

in this subdivision for indigent health care in any fiscal year, the qualified county shall immediately repay those funds to the state treasurer to be deposited into the general fund of this state.

(2) The distribution provided by subsection (1) shall not be made if all taxing units are authorized by law to impose taxes and the collection is made of taxes imposed under 1953 PA 189, MCL 211.181 to 211.182, on concessions at a regional airport facility.

(3) As used in subsection (1)(a), “state airports” means all of the following airports located in this state:

- (a) Adrian - Lenawee County airport.
- (b) Allegan - Padgham field.
- (c) Alma - Gratiot community airport.
- (d) Alpena - Alpena County regional airport.
- (e) Ann Arbor - Ann Arbor municipal airport.
- (f) Atlanta - Atlanta municipal airport.
- (g) Bad Axe - Huron County memorial airport.
- (h) Baraga - new airport.
- (i) Battle Creek - W.K. Kellogg airport.
- (j) Bay City - James Clements airport.
- (k) Bellaire - Antrim County airport.
- (l) Benton Harbor - southwest Michigan regional airport.
- (m) Big Rapids - Roben-Hood airport.
- (n) Cadillac - Wexford County airport.
- (o) Caro - Tuscola area/Caro municipal airport.
- (p) Charlevoix - Charlevoix municipal airport.
- (q) Charlotte - Fitch H. Beach airport.
- (r) Cheboygan - Cheboygan County airport.
- (s) Clare - Clare municipal airport.
- (t) Coldwater - Branch County airport.
- (u) Detroit - Detroit city airport.
- (v) Detroit - Detroit metropolitan Wayne County airport.
- (w) Detroit - Willow Run airport.
- (x) Dowagiac - Dowagiac municipal airport.
- (y) Drummond Island - Drummond Island airport.
- (z) Escanaba - Delta County airport.
- (aa) Evart - Evart municipal airport.
- (bb) Flint - Bishop international airport.
- (cc) Frankfort - Dow memorial airport.
- (dd) Fremont - Fremont municipal airport.
- (ee) Gaylord - Otsego County airport.
- (ff) Gladwin - Gladwin Zettal memorial airport.
- (gg) Grand Haven - Grand Haven memorial airpark.
- (hh) Grand Ledge - Abrams municipal airport.

- (ii) Grand Rapids - Gerald R. Ford international airport.
- (jj) Grayling - Grayling army airfield.
- (kk) Greenville - Greenville municipal airport.
- (ll) Grosse Ile - Grosse Ile municipal airport.
- (mm) Hancock - Houghton County memorial airport.
- (nn) Harbor Springs - Harbor Springs municipal airport.
- (oo) Hastings - Hastings city/Barry County airport.
- (pp) Hillsdale - Hillsdale municipal airport.
- (qq) Holland - tulip city airport.
- (rr) Houghton Lake - Roscommon County airport.
- (ss) Howell - Livingston County airport.
- (tt) Ionia - Ionia County airport.
- (uu) Iron County - county airport.
- (vv) Iron Mountain - Ford airport.
- (ww) Ironwood - Gogebic-Iron County (Wisconsin) airport.
- (xx) Jackson - Jackson County-Reynolds field.
- (yy) Kalamazoo - Kalamazoo/Battle Creek international airport.
- (zz) Lakeview - Lakeview-Griffith field.
- (aaa) Lambertville - suburban airport.
- (bbb) Lansing - capital city airport.
- (ccc) Lapeer - Dupont-Lapeer airport.
- (ddd) Linden - Price airport.
- (eee) Ludington - Mason County airport.
- (fff) Mackinac Island - Mackinac Island airport.
- (ggg) Manistee - Manistee County airport.
- (hhh) Manistique - Schoolcraft County airport.
- (iii) Marlette - Marlette Township airport.
- (jjj) Marquette - Sawyer airport.
- (kkk) Marshall - Brooks field.
- (lll) Mason - Mason Jewett field.
- (mmm) Menominee - Menominee-Marinette twin city airport.
- (nnn) Midland - Jack Barstow airport.
- (ooo) Monroe - Custer airport.
- (ppp) Mt. Pleasant - Mt. Pleasant municipal airport.
- (qqq) Munising - Hanley field.
- (rrr) Muskegon - Muskegon County airport.
- (sss) New Hudson - Oakland-southwest airport.
- (ttt) Newberry - Luce County airport.
- (uuu) Niles - Jerry Tyler memorial airport.
- (vvv) Ontonagon - Ontonagon County airport.
- (www) Oscoda - Wurtsmith airport.

- (xxx) Owosso - Owosso community airport.
(yyy) Pellston - Pellston regional airport.
(zzz) Plymouth - Canton-Plymouth-Mettetal airport.
(aaaa) Pontiac - Oakland County international airport.
(bbbb) Port Huron - St. Clair County international airport.
(cccc) Rogers City - Presque Isle County/Rogers City airport.
(dddd) Romeo - Romeo state airport.
(eeee) Saginaw - Harry W. Browne airport.
(ffff) Saginaw - MBS international airport.
(gggg) St. Ignace - Mackinac County airport.
(hhhh) St. James - Beaver Island airport.
(iiii) Sandusky - Sandusky city airport.
(jjjj) Sault Ste. Marie - Chippewa County international airport.
(kkkk) South Haven - South Haven area regional airport.
(lll) Sparta - Sparta airport.
(mmmm) Statewide - various sites.
(nnnn) Sturgis - Kirsch municipal airport.
(oooo) Three Rivers - Three Rivers municipal/Dr. Haines airport.
(pppp) Traverse City - Cherry capital airport.
(qqqq) Troy - Oakland-Troy airport.
(rrrr) West Branch - West Branch community airport.
(ssss) White Cloud - White Cloud airport.

This act is ordered to take immediate effect.

Approved May 10, 2006.

Filed with Secretary of State May 12, 2006.

[No. 136]

(SB 1035)

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state

or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 801 (MCL 257.801), as amended by 2004 PA 427.

The People of the State of Michigan enact:

257.801 Registration taxes on vehicles; schedules; computation; exemption from ad valorem taxes on vehicles in stock or bond; increase and disposition of certain taxes; late fee; definitions.

Sec. 801. (1) The secretary of state shall collect the following taxes at the time of registering a vehicle, which shall exempt the vehicle from all other state and local taxation, except the fees and taxes provided by law to be paid by certain carriers operating motor vehicles and trailers under the motor carrier act, 1933 PA 254, MCL 475.1 to 479.43; the taxes imposed by the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to 207.234; and except as otherwise provided by this act:

(a) For a motor vehicle, including a motor home, except as otherwise provided, and a pickup truck or van that weighs not more than 8,000 pounds, except as otherwise provided, according to the following schedule of empty weights:

Empty weights	Tax
0 to 3,000 pounds	\$ 29.00
3,001 to 3,500 pounds	32.00
3,501 to 4,000 pounds	37.00
4,001 to 4,500 pounds	43.00
4,501 to 5,000 pounds	47.00
5,001 to 5,500 pounds	52.00
5,501 to 6,000 pounds	57.00
6,001 to 6,500 pounds	62.00
6,501 to 7,000 pounds	67.00
7,001 to 7,500 pounds	71.00
7,501 to 8,000 pounds	77.00
8,001 to 8,500 pounds	81.00
8,501 to 9,000 pounds	86.00
9,001 to 9,500 pounds	91.00
9,501 to 10,000 pounds	95.00
over 10,000 pounds.....	\$ 0.90 per 100 pounds of empty weight

On October 1, 1983, and October 1, 1984, the tax assessed under this subdivision shall be annually revised for the registrations expiring on the appropriate October 1 or after that date by multiplying the tax assessed in the preceding fiscal year times the personal income of Michigan for the preceding calendar year divided by the personal income of Michigan for the calendar year that preceded that calendar year. In performing the calculations under this subdivision, the secretary of state shall use the spring preliminary report of the United States department of commerce or its successor agency. A van that is owned by an individual who uses a wheelchair or by an individual who transports a resident of his or her household who uses a wheelchair and for which registration plates are issued under section 803d shall be assessed at the rate of 50% of the tax provided for in this subdivision.

(b) For a trailer coach attached to a motor vehicle, the tax shall be assessed as provided in subdivision (l). A trailer coach not under 1959 PA 243, MCL 125.1035 to 125.1043,

and while located on land otherwise assessable as real property under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157, if the trailer coach is used as a place of habitation, and whether or not permanently affixed to the soil, is not exempt from real property taxes.

(c) For a road tractor, truck, or truck tractor owned by a farmer and used exclusively in connection with a farming operation, including a farmer hauling livestock or farm equipment for other farmers for remuneration in kind or in labor, but not for money, or used for the transportation of the farmer and the farmer's family, and not used for hire, 74 cents per 100 pounds of empty weight of the road tractor, truck, or truck tractor. If the road tractor, truck, or truck tractor owned by a farmer is also used for a nonfarming operation, the farmer is subject to the highest registration tax applicable to the nonfarm use of the vehicle but is not subject to more than 1 tax rate under this act.

(d) For a road tractor, truck, or truck tractor owned by a wood harvester and used exclusively in connection with the wood harvesting operations or a truck used exclusively to haul milk from the farm to the first point of delivery, 74 cents per 100 pounds of empty weight of the road tractor, truck, or truck tractor. A registration secured by payment of the tax prescribed in this subdivision continues in full force and effect until the regular expiration date of the registration. As used in this subdivision:

(i) "Wood harvester" includes the person or persons hauling and transporting raw materials in the form produced at the harvest site or hauling and transporting wood harvesting equipment. Wood harvester does not include a person or persons whose primary activity is tree-trimming or landscaping.

(ii) "Wood harvesting equipment" includes all of the following:

(A) A vehicle that directly harvests logs or timber, including, but not limited to, a processor or a feller buncher.

(B) A vehicle that directly processes harvested logs or timber, including, but not limited to, a slasher, delimber, processor, chipper, or saw table.

(C) A vehicle that directly processes harvested logs or timber, including, but not limited to, a forwarder, grapple skidder, or cable skidder.

(D) A vehicle that directly loads harvested logs or timber, including, but not limited to, a knuckle-boom loader, front-end loader, or forklift.

(E) A bulldozer or road grader being transported to a wood harvesting site specifically for the purpose of building or maintaining harvest site roads.

(iii) "Wood harvesting operations" does not include the transportation of processed lumber, Christmas trees, or processed firewood for a profit making venture.

(e) For a hearse or ambulance used exclusively by a licensed funeral director in the general conduct of the licensee's funeral business, including a hearse or ambulance whose owner is engaged in the business of leasing or renting the hearse or ambulance to others, \$1.17 per 100 pounds of the empty weight of the hearse or ambulance.

(f) For a vehicle owned and operated by this state, a state institution, a municipality, a privately incorporated, nonprofit volunteer fire department, or a nonpublic, nonprofit college or university, \$5.00 per plate. A registration plate issued under this subdivision expires on June 30 of the year in which new registration plates are reissued for all vehicles by the secretary of state.

(g) For a bus including a station wagon, carryall, or similarly constructed vehicle owned and operated by a nonprofit parents' transportation corporation used for school purposes, parochial school or society, church Sunday school, or any other grammar school, or by a nonprofit youth organization or nonprofit rehabilitation facility; or a motor vehicle owned

and operated by a senior citizen center, \$10.00, if the bus, station wagon, carryall, or similarly constructed vehicle or motor vehicle is designated by proper signs showing the organization operating the vehicle.

(h) For a vehicle owned by a nonprofit organization and used to transport equipment for providing dialysis treatment to children at camp; for a vehicle owned by the civil air patrol, as organized under 36 USC 40301 to 40307, \$10.00 per plate, if the vehicle is designated by a proper sign showing the civil air patrol’s name; for a vehicle owned and operated by a nonprofit veterans center; for a vehicle owned and operated by a nonprofit recycling center or a federally recognized nonprofit conservation organization; for a motor vehicle having a truck chassis and a locomotive or ship’s body that is owned by a nonprofit veterans organization and used exclusively in parades and civic events; or for an emergency support vehicle used exclusively for emergencies and owned and operated by a federally recognized nonprofit charitable organization, \$10.00 per plate.

(i) For each truck owned and operated free of charge by a bona fide ecclesiastical or charitable corporation, or red cross, girl scout, or boy scout organization, 65 cents per 100 pounds of the empty weight of the truck.

(j) For each truck, weighing 8,000 pounds or less, and not used to tow a vehicle, for each privately owned truck used to tow a trailer for recreational purposes only and not involved in a profit making venture, and for each vehicle designed and used to tow a mobile home or a trailer coach, except as provided in subdivision (b), \$38.00 or an amount computed according to the following schedule of empty weights, whichever is greater:

Empty weights	Per 100 pounds
0 to 2,500 pounds	\$ 1.40
2,501 to 4,000 pounds	1.76
4,001 to 6,000 pounds	2.20
6,001 to 8,000 pounds	2.72
8,001 to 10,000 pounds	3.25
10,001 to 15,000 pounds	3.77
15,001 pounds and over	4.39

If the tax required under subdivision (p) for a vehicle of the same model year with the same list price as the vehicle for which registration is sought under this subdivision is more than the tax provided under the preceding provisions of this subdivision for an identical vehicle, the tax required under this subdivision is not less than the tax required under subdivision (p) for a vehicle of the same model year with the same list price.

(k) For each truck weighing 8,000 pounds or less towing a trailer or any other combination of vehicles and for each truck weighing 8,001 pounds or more, road tractor or truck tractor, except as provided in subdivision (j) according to the following schedule of elected gross weights:

Elected gross weight	Tax
0 to 24,000 pounds	\$ 491.00
24,001 to 26,000 pounds	558.00
26,001 to 28,000 pounds	558.00
28,001 to 32,000 pounds	649.00
32,001 to 36,000 pounds	744.00
36,001 to 42,000 pounds	874.00
42,001 to 48,000 pounds	1,005.00
48,001 to 54,000 pounds	1,135.00
54,001 to 60,000 pounds	1,268.00
60,001 to 66,000 pounds	1,398.00
66,001 to 72,000 pounds	1,529.00

72,001 to 80,000 pounds	1,660.00
80,001 to 90,000 pounds	1,793.00
90,001 to 100,000 pounds	2,002.00
100,001 to 115,000 pounds	2,223.00
115,001 to 130,000 pounds	2,448.00
130,001 to 145,000 pounds	2,670.00
145,001 to 160,000 pounds	2,894.00
over 160,000 pounds	3,117.00

For each commercial vehicle registered under this subdivision, \$15.00 shall be deposited in a truck safety fund to be expended for the purposes prescribed in section 25 of 1951 PA 51, MCL 247.675.

If a truck or road tractor without trailer is leased from an individual owner-operator, the lessee, whether a person, firm, or corporation, shall pay to the owner-operator 60% of the tax prescribed in this subdivision for the truck tractor or road tractor at the rate of 1/12 for each month of the lease or arrangement in addition to the compensation the owner-operator is entitled to for the rental of his or her equipment.

(l) For each pole trailer, semitrailer, trailer coach, or trailer, the tax shall be assessed according to the following schedule of empty weights:

Empty weights	Tax
0 to 2,499 pounds	\$ 75.00
2,500 to 9,999 pounds	200.00
10,000 pounds and over	300.00

The registration plate issued under this subdivision expires only when the secretary of state reissues a new registration plate for all trailers. If the secretary of state reissues a new registration plate for all trailers, a person who has once paid the tax for a vehicle under this subdivision is not required to pay the tax for that vehicle a second time, but is required to pay only the cost of the reissued plate at the rate provided in section 804(2) for a standard plate. A registration plate issued under this subdivision is nontransferable.

(m) For each commercial vehicle used for the transportation of passengers for hire except for a vehicle for which a payment is made under 1960 PA 2, MCL 257.971 to 257.972, according to the following schedule of empty weights:

Empty weights	Per 100 pounds
0 to 4,000 pounds	\$ 1.76
4,001 to 6,000 pounds	2.20
6,001 to 10,000 pounds	2.72
10,001 pounds and over	3.25
(n) For each motorcycle	\$ 23.00

On October 1, 1983, and October 1, 1984, the tax assessed under this subdivision shall be annually revised for the registrations expiring on the appropriate October 1 or after that date by multiplying the tax assessed in the preceding fiscal year times the personal income of Michigan for the preceding calendar year divided by the personal income of Michigan for the calendar year that preceded that calendar year. In performing the calculations under this subdivision, the secretary of state shall use the spring preliminary report of the United States department of commerce or its successor agency.

Beginning January 1, 1984, the registration tax for each motorcycle is increased by \$3.00. The \$3.00 increase is not part of the tax assessed under this subdivision for the purpose of the annual October 1 revisions but is in addition to the tax assessed as a result of the annual

October 1 revisions. Beginning January 1, 1984, \$3.00 of each motorcycle fee shall be placed in a motorcycle safety fund in the state treasury and shall be used only for funding the motorcycle safety education program as provided for under sections 312b and 811a.

(o) For each truck weighing 8,001 pounds or more, road tractor, or truck tractor used exclusively as a moving van or part of a moving van in transporting household furniture and household effects or the equipment or those engaged in conducting carnivals, at the rate of 80% of the schedule of elected gross weights in subdivision (k) as modified by the operation of that subdivision.

(p) After September 30, 1983, each motor vehicle of the 1984 or a subsequent model year as shown on the application required under section 217 that has not been previously subject to the tax rates of this section and that is of the motor vehicle category otherwise subject to the tax schedule described in subdivision (a), and each low-speed vehicle according to the following schedule based upon registration periods of 12 months:

(i) Except as otherwise provided in this subdivision, for the first registration that is not a transfer registration under section 809 and for the first registration after a transfer registration under section 809, according to the following schedule based on the vehicle's list price:

List Price	Tax
\$ 0 - \$ 6,000.00	\$ 30.00
More than \$ 6,000.00 - \$ 7,000.00	\$ 33.00
More than \$ 7,000.00 - \$ 8,000.00	\$ 38.00
More than \$ 8,000.00 - \$ 9,000.00	\$ 43.00
More than \$ 9,000.00 - \$ 10,000.00	\$ 48.00
More than \$ 10,000.00 - \$ 11,000.00	\$ 53.00
More than \$ 11,000.00 - \$ 12,000.00	\$ 58.00
More than \$ 12,000.00 - \$ 13,000.00	\$ 63.00
More than \$ 13,000.00 - \$ 14,000.00	\$ 68.00
More than \$ 14,000.00 - \$ 15,000.00	\$ 73.00
More than \$ 15,000.00 - \$ 16,000.00	\$ 78.00
More than \$ 16,000.00 - \$ 17,000.00	\$ 83.00
More than \$ 17,000.00 - \$ 18,000.00	\$ 88.00
More than \$ 18,000.00 - \$ 19,000.00	\$ 93.00
More than \$ 19,000.00 - \$ 20,000.00	\$ 98.00
More than \$ 20,000.00 - \$ 21,000.00	\$ 103.00
More than \$ 21,000.00 - \$ 22,000.00	\$ 108.00
More than \$ 22,000.00 - \$ 23,000.00	\$ 113.00
More than \$ 23,000.00 - \$ 24,000.00	\$ 118.00
More than \$ 24,000.00 - \$ 25,000.00	\$ 123.00
More than \$ 25,000.00 - \$ 26,000.00	\$ 128.00
More than \$ 26,000.00 - \$ 27,000.00	\$ 133.00
More than \$ 27,000.00 - \$ 28,000.00	\$ 138.00
More than \$ 28,000.00 - \$ 29,000.00	\$ 143.00
More than \$ 29,000.00 - \$ 30,000.00	\$ 148.00

More than \$30,000.00, the tax of \$148.00 is increased by \$5.00 for each \$1,000.00 increment or fraction of a \$1,000.00 increment over \$30,000.00. If a current tax increases or decreases as a result of 1998 PA 384, only a vehicle purchased or transferred after January 1, 1999 shall be assessed the increased or decreased tax.

(ii) For the second registration, 90% of the tax assessed under subparagraph (i).

(iii) For the third registration, 90% of the tax assessed under subparagraph (ii).

(iv) For the fourth and subsequent registrations, 90% of the tax assessed under subparagraph (iii).

For a vehicle of the 1984 or a subsequent model year that has been previously registered by a person other than the person applying for registration or for a vehicle of the 1984 or a subsequent model year that has been previously registered in another state or country and is registered for the first time in this state, the tax under this subdivision shall be determined by subtracting the model year of the vehicle from the calendar year for which the registration is sought. If the result is zero or a negative figure, the first registration tax shall be paid. If the result is 1, 2, or 3 or more, then, respectively, the second, third, or subsequent registration tax shall be paid. A van that is owned by an individual who uses a wheelchair or by an individual who transports a resident of his or her household who uses a wheelchair and for which registration plates are issued under section 803d shall be assessed at the rate of 50% of the tax provided for in this subdivision.

(q) For a wrecker, \$200.00.

(r) When the secretary of state computes a tax under this section, a computation that does not result in a whole dollar figure shall be rounded to the next lower whole dollar when the computation results in a figure ending in 50 cents or less and shall be rounded to the next higher whole dollar when the computation results in a figure ending in 51 cents or more, unless specific taxes are specified, and the secretary of state may accept the manufacturer's shipping weight of the vehicle fully equipped for the use for which the registration application is made. If the weight is not correctly stated or is not satisfactory, the secretary of state shall determine the actual weight. Each application for registration of a vehicle under subdivisions (j) and (m) shall have attached to the application a scale weight receipt of the vehicle fully equipped as of the time the application is made. The scale weight receipt is not necessary if there is presented with the application a registration receipt of the previous year that shows on its face the weight of the motor vehicle as registered with the secretary of state and that is accompanied by a statement of the applicant that there has not been a structural change in the motor vehicle that has increased the weight and that the previous registered weight is the true weight.

(2) A manufacturer is not exempted under this act from paying ad valorem taxes on vehicles in stock or bond, except on the specified number of motor vehicles registered. A dealer is exempt from paying ad valorem taxes on vehicles in stock or bond.

(3) Until October 1, 2009, the tax for a vehicle with an empty weight over 10,000 pounds imposed under subsection (1)(a) and the taxes imposed under subsection (1)(c), (d), (e), (f), (i), (j), (m), (o), and (p) are each increased as follows:

(a) A regulatory fee of \$2.25 that shall be credited to the traffic law enforcement and safety fund created in section 819a and used to regulate highway safety.

(b) A fee of \$5.75 that shall be credited to the transportation administration collection fund created in section 810b.

(4) If a tax required to be paid under this section is not received by the secretary of state on or before the expiration date of the registration plate, the secretary of state shall collect a late fee of \$10.00 for each registration renewed after the expiration date. An application for a renewal of a registration using the regular mail and postmarked before the expiration date of that registration shall not be assessed a late fee. The late fee collected under this subsection shall be deposited into the general fund.

(5) As used in this section:

(a) "Gross proceeds" means that term as defined in section 1 of the general sales tax act, 1933 PA 167, MCL 205.51, and includes the value of the motor vehicle used as part payment of the purchase price as that value is agreed to by the parties to the sale, as evidenced by the signed agreement executed under section 251.

(b) “List price” means the manufacturer’s suggested base list price as published by the secretary of state, or the manufacturer’s suggested retail price as shown on the label required to be affixed to the vehicle under 15 USC 1232, if the secretary of state has not at the time of the sale of the vehicle published a manufacturer’s suggested retail price for that vehicle, or the purchase price of the vehicle if the manufacturer’s suggested base list price is unavailable from the sources described in this subdivision.

(c) “Purchase price” means the gross proceeds received by the seller in consideration of the sale of the motor vehicle being registered.

This act is ordered to take immediate effect.

Approved May 10, 2006.

Filed with Secretary of State May 12, 2006.

[No. 137]

(HB 5336)

AN ACT to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” (MCL 333.1101 to 333.25211) by adding part 25.

The People of the State of Michigan enact:

PART 25. HEALTH INFORMATION TECHNOLOGY

333.2501 Definitions.

Sec. 2501. As used in this part:

(a) “Commission” means the health information technology commission created under section 2503.

(b) “Department” means the department of community health.

333.2503 Health information technology commission; creation; membership; appointment; representation; terms; vacancy; removal; election of chairperson and officers; meetings; conduct of business at public meeting; availability of writings; participation of professionals and advisors; compensation.

Sec. 2503. (1) The health information technology commission is created within the department to facilitate and promote the design, implementation, operation, and maintenance of an interoperable health care information infrastructure in this state. The commission shall consist of 13 members appointed by the governor in accordance with subsection (2) as follows:

- (a) The director of the department or his or her designee.
- (b) The director of the department of information technology or his or her designee.
- (c) One individual representing a nonprofit health care corporation operating pursuant to the nonprofit health care corporation reform act, 1980 PA 350, MCL 550.1101 to 550.1703.
- (d) One individual representing hospitals.
- (e) One individual representing doctors of medicine.
- (f) One individual representing doctors of osteopathic medicine and surgery.
- (g) One individual representing purchasers or employers.
- (h) One individual representing the pharmaceutical industry.
- (i) One individual representing schools of medicine in Michigan.
- (j) One individual representing the health information technology field.
- (k) One individual representing pharmacists.
- (l) One individual representing health plans or other third party payers.
- (m) One individual representing consumers.

(2) Of the members appointed under subsection (1), there shall be representatives from both the public and private sectors. In order to be appointed to the commission, each individual shall have experience and expertise in at least 1 of the following areas and each of the following areas shall be represented on the commission:

- (a) Health information technology.
- (b) Administration of health systems.
- (c) Research of health information.
- (d) Health finance, reimbursement, and economics.
- (e) Health plans and integrated delivery systems.
- (f) Privacy of health care information.
- (g) Medical records.
- (h) Patient care.
- (i) Data systems management.
- (j) Mental health.

(3) A member of the commission shall serve for a term of 4 years or until a successor is appointed. Of the members first appointed after the effective date of the amendatory act that added this part, 3 shall be appointed for a term of 1 year, 3 shall be appointed for a term of 2 years, 3 shall be appointed for a term of 3 years, and 4 shall be appointed for a term of 4 years. If a vacancy occurs on the commission, the governor shall make an appointment for the unexpired term in the same manner as the original appointment. The governor may

remove a member of the commission for incompetency, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

(4) At the first meeting of the commission, a majority of the members shall elect from its members a chairperson and other officers as it considers necessary or appropriate. After the first meeting, the commission shall meet at least quarterly, or more frequently at the call of the chairperson or if requested by a majority of the members. A majority of the members of the commission appointed and serving constitute a quorum for the transaction of business at a meeting of the commission.

(5) Any business that the commission may perform shall be conducted at a public meeting held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. The commission shall give public notice of the time, date, and place of the meeting in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(6) The commission shall make available a writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function as the commission to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(7) The commission shall ensure adequate opportunity for the participation of health care professionals and outside advisors with expertise in health information privacy, health information security, health care quality and patient safety, data exchange, delivery of health care, development of health information technology standards, or development of new health information technology by appointing advisory committees, including, but not limited to, advisory committees to address the following:

- (a) Interoperability, functionality, and connectivity, including, but not limited to, uniform technical standards, common policies, and common vocabulary and messaging standards.
- (b) Security and reliability.
- (c) Certification process.
- (d) Electronic health records.
- (e) Consumer safety, privacy, and quality of care.
- (8) Members of the commission shall serve without compensation.

333.2505 Commission; duties; strategic plan.

Sec. 2505. (1) The commission shall do each of the following:

(a) Develop and maintain a strategic plan in accordance with subsection (2) to guide the implementation of an interoperable health information technology system that will reduce medical errors, improve quality of care, and produce greater value for health care expenditures.

(b) Identify critical technical, scientific, economic, and other critical issues affecting the public and private adoption of health information technology.

(c) Provide recommendations on policies and measures necessary to achieve widespread adoption of health information technology.

(d) Increase the public's understanding of health information technology.

(e) Promote more efficient and effective communication among multiple health care providers, including, but not limited to, hospitals, physicians, payers, employers, pharmacies, laboratories, and any other health care entity.

(f) Identify strategies to improve the ability to monitor community health status.

(g) Develop or design any other initiatives in furtherance of the commission's purpose.

(h) Annually, report and make recommendations to the chairpersons of the standing committees of the house of representatives and senate with jurisdiction over issues pertaining to community health and information technology, the house of representatives and senate appropriations subcommittees on community health and information technology, and the senate and house fiscal agencies.

(i) Perform any and all other activities in furtherance of the above or as directed by the department or the department of information technology, or both.

(2) The strategic plan developed pursuant to subsection (1)(a) shall include, at a minimum, each of the following:

(a) The development or adoption of health care information technology standards and strategies.

(b) The ability to base medical decisions on the availability of information at the time and place of care.

(c) The use of evidence-based medical care.

(d) Measures to protect the privacy and security of personal health information.

(e) Measures to prevent unauthorized access to health information.

(f) Measures to ensure accurate patient identification.

(g) Methods to facilitate secure patient access to health information.

(h) Measures to reduce health care costs by addressing inefficiencies, redundancy in data capture and storage, medical errors, inappropriate care, incomplete information, and administrative, billing, and data collection costs.

(i) Incorporating health information technology into the provision of care and the organization of the health care workplace.

(j) The ability to identify priority areas in which health information technology can provide benefits to consumers and a recommended timeline for implementation.

(k) Measurable outcomes.

333.2507 Personal liability of commission or commission members.

Sec. 2507. The commission or a member of the commission shall not be personally liable for any action at law for damages sustained by a person because of an action performed or done by the commission or a member of the commission in the performance of their respective duties in the administration and implementation of this part.

This act is ordered to take immediate effect.

Approved May 10, 2006.

Filed with Secretary of State May 12, 2006.

[No. 138]

(HB 5811)

AN ACT to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales; to regulate certain telephone solicitation; to provide for the powers and duties of certain state officers and entities; and to prescribe penalties and remedies," by amending section 3 (MCL 445.113), as amended by 2002 PA 612.

The People of the State of Michigan enact:

445.113 Written agreement or offer to purchase; contents; form; cancellation; exceptions; conditions.

Sec. 3. (1) In a home solicitation sale, unless the buyer requests the seller to provide goods or services without delay in an emergency, the seller shall present to the buyer and obtain the buyer’s signature to a written agreement or offer to purchase that designates as the date of the transaction the date on which the buyer actually signs.

The agreement or offer to purchase shall contain a statement substantially as follows in immediate proximity to the space reserved in the agreement or offer to purchase for the signature of the buyer:

“You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See the attached notice of cancellation form for an explanation of this right. Additionally, the seller is prohibited from having an independent courier service or other third party pick up your payment at your residence before the end of the 3-business-day period in which you can cancel the transaction.”

(2) The seller shall attach to the copy or cause to be printed on the reverse side of the written agreement or offer to purchase retained by the buyer a notice of cancellation in duplicate that shall appear as follows:

“notice of cancellation
_____ (enter date of transaction)
_____ (date)

You may cancel this transaction, without any penalty or obligation, within 3 business days from the above date.

If you cancel, any property traded in, any payments made by you under the contract or sale, and any negotiable instrument executed by you will be returned within 10 business days following receipt by the seller of your cancellation notice, and any security interest arising out of the transaction will be canceled.

If you cancel, you must make available to the seller at your residence, in substantially as good condition as when received, any goods delivered to you under this contract or sale; or you may if you wish, comply with the instructions of the seller regarding the return shipment of the goods at the seller’s expense and risk.

If you do make the goods available to the seller and the seller does not pick them up within 20 days of the date of your notice of cancellation, you may retain or dispose of the goods without any further obligation. If you fail to make the goods available to the seller or if you agree to return the goods to the seller and fail to do so, then you remain liable for performance of all obligations under the contract.

To cancel this transaction, mail or deliver a signed and dated copy of this cancellation notice or any other written notice, or send a telegram to (name of seller), at (address of seller’s place of business) not later than midnight on

(date)

I hereby cancel this transaction.

(date)

(buyer’s signature) ”

(3) The notices required by this section shall be in not less than 10-point bold type and shall be 2 points larger than the text of the contract. A written agreement or offer to purchase and the notice of cancellation attached to the agreement or offer shall be written in the same language as that used in any oral presentation that was given to facilitate sale of the goods or services. The seller shall enter on the blanks in the notice of cancellation the date of transaction, which is the date the buyer signs the written agreement, and the date for mailing the notice of cancellation. An error in entering this information shall not diminish the buyer's rights under this act.

(4) Until the seller has complied with this section, the buyer may cancel the home solicitation sale by notifying the seller in any manner and by any means of his or her intention to cancel.

(5) This section does not apply to a home solicitation sale where the seller engaged in a telephone solicitation of the sale if sections 505 to 507 of the Michigan telecommunications act, 1991 PA 179, MCL 484.2505 to 484.2507, apply to the solicitation or sale.

(6) This section does not apply to a home solicitation sale of natural gas or electricity if the seller is any of the following:

(a) An electric utility or gas utility that is regulated by the commission and complies with any orders or tariffs issued by the commission concerning home solicitations by alternative electric suppliers or alternative gas suppliers in making the solicitation.

(b) An alternative gas supplier or alternative electric supplier licensed by the commission that complies with any applicable orders or tariffs issued by the commission concerning home solicitations in making the solicitation.

This act is ordered to take immediate effect.

Approved May 10, 2006.

Filed with Secretary of State May 12, 2006.

[No. 139]

(SB 1132)

AN ACT to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of

funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 11e (MCL 247.661e), as added by 1992 PA 223.

The People of the State of Michigan enact:

247.661e Local program fund; creation; purpose; distribution of funds; local federal match program.

Sec. 11e. (1) There is created within the state trunk line fund a local program fund for the purpose of receiving funds allocated from the Michigan transportation fund and from the state trunk line fund. Funds received shall be distributed 64.2% to the county road commissions of the state to be administered according to section 12 and 35.8% to the cities and villages of the state to be administered according to section 13.

(2) There is created within the state trunk line fund a local federal match program for the purpose of receiving the proceeds of bonds issued under section 18b that are to be repaid under section 11(1)(a)(iii). Funds deposited into the local federal match program shall not exceed \$80,000,000.00.

Conditional effective date.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

- (a) Senate Bill No. 1192.
- (b) House Bill No. 6003.

This act is ordered to take immediate effect.

Approved May 22, 2006.

Filed with Secretary of State May 22, 2006.

Compiler's note: Senate Bill No. 1192, referred to in enacting section 1, was filed with the Secretary of State May 22, 2006, and became 2006 PA 140, Imd. Eff. May 22, 2006.

House Bill No. 6003, also referred to in enacting section 1, was filed with the Secretary of State May 22, 2006, and became 2006 PA 141, Imd. Eff. May 22, 2006.

[No. 140]**(SB 1192)**

AN ACT to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” (MCL 247.651 to 247.675) by adding section 11f.

The People of the State of Michigan enact:

247.661f Funds received under local federal match program; projects; submission; grant awards; criteria; unused bond proceeds; reports; distribution of remaining funds; additional criteria.

Sec. 11f. (1) Funds received under the local federal match program created in section 11e shall be granted to local municipalities and other local road agencies to match federal aid projects as provided in this subsection. Projects shall be submitted to the state transportation department by the local municipality or other local road agency. The department shall review the submittals and apply criteria that take into account the needs of highway, road, and street systems and an equitable allocation of available funds considering the geographic location of the proposed project. If the projects meet the criteria, the state transportation department shall award grants to the extent of available funds. An individual grant shall not exceed 25% of the amount of federal funds available for the project. Projects selected for funding shall meet all of the following criteria:

(a) The project shall be under construction or let for bid no later than September 30, 2007.

(b) The applicant shall have identified all of the necessary funding to complete the project.

(c) The project shall be for the opening, widening, improving, construction, or reconstruction of a federal aid eligible road or street, including the work incidental to that opening, widening, improving, construction, or reconstruction.

(2) All bond proceeds not used to fund grants awarded by September 30, 2007 are appropriated for the purposes described in section 11(1)(f).

(3) Beginning February 1, 2007, the department shall submit a written report to the legislature by each February 1 containing all of the following information:

(a) The balance contained in the program.

(b) A list of all projects currently funded under the program.

(c) A list of all federal high priority projects eligible for funding under the program.

(d) A list of pending requests for funding under the program, if any.

(4) The department shall submit a written report to the legislature no later than 30 days after the program has expended \$40,000,000.00. The report shall contain all of the following:

(a) A list of all projects currently funded under the program.

(b) A list of federal high priority projects eligible to receive funding from the program.

(c) A list of pending requests for funding under the program, if any.

(5) The department shall provide additional criteria if necessary for selecting the remaining projects to be funded in a fiscal year no later than 30 days after the report required under subsection (4) is issued. In determining the additional criteria to apply to the remaining funds, the department shall consult with interested local road agencies, the Michigan municipal league, and the county road association of Michigan and shall utilize any recommendations made on additional criteria by these entities unless the department determines that the additional criteria are inequitable or impractical. If the additional criteria are deemed inequitable or impractical, the department is directed to work with the interested parties to develop equitable and practical criteria. The department shall apply those criteria that most equitably distribute the remaining funds considering the geographic location of the funded projects. In applying criteria, the department shall take into account the needs of highway, road, and street systems and an equitable allocation of available funds considering the geographic location of the funded project.

Conditional effective date.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

(a) Senate Bill No. 1132.

(b) House Bill No. 6003.

This act is ordered to take immediate effect.

Approved May 22, 2006.

Filed with Secretary of State May 22, 2006.

Compiler's note: Senate Bill No. 1132, referred to in enacting section 1, was filed with the Secretary of State May 22, 2006, and became 2006 PA 139, Imd. Eff. May 22, 2006.

House Bill No. 6003, also referred to in enacting section 1, was filed with the Secretary of State May 22, 2006, and became 2006 PA 141, Imd. Eff. May 22, 2006.

[No. 141]**(HB 6003)**

AN ACT to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 11e (MCL 247.661e), as added by 1992 PA 223.

The People of the State of Michigan enact:

247.661e Local program fund; creation; purpose; distribution of funds; local federal match program; use.

Sec. 11e. (1) There is created within the state trunk line fund a local program fund for the purpose of receiving funds allocated from the Michigan transportation fund and from the state trunk line fund. Funds received shall be distributed 64.2% to the county road commissions of the state to be administered according to section 12 and 35.8% to the cities and villages of the state to be administered according to section 13.

(2) There is created within the state trunk line fund a local federal match program for the purpose of receiving the proceeds of bonds issued under section 18b that are to be repaid under section 11(1)(a)(iii). Funds deposited into the local federal match program shall not exceed \$80,000,000.00.

(3) The legislature intends that funds in the local federal match program be used for 1 or more of the following:

(a) Projects that are the subject of a federal appropriation in Public Law 109-59 or Public Law 105-78 and have been designated as high priority road and bridge projects that have received earmarks in the federal budget, so long as those projects are under construction or let for bid by the end of the fiscal year that begins on October 1, 2006.

(b) Projects scheduled to be under construction or let for bid during the fiscal year that begins on October 1, 2006 and that can be advanced to the fiscal year that began on October 1, 2005.

(c) Any project scheduled for any fiscal year after the fiscal year that begins on October 1, 2006 that can be advanced and under construction or let for bid during the fiscal year that begins on October 1, 2005 or October 1, 2006.

Conditional effective date.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

(a) Senate Bill No. 1132.

(b) Senate Bill No. 1192.

This act is ordered to take immediate effect.

Approved May 22, 2006.

Filed with Secretary of State May 22, 2006.

Compiler's note: Senate Bill No. 1132, referred to in enacting section 1, was filed with the Secretary of State May 22, 2006, and became 2006 PA 139, Imd. Eff. May 22, 2006.

Senate Bill No. 1192, also referred to in enacting section 1, was filed with the Secretary of State May 22, 2006, and became 2006 PA 140, Imd. Eff. May 22, 2006.

[No. 142]

(HB 5045)

AN ACT to amend 1987 PA 96, entitled "An act to create a mobile home commission; to prescribe its powers and duties and those of local governments; to provide for a mobile home code and the licensure, regulation, construction, operation, and management of mobile home parks, the licensure and regulation of retail sales dealers, warranties of mobile homes, and service practices of dealers; to provide for the titling of mobile homes; to prescribe the powers and duties of certain agencies and departments; to provide remedies and penalties; to declare the act to be remedial; to repeal this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 30b and 30c (MCL 125.2330b and 125.2330c).

The People of the State of Michigan enact:

125.2330b Certificate of title; issuance; contents; mailing or delivering to owner or other person.

Sec. 30b. (1) The department upon receipt of the required application and fees shall issue a certificate of title except as otherwise provided.

(2) The certificate of title shall contain upon its face the date issued, the name and address of the owner, a description of the mobile home as determined by the department, a statement of all security interests in the mobile home as set forth in the application, the

date on which the application was filed, and other information as the department may require.

(3) The certificate of title shall contain forms for assignment of title or interest and warranty of title by the owner with space for notation of security interests in the mobile home at the time of a transfer to be signed in ink, and other forms as the department may consider necessary to facilitate the effective administration of this section. The certificate shall bear the seal of the department.

(4) The certificate of title shall be mailed or delivered to the owner or other person as the owner may direct in a separate instrument, in the form as the department shall prescribe.

125.2330c Transfer or assignment of title or interest; indorsement; mailing or delivering certificate; effective date of transfer; issuance of new certificate; fee; reservation or creation of security interest; mobile home dealer as transferee; transfer of dealer's title or interest.

Sec. 30c. (1) If the owner of a mobile home transfers or assigns the owner's title or interest to the mobile home, the owner shall indorse an assignment of the mobile home with warranty of title with a statement of all security interests in the mobile home, and shall cause the certificate to be mailed or delivered to the department or to the purchaser or transferee at the time of the delivery to the purchaser or transferee of the mobile home.

(2) Upon the delivery of a mobile home and the transfer, sale, or assignment of the title or interest in a mobile home, the effective date of the transfer of title or interest shall be the date of execution of either the application for title or the certificate of title.

(3) The purchaser or transferee, unless the purchaser or transferee is a licensed dealer, shall cause to be presented to the department the certificate of title accompanied by the applicable fee, as follows:

(a) Except as provided in subdivision (b) or (c), \$45.00.

(b) Except as provided in subdivision (c), \$15.00, if the sale, assignment, or other transfer will require the addition or deletion from the certificate of title of any of the following:

(i) The owner's spouse.

(ii) A person related to the owner within the fourth degree of consanguinity as computed by the civil law method.

(iii) A person related to the owner's spouse within the fourth degree of consanguinity as computed by the civil law method.

(c) Any other lesser amount established pursuant to section 9(5).

(4) Upon presentation of the certificate of title accompanied by the applicable fee, a new certificate of title shall be issued. A certificate of title issued under subsection (3) and this subsection shall be mailed or delivered to the owner or any other person the owner may direct in a separate instrument in a form as prescribed by the department.

(5) If a security interest is reserved or created at the time of the transfer, the parties shall comply with section 30d.

(6) If the transferee of a mobile home is a mobile home dealer who holds the mobile home for resale, the dealer shall not be required to forward the certificate of title to the department, but the dealer shall retain possession of the assigned certificate of title. Upon transfer of the dealer's title or interest to another person, the dealer shall execute and acknowledge an assignment and warranty of title upon the certificate of title and deliver

it to the person to whom the transfer is made if the person is a licensed dealer; otherwise application for a new title shall be made by the transferor as provided in section 30a(1).

This act is ordered to take immediate effect.

Approved May 21, 2006.

Filed with Secretary of State May 22, 2006.

[No. 143]

(HB 5313)

AN ACT to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 28 (MCL 211.28), as amended by 1993 PA 292.

The People of the State of Michigan enact:

211.28 Board of review for township or city; appointment, qualifications, and terms of members; vacancy; eligibility; quorum; adjournment; deciding questions; board of review committees; meetings; size, composition, and manner of appointment of board of review; alternate members; indorsement of assessment roll; duties and responsibilities contained in MCL 211.29.

Sec. 28. (1) Those electors of the township appointed by the township board shall constitute a board of review for the township. At least 2/3 of the members shall be property taxpayers of the township. Members appointed to the board of review shall serve for terms of 2 years beginning at noon on January 1 of each odd-numbered year. Each member of the board of review shall qualify by taking the constitutional oath of office within 10 days after appointment. The township board may fill any vacancy that occurs in the membership of the board of review. A member of the township board is not eligible to serve on the board or to fill any vacancy. A spouse, mother, father, sister, brother, son, or daughter, including an adopted child, of the assessor is not eligible to serve on the board or to fill any vacancy. A majority of the board of review constitutes a quorum for the transaction of business, but a lesser number may adjourn and a majority vote of those present shall decide all questions. At least 2 members of a 3-member board of review shall be present to conduct any business or hearings of the board of review.

(2) The township board may appoint 3, 6, or 9 electors of the township, who shall constitute a board of review for the township. If 6 or 9 members are appointed as provided

in this subsection, the membership of the board of review shall be divided into board of review committees consisting of 3 members each for the purpose of hearing and deciding issues protested pursuant to section 30. Two of the 3 members of a board of review committee constitute a quorum for the transaction of the business of the committee. All meetings of the members of the board of review and committees shall be held during the same hours of the same day and at the same location.

(3) A township board may appoint not more than 2 alternate members for the same term as regular members of the board of review. Each alternate member shall be a property taxpayer of the township. Alternate members shall qualify by taking the constitutional oath of office within 10 days after appointment. The township board may fill any vacancy that occurs in the alternate membership of the board of review. A member of the township board is not eligible to serve as an alternate member or to fill any vacancy. A spouse, mother, father, sister, brother, son, or daughter, including an adopted child, of the assessor is not eligible to serve as an alternate member or to fill any vacancy. An alternate member may be called to perform the duties of a regular member of the board of review in the absence of a regular member. An alternate member may also be called to perform the duties of a regular member of the board of review for the purpose of reaching a decision in issues protested in which a regular member has abstained for reasons of conflict of interest.

(4) The size, composition, and manner of appointment of the board of review of a city may be prescribed by the charter of a city. In the absence of or in place of a charter provision, the governing body of the city, by ordinance, may establish the city board of review in the same manner and for the same purposes as provided by this section for townships.

(5) A majority of the entire board of review membership shall indorse the assessment roll as provided in section 30. The duties and responsibilities of the board contained in section 29 shall be carried out by the entire membership of the board of review and a majority of the membership constitutes a quorum for those purposes.

This act is ordered to take immediate effect.

Approved May 21, 2006.

Filed with Secretary of State May 22, 2006.

[No. 144]

(SB 838)

AN ACT to amend 1939 PA 280, entitled "An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to

prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,” by amending sections 106 and 107 (MCL 400.106 and 400.107), section 106 as amended by 2004 PA 409.

The People of the State of Michigan enact:

400.106 “Medically indigent individual,” “medicaid contracted health plan,” “medical institution,” and “title XVI” defined; notice of legal action; recovery of expenses by state department or medicaid contracted health plan; priority against proceeds.

Sec. 106. (1) A medically indigent individual is defined as:

(a) An individual receiving family independence program benefits or an individual receiving supplemental security income under title XVI or state supplementation under title XVI subject to limitations imposed by the director according to title XIX.

(b) Except as provided in section 106a, an individual who meets all of the following conditions:

(i) The individual has applied in the manner the family independence agency prescribes.

(ii) The individual’s need for the type of medical assistance available under this act for which the individual applied has been professionally established and payment for it is not available through the legal obligation of a public or private contractor to pay or provide for the care without regard to the income or resources of the patient. The state department is subrogated to any right of recovery that a patient may have for the cost of hospitalization, pharmaceutical services, physician services, nursing services, and other medical services not to exceed the amount of funds expended by the state department for the care and treatment of the patient. The patient or other person acting in the patient’s behalf shall execute and deliver an assignment of claim or other authorizations as necessary to secure the right of recovery to the department. A payment may be withheld under this act for medical assistance for an injury or disability for which the individual is entitled to medical care or reimbursement for the cost of medical care under sections 3101 to 3179 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 to 500.3179, or under another policy of insurance providing medical or hospital benefits, or both, for the individual unless the individual’s entitlement to that medical care or reimbursement is at issue. If a payment is made, the state department, to enforce its subrogation right, may do either of the following: (a) intervene or join in an action or proceeding brought by the injured, diseased, or disabled individual, the individual’s guardian, personal representative, estate, dependents, or survivors, against the third person who may be liable for the injury, disease, or disability, or against contractors, public or private, who may be liable to pay or provide medical care and services rendered to an injured, diseased, or disabled individual; (b) institute and prosecute a legal proceeding against a third person who may be liable for the injury, disease, or disability, or against contractors, public or private, who may be liable to pay or provide medical care and services rendered to an injured, diseased, or disabled individual, in state or federal court, either alone or in conjunction with the injured, diseased, or disabled individual, the individual’s guardian, personal representative, estate, dependents, or survivors. The state department may institute the proceedings in its own name or in the name of the injured, diseased, or disabled individual, the individual’s guardian, personal representative, estate, dependents, or survivors. As provided in section 6023 of the revised judicature act of 1961, 1961 PA 236, MCL 600.6023, the state department, in enforcing its subrogation right,

shall not satisfy a judgment against the third person's property that is exempt from levy and sale. The injured, diseased, or disabled individual may proceed in his or her own name, collecting the costs without the necessity of joining the state department or the state as a named party. The injured, diseased, or disabled individual shall notify the state department of the action or proceeding entered into upon commencement of the action or proceeding. An action taken by the state or the state department in connection with the right of recovery afforded by this section does not deny the injured, diseased, or disabled individual any part of the recovery beyond the costs expended on the individual's behalf by the state department. The costs of legal action initiated by the state shall be paid by the state. A payment shall not be made under this act for medical assistance for an injury, disease, or disability for which the individual is entitled to medical care or the cost of medical care under the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941; except that payment may be made if an appropriate application for medical care or the cost of the medical care has been made under the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941, entitlement has not been finally determined, and an arrangement satisfactory to the state department has been made for reimbursement if the claim under the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941, is finally sustained.

(iii) The individual has an annual income that is below, or subject to limitations imposed by the director and because of medical expenses falls below, the protected basic maintenance level. The protected basic maintenance level for 1-person and 2-person families shall be at least 100% of the payment standards generally used to determine eligibility in the family independence program. For families of 3 or more persons, the protected basic maintenance level shall be at least 100% of the payment standard generally used to determine eligibility in the family independence program. These levels shall recognize regional variations and shall not exceed 133-1/3% of the payment standard generally used to determine eligibility in the family independence program.

(iv) The individual, if a family independence program related individual and living alone, has liquid or marketable assets of not more than \$2,000.00 in value, or, if a 2-person family, the family has liquid or marketable assets of not more than \$3,000.00 in value. The state department shall establish comparable liquid or marketable asset amounts for larger family groups. Excluded in making the determination of the value of liquid or marketable assets are the values of: the homestead; clothing; household effects; \$1,000.00 of cash surrender value of life insurance, except that if the health of the insured makes continuance of the insurance desirable, the entire cash surrender value of life insurance is excluded from consideration, up to the maximum provided or allowed by federal regulations and in accordance with state department rules; the fair market value of tangible personal property used in earning income; an amount paid as judgment or settlement for damages suffered as a result of exposure to agent orange, as defined in section 5701 of the public health code, 1978 PA 368, MCL 333.5701; and a space or plot purchased for the purposes of burial for the person. For individuals related to the title XVI program, the appropriate resource levels and property exemptions specified in title XVI shall be used.

(v) The individual is not an inmate of a public institution except as a patient in a medical institution.

(vi) The individual meets the eligibility standards for supplemental security income under title XVI or for state supplementation under the act, subject to limitations imposed by the director according to title XIX; or meets the eligibility standards for family independence program benefits; or meets the eligibility standards for optional eligibility groups under title XIX, subject to limitations imposed by the director according to title XIX.

(2) As used in this act:

(a) “Medicaid contracted health plan” means a managed care organization with whom the state department contracts to provide or arrange for the delivery of comprehensive health care services as authorized under this act.

(b) “Medical institution” means a state licensed or approved hospital, nursing home, medical care facility, psychiatric hospital, or other facility or identifiable unit of a listed institution certified as meeting established standards for a nursing home or hospital in accordance with the laws of this state.

(c) “Title XVI” means title XVI of the social security act, 42 USC 1381 to 1382j and 1383 to 1383f.

(3) An individual receiving medical assistance under this act or his or her legal counsel shall notify the state department when filing an action in which the state department may have a right to recover expenses paid under this act. If the individual is enrolled in a medicaid contracted health plan, the individual or his or her legal counsel shall provide notice to the medicaid contracted health plan in addition to providing notice to the state department.

(4) If a legal action in which the state department, a medicaid contracted health plan, or both has a right to recover expenses paid under this act is filed and settled after November 29, 2004 without notice to the state department or the medicaid contracted health plan, the state department or the medicaid contracted health plan may file a legal action against the individual or his or her legal counsel, or both, to recover expenses paid under this act. The attorney general shall recover any cost or attorney fees associated with a recovery under this subsection.

(5) The state department has first priority against the proceeds of the net recovery from the settlement or judgment in an action settled in which notice has been provided under subsection (3). A medicaid contracted health plan has priority immediately after the state department in an action settled in which notice has been provided under subsection (3). The state department and a medicaid contracted health plan shall recover the full cost of expenses paid under this act unless the state department or the medicaid contracted health plan agrees to accept an amount less than the full amount. If the individual would recover less against the proceeds of the net recovery than the expenses paid under this act, the state department or medicaid contracted health plan, and the individual shall share equally in the proceeds of the net recovery. As used in this subsection, “net recovery” means the total settlement or judgment less the costs and fees incurred by or on behalf of the individual who obtains the settlement or judgment.

400.107 Medically indigent; financial eligibility; income.

Sec. 107. In establishing financial eligibility for the medically indigent as defined in section 106, income shall be disregarded in accordance with standards established for the related categorical assistance program. For medical assistance only, income shall include the amount of contribution that an estranged spouse or parent for a minor child is making to the applicant according to the standards of the state department, or according to a court determination, if there is a court determination. Nothing in this section eliminates the responsibility of support established in section 76 for cash assistance received under this act.

This act is ordered to take immediate effect.

Approved May 22, 2006.

Filed with Secretary of State May 22, 2006.

[No. 145]**(HB 5144)**

AN ACT to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” (MCL 324.101 to 324.90106) by adding section 40120.

The People of the State of Michigan enact:

324.40120 Michigan big game trophy records; official keeper; recognition.

Sec. 40120. The department shall recognize commemorative bucks of Michigan, inc., as the official keeper of Michigan big game trophy records for deer, bear, elk, and turkey.

This act is ordered to take immediate effect.

Approved May 21, 2006.

Filed with Secretary of State May 22, 2006.

[No. 146]**(HB 5554)**

AN ACT to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” (MCL 324.101 to 324.90106) by adding section 2511.

The People of the State of Michigan enact:

324.2511 Designation as “green school”; criteria; approval of application.

Sec. 2511. (1) A public or private school in this state may apply to be designated as a “green school” by submitting an application to the entity designated under subsection (2) by the county in which the school is located. A school is eligible to receive a designation under this section if the school meets 10 of the following criteria:

(a) The school recycles paper.

(b) The school reuses its magazines and newspapers for other projects.

(c) The school has adopted an endangered species animal from 1 of several organizations and posted a picture of the animal in a main traffic area.

(d) The school media center updates its print and nonprint ecological materials regularly.

(e) An energy savings program has been instituted at the school.

(f) Students at the school participate in a planned program of energy savings, including dusting coils on cafeteria refrigerators, placing film on windows, setting hot water heaters 1 degree lower, seeing how plants and trees strategically placed can save energy for the school, and checking proper inflation on bus tires and other school vehicles once a month.

(g) The school has hosted a visit by an ecological spokesperson, a representative of the sierra club, an endangered animals species show, or a similar presentation.

(h) The school has a birdhouse habitat project.

(i) The school has established a natural Michigan garden project with native plants.

(j) The school has solar power presentations or experiments, such as a solar cookout.

(k) Classes do energy audits of their classrooms and make improvements, such as placing film on windows, caulking windows, or using kits to make windows more energy efficient.

(l) The school has a printer cartridge recycling program through which the school earns money by selling the cartridges to 1 or more companies that buy cartridges from schools.

(m) The school recycles batteries and has designated a representative to return them to an appropriate recycling program.

(n) The school recycles cellular telephones and receives money for the telephones from recycling companies that work with schools.

(o) The school observes earth day in some way in April.

(p) Art classes at the school have a poster contest to support ecology concerns and a schoolwide display in conjunction with earth day activities.

(q) The school has science class projects in which students do several home energy improvements, such as turn down hot water heaters, install home window insulation kits, clean coils on home refrigerators, and install draft guards for doors.

(r) The school has an ecology club, whose activities include such activities as helping senior citizens make their homes more energy efficient, putting in new furnace filters, caulking windows, cleaning refrigerator coils in homes, and setting water heaters 1 degree lower.

(s) The school's classes visit internet sites where clicking saves rainforest habitat and teachers document the students' efforts.

(t) The school sets a goal of 5% less energy usage in the school and works with local power utilities to see progress toward the goal.

(2) A county shall designate a department of the county or the intermediate school district of the county to accept and consider the approval of an application under subsection (1).

This act is ordered to take immediate effect.

Approved May 21, 2006.

Filed with Secretary of State May 22, 2006.

[No. 147]**(HB 4171)**

AN ACT to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 5739 (MCL 600.5739).

The People of the State of Michigan enact:

600.5739 Joinder of claims and counterclaims for money judgment; separate disposition of claim for possession; damages for labor expended by either landlord or tenant.

Sec. 5739. (1) Except as provided by court rules, a party to summary proceedings may join claims and counterclaims for money judgment for damages attributable to wrongful entry, detainer, or possession, for breach of the lease or contract under which the premises were held, or for waste or malicious destruction to the premises. The court may order separate summary disposition of the claim for possession, without prejudice to any other claims or counterclaims. A claim or counterclaim for money judgment shall not exceed the amount in controversy that otherwise limits the jurisdiction of the court.

(2) If the court awards damages for physical injury to the premises under subsection (1) by making an award for or based on the cost of repairs, the court shall award damages for labor expended by a landlord or property manager in repairing the premises in the same manner as it would if the repairs were performed by a third party. A landlord’s or property manager’s labor under this subsection shall be compensated at a rate the court determines to be reasonable based on usual and customary charges for the repairs.

(3) If the court determines that the landlord breached the lease or contract under which the premises were held by failing to repair the premises and awards damages under subsection (1) by making an award for or based on the cost of repairs, the court shall award damages for labor expended by the tenant in repairing the premises in the same manner as it would if the repairs were performed by a third party. A tenant’s labor under this subsection shall be compensated at a rate the court determines to be reasonable based on usual and customary charges for the repairs.

Applicability.

Enacting section 1. This amendatory act applies to an action filed after the effective date of this amendatory act.

Effective date.

Enacting section 2. This amendatory act takes effect July 1, 2006.

This act is ordered to take immediate effect.

Approved May 21, 2006.

Filed with Secretary of State May 22, 2006.

[No. 148]**(HB 5887)**

AN ACT to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” (MCL 750.1 to 750.568) by adding section 167d.

The People of the State of Michigan enact:

750.167d Funeral, memorial service, or viewing; funeral procession; burial; prohibited conduct; violation; penalty.

Sec. 167d. (1) A person shall not do any of the following within 500 feet of a building or other location where a funeral, memorial service, or viewing of a deceased person is being conducted or within 500 feet of a funeral procession or burial:

(a) Make loud and raucous noise and continue to do so after being asked to stop.

(b) Make any statement or gesture that would make a reasonable person under the circumstances feel intimidated, threatened, or harassed.

(c) Engage in any other conduct that the person knows or should reasonably know will disturb, disrupt, or adversely affect the funeral, memorial service, viewing of the deceased person, funeral procession, or burial.

(2) A person who violates subsection (1) is a disorderly person and is guilty of a felony punishable as provided under section 168.

Effective date.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted.

Conditional effective date.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

(a) Senate Bill No. 1171.

(b) Senate Bill No. 1229.

(c) House Bill No. 5888.

This act is ordered to take immediate effect.

Approved May 23, 2006.

Filed with Secretary of State May 24, 2006.

Compiler's note: The bills referred to in enacting section 2 were enacted into law as follows:
Senate Bill No. 1171 was filed with the Secretary of State May 24, 2006, and became 2006 PA 150, Eff. Aug. 22, 2006.
Senate Bill No. 1229 was filed with the Secretary of State May 24, 2006, and became 2006 PA 151, Eff. Aug. 22, 2006.
House Bill No. 5888 was filed with the Secretary of State May 24, 2006, and became 2006 PA 149, Eff. Aug. 22, 2006.

[No. 149]**(HB 5888)**

AN ACT to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2003 PA 268.

The People of the State of Michigan enact:

CHAPTER XVII

777.16i MCL 750.158 to 750.182a; felonies to which chapter applicable.

Sec. 16i. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.158	Pub ord	E	Sodomy	15
750.159j	Pub saf	B	Racketeering	20
750.160	Pub ord	D	Disinterring or mutilating dead human body	10
750.160a	Pub ord	H	Photographing dead human body	2
750.160c	Pub ord	D	Improper disposal of dead human body after more than 180 days	10
750.161	Pub ord	G	Desertion/abandonment/nonsupport	3
750.164	Pub ord	F	Desertion to escape prosecution	4
750.165	Pub ord	F	Failing to pay support	4
750.168(2)(a)	Pub ord	G	Disorderly conduct at a funeral	2
750.171	Person	E	Duelling	10

750.174(4)	Property	E	Embezzlement by agent of \$1,000 to \$20,000 or with prior convictions	5
750.174(5)	Property	D	Embezzlement by agent of \$20,000 or more or \$1,000 to \$20,000 with prior convictions	10
750.174a(4)	Property	E	Embezzlement by person in a relationship of trust with a vulnerable adult of \$1,000 to \$20,000 or with prior convictions	5
750.174a(5)	Property	D	Embezzlement by person in a relationship of trust with a vulnerable adult of \$20,000 or more or \$1,000 to \$20,000 with prior convictions	10
750.175	Pub trst	D	Embezzlement by public official over \$50	10
750.176	Pub trst	E	Embezzlement by administrator/executor/guardian	10
750.177(2)	Property	D	Embezzlement by chattel mortgagor of \$20,000 or more or \$1,000 to \$20,000 with prior convictions	10
750.177(3)	Property	E	Embezzlement by chattel mortgagor of \$1,000 to \$20,000 or with prior convictions	5
750.178(2)	Property	D	Embezzlement of mortgaged or leased property of \$20,000 or more or \$1,000 to \$20,000 with prior convictions	10
750.178(3)	Property	E	Embezzling mortgaged or leased property with value of \$1,000 to \$20,000 or with prior convictions	5
750.180	Property	D	Embezzlement by financial institutions	20
750.181(4)	Property	E	Embezzling jointly held property with value of \$1,000 to \$20,000 or with prior convictions	5
750.181(5)	Property	D	Embezzling jointly held property with value of \$20,000 or more or \$1,000 to \$20,000 with prior convictions	10
750.182	Property	G	Embezzlement by warehouses	4
750.182a	Pub trst	H	Falsifying school records	2

Effective date.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted.

Conditional effective date.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

- (a) Senate Bill No. 1171.

(b) Senate Bill No. 1229.

(c) House Bill No. 5887.

This act is ordered to take immediate effect.

Approved May 23, 2006.

Filed with Secretary of State May 24, 2006.

Compiler's note: The bills referred to in enacting section 2 were enacted into law as follows:
Senate Bill No. 1171 was filed with the Secretary of State May 24, 2006, and became 2006 PA 150, Eff. Aug. 22, 2006.
Senate Bill No. 1229 was filed with the Secretary of State May 24, 2006, and became 2006 PA 151, Eff. Aug. 22, 2006.
House Bill No. 5887 was filed with the Secretary of State May 24, 2006, and became 2006 PA 148, Eff. Aug. 22, 2006.

[No. 150]

(SB 1171)

AN ACT to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 168 (MCL 750.168).

The People of the State of Michigan enact:

750.168 Disorderly person; penalty.

Sec. 168. (1) Except as provided in subsection (2), a person convicted of being a disorderly person is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both.

(2) A person convicted of being a disorderly person under section 167d is guilty of a felony punishable as follows:

(a) Except as provided in subdivision (b), by imprisonment for not more than 2 years or a fine of not more than \$5,000.00, or both.

(b) If the person was previously convicted of violating section 167d, by imprisonment for not more than 4 years or a fine of not more than \$10,000.00, or both.

Effective date.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted.

Conditional effective date.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

(a) Senate Bill No. 1229.

- (b) House Bill No. 5887.
- (c) House Bill No. 5888.

This act is ordered to take immediate effect.
 Approved May 23, 2006.
 Filed with Secretary of State May 24, 2006.

Compiler's note: The bills referred to in enacting section 2 were enacted into law as follows:
 Senate Bill No. 1229 was filed with the Secretary of State May 24, 2006, and became 2006 PA 151, Eff. Aug. 22, 2006.
 House Bill No. 5887 was filed with the Secretary of State May 24, 2006, and became 2006 PA 148, Eff. Aug. 22, 2006.
 House Bill No. 5888 was filed with the Secretary of State May 24, 2006, and became 2006 PA 149, Eff. Aug. 22, 2006.

[No. 151]
(SB 1229)

AN ACT to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2003 PA 268.

The People of the State of Michigan enact:

CHAPTER XVII

777.16i. MCL 750.158 to 750.182a; felonies to which chapter applicable.

Sec. 16i. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.158	Pub ord	E	Sodomy	15
750.159j	Pub saf	B	Racketeering	20

750.160	Pub ord	D	Disinterring or mutilating dead human body	10
750.160a	Pub ord	H	Photographing dead human body	2
750.160c	Pub ord	D	Improper disposal of dead human body after more than 180 days	10
750.161	Pub ord	G	Desertion/abandonment/nonsupport	3
750.164	Pub ord	F	Desertion to escape prosecution	4
750.165	Pub ord	F	Failing to pay support	4
750.168(2)(a)	Pub ord	G	Disorderly conduct at a funeral	2
750.168(2)(b)	Pub ord	F	Disorderly conduct at a funeral — subsequent offense	4
750.171	Person	E	Duelling	10
750.174(4)	Property	E	Embezzlement by agent of \$1,000 to \$20,000 or with prior convictions	5
750.174(5)	Property	D	Embezzlement by agent of \$20,000 or more or \$1,000 to \$20,000 with prior convictions	10
750.174a(4)	Property	E	Embezzlement by person in a relationship of trust with a vulnerable adult of \$1,000 to \$20,000 or with prior convictions	5
750.174a(5)	Property	D	Embezzlement by person in a relationship of trust with a vulnerable adult of \$20,000 or more or \$1,000 to \$20,000 with prior convictions	10
750.175	Pub trst	D	Embezzlement by public official over \$50	10
750.176	Pub trst	E	Embezzlement by administrator/executor/guardian	10
750.177(2)	Property	D	Embezzlement by chattel mortgagor of \$20,000 or more or \$1,000 to \$20,000 with prior convictions	10
750.177(3)	Property	E	Embezzlement by chattel mortgagor of \$1,000 to \$20,000 or with prior convictions	5
750.178(2)	Property	D	Embezzlement of mortgaged or leased property of \$20,000 or more or \$1,000 to \$20,000 with prior convictions	10
750.178(3)	Property	E	Embezzling mortgaged or leased property with value of \$1,000 to \$20,000 or with prior convictions	5
750.180	Property	D	Embezzlement by financial institutions	20
750.181(4)	Property	E	Embezzling jointly held property with value of \$1,000 to \$20,000 or with prior convictions	5

750.181(5)	Property	D	Embezzling jointly held property with value of \$20,000 or more or \$1,000 to \$20,000 with prior convictions	10
750.182	Property	G	Embezzlement by warehouses	4
750.182a	Pub trst	H	Falsifying school records	2

Effective date.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted.

Conditional effective date.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

- (a) Senate Bill No. 1171.
- (b) House Bill No. 5887.
- (c) House Bill No. 5888.

This act is ordered to take immediate effect.

Approved May 23, 2006.

Filed with Secretary of State May 24, 2006.

Compiler's note: The bills referred to in enacting section 2 were enacted into law as follows:

Senate Bill No. 1171 was filed with the Secretary of State May 24, 2006, and became 2006 PA 150, Eff. Aug. 22, 2006.

House Bill No. 5887 was filed with the Secretary of State May 24, 2006, and became 2006 PA 148, Eff. Aug. 22, 2006.

House Bill No. 5888 was filed with the Secretary of State May 24, 2006, and became 2006 PA 149, Eff. Aug. 22, 2006.

[No. 152]**(SB 1199)**

AN ACT to allow the requiring of a permit before demonstrating outside of locations in which a funeral service is being held; to allow local units of government to prohibit certain conduct at or near the locations in which a funeral service is being held; to prescribe the powers and duties of certain local governments and officials; and to provide for penalties.

The People of the State of Michigan enact:

123.1111 Funeral or memorial service; ordinances.

Sec. 1. A local unit of government may pass such ordinances as it considers necessary to protect and preserve the peace and respect toward those attending or conducting a funeral or memorial service.

123.1112 Demonstration; permit required; fee.

Sec. 2. (1) An ordinance authorized under section 1 may include the requiring of a permit before a person can demonstrate on public property outside of any funeral home, church, synagogue, mosque, any other place of worship, cemetery, or any other location at which a funeral service or memorial service is being held.

(2) The local unit of government may assess a reasonable fee for the processing and granting of a permit allowed under this act.

123.1113 Ordinances; additional provisions.

Sec. 3. The ordinance authorized under section 1 may also include such other provisions as the local unit of government considers necessary, including, but not limited to, prohibiting any person from doing any of the following within 500 feet of a building or other location where a funeral, memorial service, or viewing of a deceased person is being conducted or within 500 feet of a funeral procession or burial in the hour immediately before, or during, or in the 2 hours immediately following:

(a) Making loud and raucous noise and continuing to do so after being asked to stop.

(b) Making any statement or gesture that would make a reasonable person under the circumstances feel intimidated, threatened, or harassed.

(c) Engaging in any other conduct that the person knows or should reasonably know will disturb, disrupt, or adversely affect the funeral, memorial service, viewing of the deceased person, funeral procession, or burial.

123.1114 Fines.

Sec. 4. The local unit of government shall impose reasonable fines for violations of an ordinance adopted under this act.

123.1115 “Local unit of government” defined.

Sec. 5. As used in this act, “local unit of government” means a city, village, township, or county.

This act is ordered to take immediate effect.

Approved May 23, 2006.

Filed with Secretary of State May 24, 2006.

[No. 153]**(SB 242)**

AN ACT to make, supplement, and adjust appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2005 and September 30, 2006; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

PART 1

LINE-ITEM APPROPRIATIONS FOR FISCAL YEAR 2005-2006

Appropriations; supplemental; various state departments and agencies; judicial branch; legislative branch.

Sec. 101. There is appropriated for certain state departments and certain other state purposes, the judicial branch, and the legislative branch as set forth in this part for the fiscal year ending September 30, 2006, from the following funds:

APPROPRIATION SUMMARY:

Full-time equated classified positions.....113.2

	For Fiscal Year Ending Sept. 30, 2006
GROSS APPROPRIATION	\$ 231,447,000
Total interdepartmental grants and intradepartmental transfers	18,182,900
ADJUSTED GROSS APPROPRIATION.....	\$ 213,264,100
Total federal revenues	82,959,700
Total local revenues	1,000,000
Total private revenues.....	5,178,800
Total other state restricted revenues.....	101,320,100
State general fund/general purpose	\$ 22,805,500

Department of agriculture.

Sec. 102. DEPARTMENT OF AGRICULTURE

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION.....	\$ 1,874,000
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION.....	\$ 1,874,000
Total federal revenues	1,099,000
Total local revenues	0
Total private revenues.....	0
Total other state restricted revenues.....	250,000
State general fund/general purpose	\$ 525,000

(2) FOOD AND DAIRY

Food safety and quality assurance	\$ 625,000
GROSS APPROPRIATION.....	\$ 625,000

Appropriated from:

Federal revenues:

HHS-FDA	150,000
Special revenue funds:	
Civil penalties	25,000
State general fund/general purpose	\$ 450,000

(3) PESTICIDE AND PLANT PEST MANAGEMENT

Pesticide and plant pest management	\$ 300,000
GROSS APPROPRIATION.....	\$ 300,000

Appropriated from:

State general fund/general purpose	\$ 300,000
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(4) ENVIRONMENTAL STEWARDSHIP

Environmental stewardship.....	\$ 11,000
Groundwater and freshwater protection program	250,000
Migrant labor housing.....	145,000
GROSS APPROPRIATION.....	\$ 406,000

Appropriated from:

Federal revenues:

DHS, U.S. department of homeland security.....	11,000
Corporation for national and community services.....	250,000
DOL, foreign worker visa program.....	145,000
State general fund/general purpose	\$ 0

(5) LABORATORY PROGRAM

Laboratory services	\$ 543,000
GROSS APPROPRIATION.....	\$ 543,000

For Fiscal Year
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2006

Appropriated from:	
Federal revenues:	
HHS-FDA	\$ 543,000
Special revenue funds:	
Weights and measures regulation fees	225,000
State general fund/general purpose	\$ (225,000)

Department of attorney general.

Sec. 103. DEPARTMENT OF ATTORNEY GENERAL

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$ 1,027,700
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	\$ 1,027,700
Total federal revenues	1,027,700
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
State general fund/general purpose	\$ 0

(2) ATTORNEY GENERAL OPERATIONS

Attorney general operations	\$ 577,700
Child support enforcement	450,000
GROSS APPROPRIATION	\$ 1,027,700

Appropriated from:	
Federal revenues:	
Federal funds	517,000
HHS-OS, state Medicaid fraud control units	510,700
State general fund/general purpose	\$ 0

Capital outlay.

Sec. 104. CAPITAL OUTLAY

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$ 47,609,800
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	\$ 47,609,800
Total federal revenues	1,470,000
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	45,839,500
State general fund/general purpose	\$ 300,300

(2) DEPARTMENT OF NATURAL RESOURCES

(a) WATERWAYS BOATING PROGRAM

Infrastructure improvements - state projects	\$ 3,970,000
Infrastructure improvements - local projects	1,500,000
Land acquisitions	1,000,000
GROSS APPROPRIATION	\$ 6,470,000

Appropriated from:	
Federal revenues:	
DHS, U.S. coast guard	1,470,000
Special revenue funds:	
Waterways fund	5,000,000
State general fund/general purpose	\$ 0

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(b) MICHIGAN NATURAL RESOURCES TRUST FUND

Natural resources trust fund projects	\$ <u>37,339,500</u>
Trust fund acquisition projects by priority:	
CMS Arcadia/Green Point Dunes conservation easement - phase III, Manistee and Benzie counties (#05-132)	
Lee Grande ranch conservation easement, Cheboygan County (#05-141)	
Griot River county park addition (grant-in-aid to Keweenaw County) (#05-078)	
Russell Lake winter deer habitat acquisition, Roscommon County (#05-156)	
Kamehameha schools development rights purchase, Alger, Baraga, Chippewa, Gogebic, Houghton, Luce, Marquette, Ontonagon, and Schoolcraft counties (#05-133)	
Flowing well conservation easement, Kalkaska County (#05-140)	
Wildlife area consolidation lump sum, various counties statewide (#05-154)	
Stony Creek corridor park acquisition, Oakland County (grant-in-aid to Oakland Township) (#05-102)	
Bear River parcel conservation easement, Charlevoix County (#05-142)	
Swedetown recreation area acquisition, Houghton County (grant-in-aid to Calumet Township) (#05-119)	
Winter deer habitat initiative, various counties in Upper and northern Lower Peninsulas (#05-155)	
State trailways initiative, various counties statewide (#05-136)	
Highland Township property acquisition, Oakland County (grant-in-aid to Oakland County) (#05-032)	
Coldwater/Thornapple River acquisition, Kent County (grant-in-aid to Kent County) (#05-055)	
Pere Marquette trail extension, Clare County (grant-in-aid to city of Clare) (#05-171)	
Elizabeth Lake Woods Park expansion, Oakland County (grant-in-aid to Waterford Township) (#05-097)	
St. Charles area park land acquisition, Saginaw County (grant-in-aid to village of St. Charles) (#05-010)	
Village Wood Lake/Orchard Hills west acquisition, Oakland County (grant-in-aid to city of Novi) (#05-165)	
Lighthouse west property conservation easement, Leelanau County (#05-147)	
Wayland Rabbit River recreation project, Allegan County (grant-in-aid to city of Wayland) (#05-047)	
Grass River natural area addition, Antrim County (grant-in-aid to Antrim County) (#05-024)	

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Trust fund development projects by priority:

- Huron boardwalk, Mackinac County (grant-in-aid to city of St. Ignace) (#05-018)
- Gladstone 10th street pier, Delta County (grant-in-aid to city of Gladstone) (#05-021)
- Silk city nature trail, Ionia County (grant-in-aid to city of Belding) (#05-052)
- Riverside park boat launch site improvements, Mason County (grant-in-aid to city of Scottville) (#05-008)
- North riverfront park heritage improvements, Alpena County (grant-in-aid to city of Alpena) (#05-014)
- Roselle park trail improvements, Kent County (grant-in-aid to Ada Township) (#05-106)
- Manistique central park improvements, Schoolcraft County (grant-in-aid to city of Manistique) (#05-109)
- Pentoga park campground improvements, Iron County (grant-in-aid to Iron County) (#05-128)
- New Richmond bridge park development, Allegan County (grant-in-aid to Allegan County) (#05-001)
- State park camper cabins, Chippewa, Grand Traverse, Iosco, Iron, Jackson, Lapeer, Livingston, Luce, Manistee, Marquette, Oakland, Presque Isle, St. Clair, Van Buren, Washtenaw, and Wexford counties (#05-151)
- Fishing quarry park development, Iron County (grant-in-aid to city of Caspian) (#05-122)
- Apple blossom trail river walkway, Iron County (grant-in-aid to city of Iron River) (#05-077)
- Ransom Lake natural area, Benzie County (grant-in-aid to Almira Township) (#05-118)
- Sanford Lake park improvements, Midland County (grant-in-aid to Midland County) (#05-074)
- Fremont town and country path, Newaygo County (grant-in-aid to city of Fremont) (#05-107)
- Lansing river trail south extension, Ingham County (grant-in-aid to city of Lansing) (#05-071)
- Goodrich park renovations, Muskegon County (grant-in-aid to city of Whitehall) (#05-086)
- Falling waters trail project, Jackson County (grant-in-aid to Jackson County) (#05-117)
- Campground access improvements, Otsego and Presque Isle counties (#05-143)
- Fox memorial park improvements, Eaton County (grant-in-aid to Eaton County) (#05-033)
- Lake Michigan beach park improvements, Leelanau County (grant-in-aid to village of Empire) (#05-124)
- Riverside park capital improvement project, Washtenaw County (grant-in-aid to city of Ypsilanti) (#05-054)
- Boardman Lake trail west, Grand Traverse County (grant-in-aid to city of Traverse City) (#05-104)

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Kenneth Stanaback park, Kent County (grant-in-aid to city of Kentwood) (#05-026)		
Beaverton fishing piers, Gladwin County (grant-in-aid to city of Beaverton) (#05-068)		
Butzel playfield improvements, Wayne County (grant-in-aid to city of Detroit) (#05-072)		
Cannon Township nonmotorized trail, Kent County (grant-in-aid to Cannon Township) (#05-076)		
Old Mackinac point light station improvements, Cheboygan County (grant-in-aid to Mackinac Island state park commission) (#05-111)		
Riverside park campground redevelopment, Mason County (grant-in-aid to city of Scottville) (#05-009)		
Tricentennial state park and harbor, Wayne County (#05-153)		
GROSS APPROPRIATION	\$	37,339,500
Appropriated from:		
Special revenue funds:		
Michigan natural resources trust fund		37,339,500
State general fund/general purpose	\$	0
(c) WILDLIFE		
Statewide deer range habitat acquisition	\$	3,500,000
GROSS APPROPRIATION	\$	3,500,000
Appropriated from:		
Special revenue funds:		
Game and fish protection - deer range improvement fund		3,500,000
State general fund/general purpose	\$	0
(3) STATE BUILDING AUTHORITY FINANCED		
CONSTRUCTION PROJECTS		
Schoolcraft College - technical services facility - authorized for planning in 2005 PA 10, for design and construction (total authorized cost \$12,700,000; state building authority share \$5,019,700; college share \$7,680,100; state general fund share \$200)	\$	100
University of Michigan - student activities building - authorized for planning in 2005 PA 10, for design and construction (total authorized cost \$8,500,000; state building authority share \$5,751,600; university share \$2,748,300; state general fund share \$100)		100
West Shore Community College - new student learning center - authorized for planning in 2005 PA 10, for design and construction (total authorized cost \$7,899,400; state building authority share \$3,949,500; college share \$3,949,700; state general fund share \$200)		100
GROSS APPROPRIATION	\$	300
Appropriated from:		
State general fund/general purpose	\$	300

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(4) DEPARTMENT OF EDUCATION

School for the deaf renovations.....	\$	<u>300,000</u>
GROSS APPROPRIATION.....	\$	300,000
Appropriated from:		
State general fund/general purpose	\$	300,000

Department of civil rights.

Sec. 105. DEPARTMENT OF CIVIL RIGHTS

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION.....	\$	516,400
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION.....	\$	516,400
Total federal revenues.....		516,400
Total local revenues		0
Total private revenues.....		0
Total other state restricted revenues.....		0
State general fund/general purpose	\$	0

(2) CIVIL RIGHTS OPERATIONS

Civil rights operations.....	\$	<u>516,400</u>
GROSS APPROPRIATION.....	\$	516,400
Appropriated from:		
Federal revenues:		
EEOC, state and local antidiscrimination agency contracts.....		374,800
HUD, grant.....		141,600
State general fund/general purpose	\$	0

Community colleges.

Sec. 106. COMMUNITY COLLEGES

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION.....	\$	225,000
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION.....	\$	225,000
Total federal revenues.....		0
Total local revenues		0
Total private revenues.....		0
Total other state restricted revenues.....		0
State general fund/general purpose	\$	225,000

(2) OPERATIONS

Wayne County Community College.....	\$	<u>225,000</u>
GROSS APPROPRIATION.....	\$	225,000
Appropriated from:		
State general fund/general purpose	\$	225,000

Department of community health.

Sec. 107. DEPARTMENT OF COMMUNITY HEALTH

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION.....	\$	74,323,400
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION.....	\$	74,323,400
Total federal revenues.....		50,792,400

	For Fiscal Year Ending Sept. 30, 2006
Total local revenues	\$ 0
Total private revenues.....	5,105,000
Total other state restricted revenues.....	20,779,200
State general fund/general purpose	\$ (2,353,200)
(2) COMMUNITY MENTAL HEALTH/SUBSTANCE ABUSE SERVICES PROGRAMS	
Children with serious emotional disturbance waiver.....	\$ 570,000
GROSS APPROPRIATION.....	\$ 570,000
Appropriated from:	
Federal revenues:	
Total federal revenues.....	570,000
State general fund/general purpose	\$ 0
(3) INFECTIOUS DISEASE CONTROL	
AIDS prevention, testing, and care programs.....	\$ 5,000,000
GROSS APPROPRIATION.....	\$ 5,000,000
Appropriated from:	
Special revenue funds:	
Total private revenues.....	5,000,000
State general fund/general purpose	\$ 0
(4) LABORATORY SERVICES	
Laboratory services	\$ 300,000
GROSS APPROPRIATION.....	\$ 300,000
Appropriated from:	
Special revenue funds:	
Total other state restricted revenues.....	300,000
State general fund/general purpose	\$ 0
(5) EPIDEMIOLOGY	
Epidemiology administration.....	\$ 47,000
Bioterrorism preparedness.....	2,951,800
GROSS APPROPRIATION.....	\$ 2,998,800
Appropriated from:	
Federal revenues:	
Total federal revenues.....	2,951,800
Special revenue funds:	
Total private revenues.....	47,000
State general fund/general purpose	\$ 0
(6) LOCAL HEALTH ADMINISTRATION AND GRANTS	
Lead abatement program.....	\$ 300,000
GROSS APPROPRIATION.....	\$ 300,000
Appropriated from:	
Federal revenues:	
Total federal revenues.....	300,000
State general fund/general purpose	\$ 0
(7) WOMEN, INFANTS, AND CHILDREN FOOD AND NUTRITION PROGRAM	
Women, infants, and children program administration and special projects	\$ 609,000
Women, infants, and children program local agreements and food costs.....	1,450,000
GROSS APPROPRIATION.....	\$ 2,059,000

	For Fiscal Year Ending Sept. 30, 2006
Appropriated from:	
Federal revenues:	
Total federal revenues.....	\$ 2,001,000
Special revenue funds:	
Total private revenues.....	58,000
State general fund/general purpose	\$ 0
(8) MEDICAL SERVICES ADMINISTRATION	
Medical services administration.....	\$ 3,000,000
GROSS APPROPRIATION.....	\$ 3,000,000
Appropriated from:	
Federal revenues:	
Total federal revenues.....	3,000,000
State general fund/general purpose	\$ 0
(9) MEDICAL SERVICES	
Long-term care services.....	\$ 21,836,500
Health plan services.....	(2,353,200)
Medicaid adult benefits waiver	4,394,700
Federal Medicare pharmaceutical program.....	(174,855,500)
Federal Medicare pharmaceutical program.....	147,073,100
Pharmaceutical services	64,000,000
Subtotal basic medical services program	60,095,600
GROSS APPROPRIATION.....	\$ 60,095,600
Appropriated from:	
Federal revenues:	
Total federal revenues.....	41,969,600
Special revenue funds:	
Total other state restricted revenues.....	20,479,200
State general fund/general purpose	\$ (2,353,200)

Department of corrections.**Sec. 108. DEPARTMENT OF CORRECTIONS****(1) APPROPRIATION SUMMARY**

GROSS APPROPRIATION.....	\$ 0
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION.....	\$ 0
Total federal revenues.....	0
Total local revenues	0
Total private revenues.....	0
Total other state restricted revenues.....	0
State general fund/general purpose	\$ 0

(2) EXECUTIVE

Executive direction.....	\$ (3,710,800)
Executive direction.....	3,710,800
Prisoner reintegration program.....	4,000,000
GROSS APPROPRIATION.....	\$ 4,000,000
Appropriated from:	
State general fund/general purpose	\$ 4,000,000

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(3) CORRECTIONAL FACILITIES ADMINISTRATION

Supplementary operational expenditures	\$	(4,000,000)
GROSS APPROPRIATION	\$	<u>(4,000,000)</u>
Appropriated from:		
State general fund/general purpose	\$	(4,000,000)

Department of education.

Sec. 109. DEPARTMENT OF EDUCATION

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$	3,286,000
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	3,286,000
Total federal revenues		3,286,000
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	0

(2) GRANTS ADMINISTRATION AND SCHOOL SUPPORT SERVICES

Grants administration and school support services operations	\$	<u>32,600</u>
GROSS APPROPRIATION	\$	32,600
Appropriated from:		
Federal revenues:		
Total federal revenues		32,600
State general fund/general purpose	\$	0

(3) GRANTS AND DISTRIBUTIONS

Emergency impact aid, hurricanes	\$	<u>3,253,400</u>
GROSS APPROPRIATION	\$	3,253,400
Appropriated from:		
Federal revenues:		
Total federal revenues		3,253,400
State general fund/general purpose	\$	0

Department of environmental quality.

Sec. 110. DEPARTMENT OF ENVIRONMENTAL QUALITY

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$	1,577,800
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	1,577,800
Total federal revenues		1,455,300
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		122,500
State general fund/general purpose	\$	0

(2) EXECUTIVE OPERATIONS AND DEPARTMENT SUPPORT

Office of the Great Lakes	\$	45,000
Executive direction		<u>1,432,800</u>
GROSS APPROPRIATION	\$	1,477,800

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Appropriated from:

Federal revenues:

DOC-NOAA, federal	\$	22,500
EPA, multiple		1,432,800

Special revenue funds:

Great Lakes protection fund		22,500
State general fund/general purpose	\$	0

(3) REMEDIATION AND REDEVELOPMENT

Little Black Creek site assessment, state match	\$	100,000
GROSS APPROPRIATION	\$	100,000

Appropriated from:

Special revenue funds:

Cleanup and redevelopment fund		100,000
State general fund/general purpose	\$	0

Department of history, arts, and libraries.

Sec. 111. DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$	631,800
Total interdepartmental grants and intradepartmental transfers ...		0
ADJUSTED GROSS APPROPRIATION	\$	631,800
Total federal revenues		0
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	631,800

(2) MICHIGAN COUNCIL FOR ARTS AND CULTURAL AFFAIRS

Arts and cultural grants	\$	631,800
GROSS APPROPRIATION	\$	631,800

Appropriated from:

State general fund/general purpose	\$	631,800
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Department of human services.

Sec. 112. DEPARTMENT OF HUMAN SERVICES

(1) APPROPRIATION SUMMARY

Full-time equated classified positions	83.2	
GROSS APPROPRIATION	\$	5,521,400
Total interdepartmental grants and intradepartmental transfers ...		(1,329,400)
ADJUSTED GROSS APPROPRIATION	\$	6,850,800
Total federal revenues		(28,750,600)
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		625,800
State general fund/general purpose	\$	34,975,600

(2) CHILD SUPPORT ENFORCEMENT

Child support incentive payments	\$	(32,409,600)
Child support incentive payments		32,409,600

	For Fiscal Year Ending Sept. 30, 2006
Child support enforcement operations.....	\$ 600,000
GROSS APPROPRIATION.....	\$ 600,000
Appropriated from:	
Special revenue funds:	
Total other state restricted revenues.....	600,000
State general fund/general purpose	\$ 0
(3) CHILD AND FAMILY SERVICES	
Children’s trust fund administration.....	\$ 87,600
Children’s trust fund grants	210,100
Foster care payments	(144,408,500)
Foster care payments	144,408,500
Domestic violence prevention and treatment.....	25,000
GROSS APPROPRIATION.....	\$ 322,700
Appropriated from:	
Federal revenues:	
Total federal revenues.....	271,900
Special revenue funds:	
Children’s trust fund.....	25,800
State general fund/general purpose	\$ 25,000
(4) LOCAL OFFICE STAFF AND OPERATIONS	
Full-time equated classified positions.....	83.2
Field staff, salaries and wages—83.2 FTE positions	\$ (721,800)
Contractual services, supplies, and materials	531,900
GROSS APPROPRIATION.....	\$ (189,700)
Appropriated from:	
Interdepartmental grant revenues:	
IDG from DCH - medical services administration	(923,600)
Federal revenues:	
Total federal revenues	(9,229,000)
Special revenue funds:	
Private funds - hospital contributions.....	(1,019,400)
State general fund/general purpose	\$ 10,982,300
(5) CENTRAL SUPPORT ACCOUNTS	
Travel.....	\$ 106,000
Payroll taxes and fringe benefits.....	2,745,400
GROSS APPROPRIATION.....	\$ 2,851,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG from DCH - medical services administration	(405,800)
Federal revenues:	
Total federal revenues	(4,933,100)
Special revenue funds:	
Private funds - hospital contributions.....	1,019,400
State general fund/general purpose	\$ 7,170,900
(6) PUBLIC ASSISTANCE	
Family independence program.....	\$ 0
Day care services.....	1,937,000

Compiler’s note: The shaded text was vetoed by the Governor, whose veto message appears in this volume under the heading “Vetoes.”

	For Fiscal Year Ending Sept. 30, 2006
Indigent burial	\$ (5,909,300)
Indigent burial	5,909,300
GROSS APPROPRIATION.....	\$ 1,937,000
Appropriated from:	
Federal revenues:	
Total federal revenues	(11,463,000)
State general fund/general purpose	\$ 13,400,000
(7) INFORMATION TECHNOLOGY	
GROSS APPROPRIATION.....	\$ 0
Appropriated from:	
Federal revenues:	
Total federal revenues	(3,397,400)
State general fund/general purpose	\$ 3,397,400

Department of information technology.**Sec. 113. DEPARTMENT OF INFORMATION TECHNOLOGY****(1) APPROPRIATION SUMMARY**

GROSS APPROPRIATION.....	\$ 19,512,300
Total interdepartmental grants and intradepartmental transfers	19,512,300
ADJUSTED GROSS APPROPRIATION.....	\$ 0
Total federal revenues.....	0
Total local revenues	0
Total private revenues.....	0
Total other state restricted revenues.....	0
State general fund/general purpose	\$ 0

(2) ADMINISTRATION

Health and human services.....	\$ 17,776,800
Education services.....	(17,900)
Public protection services	617,700
Resources services	(354,900)
Transportation services	(460,400)
General services.....	1,951,000
GROSS APPROPRIATION.....	\$ 19,512,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG from department of agriculture	(6,000)
IDG from department of attorney general	(16,400)
IDG from department of civil service.....	(12,000)
IDG from department of environmental quality.....	(207,100)
IDG from department of history, arts, and libraries	(17,900)
IDG from department of human services	17,776,800
IDG from department of management and budget.....	2,000,000
IDG from department of military and veterans affairs.....	(100)
IDG from department of natural resources.....	(141,800)
IDG from department of state	(37,000)
IDG from department of state police.....	634,200
IDG from department of transportation	(460,400)
State general fund/general purpose	\$ 0

For Fiscal Year
Ending Sept. 30,
2006

Judiciary.

Sec. 114. JUDICIARY

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION.....	\$	150,000
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION.....	\$	150,000
Total federal revenues.....		0
Total local revenues		0
Total private revenues.....		0
Total other state restricted revenues.....		150,000
State general fund/general purpose	\$	0

(2) COURT OF APPEALS

Court of appeals operations	\$	150,000
GROSS APPROPRIATION.....	\$	150,000
Appropriated from:		
Special revenue funds:		
Court filing/motion fees		150,000
State general fund/general purpose	\$	0

Department of labor and economic growth.

Sec. 115. DEPARTMENT OF LABOR AND ECONOMIC

GROWTH

(1) APPROPRIATION SUMMARY

Full-time equated classified positions.....6.0		
GROSS APPROPRIATION.....	\$	33,282,500
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION.....	\$	33,282,500
Total federal revenues.....		32,600,000
Total local revenues		0
Total private revenues.....		10,000
Total other state restricted revenues.....		672,500
State general fund/general purpose	\$	0

(2) PUBLIC SERVICE COMMISSION

Full-time equated classified positions.....2.0		
Administration, planning and regulation—2.0 FTE positions.....	\$	122,500
Energy office		10,000
GROSS APPROPRIATION.....	\$	132,500
Appropriated from:		
Special revenue funds:		
Private - oil overcharge.....		10,000
Public utility assessments		122,500
State general fund/general purpose	\$	0

(3) BUREAU OF WORKER'S AND UNEMPLOYMENT

COMPENSATION

Unemployment programs.....	\$	32,600,000
GROSS APPROPRIATION.....		32,600,000
Appropriated from:		
Federal revenues:		
Federal section 903(d), SSA funds		32,600,000
State general fund/general purpose	\$	0