

SUBSTITUTE FOR
SENATE BILL NO. 771

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2015; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the judiciary for the fiscal year ending September 30, 2015, from the following funds:

JUDICIARY

APPROPRIATION SUMMARY

Full-time equated exempted positions..... 486.0

GROSS APPROPRIATION..... \$ 286,983,100

Interdepartmental grant revenues:

1	Total interdepartmental grants and intradepartmental		
2	transfers		2,364,400
3	ADJUSTED GROSS APPROPRIATION.....	\$	284,618,700
4	Federal revenues:		
5	Total federal revenues.....		6,437,400
6	Special revenue funds:		
7	Total local revenues.....		7,241,100
8	Total private revenues.....		944,800
9	Total other state restricted revenues.....		84,252,500
10	State general fund/general purpose.....	\$	185,742,900
11	Sec. 102. SUPREME COURT		
12	Full-time equated exempted positions.....	245.0	
13	Supreme court administration--92.0 FTE positions	\$	13,371,800
14	Judicial institute--13.0 FTE positions		2,166,300
15	State court administrative office--60.0 FTE positions		11,753,900
16	Judicial information systems--22.0 FTE positions		3,072,200
17	Direct trial court automation support--44.0 FTE		
18	positions		7,241,100
19	Foster care review board--10.0 FTE positions		1,290,800
20	Community dispute resolution--3.0 FTE positions		2,368,400
21	Other federal grants.....		275,100
22	Drug treatment courts.....		10,958,000
23	Mental health courts--1.0 FTE positions		5,204,800
24	Veterans courts.....		500,000
25	Swift and sure sanctions program.....		6,000,000
26	Community court pilot project.....		<u>20,000</u>
27	GROSS APPROPRIATION.....	\$	64,222,400

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	IDG from department of state police.....	1,500,000
4	IDG from department of corrections.....	50,000
5	IDG from state police - Michigan justice training fund	339,700
6	Federal revenues:	
7	DOJ, victims assistance programs.....	56,500
8	DOJ, drug court training and evaluation.....	300,000
9	DOT, national highway traffic safety administration..	2,204,300
10	HHS, access and visitation grant.....	613,500
11	HHS, children's justice grant.....	229,900
12	HHS, court improvement project.....	1,293,300
13	HHS, title IV-D child support program.....	1,012,000
14	HHS, title IV-E foster care program.....	387,300
15	Other federal grant revenues.....	275,100
16	Special revenue funds:	
17	Local - user fees.....	7,241,100
18	Private.....	188,500
19	Private - interest on lawyers trust accounts.....	259,200
20	Private - state justice institute.....	414,300
21	Community dispute resolution fund.....	2,368,400
22	Court of appeals filing/motion fees.....	1,641,800
23	Law exam fees.....	641,100
24	Drug court fund.....	1,920,500
25	Miscellaneous revenue.....	271,300
26	Justice system fund.....	568,100
27	State court fund.....	378,000

1	State general fund/general purpose	\$	40,068,500
2	Sec. 103. COURT OF APPEALS		
3	Full-time equated exempted positions.....	175.0	
4	Court of appeals operations--175.0 FTE positions	\$	<u>22,708,200</u>
5	GROSS APPROPRIATION.....	\$	22,708,200
6	Appropriated from:		
7	State general fund/general purpose	\$	22,708,200
8	Sec. 104. BRANCHWIDE APPROPRIATIONS		
9	Full-time equated exempted positions.....	4.0	
10	Branchwide appropriations--4.0 FTE positions	\$	<u>8,772,700</u>
11	GROSS APPROPRIATION.....	\$	8,772,700
12	Appropriated from:		
13	State general fund/general purpose	\$	8,772,700
14	Sec. 105. JUSTICES' AND JUDGES' COMPENSATION		
15	Full-time judges positions	600.0	
16	Supreme court justices' salaries--7.0 justices	\$	1,152,300
17	Court of appeals judges' salaries--27.0 judges		4,126,700
18	District court judges' state base salaries--245.0		
19	judges		22,743,700
20	District court judicial salary standardization		11,236,700
21	Probate court judges' state base salaries--103.0		
22	judges		9,627,900
23	Probate court judicial salary standardization		4,669,600
24	Circuit court judges' state base salaries--218.0		
25	judges		20,534,600
26	Circuit court judicial salary standardization		9,967,900
27	Judges' retirement system defined contributions		4,361,800

1	OASI, social security.....	<u>5,620,700</u>
2	GROSS APPROPRIATION.....	\$ 94,041,900
3	Appropriated from:	
4	Special revenue funds:	
5	Court fee fund.....	2,988,100
6	State general fund/general purpose.....	\$ 91,053,800
7	Sec. 106. JUDICIAL AGENCIES	
8	Full-time equated exempted positions.....	7.0
9	Judicial tenure commission--7.0 FTE positions.....	<u>\$ 1,120,700</u>
10	GROSS APPROPRIATION.....	\$ 1,120,700
11	Appropriated from:	
12	State general fund/general purpose.....	\$ 1,120,700
13	Sec. 107. INDIGENT DEFENSE - CRIMINAL	
14	Full-time equated exempted positions.....	55.0
15	Appellate public defender program--48.0 FTE positions	\$ 6,816,500
16	Appellate assigned counsel administration--7.0 FTE	
17	positions	1,063,600
18	Michigan indigent defense commission.....	<u>1,000,000</u>
19	GROSS APPROPRIATION.....	\$ 8,880,100
20	Appropriated from:	
21	Interdepartmental grant revenues:	
22	IDG from state police - Michigan justice training fund	474,700
23	Federal revenues:	
24	Other federal grant revenues.....	65,500
25	Special revenue funds:	
26	Private - interest on lawyers trust accounts.....	82,800
27	Miscellaneous revenue.....	133,200

1	State general fund/general purpose	\$	8,123,900
2	Sec. 108. INDIGENT CIVIL LEGAL ASSISTANCE		
3	Indigent civil legal assistance	\$	<u>7,937,000</u>
4	GROSS APPROPRIATION	\$	7,937,000
5	Appropriated from:		
6	Special revenue funds:		
7	State court fund		7,937,000
8	State general fund/general purpose	\$	0
9	Sec. 109. TRIAL COURT OPERATIONS		
10	Court equity fund reimbursements	\$	60,835,100
11	Judicial technology improvement fund		<u>4,815,000</u>
12	GROSS APPROPRIATION	\$	65,650,100
13	Appropriated from:		
14	Special revenue funds:		
15	Court equity fund		50,440,000
16	Judicial technology improvement fund		4,815,000
17	State general fund/general purpose	\$	10,395,100
18	Sec. 110. GRANTS AND REIMBURSEMENTS TO LOCAL		
19	GOVERNMENT		
20	Drug case-flow program	\$	250,000
21	Drunk driving case-flow program		3,300,000
22	Juror compensation reimbursement		<u>6,600,000</u>
23	GROSS APPROPRIATION	\$	10,150,000
24	Appropriated from:		
25	Special revenue funds:		
26	Drug fund		250,000
27	Drunk driving fund		3,300,000

1	Juror compensation fund.....	6,600,000
2	State general fund/general purpose.....	\$ 0
3	Sec. 111. ONE-TIME BASIS ONLY APPROPRIATIONS	
4	Full-time equated exempted positions	
5	MiCS case management system.....	\$ <u>3,500,000</u>
6	GROSS APPROPRIATION.....	\$ 3,500,000
7	Appropriated from:	
8	State general fund/general purpose.....	\$ 3,500,000

9 PART 2

10 PROVISIONS CONCERNING APPROPRIATIONS

11 FOR FISCAL YEAR 2014-2015

12 **GENERAL SECTIONS**

13 Sec. 201. Pursuant to section 30 of article IX of the state
 14 constitution of 1963, total state spending from state resources
 15 under part 1 for fiscal year 2014-2015 is \$269,995,400.00 and state
 16 spending from state resources to be paid to local units of
 17 government for fiscal year 2014-2015 is \$138,461,000.00. The
 18 itemized statement below identifies appropriations from which
 19 spending to local units of government will occur:

20 JUDICIARY

21 SUPREME COURT

22	State court administrative office.....	\$ 511,900
23	Drug treatment courts.....	10,658,300
24	Mental health courts.....	5,147,600
25	Veterans courts.....	485,000

1	Swift and sure sanctions.....		5,900,000
2	TRIAL COURT OPERATIONS		
3	Court equity fund reimbursements.....	\$	60,835,100
4	Judicial technology improvement fund.....		4,815,000
5	Michigan court system.....		3,500,000
6	JUSTICES' AND JUDGES' COMPENSATION		
7	District court judicial salary standardization.....	\$	11,236,700
8	Probate court judges' state base salaries.....		9,627,900
9	Probate court judicial salary standardization.....		4,669,600
10	Circuit court judicial salary standardization.....		9,967,900
11	Grant to OASI contribution fund, employers share,		
12	social security		956,300
13	GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT		
14	Drunk driving case-flow program.....	\$	3,300,000
15	Drug case-flow program.....		250,000
16	Juror compensation reimbursement.....		<u>6,600,000</u>
17	TOTAL.....	\$	138,461,100

18 Sec. 202. (1) The appropriations authorized under this part
19 and part 1 are subject to the management and budget act, 1984 PA
20 431, MCL 18.1101 to 18.1594.

21 (2) Funds appropriated in part 1 to an entity within the
22 judicial branch shall not be expended or transferred to another
23 account without written approval of the authorized agent of the
24 judicial entity. If the authorized agent of the judicial entity
25 notifies the state budget director of its approval of an
26 expenditure or transfer, the state budget director shall
27 immediately make the expenditure or transfer. The authorized

1 judicial entity agent shall be designated by the chief justice of
2 the supreme court.

3 Sec. 203. As used in this part and part 1:

4 (a) "DOJ" means the United States department of justice.

5 (b) "DOT" means the United States department of
6 transportation.

7 (c) "FTE" means full-time equated.

8 (d) "HHS" means the United States department of health and
9 human services.

10 (e) "IDG" means interdepartmental grant.

11 (f) "OASI" means old age survivor's insurance.

12 Sec. 204. The judicial branch shall not take disciplinary
13 action against an employee for communicating with a member of the
14 legislature or his or her staff.

15 Sec. 205. It is the intent of the legislature that judges who
16 are presiding over a hearing on a foster care case shall publicly
17 acknowledge and request the input of the foster parent or foster
18 parents during the hearing.

19 Sec. 206. (1) The state court administrative office shall
20 coordinate a comprehensive training program in conjunction with the
21 department of human services and the foster care review board for
22 court personnel on the importance of parent-child visitations in
23 foster care cases.

24 (2) The state court administrative office shall submit a
25 report on the training requirements described in subsection (1) to
26 the senate and house appropriations subcommittees on the judiciary
27 budget, the senate and house fiscal agencies, the senate and house

1 policy offices, and the state budget office by March 1 of the
2 current fiscal year. The report shall include the date of the
3 training sessions, the number of court personnel who participated
4 in the training, and the results of the training.

5 Sec. 207. If the judicial branch makes any changes to a foster
6 care family service plan before its finalization, the presiding
7 judge shall provide an explanation for any changes to that plan in
8 the court record.

9 Sec. 208. The reporting requirements of this part shall be
10 completed with the approval of, and at the direction of, the
11 supreme court, except as otherwise provided in this part. The
12 judicial branch shall use the Internet to fulfill the reporting
13 requirements of this part. This may include transmission of reports
14 via electronic mail to the recipients identified for each reporting
15 requirement, or it may include placement of reports on an Internet
16 or Intranet site.

17 Sec. 209. (1) From funds appropriated in part 1 for the state
18 court administrative office, the state court administrative office
19 shall allocate \$450,000.00 for the information and technology
20 services and projects described in subsection (2).

21 (2) The funds described in subsection (1) shall be used to
22 implement a database which tracks statistical and demographic data
23 on adjudicated juveniles for the use of the department of human
24 services, circuit and probate courts, private juvenile justice
25 agencies, and the state court administrative office.

26 (3) The state court administrative office shall submit a
27 report on the implementation items described in subsections (1) and

1 (2) to the senate and house appropriations subcommittees on the
2 judiciary budget, the senate and house fiscal agencies, the senate
3 and house policy offices, and the state budget office by March 1 of
4 the current fiscal year.

5 Sec. 210. From the funds appropriated in part 1, the state
6 court administrative office shall provide \$30,000.00 for the task
7 force on the prevention of sexual abuse of children created under
8 section 12b of the child protection law, 1975 PA 238, MCL 722.632b.
9 Use of funds shall be limited to mileage reimbursements and other
10 travel expenses for task force operations.

11 Sec. 211. From the funds appropriated in part 1, the judicial
12 branch shall establish an interagency agreement with the department
13 of human services and the department of corrections linking the
14 swift and sure sanctions program with the Michigan rehabilitative
15 services program. The purpose of this relationship is to utilize
16 synergies that exist between the client bases and determine
17 eligibility of offenders in the swift and sure sanctions program
18 for services rendered by the Michigan rehabilitative services
19 program. These funds shall be used to assist individuals who have a
20 history of probation or parole violations and exceptional mental
21 health needs but shall not be used for individuals who are
22 currently incarcerated.

23 Sec. 212. The judicial branch shall receive and retain copies
24 of all reports funded from appropriations in part 1. Federal and
25 state guidelines for short-term and long-term retention of records
26 shall be followed. The judicial branch may electronically retain
27 copies of reports unless otherwise required by federal and state

1 guidelines.

2 Sec. 214. Funds appropriated in part 1 shall not be used for
3 the purchase of foreign goods or services, or both, if
4 competitively priced and of comparable quality American goods or
5 services, or both, are available. Preference shall be given to
6 goods or services, or both, manufactured or provided by Michigan
7 businesses, if they are competitively priced and of comparable
8 quality. In addition, preference shall be given to goods or
9 services, or both, that are manufactured or provided by Michigan
10 businesses owned and operated by veterans, if they are
11 competitively priced and of comparable quality.

12 Sec. 215. Not later than January 1 of each year, the state
13 court administrative office shall prepare a travel report listing
14 all travel by judicial branch employees outside this state in the
15 immediately preceding fiscal year that was funded in whole or in
16 part with funds appropriated in the budget for the judicial branch.
17 The report shall be submitted to the senate and house of
18 representatives standing committees on appropriations, the senate
19 and house fiscal agencies, and the state budget director. The
20 report shall include the following information:

21 (a) The dates of each travel occurrence.

22 (b) The transportation and related costs of each travel
23 occurrence, including the proportion funded with state general
24 fund/general purpose revenues, the proportion funded with state
25 restricted revenues, the proportion funded with federal revenues,
26 and the proportion funded with other revenues.

27 Sec. 219. Not later than November 30, the state budget office

1 shall prepare and transmit a report that provides for estimates of
2 the total general fund/general purpose appropriation lapses at the
3 close of the prior fiscal year. This report shall summarize the
4 projected year-end general fund/general purpose appropriation
5 lapses by major program or program areas. The report shall be
6 transmitted to the chairpersons of the senate and house
7 appropriations committees and the senate and house fiscal agencies.

8 Sec. 221. From the funds appropriated in part 1, the judicial
9 branch shall develop, post, and maintain, on a user-friendly and
10 publicly accessible Internet site, all expenditures made by the
11 judicial branch within a fiscal year. The posting shall include the
12 purpose for which each expenditure is made. The judicial branch
13 shall not provide financial information on its website under this
14 section if doing so would violate a federal or state law, rule,
15 regulation, or guideline that establishes privacy or security
16 standards applicable to that financial information.

17 Sec. 222. Within 14 days after the release of the executive
18 budget recommendation, the judicial branch shall cooperate with the
19 state budget office to provide the senate and house appropriations
20 chairs, the senate and house appropriations subcommittee chairs,
21 and the senate and house fiscal agencies with an annual report on
22 estimated state restricted fund balances, state restricted fund
23 projected revenues, and state restricted fund expenditures for the
24 fiscal years ending September 30, 2014 and September 30, 2015.

25 Sec. 223. The judiciary shall maintain, on a publicly
26 accessible website, a scorecard that identifies, tracks, and
27 regularly updates key metrics that are used to monitor and improve

1 the judiciary's performance.

2 Sec. 224. Total authorized appropriations from all sources
3 under part 1 for legacy costs for the fiscal year ending September
4 30, 2015 is \$14,307,500.00. From this amount, total appropriations
5 for judiciary pension-related legacy costs are estimated at
6 \$7,996,600.00. Total appropriations for judiciary retiree health
7 care legacy costs are estimated at \$6,310,900.00.

8 **JUDICIAL BRANCH**

9 Sec. 301. Pursuant to the appropriations in part 1, the direct
10 trial court automation support program of the state court
11 administrative office shall recover direct and overhead costs from
12 trial courts by charging for services rendered. The fee shall cover
13 the actual costs incurred to the direct trial court automation
14 support program in providing the service, including development of
15 future versions of case management systems.

16 Sec. 302. Funds appropriated within the judicial branch shall
17 not be expended by any component within the judicial branch without
18 the approval of the supreme court.

19 Sec. 303. Of the amount appropriated in part 1 for the
20 judicial branch, \$511,900.00 is allocated for circuit court
21 reimbursement under section 3 of 1978 PA 16, MCL 800.453, and for
22 costs associated with the court of claims.

23 Sec. 306. The supreme court and the state court administrative
24 office shall continue to maintain, as a priority, the assisting of
25 local trial courts in improving the collection of judgments.

26 Sec. 307. From the funds appropriated in part 1 for mental

1 health courts and diversion services, \$1,150,000.00 is intended to
2 address the recommendations of the mental health diversion council.

3 Sec. 308. If sufficient funds are not available from the court
4 fee fund to pay judges' compensation, the difference between the
5 appropriated amount from that fund for judges' compensation and the
6 actual amount available after the amount appropriated for trial
7 court reimbursement is made shall be appropriated from the state
8 general fund for judges' compensation.

9 Sec. 309. By April 1, the state court administrative office
10 shall provide an update on the status of the mental health courts
11 to the state budget director, the senate and house appropriations
12 subcommittees on the judiciary, and the senate and house fiscal
13 agencies.

14 Sec. 310. From the funds appropriated in part 1 for drug
15 treatment court programs, with the approval of and at the
16 discretion of the supreme court, the state court administrative
17 office shall evaluate and collect data on the performance of drug
18 treatment court programs. The state court administrative office
19 shall provide an annual review of the performance of drug courts as
20 prescribed in section 1078(6) of the revised judicature act of
21 1961, 1961 PA 236, MCL 600.1078. Both of the following apply to
22 that annual review:

23 (a) It shall include measures of the impact of drug court
24 programs in changing offender criminal involvement (recidivism) and
25 substance abuse and in reducing prison admissions.

26 (b) It shall be completed no later than April 1 of each year
27 and shall also be provided to the senate and house appropriations

1 subcommittees on the judiciary, the senate and house fiscal
2 agencies, and the state budget director.

3 Sec. 311. (1) The funds appropriated in part 1 for drug
4 treatment courts shall be administered by the state court
5 administrative office to operate drug treatment court programs. A
6 drug treatment court shall be responsible for handling cases
7 involving substance abusing nonviolent offenders through
8 comprehensive supervision, testing, treatment services, and
9 immediate sanctions and incentives. A drug treatment court shall
10 use all available county and state personnel involved in the
11 disposition of cases including, but not limited to, parole and
12 probation agents, prosecuting attorneys, defense attorneys, and
13 community corrections providers. The funds may be used in
14 connection with other federal, state, and local funding sources.

15 (2) From the funds appropriated in part 1, the chief justice
16 shall allocate sufficient funds for the judicial institute to
17 provide in-state training for those identified in subsection (1),
18 including training for new drug treatment court judges.

19 (3) For drug treatment court grants, consideration for
20 priority may be given to those courts where higher instances of
21 substance abuse cases are filed.

22 (4) The judiciary shall receive \$1,500,000.00 in Byrne formula
23 grant funding as an interdepartmental grant from the department of
24 state police to be used for expansion of drug treatment courts, to
25 assist in avoiding prison bed space growth for nonviolent offenders
26 in collaboration with the department of corrections.

27 Sec. 312. From the funds appropriated in part 1, the state

1 court administrator shall produce a statistical report regarding
2 the implementation of the parental rights restoration act, 1990 PA
3 211, MCL 722.901 to 722.908, as it pertains to minors seeking a
4 court-issued waiver of parental consent. In accordance with section
5 208, the state court administrative office shall report the total
6 number of petitions filed and the total number of petitions granted
7 under that act.

8 Sec. 317. Funds appropriated in part 1 shall not be used for
9 the permanent assignment of state-owned vehicles to justices or
10 judges or any other judicial branch employee. This section does not
11 preclude the use of state-owned motor pool vehicles for state
12 business in accordance with approved guidelines.

13 Sec. 318. The funds appropriated in part 1 for the community
14 court pilot project shall be used for the purposes of administering
15 a pilot program of neighborhood-focused community courts. The state
16 court administrative office shall work collaboratively with the
17 designated courts when establishing the community courts.

18 Sec. 320. (1) From the funds appropriated in part 1 for the
19 swift and sure sanctions program, the state court administrative
20 office shall administer a program to distribute grants to
21 qualifying courts in accordance with the objectives and
22 requirements of the probation swift and sure sanctions act, chapter
23 XIA of the code of criminal procedure, 1927 PA 175, MCL 771A.1 to
24 771A.8. Of the \$6,000,000.00 designated for the program, not more
25 than \$100,000.00 shall be available to the state court
26 administrative office to pay for employee costs associated with the
27 administration of the program funds. Courts interested in

1 participating in the swift and sure sanctions program may apply to
2 the state court administrative office for a portion of the funds
3 appropriated in part 1 under this section.

4 (2) By April 1, a court that receives funding under this
5 section shall provide a report on the program to the state budget
6 director, the senate and house appropriations subcommittees on the
7 judiciary, and the senate and house fiscal agencies. The report
8 shall include all of the following:

9 (a) The number of offenders who participate in the program.

10 (b) The criminal history of offenders who participate in the
11 program.

12 (c) The recidivism rate of offenders who participate in the
13 program, including the rate of return to jail, prison, or both.

14 (d) A detailed description of the establishment and parameters
15 of the program.

16 (3) As used in this section, "program" means a swift and sure
17 sanctions program.

18 Sec. 321. It is the intent of the legislature that the
19 judicial branch support a statewide legal self-help Internet
20 website and local nonprofit self-help centers that use the
21 statewide website to provide assistance to individuals representing
22 themselves in civil legal proceedings. The state court
23 administrative office shall evaluate the effectiveness of the
24 website, summarize the costs of maintaining the website, estimate
25 the savings the website generates for the state court system, and
26 report this information to the legislature.

27 Sec. 322. If Byrne formula grant funding is awarded to the

1 state appellate defender, the state appellate defender office may
2 receive and expend Byrne formula grant funds in an amount not
3 exceeding \$250,000.00 as an interdepartmental grant from the
4 department of state police. If the appellate defender appointed
5 under section 3 of the appellate defender act, 1978 PA 620, MCL
6 780.713, receives federal grant funding from the department of
7 justice in excess of the amount appropriated in part 1, the office
8 of appellate defender may receive and expend grant funds in an
9 amount not exceeding \$300,000.00 as other federal grants.

10 Sec. 323. The state court administrative office shall provide
11 courts with a quarterly listing of out-of-state placements of
12 juveniles by each court. The state court administrative office
13 shall also provide each judge who hears juvenile matters with the
14 annual listing of per diem costs of the public and private
15 residential care facilities located or doing business in this
16 state, and the recidivism data for each facility, if available, as
17 provided by the department of human services. The courts shall
18 acknowledge receipt of this information.

19 PART 2A

20 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

21 FOR FISCAL YEAR 2015-2016

22 **GENERAL SECTIONS**

23 Sec. 1201. It is the intent of the legislature to provide
24 appropriations for the fiscal year ending on September 30, 2016 for
25 the line items listed in part 1. The fiscal year 2015-2016

1 appropriations are anticipated to be the same as those for fiscal
2 year 2014-2015, except that the line items will be adjusted for
3 changes in caseload and related costs, federal fund match rates,
4 economic factors, and available revenue. These adjustments will be
5 determined after the January 2015 consensus revenue estimating
6 conference.

7 Sec. 1202. It is the intent of the legislature that the
8 judicial branch identify the amounts for normal retirement costs
9 and legacy retirement costs for the fiscal year ending on September
10 30, 2016 for the line items listed in part 1.