary costs incurred in the conduct of transfers or auctions of state surplus, salvage, or scrap property made pursuant to section 267 of the management and budget act, 1984 PA 431, MCL 18.1267, are appropriated to the department of technology, management, and budget to offset costs incurred in the acquisition and distribution of federal surplus property.

Sec. 803. (1) The department of technology, management, and budget may receive and expend funds in addition to those authorized by part 1 for maintenance and operation services provided specifically to other principal executive departments or state agencies, the legislative branch, the judicial branch, or private tenants, or provided in connection with facilities transferred to the operational jurisdiction of the department of technology, management, and budget.

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

(3) The department of technology, management, and budget may receive and expend funds in addition to those authorized in part 1 for mail pickup and delivery services provided specifically to other principal executive departments and state agencies, the legislative branch, or the judicial branch.

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

Sec. 804. (1) The source of financing in part 1 for statewide appropriations shall be funded by assessments against longevity and insurance appropriations throughout state government in a manner prescribed by the department of technology, management, and budget. Funds shall be used as specified in joint labor/management agreements or through the coordinated compensation hearings process. Any deposits made under this subsection and any unencumbered funds are restricted revenues, may be carried over into the succeeding fiscal years, and are appropriated.

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

Sec. 805. To the extent a specific appropriation is required for a detailed source of financing included in part 1 for the department of technology, management, and budget appropriations financed from special revenue and internal service and pension trust funds, or MAIN user charges, the specific amounts are appropriated within the special revenue internal service and pension trust funds in portions not to exceed the aggregate amount appropriated in part 1.

Sec. 806. In addition to the funds appropriated in part 1 to the department of technology, management, and budget, the department may receive and expend funds from other principal executive departments and state agencies to implement administrative leave bank transfer provisions as may be specified in joint labor/management agreements. The amounts may also be transferred to other principal executive departments and state agencies under the joint agreement and any amounts transferred under the joint agreement are authorized for receipt and expenditure by the receiving principal executive department or state agency. Any amounts received by the department of technology, management, and budget under this section and intended, under the joint labor/management agreements, to be available for use beyond the close of the fiscal year and any unencumbered funds may be carried over into the succeeding fiscal year.

Sec. 807. The source of financing in part 1 for the Michigan administrative information network shall be funded by proportionate charges assessed against the respective state funds benefiting from this project in the amounts determined by the department.

Sec. 808. (1) Deposits against the interdepartmental grant from building occupancy and parking charges appropriated in part 1 shall be collected, in part, from state agencies, the legislative branch, and the judicial branch based on estimated costs associated with maintenance and operation of buildings managed by the department of technology, management, and budget. To the extent excess revenues are collected due to estimates of building occupancy charges exceeding actual costs, the excess revenues may be carried forward into succeeding fiscal years for the purpose of returning funds to state agencies.

(2) Appropriations in part 1 to the department of technology, management, and budget, for management and budget services from building occupancy charges and parking charges, may be increased to return excess revenue collected to state agencies.

Sec. 809. The department of technology, management, and budget shall notify the chairpersons of the senate and house of representatives standing committees on appropriations and the chairpersons of the senate and house of representatives standing committees on appropriations subcommittees on general government on any revisions that increase or decrease current contracts by more than \$500,000.00 for computer software development, hardware acquisition, or quality assurance at least 14 days before the department of technology, management, and budget finalizes the revisions.

Sec. 810. The department of technology, management, and budget shall maintain an Internet website that contains notice of all invitations for bids and requests for proposals over \$50,000.00 issued by the department or by any state agency operating under delegated authority. The department shall not accept an invitation for bid or request for proposal in less than 14 days after the notice is made available on the Internet website, except in situations where it would be in the best interest of the state and documented by the department. In addition to the requirements of this section, the department may advertise the invitations for bids and requests for proposals in any manner the department determines appropriate, in order to give the greatest number of individuals and businesses the opportunity to make bids or requests for proposals.

Sec. 811. The department of technology, management, and budget may receive and expend funds from the Vietnam veterans memorial monument fund as provided in the Michigan Vietnam veterans memorial act, 1988 PA 234, MCL 35.1051 to 35.1057. Funds are appropriated and allocated when received and may be expended upon receipt.

Sec. 812. The Michigan veterans' memorial park commission may receive and expend money from any source, public or private, including, but not limited to, gifts, grants, donations of money, and government appropriations, for the purposes described in Executive Order No. 2001-10. Funds are appropriated and allocated when received and may be expended upon receipt. Any deposits made under this section and unencumbered funds are restricted revenues and may be carried over into succeeding fiscal years.

Sec. 813. (1) Funds in part 1 for motor vehicle fleet are appropriated to the department of technology, management, and budget for administration and for the acquisition, lease, operation, maintenance, repair, replacement, and disposal of state motor vehicles.

(2) The appropriation in part 1 for motor vehicle fleet shall be funded by revenue from rates charged to principal executive departments and agencies for utilizing vehicle travel services provided by the department. Revenue in excess of the amount appropriated in part 1 from the motor transport fund and any unencumbered funds are restricted revenues and may be carried over into the succeeding fiscal year.

(3) It is the intent of the legislature that the department of technology, management, and budget have the authority to determine the appropriateness of vehicle assignment, to include year, make, model, size, and price of vehicle. The department may assign motor vehicles, permanently or temporarily, to state agencies and to institutions of higher education.

(4) Pursuant to the department of technology, management, and budget's authority under sections 213 and 215 of the management and budget act, 1984 PA 431, MCL 18.1213 and 18.1215, the department shall maintain a plan regarding the operation of the motor vehicle fleet. The plan shall include the number of vehicles assigned to, or authorized for use by, state departments and agencies, efforts to reduce vehicle expenditures, the number of cars in the motor vehicle fleet, the number of miles driven by fleet vehicles, and the number of gallons of fuel consumed by fleet vehicles. The plan shall include a calculation of the amount of state motor vehicle fuel taxes that would have been incurred by fleet vehicles if fleet vehicles were required by law to pay motor fuel taxes. The plan shall include a description of fleet garage operations, the goods sold and services provided by the fleet garage, the cost to operate the fleet garage, the number of fleet garage locations, and the number of employees assigned to each fleet garage. The plan may be adjusted during

the fiscal year based on needs and cost savings to achieve the maximum value and efficiency from the state motor fleet. Within 60 days after the close of the fiscal year, the department shall provide a report to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies detailing the current plan and changes made to the plan during the fiscal year.

(5) The department of technology, management, and budget may charge state agencies for fuel cost increases that exceed \$2.27 per gallon of unleaded gasoline. The department shall notify state agencies, in writing or by electronic mail, at least 30 days before implementing additional charges for fuel cost increases. Revenues received from these charges are appropriated upon receipt.

Sec. 814. The department of technology, management, and budget shall adopt policies and procedures necessary for compliance by the department, other state departments and agencies, and state vendors and subcontractors, with the requirement under subsection (1) of section 261 of the management and budget act, 1984 PA 431, MCL 18.1261, to provide a purchasing preference for products manufactured or services offered by Michigan-based firms.

Sec. 815. In determining whether the purchase, contracting for, providing of supplies, materials, services, insurance, utilities, third-party financing, equipment, printing, and other items needed by state departments or agencies is in the best interests of this state, and in making all discretionary decisions concerning the solicitation, award, amendment, cancellation, or appeal of state contracts, the department of technology, management, and budget shall consider all of the following:

(a) Whether a proposal by a vendor to provide services to this state using employees, contractors, subcontractors, or other individuals who are not citizens of the United States, legal resident aliens, or individuals with a valid visa would be detrimental to the state of Michigan, its residents, or the state's economy.

(b) Whether a proposal by a vendor to provide services to this state from a location outside of this state or the United States would be detrimental to the state of Michigan, its residents, or the state's economy.

(c) Whether a proposal by a vendor to provide goods to this state produced outside of this state or the United States would be detrimental to the state of Michigan, its residents, or the state's economy.

(d) Whether the acquisition of goods or services from a vendor that is an expatriated business entity located in a tax haven country or an affiliate of an expatriated business entity located in a tax haven country would be detrimental to the state of Michigan, its residents, or the state's economy. As used in this section, "expatriated business entity" means a corporation or an affiliate of the corporation incorporated in a tax haven country after September 11, 2001, but with the United States as the principal market for the public trading of the corporation's stock, as determined by the director of the department of technology, management, and budget. "Tax haven country" means each of the following: Barbados, Bermuda, British Virgin Islands, Cayman Islands, Commonwealth of the Bahamas, Cyprus, Gibraltar, Isle of Man, the Principality of Liechtenstein, the Principality of Monaco, and the Republic of the Seychelles.

(e) Whether the provision of services to this state at a location outside of this state or the United States would be detrimental to the privacy interests of Michigan residents, or risk the disclosure of personal information of Michigan residents, such as social security, financial, or medical data.

(f) Whether a proposal by a vendor to provide services to this state from a location outside of this state or the United States would constitute undue risk under a risk management policy, practice, or procedure adopted by the department of technology, management, and budget under section 204 of the management and budget act, 1984 PA 431, MCL 18.1204.

(g) Whether a proposal by a vendor to provide goods to this state produced outside of this state or the United States would constitute undue risk under a risk management policy, practice, or procedure adopted by the department of technology, management, and budget under section 204 of the management and budget act, 1984 PA 431, MCL 18.1204.

Sec. 816. The department of technology, management, and budget shall collect from vendors information necessary to comply with the requirements of this act, as determined by the department. The department of technology, management, and budget may require vendors to provide any of the following:

(a) Information relating to the location of work performed under a state contract by the vendor and any subcontractors, employees, or other persons performing a state contract.

(b) Information regarding the corporate structure and location of corporate employees and activities of the vendor, its affiliates, or any subcontractors.

(c) Notice of the relocation of the vendor, employees of the vendor, subcontractors of the vendor, or other persons performing services under a state contract outside of the state of Michigan.

Sec. 817. The department of technology, management, and budget may require that any vendor or subcontractor providing call or contact center services to the state of Michigan disclose to inbound callers the location from which the call or contact center services are being provided.

Sec. 818. In addition to the funds appropriated in part 1, the department of technology, management, and budget may receive and expend money from the Michigan law enforcement officers memorial monument fund as provided in the Michigan law enforcement officers memorial act, 2004 PA 177, MCL 28.781 to 28.787.

Sec. 819. In addition to the funds appropriated in part 1, the department of technology, management, and budget may receive and expend money from the Ronald Wilson Reagan memorial monument fund as provided in the Ronald Wilson Reagan memorial monument fund commission act, 2004 PA 489, MCL 399.261 to 399.266.

Sec. 820. The department shall make available to the public a list of all parcels of real property owned by the state that are available for purchase. The list shall be posted on the Internet through the department's website.

Sec. 822. The department of technology, management, and budget shall compile a report by January 1 pertaining to the salaries of unclassified employees, as well as gubernatorial appointees, within all state departments and agencies. The report shall enumerate each unclassified employee and gubernatorial appointee and his or her annual salary individually. The report shall be distributed to the chairs of the senate and house of representatives standing committees on appropriations subcommittees on general government, as well as the senate and house fiscal agencies.

## **INFORMATION TECHNOLOGY**

Sec. 823. (1) The department of technology, management, and budget may sell and accept paid advertising for placement on any state website under its jurisdiction. The department shall review and approve the content of each advertisement. The department may refuse to accept advertising from any person or organization or require modification to advertisements based upon criteria determined by the department. Revenue received under this subsection shall be used for operating costs of the department and for future technology enhancements to state of Michigan e-government initiatives. Funds received under this subsection shall be limited to \$250,000.00. Any funds in excess of \$250,000.00 shall be deposited in the state general fund.

(2) The department of technology, management, and budget may accept gifts, donations, contributions, bequests, and grants of money from any public or private source to assist with the underwriting or sponsorship of state webpages or services offered on those webpages. A private or public funding source may receive recognition in the webpage. The department of technology, management, and budget may reject any gift, donation, contribution, bequest, or grant.

(3) Funds accepted by the department of technology, management, and budget under subsection (1) are appropriated and allotted when received and may be expended upon approval of the state budget director. The state budget office shall notify the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies within 10 days after the approval is given.

(4) By April 1, the department of technology, management, and budget shall report to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies that a statement of the total revenue received from the sale of paid advertising accepted under this section and a statement of the total number of advertising transactions are available on the department's website.

Sec. 824. The department of technology, management, and budget may enter into agreements to supply spatial information and technical services to other principal executive departments, state agencies, local units of government, and other organizations. The department of technology, management, and budget may receive and expend funds in addition to those authorized in part 1 for providing information and technical services, publications, maps, and other products. The department of technology, management, and budget may expend amounts received for salaries, supplies, and equipment necessary to provide informational products and technical services. Prior to December 1 of each year, the department shall provide a report to the senate and house of representatives standing committees on appropriations subcommittees on general government, detailing the sources of funding and expenditures made under this section.

Sec. 825. The legislature shall have access to all historical and current data contained within MAIN pertaining to state departments. State departments shall have access to all historical and current data contained within MAIN.

Sec. 826. When used in this act, "information technology services" means services involving all aspects of managing and processing information, including, but not limited to, all of the following:

- (a) Application development and maintenance.

- (b) Desktop computer support and management.
- (c) Mainframe computer support and management.
- (d) Server support and management.
- (e) Local area network support and management, including, but not limited to, wireless networking.
- (f) Information technology project management.
- (g) Information technology planning and budget management.
- (h) Telecommunication services, security, infrastructure, and support.

Sec. 827. (1) Funds appropriated in part 1 for the Michigan public safety communications system shall be expended upon approval of an expenditure plan by the state budget director.

(2) The department of technology, management, and budget shall assess all subscribers of the Michigan public safety communications system reasonable access and maintenance fees.

(3) All money received by the department of technology, management, and budget under this section shall be expended for the support and maintenance of the Michigan public safety communications system.

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

Sec. 828. The department of technology, management, and budget shall submit a report for the immediately preceding fiscal year ending September 30 to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies by March 1. The report shall include the following:

(a) The total amount of funding appropriated for information technology services and projects, by funding source, for all principal executive departments and agencies.

(b) A listing of the expenditures made from the amounts received by the department of information technology, as reported in subdivision (a).

Sec. 829. The department of technology, management, and budget shall provide a report that analyzes and makes recommendations on the life-cycle of information technology hardware and software. The report shall be submitted to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies by March 1.

Sec. 830. By December 31, the department shall provide a report that lists all information technology-related change orders and follow-on contracts, greater than \$25,000.00, whether they are bid, exercise options or no-bid, and the amount of each change order or contract extension contract entered into by the department to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director.

Sec. 832. The department shall provide a report that calculates the total amount of funds expended for the child support enforcement system to date from the inception of the program. The report shall contain information on the original start and completion dates for the project, the original cost to complete the project, and a listing of all revisions to project completion dates and costs. The report shall include the total amount of funds paid to the federal government for penalties. The report shall be submitted to the senate and house of representatives standing committees on government operations, the senate and house of representatives standing committees on appropriations subcommittees on general government, and the senate and house fiscal agencies by January 1.

Sec. 833. (1) The state budget director, upon notification to the senate and house of representatives standing committees on appropriations, may adjust spending authorization and user fees in the department of technology, management, and budget budget in order to ensure that the appropriations for information technology in the department budget equal the appropriations for information technology in the budgets for all executive branch agencies.

(2) If during the course of the fiscal year a transfer or supplemental to or from the information technology line item within an agency budget is made under section 393 of the management and budget act, 1984 PA 431, MCL 18.1393, there is appropriated an equal amount of user fees in the department of technology, management, and budget budget to accommodate an increase or decrease in spending authorization.

Sec. 834. (1) Revenue collected from licenses issued under the antenna site management project shall be deposited into the antenna site management revolving fund created for this purpose in the department of technology, management, and budget. The department may receive and expend money from the fund for costs associated with the antenna site management project, including the cost of a third-party site manager. Any excess revenue remaining in the fund at the close of the fiscal year shall be proportionately transferred to the appropriate state restricted funds as designated in statute or by constitution.

(2) An antenna shall not be placed on any site pursuant to this section without complying with the respective local zoning codes and local unit of government processes.

Sec. 835. In addition to the funds appropriated in part 1, the funds collected by the department for supplying census-related information and technical services, publications, statistical studies, population projections and estimates, and other demographic products area 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.

## **STATE BUILDING AUTHORITY**

Sec. 840. (1) Subject to section 242 of the management and budget act, 1984 PA 431, MCL 18.1242, and upon the approval of the state building authority, the department may expend from the general fund of the state during the fiscal year an amount to meet the cash flow requirements of those state building authority projects solely for lease to a state agency identified in both part 1 and this section, and for which state building authority bonds or notes have not been issued, and for the sole acquisition by the state building authority of equipment and furnishings for lease to a state agency as permitted by 1964 PA 183, MCL 830.411 to 830.425, for which the issuance of bonds or notes is authorized by a legislative concurrent resolution that is effective for the fiscal year ending September 30, 2011. Any general fund advances for which state building authority bonds have not been issued shall bear an interest cost to the state building authority at a rate not to exceed that earned by the state treasurer's common cash fund during the period in which the advances are outstanding and are repaid to the general fund of the state.

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

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

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

Sec. 841. (1) State building authority funding to finance construction or renovation of a facility that collects revenue in excess of money required for the operation of that facility shall not be released to a university or community college unless the institution agrees to reimburse that excess revenue to the state building authority. The excess revenue shall be credited to the general fund to offset rent obligations associated with the retirement of bonds issued for that facility. The auditor general shall annually identify and present an audit of those facilities that are subject to this section. Costs associated with the administration of the audit shall be charged against money recovered pursuant to this section.

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

Sec. 842. (1) The state building authority rent appropriations in part 1 may also be expended for the payment of required premiums for insurance on facilities owned by the state building authority or payment of costs that may be incurred as the result of any deductible provisions in such insurance policies.

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

Sec. 843. The state building authority shall provide to the JCOS, state budget director, and senate and house fiscal agencies a report relative to the status of construction projects associated with state building authority bonds as of September 30 of each year, on or before October 15, or not more than 30 days after a refinancing or restructuring bond issue is sold. The report shall include, but is not limited to, the following:

(a) A list of all completed construction projects for which state building authority bonds have been sold, and which bonds are currently active.



(b) A list of all projects under construction for which sale of state building authority bonds is pending.

(c) A list of all projects authorized for construction or identified in an appropriations act for which approval of schematic/preliminary plans or total authorized cost is pending that have state building authority bonds identified as a source of financing.

## **CIVIL SERVICE**

Sec. 850. (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 2010 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 appropriations in part 1 are estimates of actual charges based on payroll appropriations. With the approval of the state budget director, the commission is authorized to adjust financing sources for civil service 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. 851. Except where specifically appropriated for this purpose, financing from restricted sources shall be credited to the civil service commission. For restricted sources of funding within the general fund that have the legislative authority for carryover, if current spending authorization or revenues are insufficient to accept the charge, the shortage shall be taken from carryforward balances of that funding source. Restricted revenue sources that do not have carryforward authority shall be utilized to satisfy commission operating deducts first and civil service obligations second. General fund dollars are appropriated for any shortfall, pursuant to approval by the state budget director.

Sec. 852. 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 current fiscal year to fund the flexible spending account program included within the civil service commission. Deposits against state-sponsored group insurance, flexible spending accounts, and COBRA for the flexible spending account program shall be made from assessments levied during the current fiscal year in a manner prescribed by the civil service commission. Unspent employee contributions to the flexible spending accounts may be used to offset administrative costs for the flexible spending account program, with any remaining balance of unspent employee contributions to be lapsed to the general fund.

Sec. 853. No funds appropriated in part 1 shall be used, directly or indirectly, to fund the office of great workplace development.

## **CAPITAL OUTLAY**

Sec. 860. As used in sections 861 through 869:

(a) "Board" means the state administrative board.

(b) "Community college" does not include a state agency or university.

(c) "Department" means the department of technology, management, and budget.

(d) "Director" means the director of the department of technology, management, and budget.

(e) "Fiscal agencies" means the senate fiscal agency and the house fiscal agency.

(f) "State agency" means an agency of state government. State agency does not include a community college or university.

(g) "State building authority" means the authority created under 1964 PA 183, MCL 830.411 to 830.425.

(h) "University" means a 4-year university supported by the state. University does not include a community college or a state agency.

Sec. 861. Each capital outlay project authorized in this act or any previous capital outlay act shall comply with the procedures required by the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 862. (1) The department shall provide the JCOS, state budget director, and the senate and house fiscal agencies with reports as considered necessary relative to the status of each planning or construction project financed by the state building authority, by this act, or by previous acts.

(2) Before the end of each fiscal year, the department shall report to the JCOS, state budget director, and the senate and house fiscal agencies for each capital outlay project other than lump sums all of the following:

- (a) The account number and name of each construction project.
- (b) The balance remaining in each account.
- (c) The date of the last expenditure from the account.
- (d) The anticipated date of occupancy if the project is under construction.
- (e) The appropriations history for the project.
- (f) The professional service contractor.
- (g) The amount of the project financed with federal funds.
- (h) The amount of the project financed through the state building authority.
- (i) The total authorized cost for the project and the state authorized share if different than the total.

(3) Before the end of each fiscal year, the department shall report the following for each project by a state agency, university, or community college that is authorized for planning but is not yet authorized for construction:

- (a) The name of the project and account number.
  - (b) Whether a program statement is approved.
  - (c) Whether schematics are approved by the department.
  - (d) Whether preliminary plans are approved by the department.
  - (e) The name of the professional service contractor.
- (4) As used in this section, "project" includes appropriation line items made for purchase of real estate.

Sec. 863. (1) The director shall allocate lump-sum appropriations made in this act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

(2) The state budget director may authorize that funds appropriated for lump-sum appropriations shall be available for no more than 3 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 864. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

Sec. 865. (1) A site preparation economic development fund is created in the department of technology, management, and budget. As used in this section, "economic development sites" means those state-owned sites declared as surplus property pursuant to section 251 of the management and budget act, 1984 PA 431, MCL 18.1251, that would provide economic benefit to the area or to the state. The Michigan economic development corporation board and the state budget director shall determine whether or not a specific state-owned site qualifies for inclusion in the fund created under this subsection.

(2) Proceeds from the sale of any sites designated in subsection (1) shall be deposited into the fund created in subsection (1) and shall be available for site preparation expenditures, unless otherwise provided by law. The economic development sites authorized in subsection (1) are authorized for sale consistent with state law. Expenditures from the fund are authorized for site preparation activities that enhance the marketable sale value of the sites. Site preparation activities include, but are not limited to, demolition, environmental studies and abatement, utility enhancement, and site excavation.

(3) A cash advance in an amount of not more than \$25,000,000.00 is authorized from the general fund to the site preparation economic development fund.

(4) An annual report shall be transmitted to the senate and house of representatives standing committees on appropriations not later than December 31 of each year. This report shall detail both of the following:

- (a) The revenue and expenditure activity in the fund for the preceding fiscal year.
- (b) The sites identified as economic development sites under subsection (1).

## **CAPITAL OUTLAY - UNIVERSITIES AND COMMUNITY COLLEGES**

Sec. 870. A statement of a proposed facility's operating cost shall be included with the facility's program statement and planning documents when the plans are presented to JCOS for approval.

Sec. 871. (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. 872. A state agency, community 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. Any federal matching revenues received to support the construction of the project shall be applied to the total authorized project cost, with the state and community college or university financing shares proportionately adjusted.

Sec. 873. (1) This section applies only to projects for community colleges.

(2) State support is directed towards the remodeling and additions, special maintenance, or construction of certain community college buildings. The community college shall obtain or provide for site acquisition and initial main utility installation to operate the facility. Funding shall be composed of local and state shares and not more than 50% of a capital outlay project, not including a lump-sum special maintenance project or remodeling and addition project, for a community college shall be appropriated from state and federal funds, unless otherwise appropriated by the legislature.

(3) An expenditure under this act is authorized when the release of the appropriation is approved by the board upon the recommendation of the director. The director may recommend to the board the release of any appropriation in part 1 only after the director is assured that the legal entity operating the community college to which the appropriation is made has complied with this act and has matched the amounts appropriated as required by this act. A release of funds in part 1 shall not exceed 50% of the total cost of planning and construction of any project, not including lump-sum remodeling and additions and special maintenance, unless otherwise appropriated by the legislature. Further planning and construction of a project authorized by this act or applicable sections of the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, shall be in accordance with the purpose and scope as defined and delineated in the approved program statements and planning documents. This act is applicable to all projects for which planning appropriations were made in previous acts.

(4) The community college shall take the steps necessary to secure available federal construction and equipment money for projects funded for construction in this act if an application was not previously made. If there is a reasonable expectation that a prior year unfunded application may receive federal money in a subsequent year, the college shall take whatever action necessary to keep the application active.

Sec. 874. If university and community college matching revenues are received in an amount less than the appropriations for capital projects contained in this act, the state funds shall be reduced in proportion to the amount of matching revenue received.

Sec. 875. (1) The director may require that 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.

Sec. 876. (1) Except as otherwise provided in subsection (3) or (4), a university shall not enter into a contract for new construction of a self-funded project estimated to cost at least \$3,000,000.00 unless the project is authorized by

JCOS through approval of a use and finance statement defined by a policy adopted by JCOS. The request for authorization shall be initially submitted for review to JCOS, the senate and house fiscal agencies, and the department of technology, management, and budget. The use and finance statement for a non-state-funded project shall contain the estimated total construction cost and all associated estimated operating costs, including a statement of anticipated project revenues. As used in this subsection, "new construction" includes land or property acquisition, remodeling and additions, maintenance projects, roads, landscaping, equipment, telecommunications, utilities, and parking lots and structures. Certificate of need forms may be submitted in lieu of a use and finance form where applicable.

(2) Except as otherwise provided in subsection (4), a community college shall not enter into a contract for new construction of a self-funded project estimated to cost at least \$2,000,000.00 unless the project is authorized by JCOS through approval of a use and finance statement defined by a policy adopted by JCOS. The request for legislative authorization shall be initially submitted for review to JCOS, the senate and house fiscal agencies, and the department of technology, management, and budget. The use and finance statement for a non-state-funded project shall contain the estimated total construction cost and all associated estimated operating costs, including a statement of anticipated project revenues. As used in this subsection, "new construction" includes land or property acquisition, remodeling and additions, maintenance projects, roads, landscaping, equipment, telecommunications, utilities, and parking lots and structures. Certificate of need forms may be submitted in lieu of a use and finance form where applicable.

(3) The University of Michigan hospital and health center is not required to obtain JCOS authorization through approval of a use and finance statement defined by a policy adopted by JCOS.

(4) If health or safety concerns warrant, a project may be completed without prior approval of a use and finance statement defined by a policy adopted by JCOS. However, a university or community college shall submit a use and finance statement as soon as possible after the project is completed and the health or safety concerns have abated.

(5) A project that is constructed in violation of this section shall not receive state appropriations for purposes of operating the project or for support for future infrastructure enhancements that are necessitated, in whole or in part, by construction of the project. In addition, a project constructed in violation of this section shall result in the loss of any state capital outlay funding for the institution for 2 years and a prohibition of doing self-funded projects of any kind, except for emergencies where health or safety concerns warrant, for 1 year.

(6) A state agency, including the department of military and veterans affairs, shall not enter into a contract, including those for a direct federally funded capital outlay construction or major maintenance or remodeling project if the total project is estimated to cost more than \$1,000,000.00 and is to be constructed on state-owned lands unless the project is approved by the department of technology, management, and budget and JCOS through approval of a use and finance statement defined by a policy adopted by JCOS, unless the project is otherwise appropriated in a capital outlay appropriations act. For projects not appropriated in a capital outlay appropriations act that are over \$1,000,000.00, the state agency shall submit a use and finance statement defined by a policy adopted by JCOS. As used in this subsection, "direct federally funded" refers to a project for which federal payments are made directly to the construction vendor and not to the state of Michigan.

(7) A public body corporate created under section 28 of article VII of the state constitution of 1963 and the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by a contractual interlocal agreement between local participating economic development corporations formed under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636, and the Michigan strategic fund shall not enter into a contract for new construction estimated to cost more than \$1,000,000.00 unless the project is authorized by JCOS through the approval of a use and finance statement defined by a policy adopted by JCOS. For purposes of this subsection, the use and finance statement for a project shall contain the estimated total construction cost and all associated estimated operating costs. As used in this subsection, "new construction" means land or property acquisition, remodeling or additions, lease or lease purchase, and maintenance projects for the corporate office of the public body corporate described in this subsection.

(8) By not later than April 1 and October 1, each university shall report to the JCOS chairpersons, the senate and house fiscal agencies, and the department of technology, management, and budget all self-funded capital projects commenced for the immediately preceding 6-month period that cost less than \$3,000,000.00 but at least \$1,000,000.00. Community colleges shall also submit these reports for self-funded capital projects that cost less than \$2,000,000.00 but at least \$1,000,000.00.

## **DEPARTMENT OF TREASURY**

### **OPERATIONS**

Sec. 901. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$10,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$200,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$40,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 902. (1) Amounts needed to pay for interest, fees, principal, mandatory and optional redemptions, arbitrage rebates as required by federal law, and costs associated with the payment, registration, trustee services, credit enhancements, and issuing costs in excess of the amount appropriated to the department of treasury in part 1 for debt service on notes and bonds that are issued by the state under sections 14, 15, and 16 of article IX of the state constitution of 1963 as implemented by 1967 PA 266, MCL 17.451 to 17.455, are appropriated.

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

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

Sec. 903. (1) From the funds appropriated in part 1, the department of treasury may contract with private collection agencies and law firms to collect taxes and other accounts due this state. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund collection costs and fees not to exceed 25% of the collections or 2.5% plus operating costs, whichever amount is prescribed by each contract. The appropriation to fund collection costs and fees for the collection of taxes or other accounts due this state are from the fund or account to which the revenues being collected are recorded or dedicated. However, if the taxes collected are constitutionally dedicated for a specific purpose, the appropriation of collection costs and fees are from the general purpose account of the general fund.

(2) From the funds appropriated in part 1, the department of treasury may contract with private collections agencies and law firms to collect defaulted student loans and other accounts due the Michigan guaranty agency. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund collection costs and fees not to exceed 23% of the collection or a lesser amount as prescribed by the contract. The appropriation to fund collection costs and fees for the auditing and collection of defaulted student loans due the Michigan guaranty agency is from the fund or account to which the revenues being collected are recorded or dedicated.

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

Sec. 904. (1) The department of treasury, through its bureau of investments, may charge an investment service fee against the applicable retirement funds. The fees may be expended for necessary salaries, wages, contractual services, supplies, materials, equipment, travel, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement funds. Service fees shall not exceed the aggregate amount appropriated in part 1. The department of treasury shall maintain accounting records in sufficient detail to enable the retirement funds to be reimbursed periodically for fee revenue that is determined by the department of treasury to be surplus.

(2) In addition to the funds appropriated in part 1 from the retirement funds to the department of treasury, there is appropriated from retirement funds an amount sufficient to pay for the services of money managers, investment advisors, investment consultants, custodians, and other outside professionals, the state treasurer considers necessary to prudently manage the retirement funds' investment portfolios. The state treasurer shall report annually to the senate and house of representatives standing committees on appropriations and the state budget office concerning the performance of each portfolio by investment advisor.

Sec. 904a. (1) There is appropriated an amount sufficient to recognize and pay expenditures for financial services provided by financial institutions as provided under section 1 of 1861 PA 111, MCL 21.181.

(2) The appropriations under subsection (1) shall be funded by restricting revenues from common cash interest earnings and investment earnings in an amount sufficient to record these expenditures.

Sec. 905. (1) The department of treasury shall provide copies of the state tax manual via the department's website or provide for sale copies of the tax manuals on a compact disc or an electronically transmitted format. The revenue received from the sale of preparation and local government assistance manuals shall revert to the department of treasury and be placed in the local government assistance manual revolving fund.

(2) In addition to the funds appropriated in part 1, revenue received from the sale of those manuals is appropriated.

Sec. 906. (1) The department of treasury shall charge for audits as permitted by state or federal law or under contractual arrangements with local units of government, other principal executive departments, or state agencies. A report detailing audits performed and audit charges for the immediately preceding fiscal year shall be submitted to the state budget director and the senate and house fiscal agencies not later than November 30.

(2) The appropriation in part 1 to the department of treasury, for state compliance audits, shall be used to cover the cost of the state audits performed by independent certified public accountants or department of treasury auditors. The scope of the state audit shall be defined by the state treasurer. The state audits shall be performed by independent certified public accountants contracted with by the state treasurer or by department of treasury auditors, if the county has agreed to contract with and pay the department for their financial single audit.

(3) The state audits shall be performed for the most current county fiscal year in conjunction with the financial single audit. The state audit may be performed either by certified public accountants contracted by the state treasurer or department of treasury staff, independent of the financial single audit, if a state audit has not been performed within the last 3 years.

Sec. 907. A revolving fund known as the assessor certification and training fund is created in the department of treasury. The assessor certification and training fund shall be used to organize and operate a property assessor certification and training program. Each participant certified and trained shall pay to the department of treasury an examination fee of \$50.00, an initial certification fee of \$50.00, an annual renewal fee of \$75.00 for levels 1 and 2, and \$125.00 for levels 3 and 4 to offset the cost of administering the certification and training program. Training courses shall be offered in assessment administration. Each participant shall pay a fee to cover the expenses incurred in offering the optional programs to certified assessing personnel and other individuals interested in an assessment career opportunity. The fees collected shall be credited to the assessor certification and training fund.

Sec. 908. The amount appropriated in part 1 to the department of treasury, home heating assistance program, is to cover the costs, including data processing, of administering federal home heating credits to eligible claimants and to administer the supplemental fuel cost payment program for eligible tax credit and welfare recipients.

Sec. 909. Revenue from the airport parking tax act, 1987 PA 248, MCL 207.371 to 207.383, is appropriated and shall be distributed under section 7a of the airport parking tax act, 1987 PA 248, MCL 207.377a.

Sec. 910. The disbursement by the department of treasury from the bottle deposit fund to dealers as required by section 3c(2) of 1976 IL 1, MCL 445.573c, is appropriated.

Sec. 911. (1) There is appropriated an amount sufficient to recognize and pay refundable income tax credits as provided by the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

(2) The appropriations under subsection (1) shall be funded by restricting income tax revenue in an amount sufficient to record these expenditures.

Sec. 912. A plaintiff in a garnishment action involving this state shall pay to the state treasurer 1 of the following:

(a) A fee of \$6.00 at the time a writ of garnishment of periodic payments is served upon the state treasurer, as provided in section 4012 of the revised judicature act of 1961, 1961 PA 236, MCL 600.4012.

(b) A fee of \$6.00 at the time any other writ of garnishment is served upon the state treasurer, except that the fee shall be reduced to \$5.00 for each writ of garnishment for individual income tax refunds or credits filed by magnetic media.

Sec. 913. (1) The department of treasury may contract with private firms to appraise and, if necessary, appeal the assessments of senior citizen cooperative housing units. Payment for this service shall be from savings resulting from the appraisal or appeal process.

(2) Of the funds appropriated in part 1 to the department of treasury for the senior citizens' cooperative housing tax exemption program, a portion is to be utilized for a program audit of the program. The department of treasury shall forward copies of the audit report to the senate and house of representatives standing committees on appropriations subcommittees on general government and to the state budget office. The department of treasury may utilize up to 1% of the funds for program administration and auditing.

Sec. 914. The department of treasury may provide a \$200.00 annual prize from the Ehlers internship award account in the gifts, bequests, and deposit fund to the runner-up of the Rosenthal prize for interns. The Ehlers internship award account is interest bearing.

Sec. 915. Pursuant to section 61 of the Michigan campaign finance act, 1976 PA 388, MCL 169.261, there is appropriated from the general fund to the state campaign fund an amount equal to the amounts designated for tax year 2009. Except as otherwise provided in this section, the amount appropriated shall not revert to the general fund and shall remain in the state campaign fund. Any amounts remaining in the state campaign fund in excess of \$10,000,000.00 on December 31 shall revert to the general fund.

Sec. 916. The department of treasury may make available to interested entities otherwise unavailable customized unclaimed property listings of nonconfidential information in its possession. The charge for this information is as follows: 1 to 100,000 records at 2.5 cents per record and 100,001 or more records at .5 cents per record. The revenue received from this service shall be deposited to the appropriate revenue account or fund. The department shall submit an annual report on or before June 1 to the state budget director and the senate and house of representatives standing committees on appropriations that states the amount of revenue received from the sale of information.

Sec. 917. (1) There is appropriated for write-offs and advances an amount equal to total write-offs and advances for departmental programs, but not to exceed current year authorizations that would otherwise lapse to the general fund.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director and the senate and house fiscal agencies not later than November 30 stating the amounts appropriated for write-offs and advances under subsection (1).

Sec. 918. In addition to funds appropriated in part 1, the department of treasury may receive and expend funds for conducting tax orientation workshops and seminars. Funds received may not exceed costs incurred in conducting the workshops and seminars.

Sec. 919. (1) From funds appropriated in part 1, the department of treasury may contract with private auditing firms to audit for and collect unclaimed property due this state in accordance with the Michigan uniform unclaimed property act. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund auditing and collection costs and fees not to exceed 12% of the collections, or a lesser amount as prescribed by the contract. The appropriation to fund collection costs and fees for the auditing and collection of unclaimed property due this state is from the fund or account to which the revenues being collected are recorded or dedicated.

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

Sec. 922. The department of treasury shall submit a report for the immediately preceding fiscal year ending September 30 to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director by November 30 stating the amount of Michigan transportation fund revenue collected and the cost of collection.

Sec. 924. (1) In addition to the funds appropriated in part 1, the department of treasury may receive and expend principal residence audit fund revenue for administration of principal residence audits under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director and the senate and house fiscal agencies not later than December 31 stating the amount of exemptions denied and the revenue received under the program.

Sec. 925. (1) A public-private partnership investment fund is created in the department of treasury. Subject to subsections (2) and (3), public-private partnership investments shall include, but are not limited to, all of the following:

- (a) Capital asset improvements including buildings, land, or structures.
- (b) Energy resource exploration, extraction, generation, and sales.

(c) Financial and investment incentive opportunities.

(d) Infrastructure construction, maintenance, and operation.

(e) Public-private sector joint ventures that provide economic benefit to an area or to the state.

(2) Public-private investments shall not include projects, consultant expenses, staff effort, or any other activity related to the development, financing, construction, operation, or implementation of the Detroit River International Crossing.

(3) The state treasurer and the state budget director shall determine whether or not a specific public-private partnership investment opportunity qualifies for funding under subsection (1).

(4) Investment development revenue, including a portion of the proceeds from the sale of any public-private partnership investment designated in subsection (1), shall be deposited into the fund created in subsection (1) and shall be available for administration, development, financing, marketing, and operating expenditures associated with public-private partnerships, unless otherwise provided by law. Public-private partnership investments authorized in subsection (1) are authorized for public or private operation or sale consistent with state law. Expenditures from the fund are authorized for investment purposes as designated in subsection (1) to enhance the marketable value of each investment. The unencumbered balance remaining in the fund at the end of the fiscal year may be carried forward for appropriation in future years.

(5) An annual report shall be transmitted to the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget office not later than December 31 of each year. This report shall detail both of the following:

(a) The revenue and expenditure activity in the fund for the preceding fiscal year.

(b) Public-private partnership investments as identified under subsection (1).

Sec. 925a. The funds appropriated in part 1 shall not be used to support any staff effort, projects, consultant expenses, or any other activity related to the development, financing, construction, operation, or implementation of the Detroit River International Crossing.

Sec. 926. Unexpended appropriations of the John R. Justice grant program are designated as work project appropriations and shall not lapse at the end of the fiscal year and shall continue to be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to provide student loan forgiveness to qualified public defenders and prosecutors.

(b) The project will be accomplished by utilizing state employees or contracts with private vendors, or both.

(c) The total estimated cost of the project is \$282,100.00.

(d) The tentative completion date is September 30, 2012.

Sec. 927. The department of treasury shall submit annual progress reports to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies, regarding personal property tax audits funded under subsection (1). The report shall include the number of audits, revenue generated, and number of complaints received by the department related to the audits.

Sec. 928. The department of treasury may provide receipt, warrant and cash processing, data, collection, investment, fiscal agent, levy and warrant cost assessment, writ of garnishment, and other user services on a contractual basis for other principal executive departments and state agencies. Funds for the services provided are appropriated and shall be expended for salaries and wages, fees, supplies, and equipment necessary to provide the services. Any unobligated balance of the funds received shall revert to the general fund of this state as of September 30.

Sec. 930. (1) The department of treasury shall provide accounts receivable collections services to other principal executive departments and state agencies under 1927 PA 375, MCL 14.131 to 14.134. The department of treasury shall deduct a fee equal to the cost of collections from all receipts except unrestricted general fund collections. Fees shall be credited to a restricted revenue account and appropriated to the department of treasury to pay for the cost of collections. The department of treasury shall maintain accounting records in sufficient detail to enable the respective accounts to be reimbursed periodically for fees deducted that are determined by the department of treasury to be surplus to the actual cost of collections.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director and the senate and house fiscal agencies not later than November 30 stating the principal executive departments and state agencies served, funds collected, and costs of collection under subsection (1).



Sec. 931. (1) The appropriation in part 1 to the department of treasury for treasury fees shall be assessed against all restricted funds that receive common cash earnings or other investment income. Treasury fees include all costs, including administrative overhead, relating to the investment of each restricted fund. The fee assessed against each restricted fund will be based on the size of the restricted fund (the absolute value of the average daily cash balance plus the market value of investments in the prior fiscal year) and the level of effort necessary to maintain the restricted fund as required by each department. The department of treasury shall provide a report to the state budget director, the senate and house of representatives standing committees on appropriations subcommittees on general government, and the senate and house fiscal agencies by November 30 of each year identifying the fees assessed against each restricted fund and the methodology used for assessment.

(2) In addition to the funds appropriated in part 1, the department of treasury may receive and expend investment fees relating to new restricted funding sources that participate in common cash earnings or other investment income during the current fiscal year. When a new restricted fund is created starting on or after October 1, that restricted fund shall be assessed a fee using the same criteria identified in subsection (1).

Sec. 932. Revenue received under the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1442, may be expended by the board of directors of the Michigan education trust for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund.

Sec. 934. (1) The department of treasury may expend revenues received under the hospital finance authority act, 1969 PA 38, MCL 331.31 to 331.84, the shared credit rating act, 1985 PA 227, MCL 141.1051 to 141.1076, the higher education facilities authority act, 1969 PA 295, MCL 390.921 to 390.934, the Michigan public educational facilities authority, Executive Reorganization Order No. 2002-3, MCL 12.192, the Michigan tobacco settlement finance authority act, 2005 PA 226, MCL 129.261 to 129.279, the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774, part 505 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.50501 to 324.50522, the state housing development authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c, and the Michigan finance authority, Executive Reorganization Order No. 2010-2, MCL 12.194, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, grants to the civil service commission and state employees' retirement fund, and other expenses as allowed under those acts. The department of treasury shall maintain accounting records in sufficient detail to enable the hospital clients and educational institution clients to be reimbursed periodically for fees that are determined by the department of treasury to be surplus to needs.

(2) The department of treasury shall report by June 30, 2011 to the senate and house appropriations subcommittees, the senate and house fiscal agencies, and the state budget director on the amount and purpose of expenditures made under subsection (1) from funds received in addition to those appropriated in part 1. The report also shall include a listing of reimbursement of revenue, if any. The report shall cover the period of June 1, 2010 to May 31, 2011.

Sec. 938. It is the intent of the legislature that the department of treasury shall work with local units of government to improve the system for payments in lieu of taxes on purchased lands and report on their efforts by January 1.

Sec. 939. It is the intent of the legislature that the state treasurer, acting within his or her capacity as the investment fiduciary for public employee pension funds and consistent with 1965 PA 314, MCL 38.1132 to 38.1140m, give appropriate consideration to investments in early stage, university derived life science companies located in Michigan, or investments in venture capital funds that invest in those companies to the extent those investments offer the safety and rate of return comparable to other investments permitted and available at the time the investment decision is made.

Sec. 942. The department shall report on the efficacy of increased personnel for field collection provided for in part 1. The report shall contain the methodology used to generate additional revenue, the amount of additional revenue received as a direct result of the increased field staff, and an evaluation of whether this program is worth sustaining within the department. The report shall be submitted to the state budget director, the senate and house of representatives standing committees on appropriations subcommittees on general government, and the senate and house fiscal agencies by September 30.

Sec. 944. If the department hires a pension plan consultant using any of the funds appropriated in part 1, the department shall annually forward any report provided to the department by that consultant to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director.

Sec. 945. The assessment and certification division of the department of treasury may conduct a review of local unit assessment administration practices, procedures, and records, also known as the 14-point review, in at least 1 assessment jurisdiction per county.

Sec. 948. By December 15, the department of treasury shall report to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies the number of tax returns, to include state income tax returns, single business tax returns, and Michigan business tax returns filed online by Michigan residents in the immediately preceding fiscal year.

Sec. 949. Any funding for the beverage container redemption antifraud fund from the appropriation included in 2009 PA 140 for the beverage container redemption antifraud program shall be used for the purposes described in the beverage container redemption antifraud act, 2008 PA 388, MCL 445.631 to 445.643. Any remaining funds available after the distribution has been made to the border counties shall be made available to the next tier of counties north of the border counties for the same purposes.

## **REVENUE SHARING**

Sec. 950. (1) The funds appropriated in part 1 for constitutional revenue sharing shall be distributed by the department to cities, villages, and townships, as required under section 10 of article IX of the state constitution of 1963. Revenue collected in accordance with section 10 of article IX of the state constitution of 1963 in excess of the amount appropriated in part 1 for constitutional revenue sharing is appropriated for distribution to cities, villages, and townships, on a population basis as required under section 10 of article IX of the state constitution of 1963.

(2) The funds appropriated in part 1 for statutory revenue sharing shall be distributed to cities, villages, and townships so that the combined distribution, under section 10 of article IX of the state constitution of 1963, and statutory revenue sharing, as set forth in this subsection, shall be the lesser of 100%, or the percentage determined under this subsection, of the total combined distribution under section 10 of article IX of the state constitution of 1963 during the 2009-2010 state fiscal year, and the statutory distribution received under section 950 of 2009 PA 128 during the 2009-2010 state fiscal year. The percentage under this subsection shall be determined by dividing the sum of all payments under section 10 of article IX of the state constitution of 1963 for the 2010-2011 state fiscal year and \$307,061,700.00 by \$940,543,400.00. Undistributed funds shall lapse to the general fund.

Sec. 955. (1) The funds appropriated in part 1 for county revenue sharing shall be distributed by the department to eligible counties pursuant to the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.901 to 141.921.

(2) The department of treasury shall annually certify to the state budget director the amount each county is authorized to expend from its revenue sharing reserve fund.

## **LOTTERY**

Sec. 960. In addition to the funds appropriated in part 1 to the bureau of state lottery, there is appropriated from lottery revenues the amount necessary for, and directly related to, implementing and operating lottery games. Appropriations under this section shall only be expended for contractually mandated payments for vendor commissions, contractually mandated payments for instant tickets intended for resale, the contractual costs of providing and maintaining the online system communications network, and incentive and bonus payments to lottery retailers.

Sec. 961. The funds appropriated in part 1 to the bureau of state lottery shall not be used for any promotional efforts directed towards individuals who are less than 18 years of age.

Sec. 963. The bureau of state lottery shall inform all lottery retailers that the cash side of department of human services bridge cards cannot be used to purchase lottery tickets.

## **CASINO GAMING**

Sec. 971. From the revenue collected by the Michigan gaming control board regarding the total annual assessment of each casino licensee, \$2,000,000.00 is appropriated and shall be deposited in the compulsive gaming prevention fund as described in section 12a(5) of the Michigan gaming control and revenue act, 1996 IL 1, MCL 432.212a.

Sec. 973. (1) Funds appropriated in part 1 for local government programs may be used to provide assistance to a local revenue sharing board referenced in an agreement authorized by the Indian gaming regulatory act, Public Law 100-497.

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

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

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

(5) The department of treasury shall submit a report by September 30 to the senate and house of representatives standing committees on appropriations and the state budget director on the receipts and distribution of revenues by local revenue sharing boards.

Sec. 974. If revenues collected in the state services fee fund are less than the amounts appropriated from the fund, available revenues shall be used to fully fund the appropriation in part 1 for casino gaming regulation activities before distributions are made to other state departments and agencies. If the remaining revenue in the fund is insufficient to fully fund appropriations to other state departments or agencies, the shortfall shall be distributed proportionally among those departments and agencies.

Sec. 976. The racing commissioner may pay rewards of not more than \$5,800.00 to a person who provides information that results in the arrest and conviction on a felony or misdemeanor charge for a crime that involves the horse racing industry. A reward paid pursuant to this section shall be paid out of the office of racing commissioner line item.

Sec. 977. All appropriations from the Michigan agriculture equine industry development fund, except for the racing commission and laboratory analysis program appropriations, shall be reduced proportionately if revenues to the Michigan agriculture equine industry development fund decline during the fiscal year ending September 30, 2011 to a level lower than the amount appropriated in section 109(11).

Sec. 978. The Michigan gaming control board shall use actual expenditure data in determining the actual regulatory costs of conducting racing dates and shall provide that data to the senate and house appropriations subcommittees on agriculture and general government and the senate and house fiscal agencies. The Michigan gaming control board shall not be reimbursed for more than the actual regulatory cost of conducting race dates. If a certified horsemen's organization funds more than the actual regulatory cost, the balance shall remain in the agriculture equine industry development fund to be used to fund subsequent race dates conducted by race meeting licensees with which the certified horsemen's organization has contracts. If a certified horsemen's organization funds less than the actual regulatory costs of the additional horse racing dates, the Michigan gaming control board shall reduce the number of future race dates conducted by race meeting licensees with which the certified horsemen's organization has contracts. Prior to the reduction in the number of authorized race dates due to budget deficits, the executive director of the Michigan gaming control board shall provide notice to the certified horsemen's organizations with an opportunity to respond with alternatives. In determining actual costs, the Michigan gaming control board shall take into account that each specific breed may require different regulatory mechanisms.

Sec. 979. In the event there is no live thoroughbred race meet in 2010 or 2011, all purse money and program money appropriated for the thoroughbred industry in fiscal year 2009-2010 and fiscal year 2010-2011 shall be held in escrow for a period not to exceed 18 months, or until a thoroughbred race meet license is applied for and granted by the Michigan gaming control board. In the event there is no thoroughbred meet in 2010 or 2011, the purse pool distribution order to be issued by the Michigan gaming control board in 2010 that delineates distribution between the thoroughbred meet that has been held at Pinnacle race course and the joint thoroughbred/quarterhorse meet held in Mt. Pleasant shall be the same distribution formula as issued in 2010, with the thoroughbred portion being held in escrow.

## **HOUSING AND COMMUNITY DEVELOPMENT**

Sec. 980. MSHDA shall annually present a report to the state budget office and the subcommittees on the status of the authority's housing production goals under all financing programs established or administered by the authority. The report shall give special attention to efforts to raise affordable multifamily housing production goals.

Sec. 981. The department and MSHDA shall report to the subcommittees, the state budget director, and the fiscal agencies by December 1 on the status of the loans entered into by the Michigan broadband development authority.

Sec. 982. MSHDA shall provide a report to the subcommittees, the fiscal agencies, and the state budget director by December 1 on the cities of promise blight elimination program. The report shall include:

- (a) The amount awarded to each designated city.
- (b) A description of the projects in each designated city.
- (c) The amount of private or local funds that were used as match for these projects.

Sec. 983. In addition to the amounts appropriated in part 1 for the administration of the land bank fast track authority, the authority may expend revenues received under the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774, for the purposes authorized by the act including, but not limited to, the acquisition, lease, management, demolition, maintenance, or rehabilitation of real or personal property, payment of debt service for notes or bonds issued by the authority, and other expenses to clear or quiet title property held by the authority.

Sec. 984. In addition to the funds appropriated in part 1, the funds collected by state historic preservation programs for document reproduction and services and application fees 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 succeeding fiscal year.

Sec. 985. (1) From the funds appropriated in part 1 to MSHDA, \$200,000.00 may be allocated to the Michigan housing and community development fund. If allocated, these funds are appropriated from the fund to MSHDA for projects as described in sections 58c and 58d of the state housing development authority act of 1966, 1966 PA 346, MCL 125.1458c and 125.1458d.

(2) MSHDA shall report by May 1 to the senate and house appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director on the status of the projects described in subsection (1), including the statewide allocation plan, the number of applicants, the amounts requested, a description of projects, the amounts awarded, the number of housing units that have been or are projected to be created, and the income levels of the households that have been or are projected to be served.

## **MICHIGAN STRATEGIC FUND**

Sec. 1001. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$10,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$700,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 1003. The Michigan growth capital fund shall be used to develop the technology business sector in Michigan. The Michigan growth capital fund will be used to encourage private and public investment in the technology business sector, and all of the following apply:

- (a) An applicant must match state funds on a 1:1 basis.
- (b) Eligible uses of the Michigan growth capital fund include investments in organizations and programs that promote the development of new industry sectors in Michigan; inducements to attract additional venture capital funds to finance technology development; support organizations, initiatives, or events that promote entrepreneurship; provide match for university federal research grants; and support technology transfer and commercialization programs with universities and the private sector.
- (c) The Michigan economic development corporation shall administer the Michigan growth capital fund.
- (d) All funds received from repayment of loans, unused grants, revenues received from sales or cash flow participation agreements, guarantees, or any combination thereof or interest thereon, originally distributed as part of the Michigan growth capital fund, shall be received, held, and applied by the fund for the purposes described in this section.

(e) The Michigan economic development corporation shall provide an annual report on the status of the Michigan growth capital fund to the senate appropriations subcommittee on economic development, the house appropriations subcommittee on general government, the senate and house fiscal agencies, and the state budget office by January 31.

Sec. 1004. In addition to the appropriations in part 1, Travel Michigan may establish and collect a fee to cover the cost of materials and processing of photographic prints, slides, videotapes, and travel product database information that are requested by the media and other segments of the public and private sectors. The fees collected shall be appropriated for all expenses necessary to purchase and distribute these photographic prints, slides, videotapes, and travel product database information. The funds are available for expenditure when they are received by the department of treasury.

Sec. 1005. In addition to the appropriations in part 1, Travel Michigan may receive and expend private revenue related to the use of the "Michigan Great Lakes. Great Times.", "The Upper Hand", and "Pure Michigan" copyrighted slogans and images. This revenue may come from the direct licensing of the name and image or from the royalty payments from various merchandise sales. Revenue collected is appropriated for the marketing of the state as a travel destination. The funds are available for expenditure when they are received by the department of treasury.

Sec. 1006. The fund shall submit on February 15 to the subcommittees, the state budget office, and the fiscal agencies a listing of all grants which have been awarded by the fund or by the Michigan economic development corporation from the funds appropriated in part 1. The list shall include all of the following:

- (a) The name of the recipient.
- (b) The amount awarded to the recipient.
- (c) The purpose of the grant.

Sec. 1007. (1) The fund shall provide reports to the relevant subcommittees, the state budget director, and the fiscal agencies concerning the activities of the Michigan economic development corporation grants and investment programs financed from the fund using investment or Indian gaming revenues. The report shall provide a list of individual grants and loans made from the fund. The report shall include, but not be limited to, the following programs funded in part 1:

(a) Travel Michigan, including any expenditures authorized under section 89b of the Michigan strategic fund act, 1984 PA 270, MCL 125.2089b, to supplement the Michigan promotion program. The report shall include the number of commercials produced, the markets in which media buys have been made, and any web-based products that were created with these funds.

(b) Business attraction, retention, and growth, including any expenditures authorized under section 89b of the Michigan strategic fund act, 1984 PA 270, MCL 125.2089b, to supplement the Michigan business marketing program. The report shall include the number of commercials produced, the markets in which media buys have been made, and any web-based products that were created as a result of this appropriation.

- (c) Business services.
- (d) Community development block grants.
- (e) Strategic fund administration.
- (f) Renaissance zones.
- (g) 21st century investment program.
- (h) Business and clean air ombudsman.
- (i) Economic development job training program grants.
- (j) Any other programs of the fund.

(2) The reports in subsection (1) shall be submitted by January 15. The report for each program in subsection (1)(a) through (j) shall include details on all revenue sources, actual expenditures, and number of FTEs for that program for the previous fiscal year.

Sec. 1008. As a condition of receiving funds under part 1, any interlocal agreement entered into by the fund shall include language which states that if a local unit of government has a contract or memorandum of understanding with a private economic development agency, the Michigan economic development corporation will work cooperatively with that private organization in that local area.

Sec. 1009. (1) Of the funds appropriated to the fund or through grants to the Michigan economic development corporation, no funds shall be expended for the purchase of options on land or the purchase of land unless at least 1 of the following conditions applies:

- (a) The land is located in an economically distressed area.

(b) The land is obtained through a purchase or exercise of an option at the invitation of the local unit of government and local economic development agency.

(2) Consideration may be given to purchases where the proposed use of the land is consistent with a regional land use plan, will result in the redevelopment of an economically distressed area, can be supported by existing infrastructure, and will not cause shifts in population away from the area's population centers.

(3) As used in this section, "economically distressed area" means an area in a city, village, or township that has been designated as blighted; a city, village, or township that shows negative population change from 1970 and a poverty rate and unemployment rate greater than the statewide average; or an area certified as a neighborhood enterprise zone.

Sec. 1011. (1) From the general fund/general purpose appropriations in part 1 to the fund and granted or transferred to the Michigan economic development corporation, any unexpended or unencumbered balance shall be disposed of in accordance with the requirements in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, unless carryforward authorization has been otherwise provided for.

(2) Any encumbered funds shall be used for the same purposes for which funding was originally appropriated in this act.

Sec. 1012. (1) As a condition of receiving funds under part 1, the fund shall ensure that the MEDC and the fund comply with all of the following:

(a) The freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(b) The open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(c) Annual audits of all financial records by the auditor general or his or her designee.

(d) All reports required by law to be submitted to the legislature.

(2) If the MEDC is unable for any reason to perform duties under this act, the fund may exercise those duties.

Sec. 1013. As a condition for receiving the appropriations in part 1, any staff of the Michigan economic development corporation involved in private fund-raising activities shall not be party to any decisions regarding the awarding of grants or tax abatements from the fund, the Michigan economic development corporation, or the Michigan economic growth authority.

Sec. 1014. (1) All funds received from repayment of loans, unused grants, revenues received from sales or cash flow participation agreements, guarantees, or any combination of these or accrued interest originally distributed as part of the core communities fund, created by 2000 PA 291, shall be received, held, and applied by the fund for the purposes described in 2000 PA 291.

(2) The fund shall provide an annual report on the status of this fund which includes information that details the awards made. The report shall be provided to the appropriations subcommittees on general government, the fiscal agencies, and the state budget office by January 31.

Sec. 1020. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 and that do not require additional state matching funds are appropriated for the purposes intended. The fund may carry forward into the succeeding fiscal year unexpended federal pass-through funds to local institutions and governments that do not require additional state matching funds. The fund shall report the amount and source of the funds to the senate appropriation subcommittee on economic development, the house appropriation subcommittee on general government, the senate and house fiscal agencies, and the state budget office within 10 business days after receiving any additional pass-through funds.

Sec. 1023. The fund shall coordinate tourism promotion with the tourism industry. The fund shall submit a report by July 1 to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies on the geographical locations and recreational activities used in Michigan tourism promotional material.

Sec. 1024. From the funds appropriated in part 1 for the jobs for Michigan investment program: 21st century jobs fund, not less than \$1,400,000.00 shall be granted by the Michigan strategic fund board to the Michigan small business and technology development centers to be used for the SBIR or STTR grant or loan matching program. These funds shall only be used to provide the required match. Grants or loans under this section shall not exceed 25% of the federal funds and must leverage third-party commercialization funding at both the phase I and phase II levels.

Sec. 1025. (1) Of the funds appropriated in part 1 for jobs for Michigan investment program: 21st century jobs fund, \$250,000.00 shall be allocated to the Michigan aerospace manufacturers association, a nonprofit, tax-exempt, aerospace-based manufacturing association, for organizational assistance and to advance and promote the aerospace manufacturing community in the state of Michigan within the global economy.

(2) The Michigan aerospace manufacturers association and the defense contract coordination center shall work cooperatively to advance and promote Michigan aerospace-based manufacturing.

Sec. 1027. Of the funds appropriated in part 1 for jobs for Michigan investment program: 21st century jobs fund, \$3,000,000.00 may be allocated to Lakeshore Advantage for the same purposes as the fiscal year 2007-2008 allocation.

Sec. 1028. From the funds appropriated in part 1 for jobs for Michigan investment program: 21st century jobs fund, no more than \$25,000,000.00 of the appropriation shall be awarded, expended, or committed during the first quarter of the fiscal year.

Sec. 1029. The unexpended portion of funds appropriated in 2005 PA 225 for the 21st century jobs trust fund programs that total \$6,450,000.00 are appropriated for the same purpose for the fiscal year ending September 30, 2010.

Sec. 1030. Up to \$10,000,000.00 from the unreserved general fund/general purpose fund balance for the fiscal year ending September 30, 2010 is appropriated to the Michigan strategic fund agency as a grant to the Detroit institute of arts. If the unreserved general fund/general purpose fund balance is less than \$10,000,000.00, the amount appropriated to the Michigan strategic fund agency shall be reduced so that it does not exceed the total unreserved fund balance.

Sec. 1032. (1) The Michigan film office shall report to the subcommittees and the fiscal agencies on the status of the film incentives at the same time as it submits the annual report required under section 455 of the Michigan business tax act, 2007 PA 36, MCL 208.1455. The department of treasury and the Michigan strategic fund shall provide the Michigan film office with the data necessary to prepare the report. Incentives included in the report shall include all of the following:

- (a) The tax credit provided under section 455 of the Michigan business tax act, 2007 PA 36, MCL 208.1455.
- (b) The tax credit provided under section 457 of the Michigan business tax act, 2007 PA 36, MCL 208.1457.
- (c) The tax credit provided under section 459 of the Michigan business tax act, 2007 PA 36, MCL 208.1459.
- (d) The amount of any tax credit claimed under section 367 of the income tax act of 1967, 1967 PA 281, MCL 206.367.
- (e) Any tax credits provided for film and digital media production under the Michigan economic growth authority act, 1995 PA 24, MCL 207.801 to 207.810.
- (f) Loans to an eligible production company or film and digital media private equity fund authorized under section 88d(3), (4), and (5) of the Michigan strategic fund act, 2005 PA 225, MCL 125.2088d.

(2) The report shall include all of the following information:

(a) For each tax credit, the number of contracts signed, the projected expenditures qualifying for the credit, and the estimated value of the credits. For loans, the number of loans made under each section, the interest rate of those loans, the loan amount, the percent of the projected budget of each production financed by those loans, and the estimated interest earnings from the loan.

(b) For credits authorized under section 455 of the Michigan business tax act, 2007 PA 36, MCL 208.1455, for productions completed by December 31, the expenditures of each production eligible for the credit that has filed a request for certificate of completion with the film office, broken down into expenditures for goods, services, or salaries and wages and showing separately expenditures in each local unit of government, including expenditures for personnel, whether or not they were made to a Michigan entity, and whether or not they were taxable under the laws of this state. For loans, the report shall include the number of loans that have been fully repaid, with principal and interest shown separately, and the number of loans that are delinquent or in default, and the amount of principal that is delinquent or is in default.

(c) For each of the tax credit incentives and loan incentives listed in subsection (1), a breakdown for each project or production showing each of the following:

- (i) The number of temporary jobs created.
  - (ii) The number of permanent jobs created.
  - (iii) The number of persons employed in Michigan as a result of the incentive, on a full-time equated basis.
- (3) For any information not included in the report due to the provisions of sections 455(6), 457(6), or 459(6) of the Michigan business tax act, 2007 PA 36, MCL 208.1455, 208.1457, and 208.1459, the report shall do all of the following:
- (a) Indicate how the information would describe the commercial and financial operations or intellectual property of the company.
  - (b) Attest that the information has not been publicly disseminated at any time.
  - (c) Describe how disclosure of the information may put the company at a competitive disadvantage.
  - (4) Any information not disclosed due to the provisions of sections 455(6), 457(6), or 459(6) of the Michigan business tax act, 2007 PA 36, MCL 208.1455, 208.1457, and 208.1459, shall be presented at the lowest level of aggregation that would no longer describe the commercial and financial operations or intellectual property of the company.

Sec. 1033. The fund shall make available to the public the minutes of the Michigan film office advisory council.

Sec. 1034. (1) From the funds appropriated in part 1 for the jobs for Michigan investment program: 21st century jobs fund, \$1,300,000.00 shall be used to fund business incubators. The Michigan strategic fund shall award a grant to 1 high-performance business incubator in each of the following counties or cities:

(a) Houghton County.

(b) A city with a population in the 2000 census between 119,000 and 120,000 and that experienced a population loss between 8% and 9% between the 1990 census and the 2000 census.

(c) Isabella County.

(d) Kalamazoo County.

(e) Kent County.

(f) Macomb County.

(g) Muskegon County.

(h) Oakland County.

(i) Washtenaw County.

(j) A city with a population greater than 750,000.

(2) Grant funding awarded under this section may be used to fund satellite locations, as determined by the Michigan strategic fund.

(3) Eligible recipients for these awards must be operational on October 1 and submit a comprehensive business plan that demonstrates sustainable operating capacity.

(4) There shall be \$250,000.00 awarded to an eligible business incubator within Macomb County and \$250,000.00 awarded to an eligible business incubator within Oakland County. Each remaining county or city shall be awarded \$100,000.00 for an eligible business incubator. No unit of local government listed in this subsection shall receive more than 1 award.

(5) Awards shall be announced by March 31, 2011.

Sec. 1035. (1) From the appropriation in part 1, the Michigan council for arts and cultural affairs shall administer an arts and cultural grant program that maintains an equitable geographic distribution of funding and utilizes past arts and cultural grant programs as a guideline for administering this program. The council shall do all of the following:

(a) On or before October 1, the fund shall publish proposed application criteria, instructions, and forms for use by eligible applicants. The fund shall provide at least a 2-week period for public comment before finalizing the application criteria, instructions, and forms.

(b) A nonrefundable application fee may be assessed for each application. Application fees shall be deposited in the council for the arts fund and are appropriated for expenses necessary to administer the programs. These funds are available for expenditure when they are received and may be carried forward to the following fiscal year.

(c) Grants are to be made to public and private arts and cultural entities.

(d) Within 1 business day after the award announcements, the council shall provide to each member of the legislature and the fiscal agencies a list of all grant recipients and the total award given to each recipient, sorted by county.

(2) Up to \$100,000.00 from the appropriation in part 1 for arts and cultural program may be used for the administration of this grant program.

## **REVENUE STATEMENT**

Sec. 1101. 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 2010-2011

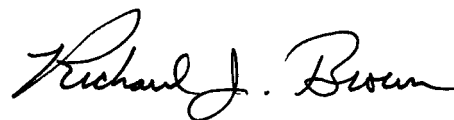
	Fund	Beginning Unreserved Fund Balance	Estimated Revenue	Ending Balance
<b>OPERATING FUNDS</b>				
General fund/general purpose .....	0110	33.1	7,969.9	4.6
General fund/special purpose .....		548.9	22,754.3	619.6



Special Revenue Funds:

Countercyclical budget and economic stabilization.....	0111	2.2	0.0	2.2
Game and fish protection.....	0112	4.2	63.1	1.2
Michigan employment security act administration .....	0113	15.0	12.0	15.0
State aeronautics .....	0114	4.2	131.4	0.1
Michigan veterans' benefit trust .....	0115	0.0	5.0	0.0
State trunkline .....	0116	(13.2)	1,309.7	(19.7)
Michigan state waterways .....	0117	1.5	27.5	0.0
Blue Water Bridge.....	0118	13.2	21.3	19.7
Michigan transportation .....	0119	0.0	1,796.9	0.0
Comprehensive transportation.....	0120	6.6	304.8	0.0
School aid .....	0122	0.0	12,727.4	0.0
Game and fish protection trust.....	0124	6.0	8.1	6.0
State park improvement.....	0125	0.5	38.2	0.0
Forest development .....	0126	1.0	28.0	0.0
Michigan civilian conservation corps endowment .....	0128	0.0	0.0	0.0
Michigan natural resources trust .....	0129	31.2	45.6	28.1
Michigan state parks endowment .....	0130	0.0	10.4	0.0
Safety education and training.....	0131	7.1	9.2	8.0
Bottle deposit .....	0136	0.0	10.8	0.0
State construction code.....	0138	5.8	7.4	2.8
Children's trust .....	0139	1.1	3.8	0.9
State casino gaming.....	0140	1.9	34.2	2.0
Homeowner construction lien recovery .....	0141	0.0	0.0	0.0
Michigan nongame fish and wildlife.....	0143	0.1	0.3	0.0
Michigan merit award trust .....	0154	6.1	175.2	0.0
Outdoor recreation legacy .....	0162	0.2	2.2	0.0
Off-road vehicle account .....	0163	0.2	3.3	0.1
Snowmobile account.....	0164	0.3	11.0	0.0
Silicosis dust disease and logging.....	0870	2.3	1.9	2.3
Utility consumer representation.....	0893	1.2	1.2	1.0
TOTALS.....		\$680.7	\$47,514.1	\$693.9

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved .....

.....  
Governor