SUBSTITUTE FOR

HOUSE BILL NO. 4526

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2012; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to provide anticipated appropriations for the fiscal year ending September 30, 2013.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

ARTICLE I

DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

PART 1

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

Sec. 101. Subject to the conditions set forth in this article,

1 the amounts listed in this part are appropriated for the department
2 of agriculture and rural development for the fiscal year ending
3 September 30, 2012, from the funds indicated in this part. The
4 following is a summary of the appropriations in this part:
5 **DEPARTMENT OF AGRICULTURE**
6 APPROPRIATION SUMMARY
7 Full-time equated unclassified positions..... 2.0
8 Full-time equated classified positions..... 441.0
9 GROSS APPROPRIATION..... $ 72,219,300
10 Interdepartmental grant revenues:
11 IDG from LARA (LCC), liquor quality testing fees..... 197,600
12 IDG from MDNRE, biosolids..... 100,000
13 Total interdepartmental grants and intradepartmental
14 transfers 297,600
15 ADJUSTED GROSS APPROPRIATION..... $ 71,921,700
16 Federal revenues:
17 USDA, multiple grants..... 10,873,300
18 EPA, multiple grants..... 1,635,700
19 HHS-FDA..... 1,203,900
20 United States department of labor..... 471,800
21 Total federal revenues..... 14,184,700
22 Special revenue funds:
23 Total local revenues..... 0
24 Private - slow-the-spread foundation..... 83,300
25 Private - commodity group revenue..... 88,000
26 Total private revenues..... 171,300

1	Agricultural preservation fund.....	2,031,100
2	Agriculture equine industry development fund.....	3,773,300
3	Agriculture pollution prevention fund.....	100
4	Animal welfare fund.....	144,500
5	Commodity inspection fees.....	832,400
6	Consumer and industry food safety education fund.....	290,200
7	Dairy and food safety fund.....	3,006,600
8	Freshwater protection fund.....	5,094,100
9	Gasoline inspection and testing fund.....	2,747,800
10	Grain dealer fee fund.....	222,500
11	Horticulture fund.....	72,800
12	Industry support funds.....	535,300
13	Licensing and inspection fees.....	4,188,800
14	Migrant housing inspection fees.....	114,200
15	Migratory labor housing fund.....	29,000
16	Nonretail liquor fees.....	716,800
17	Refined petroleum fund.....	3,870,900
18	Testing fees.....	447,500
19	Weights and measures regulation fees.....	745,100
20	Total other state restricted revenues.....	28,863,000
21	State general fund/general purpose..... $	28,702,700
22	**Sec. 102. EXECUTIVE**	
23	Full-time equated unclassified positions..... 2.0	
24	Full-time equated classified positions..... 26.0	
25	Commissions and boards..... $	23,800
26	Unclassified positions--2.0 FTE positions.....	213,300
27	Executive direction--8.0 FTE positions.....	1,050,600

1	Management services--15.0 FTE positions	981,100
2	Statistical reporting service--1.0 FTE positions	158,300
3	Emergency management--2.0 FTE positions	243,600
4	Accounting service center	878,300
5	GROSS APPROPRIATION ..... $	3,549,000
6	Appropriated from:	
7	Special revenue funds:	
8	Private - commodity group revenue	88,000
9	Industry support funds	40,500
10	Nonretail liquor fees	8,800
11	Refined petroleum fund	57,800
12	State general fund/general purpose ..... $	3,353,900
13	**Sec. 103. DEPARTMENTWIDE**	
14	Rent and building occupancy charges ..... $	991,900
15	GROSS APPROPRIATION ..... $	991,900
16	Appropriated from:	
17	Federal revenues:	
18	USDA, multiple grants	224,600
19	EPA, multiple grants	174,100
20	HHS-FDA	43,300
21	Special revenue funds:	
22	Agricultural preservation fund	22,700
23	Freshwater protection fund	33,500
24	Licensing and inspection fees	156,800
25	Nonretail liquor fees	28,800
26	Refined petroleum fund	257,200
27	State general fund/general purpose ..... $	50,900

1 **Sec. 104. INFORMATION AND TECHNOLOGY**

2 Information technology services and projects..... $ 1,303,400

3 GROSS APPROPRIATION..... $ 1,303,400

4 Appropriated from:

5 Interdepartmental grant revenues:

6 IDG from LARA (LCC), liquor quality testing fees..... 2,800

7 Special revenue funds:

8 Agricultural preservation fund..... 200

9 Agriculture equine industry development fund..... 93,600

10 Freshwater protection fund..... 100

11 Gasoline inspection testing fund..... 27,400

12 Licensing and inspection fees..... 28,300

13 Nonretail liquor fees..... 500

14 State general fund/general purpose..... $ 1,150,500

15 **Sec. 105. FOOD AND DAIRY**

16 Full-time equated classified positions..... 104.0

17 Food safety and quality assurance--81.0 FTE positions $ 9,931,600

18 Milk safety and quality assurance--23.0 FTE positions 3,037,900

19 GROSS APPROPRIATION..... $ 12,969,500

20 Appropriated from:

21 Federal revenues:

22 USDA, multiple grants..... 234,900

23 HHS-FDA..... 451,600

24 Special revenue funds:

25 Consumer and industry food safety education fund..... 290,200

26 Dairy and food safety fund..... 3,006,600

27 State general fund/general purpose..... $ 8,986,200

1 **Sec. 106. ANIMAL INDUSTRY**

2 Full-time equated classified positions..... 64.0

3 Animal disease prevention and response--64.0 FTE

4 positions ..... $ 8,889,400

5 GROSS APPROPRIATION..... $ 8,889,400

6 Appropriated from:

7 Federal revenues:

8 USDA, multiple grants..... 1,233,500

9 HHS-FDA..... 40,600

10 Special revenue funds:

11 Animal welfare fund..... 144,500

12 Licensing and inspection fees..... 113,100

13 State general fund/general purpose..... $ 7,357,700

14 **Sec. 107. PESTICIDE AND PLANT PEST MANAGEMENT**

15 Full-time equated classified positions..... 99.0

16 Pesticide and plant pest management--88.0 FTE

17 positions ..... $ 10,612,700

18 Emerald ash borer control program--7.0 FTE positions . 1,822,600

19 Producer security/grain dealers--4.0 FTE positions ... 543,400

20 GROSS APPROPRIATION..... $ 12,978,700

21 Appropriated from:

22 Federal revenues:

23 USDA, multiple grants..... 2,942,100

24 EPA, multiple grants..... 738,800

25 HHS-FDA..... 109,200

26 Special revenue funds:

27 Private - slow-the-spread foundation..... 83,300

1	Commodity inspection fees.....	832,400
2	Grain dealers fee fund.....	222,500
3	Horticulture fund.....	72,800
4	Industry support funds.....	336,300
5	Licensing and inspection fees.....	3,808,700
6	State general fund/general purpose..... $	3,832,600
7	**Sec. 108. ENVIRONMENTAL STEWARDSHIP**	
8	Full-time equated classified positions..... 43.0	
9	Environmental stewardship--18.0 FTE positions..... $	6,133,800
10	Michigan agriculture environmental assurance program--	
11	3.0 FTE positions	552,600
12	Farmland and open space preservation--9.0 FTE	
13	positions	958,200
14	Local conservation districts.....	100
15	Migrant labor housing--6.0 FTE positions.....	1,162,300
16	Right-to-farm--3.0 FTE positions.....	519,000
17	Intercounty drain--4.0 FTE positions.....	425,000
18	GROSS APPROPRIATION..... $	9,751,000
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	IDG from MDNRE, biosolids.....	100,000
22	Federal revenues:	
23	USDA, multiple grants.....	1,000,000
24	EPA, multiple grants.....	361,200
25	United States department of labor.....	471,800
26	Special revenue funds:	
27	Agricultural preservation fund.....	958,200

1	Agriculture pollution prevention fund.....	100
2	Freshwater protection fund.....	5,060,500
3	Migrant housing inspection fees.....	114,200
4	Migratory labor housing fund.....	29,000
5	State general fund/general purpose..... $	1,656,000
6	**Sec. 109. LABORATORY PROGRAM**	
7	Full-time equated classified positions..... 94.0	
8	Laboratory services--42.0 FTE positions..... $	5,564,600
9	USDA monitoring--13.0 FTE positions.....	2,452,000
10	Consumer protection program--39.0 FTE positions.....	5,571,300
11	GROSS APPROPRIATION..... $	13,587,900
12	Appropriated from:	
13	Interdepartmental grant revenues:	
14	IDG from LARA (LCC), liquor quality testing fees.....	194,800
15	Federal revenues:	
16	USDA, multiple grants.....	2,474,700
17	EPA, multiple grants.....	361,600
18	HHS-FDA.....	559,200
19	Special revenue funds:	
20	Agriculture equine industry development fund.....	557,800
21	Gasoline inspection and testing fund.....	2,720,400
22	Licensing and inspection fees.....	81,900
23	Refined petroleum fund.....	3,555,900
24	Testing fees.....	447,500
25	Weights and measures regulation fees.....	745,100
26	State general fund/general purpose..... $	1,889,000
27	**Sec. 110. AGRICULTURE DEVELOPMENT**	

1 Full-time equated classified positions..... 8.0
2 Agriculture development--5.0 FTE positions..... $ 2,040,300
3 Grape and wine program--3.0 FTE positions..... 736,300
4 GROSS APPROPRIATION..... $ 2,776,600
5 Appropriated from:
6 Federal revenues:
7 USDA, multiple grants..... 1,513,500
8 Special revenue funds:
9 Industry support funds..... 158,500
10 Nonretail liquor fees..... 678,700
11 State general fund/general purpose..... $ 425,900
12 **Sec. 111. FAIRS AND EXPOSITIONS**
13 Full-time equated classified positions..... 3.0
14 Fairs and racing--3.0 FTE positions..... $ 331,300
15 Purses and supplements - fairs/licensed tracks..... 611,400
16 Licensed tracks - light horse racing..... 34,100
17 Standardbred breeders' awards..... 250,000
18 Standardbred purses and supplements - licensed tracks 461,600
19 Standardbred sire stakes..... 209,000
20 Standardbred training and stabling..... 9,300
21 Thoroughbred owners' awards..... 31,900
22 Thoroughbred supplements - licensed tracks..... 309,600
23 Thoroughbred breeder's awards..... 309,600
24 Thoroughbred sire stakes..... 214,100
25 Distribution of outstanding winning tickets..... 350,000
26 GROSS APPROPRIATION..... $ 3,121,900
27 Appropriated from:

1 Special revenue funds:

2 Agriculture equine industry development fund..... 3,121,900

3 State general fund/general purpose..... $ 0

4 **Sec. 112. CAPITAL OUTLAY**

5 Farmland and open space development acquisition..... $ 2,300,000

6 GROSS APPROPRIATION..... $ 2,300,000

7 Appropriated from:

8 Federal revenues:

9 USDA, multiple grants..... 1,250,000

10 Special revenue funds:

11 Agriculture preservation fund..... 1,050,000

12 State general fund/general purpose..... $ 0

13 PART 2

14 PROVISIONS CONCERNING APPROPRIATIONS

15 FOR FISCAL YEAR 2011-2012

16 **GENERAL SECTIONS**

17 Sec. 201. Pursuant to section 30 of article IX of the state

18 constitution of 1963, total state spending from state resources

19 under part 1 for fiscal year 2011-2012 is $57,565,700.00 and state

20 spending from state resources to be paid to local units of

21 government for fiscal year 2011-2012 is $1,500,000.00. The itemized

22 statement below identifies appropriations from which spending to

23 local units of government will occur:

24 DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

25 Environmental protection..... $ 1,500,000

TOTAL..... $ 1,500,000

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

Sec. 203. As used in this article:

(a) "Department" means the department of agriculture and rural development.

(b) "Director" means the director of the department.

(c) "EPA" means the United States environmental protection agency.

(d) "FTE" means full-time equated.

(e) "HHS-FDA" means the United States department of health and human services - food and drug administration.

(f) "IDG" means interdepartmental grant.

(g) "LARA" means the Michigan department of licensing and regulatory affairs.

(h) "MDEQ" means the Michigan department of environmental quality.

(i) "USDA" means the United States department of agriculture.

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

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $5,000,000.00 for federal contingency funds. These funds are not available for

expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $6,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

Sec. 207. (1) The department shall maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor,

1 including the vendor name, payment date, payment amount, and
2 payment description.
3 (d) The number of active department employees by job
4 classification.
5 (e) Job specifications and wage rates.
6 (2) The department may develop and operate its own website to
7 provide this information or may reference the state's central
8 transparency website as the source for this information.
9 Sec. 208. Unless otherwise specified, the departments shall
10 use the Internet to fulfill the reporting requirements of this
11 article. This requirement may include transmission of reports via
12 electronic mail to the recipients identified for each reporting
13 requirement, or it may include placement of reports on an Internet
14 or Intranet site.
15 Sec. 209. Funds appropriated in part 1 shall not be used for
16 the purchase of foreign goods or services, or both, if
17 competitively priced and of comparable quality American goods or
18 services, or both, are available. Preference shall be given to
19 goods or services, or both, manufactured or provided by Michigan
20 businesses, if they are competitively priced and of comparable
21 quality. In addition, preference shall be given to goods or
22 services, or both, that are manufactured or provided by Michigan
23 businesses owned and operated by veterans, if they are
24 competitively priced and of comparable quality.
25 Sec. 211. Amounts appropriated in part 1 for information
26 technology may be designated as work projects and carried forward
27 to support technology projects under the direction of the

department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 212. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

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

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

Sec. 228. Not later than November 15, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of

the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies.

Sec. 229. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on agriculture and rural development, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2011 and September 30, 2012.

EXECUTIVE

Sec. 301. (1) Pursuant to the appropriations in part 1, the department may receive and expend revenue and use that revenue to cover necessary expenses related to publications, audit and licensing functions, livestock sales, certification of nursery stock, and laboratory analyses as specified in the following:

(a) Management services publications.

(b) Management services audit and licensing functions.

(c) Pesticide and plant pest management propagation and certification of virus-free foundation stock.

(d) Pesticide and plant pest management grading services.

(e) Laboratory support testing for testing horses in draft horse pulling contests at county fairs when local jurisdictions request state assistance.

(f) Laboratory support analyses to determine foreign

substances in horses engaged in racing or pulling contests at tracks.

(g) Laboratory support analyses of food, livestock, and agricultural products for disease, foreign products for disease, toxic materials, foreign substances, and quality standards.

(h) Laboratory support test samples for other agencies and organizations.

(i) Fruit and vegetable inspection at shipping and termination points and processing plants.

(2) The department shall notify the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies 30 days prior to proposing changes in fees authorized under this section or under section 5 of 1915 PA 91, MCL 285.35.

(3) Annually, before February 1, the department shall provide a report to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies detailing all the fees charged by the department under the authorization provided in this section, including, but not limited to, rates, number of individuals paying each fee, and the revenue generated by each fee in the previous fiscal year.

Sec. 302. Of the funds appropriated in part 1 that are other than line-item grants, the department shall not provide grants to local government agencies, institutions of higher education, or nonprofit organizations unless the department provides notice of the grant to the senate and house appropriations subcommittees on agriculture at least 10 days before the grant is issued. The grants

shall be used to support research or other related activities for the purpose of enhancing the agricultural industries in this state.

FOOD AND DAIRY

Sec. 402. Not later than April 1, 2012, the department shall provide a report to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies describing significant food-borne outbreaks and emergencies, including any enforcement actions taken related to food safety during the 2010-2011 fiscal year.

ANIMAL INDUSTRY

Sec. 450. From the funds appropriated in section 106 for the bovine tuberculosis program, the department shall reimburse the department of natural resources for those costs associated with monitoring and testing wildlife for bovine tuberculosis that are necessary to support the department goals and are jointly agreed to by the department and the department of natural resources to be in excess of efforts necessary to effectively plan and execute the eradication of bovine tuberculosis from Michigan's wild free-ranging deer herd.

Sec. 451. From the funds appropriated in section 106 for bovine tuberculosis, the department shall pay for all whole herd testing costs and individual animal testing costs in the modified accredited zone to maintain split-state status requirements. These costs include indemnity and compensation for injury causing death or downer to animals.

Sec. 453. (1) Of the funds appropriated in part 1, the department may provide for indemnity as provided for pursuant to the animal industry act, 1988 PA 466, MCL 287.701 to 287.746, not to exceed $100,000.00 per order from any line item for the fiscal year ending September 30, 2012. Before the department provides for an indemnification under this section, the department shall report the reason for the indemnification, the amount of the indemnification, and to whom the indemnification is to be paid. The report shall be given to each member of the senate and house appropriations subcommittees on agriculture and to the senate and house fiscal agencies and to the state budget director.

(2) The department of agriculture and rural development shall make an indemnification payment for the fair market value of livestock killed by a wolf, coyote, or cougar, if the kill is verified by the department of natural resources. The fair market value of the livestock shall be determined pursuant to the indemnification procedures prescribed in the animal industry act, 1988 PA 466, MCL 287.701 to 287.745. In addition to the funds appropriated in part 1, the department of agriculture and rural development is authorized to expend the funds received from the department of natural resources to reimburse the department of agriculture and rural development for all indemnification payments made pursuant to this subsection.

Sec. 454. The department shall use its resources to collaborate with the United States department of agriculture to obtain TB-free status for the area of the Lower Peninsula that is zoned as modified accredited advanced. The department shall also

aggressively work toward eradicating bovine TB in the modified accredited zone. The department shall also convene a workgroup to work toward eradicating bovine TB in the modified accredited zone.

Sec. 456. Of the funds appropriated in part 1, no funds shall be used to enforce the mandatory electronic animal identification program for any domestic animals other than cattle until specific procedures and guidelines for electronic animal identification are outlined in statute.

Sec. 457. On or before October 15, 2011, and on a quarterly basis thereafter, the department shall report to the senate and house agriculture committees, the senate and house appropriations subcommittees on agriculture, and the senate and house fiscal agencies on the department's progress toward meeting the USDA requirements as outlined in the March 2007 bovine TB program review. The report shall include, but is not limited to, information and data on: wildlife risk mitigation plan implementation in the modified accredited zone; implementation of a movement certificate process; progress toward annual surveillance test requirements set out in the June 2007 MOU; efforts to work with slaughter facilities in Michigan, as well as those that slaughter a significant number of animals from Michigan; educational programs and information for Michigan's livestock community; any other item the legislature should be aware of that will promote or hinder efforts to achieve bovine TB-free status for Michigan.

Sec. 458. From the funds appropriated in section 106 for animal industry, the department shall provide inspection and

1 testing of aquaculture facilities and aquaculture researchers as
2 provided under section 7 of the Michigan aquaculture development
3 act, 1996 PA 199, MCL 286.877. It is the intent of the legislature
4 that the department shall work with aquaculture facilities and
5 aquaculture researchers to identify, contain, and eradicate viral
6 hemorrhagic septicemia in this state.

7 **PESTICIDE AND PLANT PEST MANAGEMENT**

8 Sec. 551. (1) It is the intent of the legislature that the
9 department work with the fruit and vegetable industry to ensure the
10 development of a sustainable system of third-party inspections of
11 fruits and vegetables.
12 (2) From the funds appropriated in part 1 for pesticide and
13 plant pest management, not less than $200,000.00 shall be used for
14 the purpose to ensure that Michigan commodities receive
15 departmental inspections required by other governments to ship
16 commodities out of Michigan. The department shall devise a plan to
17 provide these required government inspections in a timely manner.

18 **ENVIRONMENTAL STEWARDSHIP**

19 Sec. 601. The part 1 appropriation line item environmental
20 stewardship shall be used to support department agriculture
21 pollution prevention programs, including groundwater and freshwater
22 protection programs under part 87 of the Michigan natural resources
23 and environmental protection act, 1994 PA 451, MCL 324.8701 to
24 324.8717, and technical assistance in implementing conservation
25 grants available under the federal farm bill of 2008.

Sec. 606. The department shall actively search for all possible funding sources to be used to match federal funds in the USDA environmental quality incentives program.

Sec. 607. (1) It is the intent of the legislature that the department continue its activities in support of intercounty drainage districts as provided in chapter 5 of the drain code of 1956, 1956 PA 40, MCL 280.101 to 280.106.

(2) The department shall work with representatives of intercounty drainage districts to develop a mutually agreeable method of funding department costs associated with the intercounty drainage program.

AGRICULTURE DEVELOPMENT

Sec. 706. Not later than April 1, 2012, the department shall provide a report to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies describing the department's agriculture development and export market development activities. The report shall identify grants awarded during the prior fiscal year, including a description of federal or private funds made available as a result of department activities.

Sec. 709. (1) Not later than April 1, 2012, the department shall provide a report to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies describing the activities of the grape and wine industry council established under section 303 of the Michigan liquor control act of 1998, 1998 PA 58, MCL 436.1303.

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

(a) Council activities and accomplishments for the previous fiscal year.

(b) Council expenditures for the previous fiscal year by category of administration, industry support, research and education grants, and promotion and consumer education.

(c) Grants awarded during the prior fiscal year and the results of research grant projects completed during the prior fiscal year.

FAIRS AND EXPOSITIONS

Sec. 801. All appropriations from the agricultural equine industry development fund shall be spent on equine-related purposes. No funds from the agriculture equine industry development fund shall be expended for nonequine-related purposes without prior approval of the legislature.

Sec. 802. All appropriations from the agriculture equine industry development fund, except for the racing commission and laboratory analysis program appropriations, shall be reduced proportionately if revenues to the agriculture equine industry development fund decline during the fiscal year ending September 30, 2011 to a level lower than the amounts appropriated in section 108.

Sec. 803. In the event there is no live thoroughbred race meet in 2011 or 2012, all purse money and program money appropriated for the thoroughbred industry in fiscal year 2010-2011 and fiscal year 2011-2012 shall be held in escrow for a period not to exceed 18

1 months, or until a thoroughbred race meet license is applied for
2 and granted by the Michigan gaming control board. In the event
3 there is no thoroughbred meet in 2011 or 2012, the purse pool
4 distribution order to be issued by the Michigan gaming control
5 board in 2012 that delineates distribution between the thoroughbred
6 meet that has been held at pinnacle race course and the joint
7 thoroughbred/quarterhorse meet held in Mt. Pleasant shall be the
8 same distribution formula as issued in 2011, with the thoroughbred
9 portion being held in escrow.
10 Sec. 804. The Michigan gaming control board shall use actual
11 expenditure data in determining the actual regulatory costs of
12 conducting racing dates and shall provide that data to the senate
13 and house of representatives appropriations subcommittees on
14 agriculture and general government and the senate and house fiscal
15 agencies. The Michigan gaming control board shall not be reimbursed
16 for more than the actual regulatory cost of conducting race dates.
17 If a certified horsemen's organization funds more than the actual
18 regulatory cost, the balance shall remain in the agriculture equine
19 industry development fund to be used to fund subsequent race dates
20 conducted by race meeting licensees with which the certified
21 horsemen's organization has contracts. If a certified horsemen's
22 organization funds less than the actual regulatory costs of the
23 additional horse racing dates, the Michigan gaming control board
24 shall reduce the number of future race dates conducted by race
25 meeting licensees with which the certified horsemen's organization
26 has contracts. Prior to the reduction in the number of authorized
27 race dates due to budget deficits, the executive director of the

Michigan gaming control board shall provide notice to the certified horsemen's organizations with an opportunity to respond with alternatives. In determining actual costs, the Michigan gaming control board shall take into account that each specific breed may require different regulatory mechanisms.

CAPITAL OUTLAY

Sec. 1002. (1) The director shall allocate lump-sum appropriations made in this article consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

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

Sec. 1003. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2013 for the line items listed in part 1. The fiscal year 2012-2013 appropriations are anticipated to be the same as those for fiscal year 2011-2012, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2012 consensus revenue estimating conference.

ARTICLE IV

DEPARTMENT OF COMMUNITY HEALTH

PART 1

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

Sec. 101. Subject to the conditions set forth in this article, the amounts listed in this part are appropriated for the department of community health for the fiscal year ending September 30, 2012, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF COMMUNITY HEALTH

APPROPRIATION SUMMARY

Full-time equated unclassified positions..... 6.0	
Full-time equated classified positions..... 3,634.2	
Average population 893.0	
GROSS APPROPRIATION.....	$ 14,241,316,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	6,569,400
ADJUSTED GROSS APPROPRIATION.....	$ 14,234,747,000
Federal revenues:	
Total federal revenues.....	8,986,611,000
Special revenue funds:	
Total local revenues.....	250,605,900
Total private revenues.....	96,494,700
Merit award trust fund.....	86,744,500
Total other state restricted revenues.....	2,043,107,400
State general fund/general purpose.....	$ 2,771,183,500
Sec. 102. DEPARTMENTWIDE ADMINISTRATION	
Full-time equated unclassified positions..... 6.0	
Full-time equated classified positions..... 175.2	
Director and other unclassified--6.0 FTE positions ...	$ 583,900
Departmental administration and management--165.2 FTE positions	21,787,400
Worker's compensation program.....	8,754,700
Rent and building occupancy.....	9,252,200
Developmental disabilities council and projects--10.0 FTE positions	2,855,700
GROSS APPROPRIATION.....	$ 43,233,900

1 Appropriated from:
2 Federal revenues:
3 Total federal revenues..... 13,632,700
4 Special revenue funds:
5 Total private revenues..... 35,100
6 Total other state restricted revenues..... 749,500
7 State general fund/general purpose..... $ 28,816,600
8 **Sec. 103. MENTAL HEALTH/SUBSTANCE ABUSE SERVICES**
9 **ADMINISTRATION AND SPECIAL PROJECTS**
10 Full-time equated classified positions..... 111.5
11 Mental health/substance abuse program administration--
12 110.5 FTE positions ..... $ 17,586,800
13 Gambling addiction--1.0 FTE position..... 3,000,000
14 Protection and advocacy services support..... 194,400
15 Community residential and support services..... 1,777,200
16 Federal and other special projects..... 2,497,200
17 Family support subsidy..... 19,470,500
18 Housing and support services..... 9,306,800
19 GROSS APPROPRIATION..... $ 53,832,900
20 Appropriated from:
21 Federal revenues:
22 Total federal revenues..... 37,101,600
23 Special revenue funds:
24 Total private revenues..... 390,000
25 Total other state restricted revenues..... 3,000,000
26 State general fund/general purpose..... $ 13,341,300
27 **Sec. 104. COMMUNITY MENTAL HEALTH/SUBSTANCE ABUSE**

1 **SERVICES PROGRAMS**

2 Full-time equated classified positions..... 9.5

3 Medicaid mental health services..... $ 2,149,977,900

4 Community mental health non-Medicaid services..... 273,908,100

5 Medicaid adult benefits waiver..... 32,056,100

6 Mental health services for special populations..... 5,842,800

7 Medicaid substance abuse services..... 46,709,700

8 CMHSP, purchase of state services contracts..... 134,201,900

9 Civil service charges..... 1,499,300

10 Federal mental health block grant--2.5 FTE positions . 15,397,500

11 State disability assistance program substance abuse

12 services 2,018,800

13 Community substance abuse prevention, education, and

14 treatment programs 81,737,500

15 Children's waiver home care program..... 18,944,800

16 Nursing home PAS/ARR-OBRA--7.0 FTE positions..... 12,179,300

17 Children with serious emotional disturbance waiver... 8,188,000

18 GROSS APPROPRIATION..... $ 2,782,661,700

19 Appropriated from:

20 Interdepartmental grant revenues:

21 Interdepartmental grant from the department of human

22 services 2,769,000

23 Federal revenues:

24 Total federal revenues..... 1,584,568,500

25 Special revenue funds:

26 Total local revenues..... 25,228,900

27 Total other state restricted revenues..... 22,314,900

1 State general fund/general purpose ..... $ 1,147,780,400

2 **Sec. 105. STATE PSYCHIATRIC HOSPITALS AND FORENSIC**

3 **MENTAL HEALTH SERVICES**

4 Total average population 893.0

5 Full-time equated classified positions..... 2,194.2

6 Caro regional mental health center - psychiatric

7 hospital - adult--468.3 FTE positions..... $ 56,772,200

8 Average population 185.0

9 Kalamazoo psychiatric hospital - adult--483.1 FTE

10 positions 54,782,400

11 Average population 189.0

12 Walter P. Reuther psychiatric hospital - adult--433.3

13 FTE positions 52,297,800

14 Average population 234.0

15 Hawthorn center - psychiatric hospital - children and

16 adolescents--230.9 FTE positions..... 27,075,900

17 Average population 75.0

18 Center for forensic psychiatry--578.6 FTE positions .. 66,767,900

19 Average population 210.0

20 Revenue recapture..... 750,000

21 IDEA, federal special education..... 120,000

22 Special maintenance..... 332,500

23 Purchase of medical services for residents of

24 hospitals and centers 445,600

25 Gifts and bequests for patient living and treatment

26 environment 1,000,000

27 GROSS APPROPRIATION..... $ 260,344,300

1 Appropriated from:
2 Interdepartmental grant revenues:
3 Federal revenues:
4 Total federal revenues 29,921,200
5 Special revenue funds:
6 CMHSP, purchase of state services contracts 134,201,900
7 Other local revenues 17,494,500
8 Total private revenues 1,000,000
9 Total other state restricted revenues 15,948,400
10 State general fund/general purpose ..... $ 61,778,300
11 **Sec. 106. PUBLIC HEALTH ADMINISTRATION**
12 Full-time equated classified positions..... 91.7
13 Public health administration--7.3 FTE positions ..... $ 1,557,200
14 Healthy Michigan fund programs 5,000,000
15 Minority health grants and contracts--3.0 FTE
16 positions 612,700
17 Promotion of healthy behaviors 975,900
18 Vital records and health statistics--81.4 FTE
19 positions 9,442,800
20 GROSS APPROPRIATION ..... $ 17,588,600
21 Appropriated from:
22 Interdepartmental grant revenues:
23 Interdepartmental grant from the department of human
24 services 1,171,500
25 Federal revenues:
26 Total federal revenues 4,887,900
27 Special revenue funds:

1 Total private revenues..... 300,000
2 Total other state restricted revenues..... 9,974,700
3 State general fund/general purpose..... $ 1,254,500
4 **Sec. 107. HEALTH POLICY**
5 Full-time equated classified positions..... 66.8
6 Emergency medical services program state staff--23.0
7 FTE positions ..... $ 4,850,300
8 Emergency medical services grants and services..... 660,000
9 Health policy administration--24.4 FTE positions..... 4,150,800
10 Nurse education and research program--3.0 FTE
11 positions 744,200
12 Certificate of need program administration--14.0 FTE
13 positions 2,071,100
14 Rural health services--1.0 FTE position..... 1,410,300
15 Michigan essential health provider..... 872,700
16 Primary care services--1.4 FTE positions..... 2,886,900
17 GROSS APPROPRIATION..... $ 17,646,300
18 Appropriated from:
19 Interdepartmental grant revenues:
20 Interdepartmental grant from the department of
21 treasury, Michigan state hospital finance authority. 116,300
22 Interdepartmental grant from the department of
23 licensing and regulatory affairs..... 2,040,700
24 Federal revenues:
25 Total federal revenues..... 5,432,600
26 Special revenue funds:
27 Total local revenues..... 100,000

1 Total private revenues..... 255,000
2 Total other state restricted revenues..... 6,232,600
3 State general fund/general purpose..... $ 3,469,100
4 **Sec. 108. INFECTIOUS DISEASE CONTROL**
5 Full-time equated classified positions..... 50.7
6 AIDS prevention, testing, and care programs--12.7 FTE
7 positions ..... $ 59,449,300
8 Immunization local agreements..... 11,975,200
9 Immunization program management and field support--
10 15.0 FTE positions 1,786,300
11 Pediatric AIDS prevention and control--1.0 FTE
12 position 1,231,400
13 Sexually transmitted disease control local agreements 3,360,700
14 Sexually transmitted disease control management and
15 field support--22.0 FTE positions..... 3,743,300
16 GROSS APPROPRIATION..... $ 81,546,200
17 Appropriated from:
18 Federal revenues:
19 Total federal revenues..... 43,541,200
20 Special revenue funds:
21 Total private revenues..... 27,707,700
22 Total other state restricted revenues..... 7,470,600
23 State general fund/general purpose..... $ 2,826,700
24 **Sec. 109. LABORATORY SERVICES**
25 Full-time equated classified positions..... 111.0
26 Laboratory services--111.0 FTE positions..... $ 17,183,900
27 GROSS APPROPRIATION..... $ 17,183,900

1 Appropriated from:
2 Interdepartmental grant revenues:
3 Interdepartmental grant from the department of
4 environmental quality 471,900
5 Federal revenues:
6 Total federal revenues..... 2,092,300
7 Special revenue funds:
8 Total other state restricted revenues..... 8,267,600
9 State general fund/general purpose..... $ 6,352,100
10 **Sec. 110. EPIDEMIOLOGY**
11 Full-time equated classified positions..... 126.7
12 AIDS surveillance and prevention program..... $ 2,254,100
13 Asthma prevention and control--2.6 FTE positions..... 856,900
14 Bioterrorism preparedness--66.6 FTE positions..... 49,286,900
15 Epidemiology administration--40.0 FTE positions..... 8,202,000
16 Lead abatement program--7.0 FTE positions..... 2,647,700
17 Newborn screening follow-up and treatment services--
18 10.5 FTE positions 5,337,800
19 Tuberculosis control and prevention..... 867,000
20 GROSS APPROPRIATION..... $ 69,452,400
21 Appropriated from:
22 Federal revenues:
23 Total federal revenues..... 61,271,300
24 Special revenue funds:
25 Total private revenues..... 25,000
26 Total other state restricted revenues..... 6,367,900
27 State general fund/general purpose..... $ 1,788,200

1 **Sec. 111. LOCAL HEALTH ADMINISTRATION AND GRANTS**

2 Full-time equated classified positions..... 2.0

3 Essential local public health services..... $ 37,386,100

4 Implementation of 1993 PA 133, MCL 333.17015..... 20,000

5 Local health services--2.0 FTE positions..... 500,000

6 Medicaid outreach cost reimbursement to local health

7 departments 9,000,000

8 GROSS APPROPRIATION..... $ 46,906,100

9 Appropriated from:

10 Federal revenues:

11 Total federal revenues..... 9,500,000

12 Special revenue funds:

13 Total local revenues..... 5,150,000

14 State general fund/general purpose..... $ 32,256,100

15 **Sec. 112. CHRONIC DISEASE AND INJURY PREVENTION AND**

16 **HEALTH PROMOTION**

17 Full-time equated classified positions..... 75.5

18 Cancer prevention and control program--12.0 FTE

19 positions ..... $ 14,298,200

20 Chronic disease control and health promotion

21 administration--33.4 FTE positions..... 5,950,100

22 Diabetes and kidney program--12.2 FTE positions..... 1,777,600

23 Public health traffic safety coordination--1.0 FTE

24 position 87,500

25 Smoking prevention program--14.0 FTE positions..... 2,075,000

26 Violence prevention--2.9 FTE positions..... 2,123,200

27 GROSS APPROPRIATION..... $ 26,311,600

1 Appropriated from:
2 Federal revenues:
3 Total federal revenues..... 23,884,200
4 Special revenue funds:
5 Total private revenues..... 61,600
6 Total other state restricted revenues..... 649,700
7 State general fund/general purpose..... $ 1,716,100
8 **Sec. 113. FAMILY, MATERNAL, AND CHILDREN'S HEALTH**
9 **SERVICES**
10 Full-time equated classified positions..... 55.1
11 Childhood lead program--6.0 FTE positions..... $ 1,598,400
12 Dental programs--3.0 FTE positions..... 992,000
13 Dental program for persons with developmental
14 disabilities 151,000
15 Family, maternal, and children's health services
16 administration--43.6 FTE positions..... 6,047,700
17 Family planning local agreements..... 9,085,700
18 Local MCH services..... 7,018,100
19 Pregnancy prevention program..... 602,100
20 Prenatal care outreach and service delivery support .. 3,794,200
21 Special projects--2.5 FTE positions..... 8,397,800
22 Sudden infant death syndrome program..... 321,300
23 GROSS APPROPRIATION..... $ 38,008,300
24 Appropriated from:
25 Federal revenues:
26 Total federal revenues..... 32,846,800
27 Special revenue funds:

1 Total local revenues..... 75,000
2 State general fund/general purpose..... $ 5,086,500
3 **Sec. 114. WOMEN, INFANTS, AND CHILDREN FOOD AND**
4 **NUTRITION PROGRAM**
5 Full-time equated classified positions..... 45.0
6 Women, infants, and children program administration
7 and special projects--45.0 FTE positions..... $ 15,900,800
8 Women, infants, and children program local agreements
9 and food costs 253,825,500
10 GROSS APPROPRIATION..... $ 269,726,300
11 Appropriated from:
12 Federal revenues:
13 Total federal revenues..... 211,112,500
14 Special revenue funds:
15 Total private revenues..... 58,613,800
16 State general fund/general purpose..... $ 0
17 **Sec. 115. CHILDREN'S SPECIAL HEALTH CARE SERVICES**
18 Full-time equated classified positions..... 47.8
19 Children's special health care services
20 administration--45.0 FTE positions..... $ 5,245,700
21 Bequests for care and services--2.8 FTE positions.... 1,511,400
22 Outreach and advocacy..... 3,773,500
23 Nonemergency medical transportation..... 2,679,300
24 Medical care and treatment..... 294,056,500
25 GROSS APPROPRIATION..... $ 307,266,400
26 Appropriated from:
27 Federal revenues:

1 Total federal revenues..... 175,308,200
2 Special revenue funds:
3 Total private revenues..... 996,800
4 Total other state restricted revenues..... 3,843,600
5 State general fund/general purpose..... $ 127,117,800
6 **Sec. 116. CRIME VICTIM SERVICES COMMISSION**
7 Full-time equated classified positions..... 13.0
8 Grants administration services--13.0 FTE positions... $ 1,811,300
9 Justice assistance grants..... 19,106,100
10 Crime victim rights services grants..... 16,570,000
11 GROSS APPROPRIATION..... $ 37,487,400
12 Appropriated from:
13 Federal revenues:
14 Total federal revenues..... 23,467,200
15 Special revenue funds:
16 Total other state restricted revenues..... 14,020,200
17 State general fund/general purpose..... $ 0
18 **Sec. 117. OFFICE OF SERVICES TO THE AGING**
19 Full-time equated classified positions..... 43.5
20 Office of services to aging administration--43.5 FTE
21 positions ..... $ 6,408,800
22 Community services..... 35,314,400
23 Nutrition services..... 35,430,200
24 Foster grandparent volunteer program..... 2,233,600
25 Retired and senior volunteer program..... 627,300
26 Senior companion volunteer program..... 1,604,400
27 Employment assistance..... 3,792,500

1 Respite care program..... 5,868,700

2 GROSS APPROPRIATION..... $ 91,279,900

3 Appropriated from:

4 Federal revenues:

5 Total federal revenues..... 57,159,200

6 Special revenue funds:

7 Total private revenues..... 677,500

8 Merit award trust fund..... 4,468,700

9 Total other state restricted revenues..... 1,400,000

10 State general fund/general purpose..... $ 27,574,500

11 **Sec. 118. MEDICAL SERVICES ADMINISTRATION**

12 Full-time equated classified positions..... 415.0

13 Medical services administration--415.0 FTE positions . $ 65,057,000

14 Facility inspection contract..... 132,800

15 MIChild administration..... 4,327,800

16 GROSS APPROPRIATION..... $ 69,517,600

17 Appropriated from:

18 Federal revenues:

19 Total federal revenues..... 47,476,900

20 Special revenue funds:

21 Total local revenues..... 105,900

22 Total private revenues..... 100,000

23 Total other state restricted revenues..... 110,100

24 State general fund/general purpose..... $ 21,724,700

25 **Sec. 119. MEDICAL SERVICES**

26 Hospital services and therapy..... $ 1,273,299,300

27 Hospital disproportionate share payments..... 45,000,000

Physician services	303,223,900
Medicare premium payments	409,169,400
Pharmaceutical services	338,717,500
Home health services	6,791,100
Hospice services	139,637,700
Transportation	16,009,800
Auxiliary medical services	6,252,100
Dental services	162,930,800
Ambulance services	10,900,000
Long-term care services	1,686,454,600
Medicaid home- and community-based services waiver	229,921,000
Adult home help services	289,032,800
Personal care services	14,421,500
Program of all-inclusive care for the elderly	30,707,800
Health plan services	4,093,812,400
MIChild program	51,753,100
Plan first family planning waiver	13,089,200
Medicaid adult benefits waiver	105,877,700
Special indigent care payments	88,518,500
Federal Medicare pharmaceutical program	185,599,300
Maternal and child health	20,279,500
Subtotal basic medical services program	9,521,399,000
School-based services	91,296,500
Special Medicaid reimbursement	339,382,000
Subtotal special medical services payments	430,678,500
GROSS APPROPRIATION	$ 9,952,077,500

Appropriated from:

1	Federal revenues:	
2	Total federal revenues.....	6,579,215,500
3	Special revenue funds:	
4	Total local revenues.....	68,249,700
5	Total private revenues.....	6,332,200
6	Merit award trust fund.....	82,275,800
7	Total other state restricted revenues.....	1,940,891,700
8	State general fund/general purpose.....	$ 1,275,112,600
9	**Sec. 120. INFORMATION TECHNOLOGY**	
10	Information technology services and projects.....	$ 33,521,400
11	Michigan Medicaid information system.....	25,723,700
12	GROSS APPROPRIATION.....	$ 59,245,100
13	Appropriated from:	
14	Federal revenues:	
15	Total federal revenues.....	44,191,200
16	Special revenue funds:	
17	Total other state restricted revenues.....	1,865,900
18	State general fund/general purpose.....	$ 13,188,000

19 PART 2

20 PROVISIONS CONCERNING APPROPRIATIONS

21 FOR FISCAL YEAR 2011-2012

22 **GENERAL SECTIONS**

23 Sec. 201. Pursuant to section 30 of article IX of the state
24 constitution of 1963, total state spending from state resources
25 under part 1 for fiscal year 2011-2012 is $4,901,035,400.00 and

1 state spending from state resources to be paid to local units of
2 government for fiscal year 2011-2012 is $1,417,739,700.00. The
3 itemized statement below identifies appropriations from which
4 spending to local units of government will occur:
5 DEPARTMENT OF COMMUNITY HEALTH
6 MENTAL HEALTH/SUBSTANCE ABUSE SERVICES ADMINISTRATION
7 AND SPECIAL PROJECTS
8 Community residential and support services ..... $ 258,500
9 Housing and support services 599,800
10 COMMUNITY MENTAL HEALTH/SUBSTANCE ABUSE SERVICES PROGRAMS
11 State disability assistance program substance abuse
12 services ..... $ 2,018,000
13 Community substance abuse prevention, education, and
14 treatment programs 14,576,700
15 Medicaid mental health services 702,753,600
16 Community mental health non-Medicaid services 273,908,100
17 Mental health services for special populations 5,842,800
18 Medicaid adult benefits waiver 10,854,200
19 Medicaid substance abuse services 15,815,900
20 Children's waiver home care program 5,906,800
21 Nursing home PASARR 2,717,200
22 HEALTH POLICY, REGULATION, AND PROFESSIONS
23 Primary care services ..... $ 88,900
24 INFECTIOUS DISEASE CONTROL
25 AIDS prevention, testing, and care programs ..... $ 1,000,000
26 Sexually transmitted disease control local agreements 175,200
27 LABORATORY SERVICES

1 Laboratory services ..... $ 13,700
2 LOCAL HEALTH ADMINISTRATION AND GRANTS
3 Implementation of 1993 PA 133, MCL 333.17015 ..... $ 8,000
4 Essential local public health services 32,256,100
5 CHRONIC DISEASE AND INJURY PREVENTION AND HEALTH PROMOTION
6 Cancer prevention and control program ..... $ 450,000
7 Chronic disease control and health promotion
8 administration 75,000
9 FAMILY, MATERNAL, AND CHILDREN'S HEALTH SERVICES
10 Childhood lead program ..... $ 51,100
11 Prenatal care outreach and service delivery support .. 1,500,000
12 CHILDREN'S SPECIAL HEALTH CARE SERVICES
13 Medical care and treatment ..... $ 1,409,900
14 Outreach and advocacy 1,237,500
15 MEDICAL SERVICES
16 Dental services ..... $ 2,536,000
17 Long-term care services 285,952,300
18 Transportation 2,971,900
19 Medicaid adult benefits waiver 6,246,800
20 Hospital services and therapy 4,965,500
21 Physician services 3,774,800
22 OFFICE OF SERVICES TO THE AGING
23 Community services ..... $ 12,233,500
24 Nutrition services 8,787,000
25 Foster grandparent volunteer program 679,800
26 Retired and senior volunteer program 175,000
27 Senior companion volunteer program 215,000

1 Respite care program..... 5,384,800
2 CRIME VICTIM SERVICES COMMISSION
3 Crime victim rights services grants..... $ 10,300,000
4 TOTAL OF PAYMENTS TO LOCAL UNITS
5 OF GOVERNMENT..... $ 1,417,739,700
6 Sec. 202. The appropriations authorized under this article are
7 subject to the management and budget act, 1984 PA 431, MCL 18.1101
8 to 18.1594.
9 Sec. 203. As used in this article:
10 (a) "AIDS" means acquired immunodeficiency syndrome.
11 (b) "CMHSP" means a community mental health services program
12 as that term is defined in section 100a of the mental health code,
13 1974 PA 258, MCL 330.1100a.
14 (c) "Current fiscal year" means the fiscal year ending
15 September 30, 2012.
16 (d) "Department" means the department of community health.
17 (e) "Director" means the director of the department.
18 (f) "DSH" means disproportionate share hospital.
19 (g) "EPSDT" means early and periodic screening, diagnosis, and
20 treatment.
21 (h) "Federal health care reform legislation" means the patient
22 protection and affordable care act, Public Law 111-148, and the
23 health care and education reconciliation act of 2010, Public Law
24 111-152.
25 (i) "Federal poverty level" means the poverty guidelines
26 published annually in the federal register by the United States
27 department of health and human services under its authority to

1 revise the poverty line under 42 USC 9902.
2 (j) "GME" means graduate medical education.
3 (k) "Health plan" means, at a minimum, an organization that
4 meets the criteria for delivering the comprehensive package of
5 services under the department's comprehensive health plan.
6 (*l*) "HEDIS" means healthcare effectiveness data and information
7 set.
8 (m) "HIV" means human immunodeficiency virus.
9 (n) "HMO" means health maintenance organization.
10 (o) "IDEA" means the individuals with disabilities education
11 act, 20 USC 1400 to 1482.
12 (p) "MCH" means maternal and child health.
13 (q) "MIChild" means the program described in section 1670.
14 (r) "PASARR" means the preadmission screening and annual
15 resident review required under the omnibus budget reconciliation
16 act of 1987, section 1919(e)(7) of the social security act, and 42
17 USC 1396r.
18 (s) "PIHP" means a specialty prepaid inpatient health plan for
19 Medicaid mental health services, services to individuals with
20 developmental disabilities, and substance abuse services. Specialty
21 prepaid inpatient health plans are described in section 232b of the
22 mental health code, 1974 PA 258, MCL 330.1232b.
23 (t) "Title XVIII" and "Medicare" mean title XVIII of the
24 social security act, 42 USC 1395 to 1395kkk.
25 (u) "Title XIX" and "Medicaid" mean title XIX of the social
26 security act, 42 USC 1396 to 1396w-5.
27 (v) "Title XX" means title XX of the social security act, 42

USC 1397 to 1397m-5.

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $200,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $40,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $20,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $20,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 208. Unless otherwise specified, the departments shall use the Internet to fulfill the reporting requirements of this

article. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on the Internet or Intranet site.

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

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

Sec. 211. If the revenue collected by the department from fees and collections exceeds the amount appropriated in part 1, the revenue may be carried forward with the approval of the state budget director into the subsequent fiscal year. The revenue carried forward under this section shall be used as the first source of funds in the subsequent fiscal year.

Sec. 212. (1) On or before February 1 of the current fiscal

year, the department shall report to the house and senate appropriations subcommittees on community health, the house and senate fiscal agencies, and the state budget director on the detailed name and amounts of federal, restricted, private, and local sources of revenue that support the appropriations in each of the line items in part 1.

(2) Upon the release of the next fiscal year executive budget recommendation, the department shall report to the same parties in subsection (1) on the amounts and detailed sources of federal, restricted, private, and local revenue proposed to support the total funds appropriated in each of the line items in part 1 of the next fiscal year executive budget proposal.

Sec. 213. The state departments, agencies, and commissions receiving tobacco tax funds and healthy Michigan funds from part 1 shall report by April 1 of the current fiscal year to the senate and house appropriations committees, the senate and house fiscal agencies, and the state budget director on the following:

(a) Detailed spending plan by appropriation line item including description of programs and a summary of organizations receiving these funds.

(b) Description of allocations or bid processes including need or demand indicators used to determine allocations.

(c) Eligibility criteria for program participation and maximum benefit levels where applicable.

(d) Outcome measures used to evaluate programs, including measures of the effectiveness of these programs in improving the health of Michigan residents.

(e) Any other information considered necessary by the house of representatives or senate appropriations committees or the state budget director.

Sec. 215. (1) The department shall report to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies by no later than April 1 of the current fiscal year on each specific policy change made by the department to implement a public act affecting that department that took effect during the preceding calendar year.

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

(3) As used in this section:

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

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

Sec. 216. (1) In addition to funds appropriated in part 1 for all programs and services, there is appropriated for write-offs of accounts receivable, deferrals, and for prior year obligations in excess of applicable prior year appropriations, an amount equal to

total write-offs and prior year obligations, but not to exceed amounts available in prior year revenues.

(2) The department's ability to satisfy appropriation deductions in part 1 shall not be limited to collections and accruals pertaining to services provided in the current fiscal year, but shall also include reimbursements, refunds, adjustments, and settlements from prior years.

Sec. 218. The department shall include the following in its annual list of proposed basic health services as required in part 23 of the public health code, 1978 PA 368, MCL 333.2301 to 333.2321:

(a) Immunizations.

(b) Communicable disease control.

(c) Sexually transmitted disease control.

(d) Tuberculosis control.

(e) Prevention of gonorrhea eye infection in newborns.

(f) Screening newborns for the conditions listed in section 5431 of the public health code, 1978 PA 368, MCL 333.5431, or recommended by the newborn screening quality assurance advisory committee created under section 5430 of the public health code, 1978 PA 368, MCL 333.5430.

(g) Community health annex of the Michigan emergency management plan.

(h) Prenatal care.

Sec. 219. (1) The department may contract with the Michigan public health institute for the design and implementation of projects and for other public health-related activities prescribed

in section 2611 of the public health code, 1978 PA 368, MCL 333.2611. The department may develop a master agreement with the institute to carry out these purposes for up to a 3-year period. The department shall report to the house and senate appropriations subcommittees on community health, the house and senate fiscal agencies, and the state budget director on or before January 1 of the current fiscal year all of the following:

(a) A detailed description of each funded project.

(b) The amount allocated for each project, the appropriation line item from which the allocation is funded, and the source of financing for each project.

(c) The expected project duration.

(d) A detailed spending plan for each project, including a list of all subgrantees and the amount allocated to each subgrantee.

(2) On or before September 30 of the current fiscal year, the department shall provide to the same parties listed in subsection (1) a copy of all reports, studies, and publications produced by the Michigan public health institute, its subcontractors, or the department with the funds appropriated in part 1 and allocated to the Michigan public health institute.

Sec. 223. The department may establish and collect fees for publications, videos and related materials, conferences, and workshops. Collected fees shall be used to offset expenditures to pay for printing and mailing costs of the publications, videos and related materials, and costs of the workshops and conferences. The department shall not collect fees under this section that exceed

1 the cost of the expenditures.

2 Sec. 259. From the funds appropriated in part 1 for
3 information technology, departments and agencies shall pay user
4 fees to the department of technology, management, and budget for
5 technology-related services and projects. The user fees shall be
6 subject to provisions of an interagency agreement between the
7 department and agencies and the department of technology,
8 management, and budget.

9 Sec. 264. (1) Upon submission of a Medicaid waiver, a Medicaid
10 state plan amendment, or a similar proposal to the centers for
11 Medicare and Medicaid services, the department shall notify the
12 house and senate appropriations subcommittees on community health
13 and the house and senate fiscal agencies of the submission.

14 (2) The department shall provide written or verbal biannual
15 reports to the senate and house appropriations subcommittees on
16 community health and the senate and house fiscal agencies
17 summarizing the status of any new or ongoing discussions with the
18 centers for Medicare and Medicaid services or the federal
19 department of health and human services regarding potential or
20 future Medicaid waiver applications.

21 Sec. 265. The department and agencies receiving appropriations
22 in part 1 shall receive and retain copies of all reports funded
23 from appropriations in part 1. Federal and state guidelines for
24 short-term and long-term retention of records shall be followed.
25 The department may electronically retain copies of reports unless
26 otherwise required by federal and state guidelines.

27 Sec. 266. (1) Due to the current budgetary problems in this

state, out-of-state travel for the fiscal year ending September 30, 2012 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the senate and house of representatives standing committees on appropriations.

Sec. 267. The department shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.

Sec. 270. Within 180 days after receipt of the notification

from the attorney general's office of a legal action in which expenses had been recovered pursuant to section 106(4) of the social welfare act, 1939 PA 280, MCL 400.106, or any other statute under which the department has the right to recover expenses, the department shall submit a written report to the house and senate appropriations subcommittees on community health, the house and senate fiscal agencies, and the state budget office which includes, at a minimum, all of the following:

(a) The total amount recovered from the legal action.

(b) The program or service for which the money was originally expended.

(c) Details on the disposition of the funds recovered such as the appropriation or revenue account in which the money was deposited.

(d) A description of the facts involved in the legal action.

Sec. 276. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 282. (1) The department, through its organizational units responsible for departmental administration, operation, and finance, shall establish uniform definitions, standards, and instructions for the classification, allocation, assignment, calculation, recording, and reporting of administrative costs by the following entities:

(a) Coordinating agencies on substance abuse and the Salvation Army harbor light program that receive payment or reimbursement from funds appropriated under section 104.

(b) Area agencies on aging and local providers that receive payment or reimbursement from funds appropriated under section 117.

(2) By May 15 of the current fiscal year, the department shall provide a written draft of its proposed definitions, standards, and instructions to the house of representatives and senate appropriations subcommittees on community health, the house and senate fiscal agencies, and the state budget director.

Sec. 287. Not later than November 15, 2011, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the previous fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house of representatives standing appropriations committees, and the senate and house fiscal agencies.

Sec. 292. (1) The department shall maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and

payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

(2) The department may develop and operate its own website to provide this information or may reference the state's central transparency website as the source for this information.

Sec. 294. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 295. The department shall explore program and other service areas, including eligibility determination, where privatization may lead to increased efficiencies and budgetary savings.

Sec. 296. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on community health, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2011 and September 30, 2012.

1 **COMMUNITY MENTAL HEALTH/SUBSTANCE ABUSE SERVICES PROGRAMS**

2 Sec. 401. Funds appropriated in part 1 are intended to support
3 a system of comprehensive community mental health services under
4 the full authority and responsibility of local CMHSPs or PIHPs. The
5 department shall ensure that each CMHSP or PIHP provides all of the
6 following:

7 (a) A system of single entry and single exit.

8 (b) A complete array of mental health services that includes,
9 but is not limited to, all of the following services: residential
10 and other individualized living arrangements, outpatient services,
11 acute inpatient services, and long-term, 24-hour inpatient care in
12 a structured, secure environment.

13 (c) The coordination of inpatient and outpatient hospital
14 services through agreements with state-operated psychiatric
15 hospitals, units, and centers in facilities owned or leased by the
16 state, and privately-owned hospitals, units, and centers licensed
17 by the state pursuant to sections 134 through 149b of the mental
18 health code, 1974 PA 258, MCL 330.1134 to 330.1149b.

19 (d) Individualized plans of service that are sufficient to
20 meet the needs of individuals, including those discharged from
21 psychiatric hospitals or centers, and that ensure the full range of
22 recipient needs is addressed through the CMHSP's or PIHP's program
23 or through assistance with locating and obtaining services to meet
24 these needs.

25 (e) A system of case management or care management to monitor
26 and ensure the provision of services consistent with the

1 individualized plan of services or supports.
2 (f) A system of continuous quality improvement.
3 (g) A system to monitor and evaluate the mental health
4 services provided.
5 (h) A system that serves at-risk and delinquent youth as
6 required under the provisions of the mental health code, 1974 PA
7 258, MCL 330.1001 to 330.2106.
8 Sec. 402. (1) From funds appropriated in part 1, final
9 authorizations to CMHSPs or PIHPs shall be made upon the execution
10 of contracts between the department and CMHSPs or PIHPs. The
11 contracts shall contain an approved plan and budget as well as
12 policies and procedures governing the obligations and
13 responsibilities of both parties to the contracts. Each contract
14 with a CMHSP or PIHP that the department is authorized to enter
15 into under this subsection shall include a provision that the
16 contract is not valid unless the total dollar obligation for all of
17 the contracts between the department and the CMHSPs or PIHPs
18 entered into under this subsection for the current fiscal year does
19 not exceed the amount of money appropriated in part 1 for the
20 contracts authorized under this subsection.
21 (2) The department shall immediately report to the senate and
22 house appropriations subcommittees on community health, the senate
23 and house fiscal agencies, and the state budget director if either
24 of the following occurs:
25 (a) Any new contracts with CMHSPs or PIHPs that would affect
26 rates or expenditures are enacted.
27 (b) Any amendments to contracts with CMHSPs or PIHPs that

1 would affect rates or expenditures are enacted.
2 (3) The report required by subsection (2) shall include
3 information about the changes and their effects on rates and
4 expenditures.
5 Sec. 403. (1) From the funds appropriated in part 1 for mental
6 health services for special populations, the department shall
7 ensure that CMHSPs or PIHPs meet with multicultural service
8 providers to develop a workable framework for contracting, service
9 delivery, and reimbursement.
10 (2) Funds appropriated in part 1 for mental health services
11 for special populations shall not be utilized for services provided
12 to illegal immigrants, fugitive felons, and individuals who are not
13 residents of this state. The department shall maintain contracts
14 with recipients of multicultural services grants that mandate
15 grantees establish that recipients of services are legally residing
16 in the United States. An exception to the contractual provision
17 shall be allowed to address individuals presenting with emergent
18 mental health conditions.
19 (3) The department shall require an annual report from the
20 independent organizations that receive mental health services for
21 special populations funding. The annual report, due January 1 of
22 the current fiscal year, shall include specific information on
23 services and programs provided, the client base to which the
24 services and programs were provided, information on any wrap around
25 services provided, and the expenditures for those services. The
26 department shall provide the annual reports to the senate and house
27 appropriations subcommittees on community health and the senate and

house fiscal agencies.

Sec. 404. (1) Not later than May 31 of the current fiscal year, the department shall provide a report on the community mental health services programs to the members of the house and senate appropriations subcommittees on community health, the house and senate fiscal agencies, and the state budget director that includes the information required by this section.

(2) The report shall contain information for each CMHSP or PIHP and a statewide summary, each of which shall include at least the following information:

(a) A demographic description of service recipients which, minimally, shall include reimbursement eligibility, client population, age, ethnicity, housing arrangements, and diagnosis.

(b) Per capita expenditures by client population group.

(c) Financial information that, minimally, includes a description of funding authorized; expenditures by client group and fund source; and cost information by service category, including administration. Service category includes all department-approved services.

(d) Data describing service outcomes that includes, but is not limited to, an evaluation of consumer satisfaction, consumer choice, and quality of life concerns including, but not limited to, housing and employment.

(e) Information about access to community mental health services programs that includes, but is not limited to, the following:

(*i*) The number of people receiving requested services.

(*ii*) The number of people who requested services but did not receive services.

(f) The number of second opinions requested under the code and the determination of any appeals.

(g) An analysis of information provided by CMHSPs in response to the needs assessment requirements of the mental health code, 1974 PA 258, MCL 330.1001 to 330.2106, including information about the number of individuals in the service delivery system who have requested and are clinically appropriate for different services.

(h) Lapses and carryforwards during the immediately preceding fiscal year for CMHSPs or PIHPs.

(i) Information about contracts for mental health services entered into by CMHSPs or PIHPs with providers, including, but not limited to, all of the following:

(*i*) The amount of the contract, organized by type of service provided.

(*ii*) Payment rates, organized by the type of service provided.

(*iii*) Administrative costs for services provided to CMHSPs or PIHPs.

(j) Information on the community mental health Medicaid managed care program, including, but not limited to, both of the following:

(*i*) Expenditures by each CMHSP or PIHP organized by Medicaid eligibility group, including per eligible individual expenditure averages.

(*ii*) Performance indicator information required to be submitted to the department in the contracts with CMHSPs or PIHPs.

1 (k) An estimate of the number of direct care workers in local
2 residential settings and paraprofessional and other nonprofessional
3 direct care workers in settings where skill building, community
4 living supports and training, and personal care services are
5 provided by CMHSPs or PIHPs as of September 30 of the prior fiscal
6 year employed directly or through contracts with provider
7 organizations.
8 (3) The department shall include data reporting requirements
9 listed in subsection (2) in the annual contract with each
10 individual CMHSP or PIHP.
11 (4) The department shall take all reasonable actions to ensure
12 that the data required are complete and consistent among all CMHSPs
13 or PIHPs.
14 Sec. 406. (1) The funds appropriated in part 1 for the state
15 disability assistance substance abuse services program shall be
16 used to support per diem room and board payments in substance abuse
17 residential facilities. Eligibility of clients for the state
18 disability assistance substance abuse services program shall
19 include needy persons 18 years of age or older, or emancipated
20 minors, who reside in a substance abuse treatment center.
21 (2) The department shall reimburse all licensed substance
22 abuse programs eligible to participate in the program at a rate
23 equivalent to that paid by the department of human services to
24 adult foster care providers. Programs accredited by department-
25 approved accrediting organizations shall be reimbursed at the
26 personal care rate, while all other eligible programs shall be
27 reimbursed at the domiciliary care rate.

1 Sec. 407. (1) The amount appropriated in part 1 for substance
2 abuse prevention, education, and treatment grants shall be expended
3 for contracting with coordinating agencies. Coordinating agencies
4 shall work with CMHSPs or PIHPs to coordinate care and services
5 provided to individuals with severe and persistent mental illness
6 and substance abuse diagnoses.
7 (2) The department shall approve coordinating agency fee
8 schedules for providing substance abuse services and charge
9 participants in accordance with their ability to pay.
10 (3) It is the intent of the legislature that the coordinating
11 agencies continue current efforts to collaborate on the delivery of
12 services to those clients with mental illness and substance abuse
13 diagnoses.
14 (4) Coordinating agencies that are located completely within
15 the boundary of a PIHP shall conduct a study of the administrative
16 costs and efficiencies associated with consolidation with that
17 PIHP. If that coordinating agency realizes an administrative cost
18 savings of 5% or greater of their current costs, then that
19 coordinating agency shall initiate discussions regarding a
20 potential merger in accordance with section 6226 of the public
21 health code, 1978 PA 368, MCL 333.6226. The department shall report
22 to the legislature by April 1 of the current fiscal year on any
23 such discussions.
24 Sec. 408. (1) By April 1 of the current fiscal year, the
25 department shall report the following data from the prior fiscal
26 year on substance abuse prevention, education, and treatment
27 programs to the senate and house appropriations subcommittees on

1 community health, the senate and house fiscal agencies, and the
2 state budget office:
3 (a) Expenditures stratified by coordinating agency, by central
4 diagnosis and referral agency, by fund source, by subcontractor, by
5 population served, and by service type. Additionally, data on
6 administrative expenditures by coordinating agency shall be
7 reported.
8 (b) Expenditures per state client, with data on the
9 distribution of expenditures reported using a histogram approach.
10 (c) Number of services provided by central diagnosis and
11 referral agency, by subcontractor, and by service type.
12 Additionally, data on length of stay, referral source, and
13 participation in other state programs.
14 (d) Collections from other first- or third-party payers,
15 private donations, or other state or local programs, by
16 coordinating agency, by subcontractor, by population served, and by
17 service type.
18 (2) The department shall take all reasonable actions to ensure
19 that the required data reported are complete and consistent among
20 all coordinating agencies.
21 Sec. 410. The department shall assure that substance abuse
22 treatment is provided to applicants and recipients of public
23 assistance through the department of human services who are
24 required to obtain substance abuse treatment as a condition of
25 eligibility for public assistance.
26 Sec. 411. (1) The department shall ensure that each contract
27 with a CMHSP or PIHP requires the CMHSP or PIHP to implement

1 programs to encourage diversion of individuals with serious mental
2 illness, serious emotional disturbance, or developmental disability
3 from possible jail incarceration when appropriate.
4 (2) Each CMHSP or PIHP shall have jail diversion services and
5 shall work toward establishing working relationships with
6 representative staff of local law enforcement agencies, including
7 county prosecutors' offices, county sheriffs' offices, county
8 jails, municipal police agencies, municipal detention facilities,
9 and the courts. Written interagency agreements describing what
10 services each participating agency is prepared to commit to the
11 local jail diversion effort and the procedures to be used by local
12 law enforcement agencies to access mental health jail diversion
13 services are strongly encouraged.
14 Sec. 412. The department shall contract directly with the
15 Salvation Army harbor light program to provide non-Medicaid
16 substance abuse services.
17 Sec. 418. On or before the tenth of each month, the department
18 shall report to the senate and house appropriations subcommittees
19 on community health, the senate and house fiscal agencies, and the
20 state budget director on the amount of funding paid to PIHPs to
21 support the Medicaid managed mental health care program in the
22 preceding month. The information shall include the total paid to
23 each PIHP, per capita rate paid for each eligibility group for each
24 PIHP, and number of cases in each eligibility group for each PIHP,
25 and year-to-date summary of eligibles and expenditures for the
26 Medicaid managed mental health care program.
27 Sec. 424. Each PIHP that contracts with the department to

1 provide services to the Medicaid population shall adhere to the
2 following timely claims processing and payment procedure for claims
3 submitted by health professionals and facilities:
4 (a) A "clean claim" as described in section 111i of the social
5 welfare act, 1939 PA 280, MCL 400.111i, shall be paid within 45
6 days after receipt of the claim by the PIHP. A clean claim that is
7 not paid within this time frame shall bear simple interest at a
8 rate of 12% per annum.
9 (b) A PIHP shall state in writing to the health professional
10 or facility any defect in the claim within 30 days after receipt of
11 the claim.
12 (c) A health professional and a health facility have 30 days
13 after receipt of a notice that a claim or a portion of a claim is
14 defective within which to correct the defect. The PIHP shall pay
15 the claim within 30 days after the defect is corrected.
16 Sec. 428. Each PIHP shall provide, from internal resources,
17 local funds to be used as a bona fide part of the state match
18 required under the Medicaid program in order to increase capitation
19 rates for PIHPs. These funds shall not include either state funds
20 received by a CMHSP for services provided to non-Medicaid
21 recipients or the state matching portion of the Medicaid capitation
22 payments made to a PIHP.
23 Sec. 435. A county required under the provisions of the mental
24 health code, 1974 PA 258, MCL 330.1001 to 330.2106, to provide
25 matching funds to a CMHSP for mental health services rendered to
26 residents in its jurisdiction shall pay the matching funds in equal
27 installments on not less than a quarterly basis throughout the

fiscal year, with the first payment being made by October 1 of the current fiscal year.

Sec. 458. By April 15 of the current fiscal year, the department shall provide each of the following to the house and senate appropriations subcommittees on community health, the house and senate fiscal agencies, and the state budget director:

(a) An updated plan for implementing each of the recommendations of the Michigan mental health commission made in the commission's report dated October 15, 2004.

(b) A report that evaluates the cost-benefit of establishing secure residential facilities of fewer than 17 beds for adults with serious mental illness, modeled after such programming in Oregon or other states. This report shall examine the potential impact that utilization of secure residential facilities would have upon the state's need for adult mental health facilities.

(c) In conjunction with the state court administrator's office, a report that evaluates the cost-benefit of establishing a specialized mental health court program that diverts adults with serious mental illness alleged to have committed an offense deemed nonserious into treatment prior to the filing of any charges.

Sec. 462. (1) With the exception of administrative costs, in order to implement the fiscal year 2011-2012 funding reduction to the community mental health non-Medicaid services line, the department shall further implement the funding formula that was partially implemented during fiscal year 2009-2010 in which the funding reduction does not exceed 4% for each CMHSP.

(2) The department may convene a workgroup including CMHSPs

regarding the allocation of the current fiscal year administrative reduction of up to $3,400,000.00.

Sec. 468. To foster a more efficient administration of and to integrate care in publicly funded mental health and substance abuse services, the department shall maintain criteria for the incorporation of a city, county, or regional substance abuse coordinating agency into a local community mental health authority that will encourage those city, county, or regional coordinating agencies to incorporate as local community mental health authorities. If necessary, the department may make accommodations or adjustments in formula distribution to address administrative costs related to the maintenance of the criteria under this section and to the incorporation of the additional coordinating agencies into local community mental health authorities provided that all of the following are satisfied:

(a) The department provides funding for the administrative costs incurred by coordinating agencies incorporating into community mental health authorities. The department shall not provide more than $75,000.00 to any coordinating agency for administrative costs.

(b) The accommodations or adjustments favor coordinating agencies who voluntarily elect to integrate with local community mental health authorities.

(c) The accommodations or adjustments do not negatively affect other coordinating agencies.

Sec. 470. (1) For those substance abuse coordinating agencies that have voluntarily incorporated into community mental health

1 authorities and accepted funding from the department for
2 administrative costs incurred pursuant to section 468, the
3 department shall establish written expectations for those CMHSPs,
4 PIHPs, and substance abuse coordinating agencies and counties with
5 respect to the integration of mental health and substance abuse
6 services. At a minimum, the written expectations shall provide for
7 the integration of those services as follows:
8 (a) Coordination and consolidation of administrative functions
9 and redirection of efficiencies into service enhancements.
10 (b) Consolidation of points of 24-hour access for mental
11 health and substance abuse services in every community.
12 (c) Alignment of coordinating agencies and PIHPs boundaries to
13 maximize opportunities for collaboration and integration of
14 administrative functions and clinical activities.
15 (2) By May 1 of the current fiscal year, the department shall
16 report to the house and senate appropriations subcommittees on
17 community health, the house and senate fiscal agencies, and the
18 state budget office on the impact and effectiveness of this section
19 and the status of the integration of mental health and substance
20 abuse services.
21 Sec. 474. The department shall ensure that each contract with
22 a CMHSP or PIHP requires the CMHSP or PIHP to provide each
23 recipient and his or her family with information regarding the
24 different types of guardianship and the alternatives to
25 guardianship. A CMHSP or PIHP shall not, in any manner, attempt to
26 reduce or restrict the ability of a recipient or his or her family
27 from seeking to obtain any form of legal guardianship without just

1 cause.

2 Sec. 490. (1) The department shall continue a workgroup to
3 develop a plan to maximize uniformity and consistency in the
4 standards required of providers contracting directly with PIHPs,
5 CMHSPs, and substance abuse coordinating agencies. These standards
6 shall apply to community living supports, personal care services,
7 substance abuse services, skill-building services, and other
8 similar supports and services providers who contract with PIHPs,
9 CMHSPs, and substance abuse coordinating agencies or their
10 contractors.

11 (2) The workgroup shall include representatives of the
12 department, PIHPs, CMHSPs, substance abuse coordinating agencies,
13 and affected providers. The standards shall include, but are not
14 limited to, contract language, training requirements for direct
15 support staff, performance indicators, financial and program
16 audits, and billing procedures.

17 (3) The department shall provide a status report on the
18 workgroup's efforts to the senate and house appropriations
19 subcommittees on community health, the senate and house fiscal
20 agencies, and the state budget director by June 1 of the current
21 fiscal year.

22 Sec. 491. The department shall explore changes in program
23 policy in the habilitation supports waiver for persons with
24 developmental disabilities that would permit the movement of a slot
25 that has become available to a county that has demonstrated a
26 greater need for the services.

27 Sec. 492. If a CMHSP has entered into an agreement with a

county or county sheriff to provide mental health services to the inmates of the county jail, the department shall not prohibit the use of state general fund/general purpose dollars by CMHSPs to provide mental health services to inmates of a county jail.

Sec. 494. (1) In order to avoid duplication of efforts, the department shall utilize applicable national accreditation review criteria to determine compliance with corresponding state requirements for CMHSPs, PIHPs, or subcontracting provider agencies that have been reviewed and accredited by a national accrediting entity for behavioral health care services.

(2) Upon a coordinated submission by the CMHSPs, PIHPs, or subcontracting provider agencies, a listing of program requirements that are part of the state program review criteria but are not reviewed by an applicable national accrediting entity, the department shall review the listing and provide a recommendation to the house and senate appropriations subcommittees on community health, the house and senate fiscal agencies, and the state budget office as to whether or not state program review should continue. The CMHSPs, PIHPs, or subcontracting agencies may request the department to convene a workgroup to fulfill this section.

(3) The department shall continue to comply with state and federal law and shall not initiate an action that negatively impacts beneficiary safety.

(4) As used in this section, "national accrediting entity" means the joint commission on accreditation of healthcare organizations, the commission on accreditation of rehabilitation facilities, the council of accreditation, or other appropriate

1 entity, as approved by the department.

2 (5) By July 1 of the current fiscal year, the department shall
3 provide a progress report to the house and senate appropriations
4 subcommittees on community health, the house and senate fiscal
5 agencies, and the state budget office on implementation of this
6 section.

7 Sec. 495. It is the intent of the legislature that the
8 department begin working with the centers for Medicare and Medicaid
9 services to develop a program that creates a medical home for the
10 individuals receiving Medicaid mental health benefits.

11 Sec. 496. CMHSPs and PIHPs are permitted to offset state
12 funding reductions by limiting the administrative component of
13 their contracts with providers and case management to a maximum of
14 9%.

15 Sec. 497. The population data used in determining the
16 distribution of substance abuse block grant funds shall be from the
17 most recent federal census.

18 **STATE PSYCHIATRIC HOSPITALS AND FORENSIC MENTAL HEALTH SERVICES**

19 Sec. 601. The department shall continue a revenue recapture
20 project to generate additional revenues from third parties related
21 to cases that have been closed or are inactive. A portion of
22 revenues collected through project efforts may be used for
23 departmental costs and contractual fees associated with these
24 retroactive collections and to improve ongoing departmental
25 reimbursement management functions.

26 Sec. 602. Unexpended and unencumbered amounts and accompanying

1 expenditure authorizations up to $1,000,000.00 remaining on
2 September 30 of the current fiscal year from the amounts
3 appropriated in part 1 for gifts and bequests for patient living
4 and treatment environments shall be carried forward for 1 fiscal
5 year. The purpose of gifts and bequests for patient living and
6 treatment environments is to use additional private funds to
7 provide specific enhancements for individuals residing at state-
8 operated facilities. Use of the gifts and bequests shall be
9 consistent with the stipulation of the donor. The expected
10 completion date for the use of gifts and bequests donations is
11 within 3 years unless otherwise stipulated by the donor.
12 Sec. 605. (1) The department shall not implement any closures
13 or consolidations of state hospitals, centers, or agencies until
14 CMHSPs or PIHPs have programs and services in place for those
15 individuals currently in those facilities and a plan for service
16 provision for those individuals who would have been admitted to
17 those facilities.
18 (2) All closures or consolidations are dependent upon adequate
19 department-approved CMHSP and PIHP plans that include a discharge
20 and aftercare plan for each individual currently in the facility. A
21 discharge and aftercare plan shall address the individual's housing
22 needs. A homeless shelter or similar temporary shelter arrangements
23 are inadequate to meet the individual's housing needs.
24 (3) Four months after the certification of closure required in
25 section 19(6) of the state employees' retirement act, 1943 PA 240,
26 MCL 38.19, the department shall provide a closure plan to the house
27 and senate appropriations subcommittees on community health and the

1 state budget director.

2 (4) Upon the closure of state-run operations and after
3 transitional costs have been paid, the remaining balances of funds
4 appropriated for that operation shall be transferred to CMHSPs or
5 PIHPs responsible for providing services for individuals previously
6 served by the operations.

7 Sec. 606. The department may collect revenue for patient
8 reimbursement from first- and third-party payers, including
9 Medicaid and local county CMHSP payers, to cover the cost of
10 placement in state hospitals and centers. The department is
11 authorized to adjust financing sources for patient reimbursement
12 based on actual revenues earned. If the revenue collected exceeds
13 current year expenditures, the revenue may be carried forward with
14 approval of the state budget director. The revenue carried forward
15 shall be used as a first source of funds in the subsequent year.

16 Sec. 608. Effective October 1, 2011, the department, in
17 consultation with the department of technology, management, and
18 budget, may maintain a bid process to identify 1 or more private
19 contractors to provide food service and custodial services for the
20 administrative areas at any state hospital identified by the
21 department as capable of generating savings through the outsourcing
22 of such services.

23 **PUBLIC HEALTH ADMINISTRATION**

24 Sec. 650. The department shall report to the senate and house
25 appropriations subcommittees on community health by April 1 of the
26 current fiscal year on its criteria and methodology used to derive

the information provided to residents in the annual Michigan fish advisory.

Sec. 653. The department shall maintain plans to address potential state public health emergencies.

HEALTH POLICY

Sec. 704. The department shall continue to contract with grantees supported through the appropriation in part 1 for the emergency medical services grants and contracts to ensure that a sufficient number of qualified emergency medical services personnel exist to serve rural areas of the state.

Sec. 709. The funds appropriated in part 1 for the Michigan essential health care provider program may also provide loan repayment for dentists that fit the criteria established by part 27 of the public health code, 1978 PA 368, MCL 333.2701 to 333.2727.

Sec. 712. From the funds appropriated in part 1 for primary care services, $250,000.00 shall be allocated to free health clinics operating in the state. The department shall distribute the funds equally to each free health clinic. For the purpose of this appropriation, "free health clinics" means nonprofit organizations that use volunteer health professionals to provide care to uninsured individuals.

Sec. 713. The department shall continue support of multicultural agencies that provide primary care services from the funds appropriated in part 1.

INFECTIOUS DISEASE CONTROL

Sec. 804. The department, in conjunction with efforts to implement the Michigan prisoner reentry initiative, shall cooperate with the department of corrections to share data and information as they relate to prisoners being released who are HIV positive or positive for the hepatitis C antibody.

LOCAL HEALTH ADMINISTRATION AND GRANTS

Sec. 901. The amount appropriated in part 1 for implementation of the 1993 additions of or amendments to sections 9161, 16221, 16226, 17014, 17015, and 17515 of the public health code, 1978 PA 368, MCL 333.9161, 333.16221, 333.16226, 333.17014, 333.17015, and 333.17515, shall be used to reimburse local health departments for costs incurred related to implementation of section 17015(18) of the public health code, 1978 PA 368, MCL 333.17015.

Sec. 902. If a county that has participated in a district health department or an associated arrangement with other local health departments takes action to cease to participate in such an arrangement after October 1 of the current fiscal year, the department shall have the authority to assess a penalty from the local health department's operational accounts in an amount equal to no more than 6.25% of the local health department's essential local public health services funding. This penalty shall only be assessed to the local county that requests the dissolution of the health department.

Sec. 904. (1) Funds appropriated in part 1 for essential local public health services shall be prospectively allocated to local health departments to support immunizations, infectious disease

control, sexually transmitted disease control and prevention, hearing screening, vision services, food protection, public water supply, private groundwater supply, and on-site sewage management. Food protection shall be provided in consultation with the department of agriculture and rural development. Public water supply, private groundwater supply, and on-site sewage management shall be provided in consultation with the department of environmental quality.

(2) Local public health departments shall be held to contractual standards for the services in subsection (1).

(3) Distributions in subsection (1) shall be made only to counties that maintain local spending in the current fiscal year of at least the amount expended in fiscal year 1992-1993 for the services described in subsection (1).

CHRONIC DISEASE AND INJURY PREVENTION AND HEALTH PROMOTION

Sec. 1004. It is the intent of the legislature that the department continue to collaborate with the county of St. Clair and the city of Detroit southwest community to investigate and evaluate cancer rates.

FAMILY, MATERNAL, AND CHILDREN'S HEALTH SERVICES

Sec. 1103. Beginning January 3, 2012, the department shall annually issue to the legislature, and to the public on the Internet, a report providing estimated public funds administered by the department for family planning, sexually transmitted infection prevention and treatment, and pregnancies and births, as well as

demographics collected by the department as self-reported by individuals utilizing those services.

Sec. 1104. (1) Before April 1 of the current fiscal year, the department shall submit a report to the house and senate fiscal agencies and the state budget director on planned allocations from the amounts appropriated in part 1 for local MCH services, prenatal care outreach and service delivery support, family planning local agreements, and pregnancy prevention programs. Using applicable federal definitions, the report shall include information on all of the following:

(a) Funding allocations.

(b) Actual number of women, children, and adolescents served and amounts expended for each group for the immediately preceding fiscal year.

(c) A breakdown of the expenditure of these funds between urban and rural communities.

(2) The department shall ensure that the distribution of funds through the programs described in subsection (1) takes into account the needs of rural communities.

(3) For the purposes of this section, "rural" means a county, city, village, or township with a population of 30,000 or less, including those entities if located within a metropolitan statistical area.

Sec. 1106. Each family planning program receiving federal title X family planning funds under 42 USC 300 to 300a-8 shall be in compliance with all performance and quality assurance indicators that the office of family planning within the United States

department of health and human services specifies in the family planning annual report. An agency not in compliance with the indicators shall not receive supplemental or reallocated funds.

Sec. 1108. The funds appropriated in part 1 for pregnancy prevention programs shall not be used to provide abortion counseling, referrals, or services.

Sec. 1109. (1) From the amounts appropriated in part 1 for dental programs, funds shall be allocated to the Michigan dental association for the administration of a volunteer dental program that provides dental services to the uninsured.

(2) Not later than December 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on community health and the senate and house standing committees on health policy the number of individual patients treated, number of procedures performed, and approximate total market value of those procedures from the immediately preceding fiscal year.

Sec. 1117. Contingent upon the availability of federal or state restricted funds, the department may pursue efforts to reduce the incidence of stillbirth. Efforts shall include the establishment of a program to increase public awareness of stillbirth, promote education to monitor fetal movements counting kicks, promote a uniform definition of stillbirth, standardize data collection of stillbirths, and collaborate with appropriate federal agencies and statewide organizations. The department shall seek federal or other grant funds to assist in implementing this program.

Sec. 1119. From the funds appropriated in part 1 for family planning local agreements or pregnancy prevention programs, no state funds shall be used to encourage or support abortion services.

Sec. 1133. The department shall release infant mortality rate data to all local public health departments 72 hours or more before releasing infant mortality rate data to the public.

Sec. 1135. (1) If funds become available, provision of the school health education curriculum, such as the Michigan model for health or another comprehensive school health education curriculum, shall be in accordance with the health education goals established by the Michigan model steering committee. The steering committee shall be composed of a representative from each of the following offices and departments:

(a) The department of education.

(b) The department of community health.

(c) The health administration in the department of community health.

(d) The mental health and substance abuse administration in the department of community health.

(e) The department of human services.

(f) The department of state police.

(2) Upon written or oral request, a pupil not less than 18 years of age or a parent or legal guardian of a pupil less than 18 years of age, within a reasonable period of time after the request is made, shall be informed of the content of a course in the health education curriculum and may examine textbooks and other classroom

1 materials that are provided to the pupil or materials that are
2 presented to the pupil in the classroom. This subsection does not
3 require a school board to permit pupil or parental examination of
4 test questions and answers, scoring keys, or other examination
5 instruments or data used to administer an academic examination.

6 **WOMEN, INFANTS, AND CHILDREN FOOD AND NUTRITION PROGRAM**

7 Sec. 1153. The department shall ensure that individuals
8 residing in rural communities have sufficient access to the
9 services offered through the WIC program.

10 **CHILDREN'S SPECIAL HEALTH CARE SERVICES**

11 Sec. 1202. The department may do 1 or more of the following:
12 (a) Provide special formula for eligible clients with
13 specified metabolic and allergic disorders.
14 (b) Provide medical care and treatment to eligible patients
15 with cystic fibrosis who are 21 years of age or older.
16 (c) Provide medical care and treatment to eligible patients
17 with hereditary coagulation defects, commonly known as hemophilia,
18 who are 21 years of age or older.
19 (d) Provide human growth hormone to eligible patients.
20 Sec. 1204. By October 1, 2011, the department shall report to
21 the senate and house appropriations committees on community health
22 and the senate and house fiscal agencies on its plan for enrolling
23 Medicaid eligible children's special health care services
24 recipients in the Medicaid health plans. The report shall include
25 information on which Medicaid health plans are participating, the

1 methods used to assure continuity of care and continuity of ongoing
2 relationships with providers, and projected savings from the
3 implementation of the proposal.

4 **CRIME VICTIM SERVICES COMMISSION**

5 Sec. 1302. From the funds appropriated in part 1 for justice
6 assistance grants, up to $200,000.00 shall be allocated for
7 expansion of forensic nurse examiner programs to facilitate
8 training for improved evidence collection for the prosecution of
9 sexual assault. The funds shall be used for program coordination
10 and training.

11 **OFFICE OF SERVICES TO THE AGING**

12 Sec. 1401. The appropriation in part 1 to the office of
13 services to the aging for community services and nutrition services
14 shall be restricted to eligible individuals at least 60 years of
15 age who fail to qualify for home care services under title XVIII,
16 XIX, or XX.

17 Sec. 1403. (1) The office of services to the aging shall
18 require each region to report to the office of services to the
19 aging and to the legislature home-delivered meals waiting lists
20 based upon standard criteria. Determining criteria shall include
21 all of the following:

22 (a) The recipient's degree of frailty.

23 (b) The recipient's inability to prepare his or her own meals
24 safely.

25 (c) Whether the recipient has another care provider available.

1 (d) Any other qualifications normally necessary for the
2 recipient to receive home-delivered meals.
3 (2) Data required in subsection (1) shall be recorded only for
4 individuals who have applied for participation in the home-
5 delivered meals program and who are initially determined as likely
6 to be eligible for home-delivered meals.
7 Sec. 1417. The department shall provide to the senate and
8 house appropriations subcommittees on community health, senate and
9 house fiscal agencies, and state budget director a report by March
10 30 of the current fiscal year that contains all of the following:
11 (a) The total allocation of state resources made to each area
12 agency on aging by individual program and administration.
13 (b) Detail expenditure by each area agency on aging by
14 individual program and administration including both state-funded
15 resources and locally-funded resources.
16 Sec. 1420. If funds become available, the department shall
17 create a pilot project to establish an aging care management
18 services program with services provided solely by nurses. This
19 pilot project shall be established in a county with a population
20 greater than 150,000 but less than 250,000.

21 **MEDICAL SERVICES**

22 Sec. 1601. The cost of remedial services incurred by residents
23 of licensed adult foster care homes and licensed homes for the aged
24 shall be used in determining financial eligibility for the
25 medically needy. Remedial services include basic self-care and
26 rehabilitation training for a resident.

1 Sec. 1603. (1) The department may establish a program for
2 individuals to purchase medical coverage at a rate determined by
3 the department.
4 (2) The department may receive and expend premiums for the
5 buy-in of medical coverage in addition to the amounts appropriated
6 in part 1.
7 (3) The premiums described in this section shall be classified
8 as private funds.
9 (4) The department shall modify program policies to permit
10 individuals eligible for the transitional medical assistance plus
11 program, as structured in fiscal year 2009-2010, to access medical
12 assistance coverage through a 100% cost share.
13 Sec. 1605. The protected income level for Medicaid coverage
14 determined pursuant to section 106(1)(b)(*iii*) of the social welfare
15 act, 1939 PA 280, MCL 400.106, shall be 100% of the related public
16 assistance standard.
17 Sec. 1606. For the purpose of guardian and conservator
18 charges, the department of community health may deduct up to $60.00
19 per month as an allowable expense against a recipient's income when
20 determining medical services eligibility and patient pay amounts.
21 Sec. 1607. (1) An applicant for Medicaid, whose qualifying
22 condition is pregnancy, shall immediately be presumed to be
23 eligible for Medicaid coverage unless the preponderance of evidence
24 in her application indicates otherwise. The applicant who is
25 qualified as described in this subsection shall be allowed to
26 select or remain with the Medicaid participating obstetrician of
27 her choice.

1 (2) An applicant qualified as described in subsection (1)
2 shall be given a letter of authorization to receive Medicaid
3 covered services related to her pregnancy. All qualifying
4 applicants shall be entitled to receive all medically necessary
5 obstetrical and prenatal care without preauthorization from a
6 health plan. All claims submitted for payment for obstetrical and
7 prenatal care shall be paid at the Medicaid fee-for-service rate in
8 the event a contract does not exist between the Medicaid
9 participating obstetrical or prenatal care provider and the managed
10 care plan. The applicant shall receive a listing of Medicaid
11 physicians and managed care plans in the immediate vicinity of the
12 applicant's residence.
13 (3) In the event that an applicant, presumed to be eligible
14 pursuant to subsection (1), is subsequently found to be ineligible,
15 a Medicaid physician or managed care plan that has been providing
16 pregnancy services to an applicant under this section is entitled
17 to reimbursement for those services until such time as they are
18 notified by the department that the applicant was found to be
19 ineligible for Medicaid.
20 (4) If the preponderance of evidence in an application
21 indicates that the applicant is not eligible for Medicaid, the
22 department shall refer that applicant to the nearest public health
23 clinic or similar entity as a potential source for receiving
24 pregnancy-related services.
25 (5) The department shall develop an enrollment process for
26 pregnant women covered under this section that facilitates the
27 selection of a managed care plan at the time of application.

(6) The department shall mandate enrollment of women, whose qualifying condition is pregnancy, into Medicaid managed care plans.

(7) The department shall encourage physicians to provide women, whose qualifying condition for Medicaid is pregnancy, with a referral to a Medicaid participating dentist at the first pregnancy-related appointment.

Sec. 1611. (1) For care provided to medical services recipients with other third-party sources of payment, medical services reimbursement shall not exceed, in combination with such other resources, including Medicare, those amounts established for medical services-only patients. The medical services payment rate shall be accepted as payment in full. Other than an approved medical services co-payment, no portion of a provider's charge shall be billed to the recipient or any person acting on behalf of the recipient. Nothing in this section shall be considered to affect the level of payment from a third-party source other than the medical services program. The department shall require a nonenrolled provider to accept medical services payments as payment in full.

(2) Notwithstanding subsection (1), medical services reimbursement for hospital services provided to dual Medicare/medical services recipients with Medicare part B coverage only shall equal, when combined with payments for Medicare and other third-party resources, if any, those amounts established for medical services-only patients, including capital payments.

Sec. 1620. (1) For fee-for-service recipients who do not

1 reside in nursing homes, the pharmaceutical dispensing fee shall be
2 $2.75 or the pharmacy's usual or customary cash charge, whichever
3 is less. For nursing home residents, the pharmaceutical dispensing
4 fee shall be $3.00 or the pharmacy's usual or customary cash
5 charge, whichever is less.
6 (2) The department shall require a prescription co-payment for
7 Medicaid recipients of $1.00 for a generic drug and $3.00 for a
8 brand-name drug, except as prohibited by federal or state law or
9 regulation.
10 Sec. 1627. (1) The department shall use procedures and rebate
11 amounts specified under section 1927 of title XIX, 42 USC 1396r-8,
12 to secure quarterly rebates from pharmaceutical manufacturers for
13 outpatient drugs dispensed to participants in the MIChild program,
14 maternal outpatient medical services program, and children's
15 special health care services.
16 (2) For products distributed by pharmaceutical manufacturers
17 not providing quarterly rebates as listed in subsection (1), the
18 department may require preauthorization.
19 Sec. 1629. The department shall utilize maximum allowable cost
20 pricing for generic drugs that is based on wholesaler pricing to
21 providers that is available from at least 2 wholesalers who deliver
22 in the state of Michigan.
23 Sec. 1630. Medicaid coverage for adult dental and podiatric
24 services shall continue at not less than the level in effect on
25 October 1, 2002, except that reasonable utilization limitations may
26 be adopted in order to prevent excess utilization.
27 Sec. 1631. (1) The department shall require co-payments on

1 dental, podiatric, and vision services provided to Medicaid
2 recipients, except as prohibited by federal or state law or
3 regulation.
4 (2) Except as otherwise prohibited by federal or state law or
5 regulations, the department shall require Medicaid recipients to
6 pay the following co-payments:
7 (a) Two dollars for a physician office visit.
8 (b) Three dollars for a hospital emergency room visit.
9 (c) Fifty dollars for the first day of an inpatient hospital
10 stay.
11 (d) One dollar for an outpatient hospital visit.
12 Sec. 1641. An institutional provider that is required to
13 submit a cost report under the medical services program shall
14 submit cost reports completed in full within 5 months after the end
15 of its fiscal year.
16 Sec. 1642. The department shall allow ambulatory surgery
17 centers in this state to fully participate in the Medicaid program.
18 Sec. 1657. (1) Reimbursement for medical services to screen
19 and stabilize a Medicaid recipient, including stabilization of a
20 psychiatric crisis, in a hospital emergency room shall not be made
21 contingent on obtaining prior authorization from the recipient's
22 HMO. If the recipient is discharged from the emergency room, the
23 hospital shall notify the recipient's HMO within 24 hours of the
24 diagnosis and treatment received.
25 (2) If the treating hospital determines that the recipient
26 will require further medical service or hospitalization beyond the
27 point of stabilization, that hospital shall receive authorization

1 from the recipient's HMO prior to admitting the recipient.
2 (3) Subsections (1) and (2) do not require an alteration to an
3 existing agreement between an HMO and its contracting hospitals and
4 do not require an HMO to reimburse for services that are not
5 considered to be medically necessary.
6 Sec. 1659. The following sections of this article are the only
7 ones that shall apply to the following Medicaid managed care
8 programs, including the comprehensive plan, MIChoice long-term care
9 plan, and the mental health, substance abuse, and developmentally
10 disabled services program: 404, 411, 418, 428, 474, 494, 1607,
11 1657, 1662, 1689, 1699, 1740, 1764, 1787, 1815, 1820, 1835, 1850,
12 and 1853.
13 Sec. 1662. (1) The department shall assure that an external
14 quality review of each contracting HMO is performed that results in
15 an analysis and evaluation of aggregated information on quality,
16 timeliness, and access to health care services that the HMO or its
17 contractors furnish to Medicaid beneficiaries.
18 (2) The department shall require Medicaid HMOs to provide
19 EPSDT utilization data through the encounter data system, and HEDIS
20 well child health measures in accordance with the national
21 committee for quality assurance prescribed methodology.
22 (3) The department shall provide a copy of the analysis of the
23 Medicaid HMO annual audited HEDIS reports and the annual external
24 quality review report to the senate and house of representatives
25 appropriations subcommittees on community health, the senate and
26 house fiscal agencies, and the state budget director, within 30
27 days of the department's receipt of the final reports from the

1 contractors.

2 Sec. 1670. (1) The appropriation in part 1 for the MIChild
3 program is to be used to provide comprehensive health care to all
4 children under age 19 who reside in families with income at or
5 below 200% of the federal poverty level, who are uninsured and have
6 not had coverage by other comprehensive health insurance within 6
7 months of making application for MIChild benefits, and who are
8 residents of this state. The department shall develop detailed
9 eligibility criteria through the medical services administration
10 public concurrence process, consistent with the provisions of this
11 article. Health coverage for children in families between 150% and
12 200% of the federal poverty level shall be provided through a
13 state-based private health care program.

14 (2) The department may provide up to 1 year of continuous
15 eligibility to children eligible for the MIChild program unless the
16 family fails to pay the monthly premium, a child reaches age 19, or
17 the status of the children's family changes and its members no
18 longer meet the eligibility criteria as specified in the federally
19 approved MIChild state plan.

20 (3) Children whose category of eligibility changes between the
21 Medicaid and MIChild programs shall be assured of keeping their
22 current health care providers through the current prescribed course
23 of treatment for up to 1 year, subject to periodic reviews by the
24 department if the beneficiary has a serious medical condition and
25 is undergoing active treatment for that condition.

26 (4) To be eligible for the MIChild program, a child must be
27 residing in a family with an adjusted gross income of less than or

1 equal to 200% of the federal poverty level. The department's
2 verification policy shall be used to determine eligibility.
3 (5) The department shall enter into a contract to obtain
4 MIChild services from any HMO, dental care corporation, or any
5 other entity that offers to provide the managed health care
6 benefits for MIChild services at the MIChild capitated rate. As
7 used in this subsection:
8 (a) "Dental care corporation", "health care corporation",
9 "insurer", and "prudent purchaser agreement" mean those terms as
10 defined in section 2 of the prudent purchaser act, 1984 PA 233, MCL
11 550.52.
12 (b) "Entity" means a health care corporation or insurer
13 operating in accordance with a prudent purchaser agreement.
14 (6) The department may enter into contracts to obtain certain
15 MIChild services from community mental health service programs.
16 (7) The department may make payments on behalf of children
17 enrolled in the MIChild program from the line-item appropriation
18 associated with the program as described in the MIChild state plan
19 approved by the United States department of health and human
20 services, or from other medical services.
21 (8) The department shall assure that an external quality
22 review of each MIChild contractor, as described in subsection (5),
23 is performed, which analyzes and evaluates the aggregated
24 information on quality, timeliness, and access to health care
25 services that the contractor furnished to MIChild beneficiaries.
26 (9) The department shall develop an automatic enrollment
27 algorithm that is based on quality and performance factors.

1 Sec. 1673. The department may establish premiums for MIChild
2 eligible individuals in families with income above 150% of the
3 federal poverty level. The monthly premiums shall not be less than
4 $10.00 or exceed $15.00 for a family.
5 Sec. 1682. (1) The department shall implement enforcement
6 actions as specified in the nursing facility enforcement provisions
7 of section 1919 of title XIX, 42 USC 1396r.
8 (2) In addition to the appropriations in part 1, the
9 department is authorized to receive and spend penalty money
10 received as the result of noncompliance with medical services
11 certification regulations. Penalty money, characterized as private
12 funds, received by the department shall increase authorizations and
13 allotments in the long-term care accounts.
14 (3) The department is authorized to provide civil monetary
15 penalty funds to the disability network/Michigan to be distributed
16 to the 15 centers for independent living for the purpose of
17 assisting individuals with disabilities who reside in nursing homes
18 to return to their own homes.
19 (4) The department is authorized to use civil monetary penalty
20 funds to conduct a survey evaluating consumer satisfaction and the
21 quality of care at nursing homes. Factors can include, but are not
22 limited to, the level of satisfaction of nursing home residents,
23 their families, and employees. The department may use an
24 independent contractor to conduct the survey.
25 (5) Any unexpended penalty money, at the end of the year,
26 shall carry forward to the following year.
27 Sec. 1684. The department shall submit a report by September

1 30 of the current fiscal year to the house and senate
2 appropriations subcommittees on community health, the house and
3 senate fiscal agencies, and the state budget director that will
4 identify by waiver agent, Medicaid home- and community-based
5 services waiver costs by administration, case management, and
6 direct services.

7 Sec. 1685. All nursing home rates, class I and class III,
8 shall have their respective fiscal year rate set 30 days prior to
9 the beginning of their rate year. Rates may take into account the
10 most recent cost report prepared and certified by the preparer,
11 provider corporate owner or representative as being true and
12 accurate, and filed timely, within 5 months of the fiscal year end
13 in accordance with Medicaid policy. If the audited version of the
14 last report is available, it shall be used. Any rate factors based
15 on the filed cost report may be retroactively adjusted upon
16 completion of the audit of that cost report.

17 Sec. 1689. (1) Priority in enrolling additional individuals in
18 the Medicaid home- and community-based services waiver program
19 shall be given to those who are currently residing in nursing homes
20 or who are eligible to be admitted to a nursing home if they are
21 not provided home- and community-based services. The department
22 shall use screening and assessment procedures to assure that no
23 additional Medicaid eligible individuals are admitted to nursing
24 homes who would be more appropriately served by the Medicaid home-
25 and community-based services waiver program. It is the intent of
26 the legislature that when an individual is transferred from a
27 nursing home to the home- and community-based services waiver

1 program, the funding to cover that individual's home- and
2 community-based services waiver program costs shall be transferred
3 from the long-term care services line item to the Medicaid home-
4 and community-based services waiver line item. These funds are not
5 available for expenditure until they have been transferred to
6 another line item in this article under section 393(2) of the
7 management and budget act, 1984 PA 431, MCL 18.1393.
8 (2) Within 60 days of the end of each fiscal year, the
9 department shall provide a report to the senate and house
10 appropriations subcommittees on community health and the senate and
11 house fiscal agencies that details existing and future allocations
12 for the home- and community-based services waiver program by
13 regions as well as the associated expenditures. The report shall
14 include information regarding the net cost savings from moving
15 individuals from a nursing home to the home- and community-based
16 services waiver program, the number of individuals transitioned
17 from nursing homes to the home- and community-based services waiver
18 program, the number of individuals on waiting lists by region for
19 the program, and the amount of funds transferred during the fiscal
20 year. The report shall also include the number of Medicaid
21 individuals served and the number of days of care for the home- and
22 community-based services waiver program and in nursing homes.
23 (3) The department shall develop a system to collect and
24 analyze information regarding individuals on the home- and
25 community-based services waiver program waiting list to identify
26 the community supports they receive, including, but not limited to,
27 adult home help, food assistance, and housing assistance services

1 and to determine the extent to which these community supports help
2 individuals remain in their home and avoid entry into a nursing
3 home. The department shall provide a progress report on
4 implementation to the senate and house appropriations subcommittees
5 on community health and the senate and house fiscal agencies by
6 June 1 of the current fiscal year.
7 (4) The department shall maintain any policies, guidelines,
8 procedures, standards, and regulations in order to limit the self-
9 determination option with respect to the home- and community-based
10 services waiver program to those services furnished by approved
11 home-based service providers meeting provider qualifications
12 established in the waiver and approved by the centers for Medicare
13 and Medicaid services.
14 Sec. 1692. (1) The department is authorized to pursue
15 reimbursement for eligible services provided in Michigan schools
16 from the federal Medicaid program. The department and the state
17 budget director are authorized to negotiate and enter into
18 agreements, together with the department of education, with local
19 and intermediate school districts regarding the sharing of federal
20 Medicaid services funds received for these services. The department
21 is authorized to receive and disburse funds to participating school
22 districts pursuant to such agreements and state and federal law.
23 (2) From the funds appropriated in part 1 for medical services
24 school-based services payments, the department is authorized to do
25 all of the following:
26 (a) Finance activities within the medical services
27 administration related to this project.

1 (b) Reimburse participating school districts pursuant to the
2 fund-sharing ratios negotiated in the state-local agreements
3 authorized in subsection (1).
4 (c) Offset general fund costs associated with the medical
5 services program.
6 Sec. 1693. The special Medicaid reimbursement appropriation in
7 part 1 may be increased if the department submits a medical
8 services state plan amendment pertaining to this line item at a
9 level higher than the appropriation. The department is authorized
10 to appropriately adjust financing sources in accordance with the
11 increased appropriation.
12 Sec. 1694. The department shall distribute $1,122,300.00 to an
13 academic health care system that includes a children's hospital
14 that has a high indigent care volume.
15 Sec. 1699. (1) The department may make separate payments in
16 the amount of $45,000,000.00 directly to qualifying hospitals
17 serving a disproportionate share of indigent patients and to
18 hospitals providing GME training programs. If direct payment for
19 GME and DSH is made to qualifying hospitals for services to
20 Medicaid clients, hospitals shall not include GME costs or DSH
21 payments in their contracts with HMOs.
22 (2) The department shall allocate $45,000,000.00 in DSH
23 funding using the distribution methodology used in fiscal year
24 2003-2004.
25 (3) By September 30 of the current fiscal year, the department
26 shall report to the senate and house appropriations subcommittees
27 on community health and the senate and house fiscal agencies on the

1 new distribution of funding to each eligible hospital from the GME
2 and DSH pools.
3 (4) The department shall form a workgroup on DSH funding
4 consisting of representatives from hospitals and hospital systems
5 receiving DSH funding and the Michigan health and hospital
6 association. The workgroup shall work to derive a new DSH formula
7 or formulas designed to provide equitable payments to qualifying
8 hospitals. The department shall report to the senate and house
9 appropriations subcommittees on community health and the senate and
10 house fiscal agencies on the results of the workgroup's efforts by
11 March 1 of the current fiscal year.
12 Sec. 1712. (1) Subject to the availability of funds, the
13 department shall implement a rural health initiative. Available
14 funds shall first be allocated as an outpatient adjustor payment to
15 be paid directly to hospitals in rural counties in proportion to
16 each hospital's Medicaid and indigent patient population.
17 Additional funds, if available, shall be allocated for
18 defibrillator grants, emergency medical technician training and
19 support, or other similar programs.
20 (2) Except as otherwise specified in this section, "rural"
21 means a county, city, village, or township with a population of not
22 more than 30,000, including those entities if located within a
23 metropolitan statistical area.
24 Sec. 1718. The department shall provide each Medicaid adult
25 home help beneficiary or applicant with the right to a fair hearing
26 when the department or its agent reduces, suspends, terminates, or
27 denies adult home help services. If the department takes action to

reduce, suspend, terminate, or deny adult home help services, it shall provide the beneficiary or applicant with a written notice that states what action the department proposes to take, the reasons for the intended action, the specific regulations that support the action, and an explanation of the beneficiary's or applicant's right to an evidentiary hearing and the circumstances under which those services will be continued if a hearing is requested.

Sec. 1724. The department shall allow licensed pharmacies to purchase injectable drugs for the treatment of respiratory syncytial virus for shipment to physicians' offices to be administered to specific patients. If the affected patients are Medicaid eligible, the department shall reimburse pharmacies for the dispensing of the injectable drugs and reimburse physicians for the administration of the injectable drugs.

Sec. 1740. From the funds appropriated in part 1 for health plan services, the department shall assure that all GME funds continue to be promptly distributed to qualifying hospitals using the methodology developed in consultation with the graduate medical education advisory group during fiscal year 2006-2007.

Sec. 1741. The department shall continue to provide nursing homes the opportunity to receive interim payments upon their request. The department may disapprove requests or discontinue interim payments that result in financial risk to this state. The department shall make reasonable efforts to ensure that the interim payments are as similar in amount to expected cost-settled payments.

1 Sec. 1756. The department shall develop a plan to expand and
2 improve the beneficiary monitoring program. The department shall
3 submit this plan to the house and senate appropriations
4 subcommittees on community health, the house and senate fiscal
5 agencies, and the state budget director by April 1 of the current
6 fiscal year.
7 Sec. 1757. The department shall direct the department of human
8 services to obtain proof from all Medicaid recipients that they are
9 legal United States citizens or otherwise legally residing in this
10 country and that they are residents of this state before approving
11 Medicaid eligibility.
12 Sec. 1764. The department shall annually certify rates paid to
13 Medicaid health plans as being actuarially sound in accordance with
14 federal requirements and shall provide a copy of the rate
15 certification and approval immediately to the house and senate
16 appropriations subcommittees on community health and the house and
17 senate fiscal agencies.
18 Sec. 1770. In conjunction with the consultation requirements
19 of the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and
20 except as otherwise provided in this section, the department shall
21 attempt to make the effective date for a proposed Medicaid policy
22 bulletin or adjustment to the Medicaid provider manual on October
23 1, January 1, April 1, or July 1 after the end of the consultation
24 period. The department may provide an effective date for a proposed
25 Medicaid policy bulletin or adjustment to the Medicaid provider
26 manual other than provided for in this section if necessary to be
27 in compliance with federal or state law, regulations, or rules or

1 with an executive order of the governor.

2 Sec. 1775. If the state's application for a waiver to
3 implement managed care for dual Medicare/Medicaid eligible is
4 approved by the federal government, by April 1, 2012 the department
5 shall provide a report to the senate and house appropriations
6 subcommittees on community health and the senate and house fiscal
7 agencies. This report shall include information on the amount of
8 Medicare funding that would be provided to the state, the number of
9 individuals who would be enrolled in the program, which health
10 plans would be among those providing the services, and the
11 estimated savings from the new program.

12 Sec. 1777. From the funds appropriated in part 1 for long-term
13 care services, the department shall permit, in accordance with
14 applicable federal and state law, nursing homes to use dining
15 assistants to feed eligible residents if legislation to permit the
16 use of dining assistants is enacted into law. The department shall
17 not be responsible for costs associated with training dining
18 assistants.

19 Sec. 1787. The department shall require the managed care
20 enrollment broker to maintain telephone numbers of Medicaid
21 beneficiaries and provide each Medicaid health plan with the
22 telephone number of that health plan's enrollees on a monthly
23 basis.

24 Sec. 1793. The department shall consider the development of a
25 pilot project that focuses on the prevention of preventable
26 hospitalizations from nursing homes.

27 Sec. 1804. The department, in cooperation with the department

1 of human services, shall work with the federal public assistance
2 reporting information system to identify Medicaid recipients who
3 are veterans and who may be eligible for federal veterans health
4 care benefits or other benefits.

5 Sec. 1815. From the funds appropriated in part 1 for health
6 plan services, the department shall not implement a capitation
7 withhold as part of the overall capitation rate schedule that
8 exceeds the 0.19% withhold administered during fiscal year 2008-
9 2009.

10 Sec. 1820. (1) In order to avoid duplication of efforts, the
11 department shall utilize applicable national accreditation review
12 criteria to determine compliance with corresponding state
13 requirements for Medicaid health plans that have been reviewed and
14 accredited by a national accrediting entity for health care
15 services.

16 (2) Upon submission by Medicaid health plans of a listing of
17 program requirements that are part of the state program review
18 criteria but are not reviewed by an applicable national
19 accreditating entity, the department shall review the listing and
20 provide a recommendation to the house and senate appropriations
21 subcommittees on community health, the house and senate fiscal
22 agencies, and the state budget office as to whether or not state
23 program review should continue. The Medicaid health plans may
24 request the department to convene a workgroup to fulfill this
25 section.

26 (3) The department shall continue to comply with state and
27 federal law and shall not initiate an action that negatively

1 impacts beneficiary safety.

2 (4) As used in this section, "national accrediting entity"
3 means the national committee for quality assurance, the utilization
4 review accreditation committee, or other appropriate entity, as
5 approved by the department.

6 (5) By July 1 of the current fiscal year, the department shall
7 provide a progress report to the house and senate appropriations
8 subcommittees on community health, the house and senate fiscal
9 agencies, and the state budget office on implementation of this
10 section.

11 Sec. 1822. The department, the department's contracted
12 Medicaid pharmacy benefit manager, and all Medicaid health plans
13 shall implement coverage for a mental health prescription drug
14 within 30 days of that drug's approval by the department's pharmacy
15 and therapeutics committee.

16 Sec. 1832. (1) The department shall continue efforts to
17 standardize billing formats, referral forms, electronic
18 credentialing, primary source verification, electronic billing and
19 attachments, claims status, eligibility verification, and reporting
20 of accepted and rejected encounter records received in the
21 department data warehouse.

22 (2) The department shall convene a workgroup on making e-
23 billing mandatory for the Medicaid program. The workgroup shall
24 include representatives from medical provider organizations,
25 Medicaid HMOs, and the department. The department shall report to
26 the legislature on the findings of the workgroup by April 1 of the
27 current fiscal year.

1 (3) The department shall provide a report by April 1 of the
2 current fiscal year to the senate and house appropriations
3 subcommittees on community health and the senate and house fiscal
4 agencies detailing the percentage of claims for Medicaid
5 reimbursement provided to the department that were initially
6 rejected in the first quarter of fiscal year 2011-2012.
7 Sec. 1835. The department shall develop and implement
8 processes to report rejected and accepted encounters to Medicaid
9 health plans. The department shall further enhance encounter data
10 reporting processes and program rules that make each health plan's
11 encounter data as complete as possible, provide a fair measure of
12 acuity for each health plan's enrolled population for risk
13 adjustment purposes, and minimize health plan administrative
14 expenses.
15 Sec. 1836. In addition to the guidelines established in
16 Medical Services Administration Bulletin MSA 09-28, medically
17 necessary optical devices and other treatment services for adult
18 Medicaid patients shall be covered when conventional treatments do
19 not provide functional vision correction. Such ocular conditions
20 include, but are not limited to, congenital or acquired ocular
21 disease or eye trauma.
22 Sec. 1837. The department shall explore utilization of
23 telemedicine and telepsychiatry as strategies to increase access to
24 services for Medicaid recipients in medically underserved areas.
25 Sec. 1842. (1) Subject to the availability of funds, the
26 department shall adjust the hospital outpatient Medicaid
27 reimbursement rate for qualifying hospitals as provided in this

1 section. The Medicaid reimbursement rate for qualifying hospitals
2 shall be adjusted to provide each qualifying hospital with its
3 actual cost of delivering outpatient services to Medicaid
4 recipients.
5 (2) As used in this section, "qualifying hospital" means a
6 hospital that has not more than 50 staffed beds and is either
7 located outside a metropolitan statistical area or in a
8 metropolitan statistical area but within a city, village, or
9 township with a population of not more than 12,000 according to the
10 official 2000 federal decennial census and within a county with a
11 population of not more than 165,000 according to the official 2000
12 federal decennial census.
13 Sec. 1846. (1) The department shall establish a workgroup on
14 graduate medical education funding. The workgroup shall include
15 representatives of teaching hospitals, the Michigan health and
16 hospital association, and other interested parties.
17 (2) The workgroup shall do all of the following:
18 (a) Identify physician specialties where there is a current or
19 potential shortage of practitioners and identify the geographic
20 areas of this state where those shortages exist or potentially
21 could develop.
22 (b) Research efforts by other states to address practitioner
23 shortages by adjusting their graduate medical education payments.
24 (c) Recommend potential policy changes to the graduate medical
25 education program to help reduce practitioner shortages.
26 (3) The department shall report the results of the workgroup's
27 efforts to the senate and house appropriations subcommittees on

1 community health, the senate and house fiscal agencies, and the
2 state budget director by April 1 of the current fiscal year.
3 (4) It is the intent of the legislature that the report
4 required under subsection (3) be used as a possible basis for the
5 establishment of new graduate medical education funding formulas in
6 fiscal year 2012-2013.
7 Sec. 1847. The department shall meet with the Michigan
8 association of ambulance services to discuss the possible structure
9 of an ambulance quality assurance assessment program.
10 Sec. 1849. (1) The department shall use at least 50% of the
11 funds allocated for voluntary in-home visiting services for
12 evidence-based models or models that conform to a promising
13 approach that are in the process of being evaluated through a
14 process that meets the requirements described in subsection (2)
15 with the goal of being evidence-based by January 1, 2013.
16 (2) As used in this section:
17 (a) "Evidence-based" means a model or practice that meets all
18 of the following requirements:
19 (*i*) The model or practice is governed by a program manual or
20 protocol that specifies the purpose, rigorous evaluation
21 requirements, and duration and frequency of service that
22 constitutes the model.
23 (*ii*) Scientific research using methods that meet scientific
24 standards, evaluated using either randomized controlled research
25 designs, or quasi-experimental research designs with equivalent
26 comparison groups. The effects of such programs must have been
27 demonstrated with 2 or more separate client samples that the

1 program improves client outcomes central to the purpose of the
2 program; and the model or practice monitors program implementation
3 for fidelity to the specified model.
4 (b) "In-home visiting services" means a service delivery
5 strategy that is carried out in the homes of families or children
6 from conception to school age that provides culturally sensitive
7 face-to-face visits by nurses, or other professional or
8 paraprofessionals trained to promote positive parenting practices,
9 enhance the socio-emotional and cognitive development of children,
10 improve health of the family, and empower the family to be self-
11 sufficient.
12 (3) By February 1 of the current fiscal year, the department
13 shall submit to the house and senate appropriations subcommittees
14 on community health an annual report on evidence-based voluntary
15 in-home visiting services, including a full accounting of
16 administrative expenditures from the prior fiscal year, and a
17 summary detailing the demographic characteristics of Medicaid
18 families served.
19 (4) No later than September 30, 2011, the department shall
20 submit a report to the senate and house appropriations
21 subcommittees on community health on its plan to establish an
22 integrated benefit for Medicaid evidence-based home visitation
23 services to be provided by Medicaid health plans for eligible
24 beneficiaries. The report shall include information on the
25 potential methods used to assure continuity of care and continuity
26 of ongoing relationships with providers and their potential
27 effectiveness. It is the intent of the legislature that the

1 integrated benefit must be provided by evidence-based service
2 delivery models or practices in a manner that achieves fidelity to
3 the evidence-based model.
4 Sec. 1850. The department may allow Medicaid health plans to
5 assist with the redetermination process through outreach activities
6 to ensure continuation of Medicaid eligibility and enrollment in
7 managed care. This may include mailings, telephone contact, or
8 face-to-face contact with beneficiaries enrolled in the individual
9 Medicaid health plan. Health plans may offer assistance in
10 completing paperwork for beneficiaries enrolled in their plan.
11 Sec. 1853. The department shall form a workgroup composed of
12 representatives from the Medicaid HMOs and the Michigan association
13 of health plans to develop revisions to the process of
14 automatically assigning new Medicaid recipients to HMOs if they do
15 not choose an HMO upon enrollment. The department shall report on
16 the results of the workgroup's findings to the senate and house
17 appropriations subcommittees on community health and the senate and
18 house fiscal agencies by March 1 of the current fiscal year.
19 Sec. 1854. The department may work with a provider of kidney
20 dialysis services and renal care as authorized under section 2703
21 of the patient protection and affordable care act, Public Law 111-
22 148, to develop a chronic condition health home program for
23 Medicaid enrollees identified with chronic kidney disease and who
24 are beginning dialysis. If initiated, the department shall develop
25 metrics that evaluate program effectiveness and submit a report to
26 the senate and house appropriations subcommittees on community
27 health. Metrics shall include cost savings and clinical outcomes.

1 Sec. 1855. The department may consider the feasibility of a
2 revenue-neutral, financially risk-averse Medicaid patient
3 optimization solution for the support of emergency department
4 redirection for non-emergent patients.
5 Sec. 1857. It is the intent of the legislature that the
6 department not reduce Medicaid reimbursement for wheelchairs.

7 **ONE-TIME BASIS ONLY**

8 Sec. 1901. For the state fiscal year ending September 30,
9 2012, there is appropriated from general fund/general purpose
10 revenue, on a 1-time basis only, $22,100,000.00 and federal revenue
11 for the following purposes:

12 Mental health services for special populations	$	3,000,000
13 Healthy Michigan fund programs		3,000,000
14 Primary care services – island health clinics		300,000
15 Hospital services and therapy – graduate medical		
16 education		17,129,400
17 Hospital services and therapy – rural and sole		
18 community hospitals		29,533,400
19 GROSS APPROPRIATION	$	52,962,800
20 Appropriated from:		
21 Federal revenues:		
22 Federal revenues		30,862,800
23 State general fund/general purpose	$	22,100,000

24 Sec. 1902. From the funds appropriated in section 1901 for
25 healthy Michigan fund programs, $900,000.00 shall be allocated for
26 cancer prevention and control.

Sec. 1903. (1) From the funds appropriated in section 1901 for hospital services and therapy - rural and sole community hospitals, $10,000,000.00 general fund/general purpose revenue and any associated federal match shall be awarded to hospitals that meet criteria established by the department for services to low-income rural residents.

(2) No hospital or hospital system shall receive more than 5.0% of the total funding referenced in subsection (1).

(3) The department shall report to the senate and house appropriations subcommittees on community health and the senate and house fiscal agencies on the distribution of funds referenced in subsection (1) by April 1 of the current fiscal year.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 2001. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2013 for the line items listed in part 1. The fiscal year 2012-2013 appropriations are anticipated to be the same as those for fiscal year 2011-2012, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2012 consensus revenue estimating conference.

1 ARTICLE V
2 DEPARTMENT OF CORRECTIONS
3 PART 1
4 LINE-ITEM APPROPRIATIONS
5 FOR FISCAL YEAR 2011-2012
6 Sec. 101. Subject to the conditions set forth in this article,
7 the amounts listed in this part are appropriated for the department
8 of corrections for the fiscal year ending September 30, 2012, from
9 the funds indicated in this part. The following is a summary of the
10 appropriations in this part:
11 **DEPARTMENT OF CORRECTIONS**
12 APPROPRIATION SUMMARY
13 Average population 45,917
14 Full-time equated unclassified positions..... 16.0
15 Full-time equated classified positions..... 15,552.8
16 GROSS APPROPRIATION..... $ 1,936,573,800
17 Appropriated from:
18 Interdepartmental grant revenues:
19 Total interdepartmental grants and intradepartmental
20 transfers 943,800
21 ADJUSTED GROSS APPROPRIATION..... $ 1,935,630,000
22 Federal revenues:
23 Total federal revenues..... 7,995,100
24 Special revenue funds:
25 Total local revenues..... 447,300

1	Total private revenues.....	0
2	Total other state restricted revenues.....	52,351,400
3	State general fund/general purpose.....	$ 1,874,836,200
4	**Sec. 102. EXECUTIVE**	
5	Full-time equated unclassified positions..... 16.0	
6	Full-time equated classified positions..... 46.0	
7	Unclassified positions--16.0 FTE positions.....	$ 1,192,600
8	Executive direction--46.0 FTE positions.....	5,411,100
9	Neal, et al. settlement agreement.....	15,000,000
10	GROSS APPROPRIATION.....	$ 21,603,700
11	Appropriated from:	
12	State general fund/general purpose.....	$ 21,603,700
13	**Sec. 103. PLANNING AND COMMUNITY SUPPORT**	
14	Full-time equated classified positions..... 12.0	
15	MPRI residential stability.....	$ 7,251,300
16	MPRI employment readiness.....	7,265,100
17	MPRI social support.....	4,861,000
18	MPRI health and behavioral health.....	3,357,700
19	MPRI operations support.....	3,848,400
20	MPRI reintegration, training, and employment.....	600,000
21	MPRI other projects.....	26,726,200
22	MPRI federal grants.....	1,035,000
23	Substance abuse testing and treatment services--12.0	
24	FTE positions	24,070,900
25	Residential services.....	18,075,500
26	Community corrections comprehensive plans and services	13,958,000
27	Regional jail program.....	100

1 Felony drunk driver jail reduction and community
2 treatment program 1,440,100
3 County jail reimbursement program 17,072,100
4 GROSS APPROPRIATION ..... $ 129,561,400
5 Appropriated from:
6 Federal revenues:
7 DOJ, office of justice programs, RSAT 143,900
8 DOJ, prisoner reintegration 1,035,000
9 Special revenue funds:
10 Jail reimbursement program fund 5,900,000
11 State general fund/general purpose ..... $ 122,482,500
12 **Sec. 104. OPERATIONS SUPPORT ADMINISTRATION**
13 Full-time equated classified positions 152.9
14 Operations support administration--45.0 FTE positions $ 4,110,700
15 New custody staff training 4,094,100
16 Compensatory buyout and union leave bank 100
17 Worker's compensation 16,278,900
18 Bureau of fiscal management--90.9 FTE positions 8,448,300
19 Office of legal services--6.0 FTE positions 2,345,100
20 Internal affairs--11.0 FTE positions 1,219,300
21 Rent 2,095,200
22 Equipment and special maintenance 2,425,500
23 Administrative hearings officers 2,682,900
24 Judicial data warehouse user fees 50,000
25 Interdepartmental grant to judiciary 1,000,000
26 Interdepartmental grant to corrections ombudsman 250,000
27 Sheriffs' coordinating and training office 500,000

1 Prosecutorial and detainer expenses 4,051,000

2 GROSS APPROPRIATION ..... $ 49,551,100

3 Appropriated from:

4 Interdepartmental grant revenues:

5 IDG-MDSP, Michigan justice training fund 313,200

6 Special revenue funds:

7 Local corrections officer training fund 500,000

8 Correctional industries revolving fund 534,600

9 State general fund/general purpose ..... $ 48,203,300

10 **Sec. 105. FIELD OPERATIONS ADMINISTRATION**

11 Full-time equated classified positions 2,161.9

12 Field operations--2,007.9 FTE positions ..... $ 184,553,200

13 Parole board operations--45.0 FTE positions 4,517,400

14 Parole/probation services 2,243,500

15 Community re-entry centers--48.0 FTE positions 14,269,300

16 Electronic monitoring center--61.0 FTE positions 16,570,200

17 GROSS APPROPRIATION ..... $ 222,153,600

18 Appropriated from:

19 Special revenue funds:

20 Local - community tether program reimbursement 447,300

21 Re-entry center offender reimbursements 141,600

22 Parole and probation oversight fees 6,300,000

23 Parole and probation oversight fees set-aside 2,649,500

24 Tether program participant contributions 2,033,800

25 State general fund/general purpose ..... $ 210,581,400

26 **Sec. 106. CORRECTIONAL FACILITIES-ADMINISTRATION**

27 Average population 1,750

1	Full-time equated classified positions..... 1,249.1	
2	Correctional facilities administration--29.0 FTE	
3	positions	$ 8,186,400
4	Prison food service--394.0 FTE positions	56,718,200
5	Transportation--211.6 FTE positions	19,043,600
6	Central records--53.5 FTE positions	3,906,100
7	Inmate legal services	715,900
8	Loans to parolees	179,400
9	Housing inmates in federal institutions	793,900
10	Prison store operations--75.0 FTE positions	1,467,100
11	Prison industries operations--189.0 FTE positions	21,325,400
12	Federal school lunch program	712,800
13	Leased beds and alternatives to leased beds	10,000,100
14	Public works programs	10,000,000
15	Cost-effective housing initiative	47,906,300
16	Average population 1,750	
17	Inmate housing fund	(79,232,700)
18	Education program--252.0 FTE positions	31,279,600
19	GROSS APPROPRIATION	$ 133,002,100
20	Appropriated from:	
21	Interdepartmental grant revenues:	
22	IDG-MDCH, forensic center food service	630,600
23	Federal revenues:	
24	DAG-FNS, national school lunch	712,800
25	DED-OESE, title 1	533,500
26	DED-OVAE, adult education	911,200
27	DED-OSERS	110,200

1 DED, vocational education equipment 283,100
2 DED, youthful offender/Specter grant 1,318,400
3 DOJ-BOP, federal prisoner reimbursement 211,100
4 DOJ-OJP, serious and violent offender reintegration
5 initiative 10,400
6 DOJ, prison rape elimination act grant 1,037,900
7 SSA-SSI, incentive payment 144,300
8 Special revenue funds:
9 Correctional industries revolving fund 21,325,400
10 Public works user fees 10,000,000
11 Resident stores 1,467,100
12 State general fund/general purpose ..... $ 94,306,100
13 **Sec. 107. HEALTH CARE**
14 Full-time equated classified positions 1,690.0
15 Health care administration--14.0 FTE positions ..... $ 3,236,200
16 Prisoner health care services 93,095,500
17 Vaccination program 691,200
18 Interdepartmental grant to human services, eligibility
19 specialists 100,000
20 Mental health services and support--546.0 FTE
21 positions 55,069,200
22 Northern region clinical complexes--366.6 FTE
23 positions 43,198,100
24 Southern region clinical complexes--763.4 FTE
25 positions 116,384,000
26 GROSS APPROPRIATION ..... $ 311,774,200
27 Appropriated from:

1 Special revenue funds:
2 Prisoner health care copayments 354,900
3 State general fund/general purpose ..... $ 311,419,300
4 **Sec. 108. NORTHERN REGION CORRECTIONAL FACILITIES**
5 Average population 18,983
6 Full-time equated classified positions..... 4,282.9
7 Alger maximum correctional facility - Munising--265.0
8 FTE positions ..... $ 27,249,700
9 Average population 889
10 Baraga maximum correctional facility - Baraga--325.1
11 FTE positions 31,829,200
12 Average population 884
13 Earnest C. Brooks correctional facility - Muskegon--
14 447.0 FTE positions 45,545,500
15 Average population 2,440
16 Chippewa correctional facility - Kincheloe--467.4 FTE
17 positions 47,846,400
18 Average population 2,282
19 Kinross correctional facility - Kincheloe--339.0 FTE
20 positions 35,237,600
21 Average population 1,799
22 Marquette branch prison - Marquette--339.6 FTE
23 positions 37,544,000
24 Average population 1,201
25 Newberry correctional facility - Newberry--263.9 FTE
26 positions 26,091,500
27 Average population 978

1 Oaks correctional facility - Eastlake--306.0 FTE
2 positions 34,317,200
3 Average population 1,156
4 Ojibway correctional facility - Marenisco--205.9 FTE
5 positions 19,053,300
6 Average population 1,090
7 Central Michigan correctional facility - St. Louis--
8 416.9 FTE positions 40,278,900
9 Average population 2,400
10 Pugsley correctional facility - Kingsley--216.0 FTE
11 positions 20,464,400
12 Average population 1,158
13 Saginaw correctional facility - Freeland--312.8 FTE
14 positions 31,952,400
15 Average population 1,480
16 St. Louis correctional facility - St. Louis--320.3 FTE
17 positions 32,541,300
18 Average population 1,226
19 Northern region administration and support--58.0 FTE
20 positions 4,304,300
21 GROSS APPROPRIATION..... $ 434,255,700
22 Appropriated from:
23 Special revenue funds:
24 State general fund/general purpose..... $ 434,255,700
25 **Sec. 109. SOUTHERN REGION CORRECTIONAL FACILITIES**
26 Average population 25,184
27 Full-time equated classified positions..... 5,958.0

1 Bellamy Creek correctional facility - Ionia--394.4 FTE
2 positions ..... $ 39,857,300
3 Average population 1,850
4 Carson City correctional facility - Carson City--455.1
5 FTE positions 47,496,100
6 Average population 2,440
7 Cooper street correctional facility - Jackson--260.9
8 FTE positions 28,092,100
9 Average population 1,799
10 G. Robert Cotton correctional facility - Jackson--
11 402.5 FTE positions 39,548,100
12 Average population 1,841
13 Charles E. Egeler correctional facility - Jackson--
14 355.3 FTE positions 39,929,200
15 Average population 1,376
16 Richard A. Handlon correctional facility - Ionia--
17 233.4 FTE positions 24,033,900
18 Average population 1,373
19 Gus Harrison correctional facility - Adrian--444.7 FTE
20 positions 45,738,200
21 Average population 2,342
22 Huron Valley correctional complex - Ypsilanti--559.7
23 FTE positions 58,478,700
24 Average population 1,872
25 Ionia maximum correctional facility - Ionia--304.7 FTE
26 positions 30,890,400
27 Average population 654

1 Lakeland correctional facility - Coldwater--262.8 FTE
2 positions 24,877,200
3 Average population 1,336
4 Macomb correctional facility - New Haven--304.3 FTE
5 positions 30,406,800
6 Average population 1,228
7 Maxey/Woodland Center correctional facility - Whitmore
8 Lake--272.2 FTE positions 26,084,800
9 Average population 328
10 Michigan reformatory - Ionia--320.1 FTE positions 34,309,700
11 Average population 1,338
12 Mound correctional facility - Detroit--283.4 FTE
13 positions 26,010,600
14 Average population 1,062
15 Parnall correctional facility - Jackson--266.2 FTE
16 positions 27,548,800
17 Average population 1,678
18 Ryan correctional facility - Detroit--281.8 FTE
19 positions 29,198,600
20 Average population 1,048
21 Thumb correctional facility - Lapeer--292.5 FTE
22 positions 30,251,400
23 Average population 1,219
24 Special alternative incarceration program (Camp
25 Cassidy Lake)--120.0 FTE positions..... 10,149,700
26 Average population 400
27 Southern region administration and support--144.0 FTE

1 positions		19,946,000
2 GROSS APPROPRIATION.....	$	612,847,600
3 Appropriated from:		
4 Federal revenues:		
5 DOJ, state criminal alien assistance program.....		1,543,300
6 Special revenue funds:		
7 Public works user fees.....		358,700
8 State general fund/general purpose.....	$	610,945,600
9 **Sec. 110. INFORMATION TECHNOLOGY**		
10 Information technology services and projects.....	$	21,824,400
11 GROSS APPROPRIATION.....	$	21,824,400
12 Appropriated from:		
13 Special revenue funds:		
14 Correctional industries revolving fund.....		159,600
15 Parole and probation oversight fees set-aside.....		626,200
16 State general fund/general purpose.....	$	21,038,600

17 PART 2

18 PROVISIONS CONCERNING APPROPRIATIONS

19 FOR FISCAL YEAR 2011-2012

20 **GENERAL SECTIONS**

21 Sec. 201. Pursuant to section 30 of article IX of the state
22 constitution of 1963, total state spending from state resources
23 under part 1 for fiscal year 2011-2012 is $1,927,187,600.00 and
24 state spending from state resources to be paid to local units of
25 government for fiscal year 2011-2012 is $89,893,500.00. The

itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF CORRECTIONS

Field operations - assumption of county probation staff	$	53,642,400
Public service work projects		707,800
Community corrections comprehensive plans and services		13,958,000
Community corrections residential services		18,075,500
Community corrections public education and training		50,000
Felony drunk driver jail reduction and community treatment program		1,440,100
Community re-entry centers		2,019,600
Regional jail program		100
TOTAL	$	89,893,500

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

Sec. 203. As used in this article:

(a) "Administrative segregation" means confinement for maintenance of order or discipline to a cell or room apart from accommodations provided for inmates who are participating in programs of the facility.

(b) "Cost per prisoner" means the sum total of the funds appropriated under part 1 for the following, divided by the projected prisoner population in fiscal year 2010-2011:

(*i*) Northern and southern region correctional facilities.

(*ii*) Northern and southern region administration and support.

(*iii*) Northern and southern region clinical complexes.

(*iv*) Prisoner health care services.

(*v*) Health care administration.

(*vi*) Vaccination program.

(*vii*) Prison food service and federal school lunch program.

(*viii*) Transportation.

(*ix*) Inmate legal services.

(*x*) Correctional facilities administration.

(*xi*) Central records.

(*xii*) DOJ psychiatric plan.

(*xiii*) Worker's compensation.

(*xiv*) New custody staff training.

(*xv*) Prison store operations.

(*xvi*) Education services and federal education grants.

(*xvii*) Education program.

(c) "DAG" means the United States department of agriculture.

(d) "DAG-FNS" means the DAG food and nutrition service.

(e) "DED" means the United States department of education.

(f) "DED-OESE" means the DED office of elementary and secondary education.

(g) "DED-OSERS" means the DED office of special education and rehabilitative services.

(h) "DED-OVAE" means the DED office of vocational and adult education.

(i) "Department" or "MDOC" means the Michigan department of corrections.

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

1 (k) "DOJ-BOP" means the DOJ bureau of prisons.
2 (*l*) "DOJ-OJP" means the DOJ office of justice programs.
3 (m) "Evidence-based practices" or "EBP" means a decision-
4 making process that integrates the best available research,
5 clinician expertise, and client characteristics.
6 (n) "FTE" means full-time equated.
7 (o) "GED" means general educational development certificate.
8 (p) "Goal" means the intended or projected result of a
9 comprehensive corrections plan or community corrections program to
10 reduce repeat offending, criminogenic and high-risk behaviors,
11 prison commitment rates, to reduce the length of stay in a jail, or
12 to improve the utilization of a jail.
13 (q) "GPS" means global positioning system.
14 (r) "HIV" means human immunodeficiency virus.
15 (s) "IDG" means interdepartmental grant.
16 (t) "IDT" means intradepartmental transfer.
17 (u) "Jail" means a facility operated by a local unit of
18 government for the physical detention and correction of persons
19 charged with or convicted of criminal offenses.
20 (v) "MDCH" means the Michigan department of community health.
21 (w) "Medicaid benefit" means a benefit paid or payable under a
22 program for medical assistance under the social welfare act, 1939
23 PA 280, MCL 400.1 to 400.119b.
24 (x) "MDSP" means the Michigan department of state police.
25 (y) "MPRI" means the Michigan prisoner reentry initiative.
26 (z) "Objective risk and needs assessment" means an evaluation
27 of an offender's criminal history; the offender's noncriminal

history; and any other factors relevant to the risk the offender would present to the public safety, including, but not limited to, having demonstrated a pattern of violent behavior, and a criminal record that indicates a pattern of violent offenses.

(aa) "Offender eligibility criteria" means particular criminal violations, state felony sentencing guidelines descriptors, and offender characteristics developed by advisory boards and approved by local units of government that identify the offenders suitable for community corrections programs funded through the office of community corrections.

(bb) "Offender success" means that an offender has done all of the following:

(*i*) Regularly reported to his or her assigned field agent.

(*ii*) Is participating in or has successfully completed all required substance abuse, mental health, sex offender, or other treatment as approved by the field agent.

(*iii*) Not sent or returned to prison for the conviction of a new crime or the revocation of probation or parole.

(*iv*) Not been sentenced to a jail term for a new criminal offense.

(*v*) Obtained employment, has enrolled or participated in a program of education or job training, or has investigated all bona fide employment opportunities.

(*vi*) Obtained housing.

(cc) "Offender target population" means felons or misdemeanants who would likely be sentenced to imprisonment in a state correctional facility or jail, who would not likely increase

the risk to the public safety based on an objective risk and needs assessment that indicates that the offender can be safely treated and supervised in the community.

(dd) "Offender who would likely be sentenced to imprisonment" means either of the following:

(*i*) A felon or misdemeanant who receives a sentencing disposition that appears to be in place of incarceration in a state correctional facility or jail, according to historical local sentencing patterns.

(*ii*) A currently incarcerated felon or misdemeanant who is granted early release from incarceration to a community corrections program or who is granted early release from incarceration as a result of a community corrections program.

(ee) "Programmatic success" means that the department program or initiative has ensured that the offender has accomplished all of the following:

(*i*) Obtained employment, has enrolled or participated in a program of education or job training, or has investigated all bona fide employment opportunities.

(*ii*) Obtained housing.

(*iii*) Obtained a state identification card.

(ff) "Recidivism" means any of the following:

(*i*) The arrest and conviction of a supervised individual for a new offense while under community supervision.

(*ii*) The adjudication of a supervised individual for a violation of the conditions of supervision while under community supervision.

(*iii*) A sanction resulting from a violation of terms of supervision that results in a return to prison without being adjudicated.

(gg) "RSAT" means residential substance abuse treatment.

(hh) "Serious emotional disturbance" means that term as defined in section 100d(2) of the mental health code, 1974 PA 328, MCL 330.1100d.

(ii) "Serious mental illness" means that term as defined in section 100d(3) of the mental health code, 1974 PA 328, MCL 330.1100d.

(jj) "SSA" means the United States social security administration.

(kk) "SSA-SSI" means SSA supplemental security income.

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

Sec. 204a. (1) The department shall collaborate with the civil service commission and the department of civil service to review the compensation rates for health care professionals who provide direct health care services to prisoners within the corrections system, including, but not limited to, doctors, all nursing professionals, pharmacists, pharmacy technicians, and psychologists. The review shall include health care professionals employed by the state as well as those employed through state contractors. These rates shall be compared to available data on

1 compensation rates for comparable medical professionals in the
2 private sectors who provide services to the general public to
3 estimate any disparity in compensation.
4 (2) Following the review, the department shall make
5 recommendations on changes needed to the state compensation plan
6 for health care professional positions and to department contracts
7 with health care providers so that compensation levels are
8 sufficient to ensure that needed health care professional positions
9 with vacancies are filled, that the department experiences adequate
10 retention levels for these positions, and that necessary health
11 care services are delivered in a timely manner to the prisoner
12 population. A report outlining these recommendations shall be
13 submitted to the senate and house appropriations subcommittees on
14 corrections, the senate and house fiscal agencies, and the state
15 budget office by May 1, 2011.
16 Sec. 206. The department shall not take disciplinary action
17 against an employee for communicating with a member of the
18 legislature or his or her staff.
19 Sec. 207. State employees shall be given the opportunity to
20 bid on contracts that privatize services that are or were provided
21 by state employees. If the contract is awarded to any state
22 employee, he or she ceases being an employee of the state.
23 Sec. 208. Unless otherwise specified, the department shall use
24 the Internet to fulfill the reporting requirements of this article.
25 This requirement may include transmission of reports via electronic
26 mail to the recipients identified for each reporting requirement or
27 it may include placement of reports on an Internet or Intranet

1 site.

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

12 Sec. 211. (1) The department may charge fees and collect
13 revenues in excess of appropriations in part 1 not to exceed the
14 cost of offender services and programming, employee meals, parolee
15 loans, academic/vocational services, custody escorts, compassionate
16 visits, union steward activities, and public works programs and
17 services provided to local units of government. The revenues and
18 fees collected are appropriated for all expenses associated with
19 these services and activities.

20 (2) If a parolee or probationer has been ordered to pay
21 restitution, the department shall ensure that payment is a
22 condition of his or her community supervision. Restitution payments
23 shall be made as provided in section 22 of chapter XV of the code
24 of criminal procedure, 1927 PA 175, MCL 775.22. The department
25 shall collect not more than 50% of all money collected from
26 parolees and probationers for payments other than victim payments,
27 as that term is defined in section 22 of chapter XV of the code of

criminal procedure, 1927 PA 175, MCL 775.22.

(3) By April 1, the department shall provide the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director with a report detailing the collection of fees under this section. At minimum, this report shall include a categorical accounting of all fees collected under this section.

Sec. 212. On a quarterly basis, each executive branch department and agency receiving appropriations in part 1 shall report on the number of full-time equated positions in pay status by civil service classification to the senate and house appropriations subcommittees on corrections and the senate and house fiscal agencies. This report shall include a detailed accounting of the long-term vacancies that exist within each department. As used in this subsection, "long-term vacancy" means any full-time equated position that has not been filled at any time during the past 24 calendar months.

Sec. 213. By February 15, the department shall provide the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director with a report detailing non-general fund/general purpose sources of revenue, including, but not limited to, federal revenues, state restricted revenues, local and private revenues, offender reimbursements and other payments, revolving funds, and 1-time sources of revenue, whether or not those revenues were appropriated. The report shall include statements detailing for each account the total amount of revenue received during fiscal

year 2009-2010, the amount by which the revenue exceeded any applicable appropriated fund source, the amount spent during fiscal year 2009-2010, the account balance at the close of fiscal year 2009-2010, and the projected revenues and expenditures for fiscal year 2010-2011.

Sec. 214. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of technology, management, and budget for technology-related services and projects. These user fees shall be subject to provisions of an interagency agreement between the department and the department of technology, management, and budget. It is the intent of the legislature that the department consider using third-party software and information technologies before contracting for such services through the department of technology, management, and budget.

Sec. 215. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 216. (1) Due to the current budgetary problems of this state, out-of-state travel for the fiscal year ending September 30, 2012 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or

for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states for similar reasons.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, or both, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the senate and house of representatives standing committees on appropriations.

Sec. 218. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 219. Any contract for prisoner telephone services entered into after the effective date of this article shall include a

1 condition that fee schedules for prisoner telephone calls,
2 including rates and any surcharges other than those necessary to
3 meet special equipment costs, be the same as fee schedules for
4 calls placed from outside of correctional facilities.
5 Sec. 220. Not later than November 15, the department shall
6 prepare and transmit a report that provides for estimates of the
7 total general fund/general purpose appropriation lapses at the
8 close of the fiscal year. This report shall summarize the projected
9 year-end general fund/general purpose appropriation lapses by major
10 departmental program or program areas. The report shall be
11 transmitted to the office of the state budget, the chairpersons of
12 the senate and house of representatives standing committees on
13 appropriations, and the senate and house fiscal agencies.
14 Sec. 221. (1) The department shall maintain a searchable
15 website accessible by the public at no cost that includes, but is
16 not limited to, all of the following:
17 (a) Fiscal year-to-date expenditures by category.
18 (b) Fiscal year-to-date expenditures by appropriation unit.
19 (c) Fiscal year-to-date payments to a selected vendor,
20 including the vendor name, payment date, payment amount, and
21 payment description.
22 (d) The number of active department employees by job
23 classification.
24 (e) Job specifications and wage rates.
25 (2) The department may develop and operate its own website to
26 provide this information or may reference the state's central
27 transparency website as the source for this information.

Sec. 223. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $10,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

Sec. 224. By March 1, the department shall provide a litigation report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies,

and the state budget director. The report shall identify all lawsuits adjudicated through the trial court phase in which the department or an employee acting on behalf of the department was a defendant and in which trial court proceedings resulted in a decision of $250,000.00 or more against the department.

Sec. 225. (1) The department shall make every effort to place employees displaced by any reductions in force within other positions in the department.

(2) It is the intent of the legislature that all employees displaced by any reductions in force who are not placed within other positions in the department be given priority in state programs for job retraining or education, such as the no worker left behind program.

Sec. 229. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on corrections, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2011 and September 30, 2012.

Sec. 235. It is the intent of the legislature that the department reduce expenditures using the following strategies:

(a) Following the recommendations outlined in audit report 471-0130-08 of June 2009 issued by the Michigan office of the auditor general, which found $7,534,039.00 in known savings that

would have been achieved through cost-neutral operation of the bureau of correctional industries, as follows:

(*i*) Finding 1 indicates that the bureau of correctional industries has consistently failed to maintain profitable or cost-neutral operations.

(*ii*) Finding 2 indicates that the bureau of correctional industries had not developed or implemented a comprehensive business plan.

(*iii*) Finding 3 indicates that the bureau of correctional industries did not efficiently schedule and utilize its trucks and drivers for delivery of products and services.

(*iv*) Finding 4 indicates that the bureau of correctional industries had not established comprehensive policies and procedures for setting prices and discounts for products and services.

(b) Continuing the supply chain transformation (SCT) with the new fiscal year beginning October 1, 2011. The SCT shall address all goods and services delivered into the department, with special focus in the following areas: food service, offender transport, warehousing, prisoner stores, laundries, textiles, transportation, reverse logistics, education, sex offender programming, assaultive offender programming, Michigan state industries manufacturing and related material, and capital and service purchase contracts under development or due to expire. The department shall continually detail its supply chain strategy and implementation plan including tasks, timing, resources, costs, and benefits to be achieved. The department shall provide quarterly cost and benefit savings report

information. The department shall contract with a world-class supply chain external resource with the following capabilities: demonstrated success working in a department of corrections environment in the targeted supply chain areas of focus; demonstrated expertise in defining, developing, and implementing cross-functional infrastructures; continuous quality improvement teams; stakeholder and communications outreach programs; six sigma/lean tools and templates; hands-on supply chain; continuous quality improvement and six sigma tool training; and positive working relations and measurable, documented client satisfaction results.

(c) Following the recommendations outlined in audit report 471-0620-07L of October 2008 issued by the Michigan office of the auditor general, which found $14,800,000.00 in estimated savings that could be achieved through reforms of the department's staffing and purchasing policies, as follows:

(*i*) Finding 1 indicates that the department needs to improve its administration of custody officer staffing.

(*ii*) Finding 2 indicates that the department needs to pursue additional cost-saving measures through future contract negotiations and review of its organizational structure.

(*iii*) Finding 3 indicates that the department did not have a formal process in place to negotiate prices for goods and services purchased from Michigan state industries.

(d) Following the recommendations outlined in audit report 471-0623-07L of December 2008 issued by the Michigan office of the auditor general, which found significant but indeterminate savings

could be achieved through reforms of prisoner transportation policies, specifically, finding 4 indicates that the department should continue to seek the cooperation of the state court administrative office and its medical service providers to fully use existing technology to conduct videoconferencing for court and medical appointments.

Sec. 236. It is the intent of the legislature that from the revenue resulting from the sale of the former Scott correctional facility sufficient funds shall be appropriated to the department to reimburse Michigan state industries for costs related to the construction of the Industries Building, which was operated by Michigan state industries on the site of the Scott correctional facility.

Sec. 237. The department shall observe all requirements set forth in statute and administrative rules related to procurement requests and shall ensure that proper communication is maintained with the department of technology, management, and budget regarding the use of delegated purchasing authority granted by the department of technology, management, and budget. The department shall not pursue the procurement of any good or service on its own that falls outside its delegated authority from the department of technology, management, and budget. If any requests for proposal or requests for qualifications are delayed due to the department's improper use of purchasing authority under statute and administrative rules, the department shall report on the improper use to the house and senate appropriations subcommittees on corrections within 15 days after determining that the improper use occurred. The report shall review

the purpose of the relevant procurement effort, explain why the improper use of delegated authority occurred, and outline steps being taken to ensure that improper use of delegated authority does not occur again in the future.

Sec. 238. It is the intent of the legislature that the department make additional efforts to sell, rent, or otherwise repurpose closed correctional facilities.

Sec. 239. It is the intent of the legislature that the department establish and maintain a management-to-staff ratio of 1 supervisor for each 5 employees at the department's central office in Lansing and at both the northern and southern region administration offices.

Sec. 240. On or before March 1, 2012, the department shall solicit and evaluate proposals for services related to the audit of vendor and contract payments and the recovery of improper payments. The period covered by the proposed audit shall be not less than 3 prior fiscal years. On or before September 1, 2012, the department shall provide to the house and senate committees on appropriations and the house and senate fiscal agencies a complete report on the results of the proposal solicitation and findings and amounts recovered from subsequent recovery audits.

EXECUTIVE

Sec. 301. (1) For 3 years after a felony offender is released from the department's jurisdiction, the department shall maintain the offender's file on the offender tracking information system and make it publicly accessible in the same manner as the file of the

current offender. However, the department shall immediately remove the offender's file from the offender tracking information system upon determination that the offender was wrongfully convicted and the offender's file is not otherwise required to be maintained on the offender tracking information system.

(2) Information removed from the offender tracking information system due to the expiration of 3 years following release of an offender from the department's jurisdiction shall be retained by the department and maintained in a password-protected archive. Effective October 1, 2009, information in the archive shall be made available upon payment of a fee as determined by the department. Revenue collected under this section is appropriated for the costs of the offender tracking information system, and any revenue collected in excess of the costs of maintaining the offender tracking information system is appropriated for information technology costs. The department shall report on March 1 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the fees charged and revenue collected under this section.

Sec. 302. The department shall provide a report to the members of the senate and house appropriations subcommittees on corrections and community health, the senate and house fiscal agencies, MDCH, and the state budget director by May 1, reviewing actions taken to implement the recommendations of the mental health study required under section 302 of 2007 PA 124 with which it agrees and an explanation of any disagreements with recommendations. It is the intent of the legislature to review the department's implementation

1 plan and, in coordination with the department, to identify funds
2 with which to implement the plan, as appropriate.
3 Sec. 304. The director of the department shall maintain a
4 staff savings initiative program to invite employees to submit
5 suggestions for saving costs for the department. The department
6 shall report semiannually to the senate and house appropriations
7 subcommittees on corrections, the senate and house fiscal agencies,
8 and the state budget director on the suggestions submitted under
9 this section, the implementation plan for those suggestions with
10 which the department agrees, and an explanation of any
11 disagreements with suggestions.
12 Sec. 305. By March 1, the department shall report to the
13 senate and house appropriations subcommittees on corrections, the
14 senate and house fiscal agencies, and the state budget director on
15 the number of prisoners who committed suicide during the previous
16 calendar year. To the extent permitted by law, the report shall
17 include all of the following information:
18 (a) The prisoner's age, offense, sentence, and admission date.
19 (b) Each prisoner's facility and unit.
20 (c) A description of the circumstances of the suicide.
21 (d) The date of the suicide.
22 (e) Whether the suicide occurred in a housing unit, a
23 segregation unit, a mental health unit, or elsewhere on the grounds
24 of the facility.
25 (f) Whether the prisoner had been denied parole and the date
26 of any denial.
27 (g) Whether the prisoner had received a mental health

evaluation or assessment.

(h) Details on the department's responses to each suicide, including immediate on-site responses and subsequent internal investigations.

(i) A description of any monitoring and psychiatric interventions that had been undertaken prior to the prisoner's suicide, including any changes in placement or mental health care.

(j) Whether the prisoner had previously attempted suicide.

PLANNING AND COMMUNITY SUPPORT

Sec. 401. The department shall submit 3-year and 5-year prison population projection updates concurrent with submission of the executive budget to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. The report shall include explanations of the methodology and assumptions used in developing the projection updates.

Sec. 402. It is the intent of the legislature that the funds appropriated in part 1 for prisoner reintegration programs be expended for the purpose of reducing victimization by reducing repeat offending through the following prisoner reintegration programming:

(a) The provision of employment or employment services and job training.

(b) The provision of housing assistance.

(c) Referral to mental health services.

(d) Referral to substance abuse services.

(e) Referral to public health services.

(f) Referral to education.

(g) Referral to any other services necessary for successful reintegration.

Sec. 403. By March 1, the department shall provide a report on MPRI expenditures and allocations to the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. At a minimum, the report shall include information on both of the following:

(a) Details on prior-year expenditures, including amounts spent on each project funded, itemized by service provided and service provider.

(b) Allocations and planned expenditures for each project funded and for each project to be funded, itemized by service to be provided and service provider. The department shall provide an amended report at least 60 days before making revisions to allocations or planned expenditures.

Sec. 403a. (1) In collaboration with a technical committee composed of representatives from the department, designees of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the justice center of the council of state governments, the department shall develop a performance-based dashboard tracking and reporting system that establishes key indicators of the success and failure of offenders. Indicators shall reflect the status of and trends in key program elements, behavior improvements on the part of offenders, and whether targeted goals are being met.

(2) By April 1, the department shall report dashboard data to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director.

Sec. 404. (1) The department shall screen and assess each prisoner for alcohol and other drug involvement to determine the need for further treatment. The assessment process shall be designed to identify the severity of alcohol and other drug addiction and determine the treatment plan, if appropriate.

(2) The department shall provide substance abuse treatment to prisoners with priority given to those prisoners who are most in need of treatment and who can best benefit from program intervention based on the screening and assessment provided under subsection (1).

Sec. 405. (1) In expending residential substance abuse treatment services funds appropriated under this article, the department shall ensure to the maximum extent possible that residential substance abuse treatment services are available statewide.

(2) By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the allocation, distribution, and expenditure of all funds appropriated by the substance abuse testing and treatment line item during fiscal year 2010-2011 and projected for fiscal year 2011-2012. The report shall include, but not be limited to, an explanation of an anticipated year-end balance, the number of participants in

1 substance abuse programs, and the number of offenders on waiting
2 lists for residential substance abuse programs. Information
3 required under this subsection shall, where possible, be separated
4 by MDOC administrative region and by offender type, including, but
5 not limited to, a distinction between prisoners, parolees, and
6 probationers.
7 (3) By March 1, the department shall report to the senate and
8 house appropriations subcommittees on corrections, the senate and
9 house fiscal agencies, and the state budget director on substance
10 abuse testing and treatment program objectives, outcome measures,
11 and results, including program impact on offender success and
12 programmatic success as those terms are defined in section 203.
13 Sec. 405a. The department shall work cooperatively with MDCH and
14 substance abuse coordinating agencies in referring offenders as
15 appropriate to intensive substance abuse services, including
16 residential services.
17 Sec. 406. As a condition for expending any money appropriated
18 in part 1 for reinvestment in prisoner re-entry programs, the
19 department shall establish a pilot program with an allocation of at
20 least $2,000,000.00 from the funding appropriated to prisoner
21 reintegration programs to contract with faith-based nonprofit
22 agencies with established programs that assist prisoners exiting
23 the prison system to reintegrate into the community. The department
24 shall report to the house and senate appropriations subcommittees
25 on corrections, the house and senate fiscal agencies, and the state
26 budget director by December 1 on the contracts awarded under the
27 pilot program, including the faith-based, nonprofit agencies

selected and the contract amounts awarded to each agency. The department shall analyze and compare the success and failure rates of prisoners served under the pilot program and those served through other department reintegration programs and shall report this information to the legislature during budget hearings on the fiscal year 2012-2013 budget.

Sec. 407. (1) By June 30, the department shall place the 2011 statistical report on an Internet site. The statistical report shall include, but not be limited to, the information as provided in the 2004 statistical report.

(2) It is the intent of the legislature that starting with calendar year 2010, the statistical report be placed on an Internet site within 6 months after the end of each calendar year.

Sec. 408. The department shall measure the recidivism rates of offenders using at least a 3-year period following their release from prison. Any time spent in a county jail or otherwise incarcerated shall be included in the recidivism rates.

Sec. 409. The office of community alternatives shall provide and coordinate the delivery and implementation of services in communities to facilitate successful offender reintegration into the community. Programs and services to be offered shall include, but are not limited to, technical assistance for comprehensive corrections plan development, new program start-up funding, program funding for those programs delivering services for eligible offenders in geographic areas identified by the office of community corrections as having a shortage of available services, technical assistance, referral services for education, employment services,

1 and substance abuse and family counseling.
2 Sec. 410. (1) The funds included in part 1 for community
3 corrections comprehensive plans and services are to encourage the
4 development through technical assistance grants, implementation,
5 and operation of community corrections programs that enhance
6 offender success and that also may serve as an alternative to
7 incarceration in a state facility or jail. The comprehensive
8 corrections plans shall include an explanation of how the public
9 safety will be maintained, the goals for the local jurisdiction,
10 offender target populations intended to be affected, offender
11 eligibility criteria for purposes outlined in the plan, and how the
12 plans will meet the following objectives, consistent with section
13 8(4) of the community corrections act, 1988 PA 511, MCL 791.408:
14 (a) Reduce admissions to prison of offenders who would likely
15 be sentenced to imprisonment, including probation violators.
16 (b) Improve the appropriate utilization of jail facilities,
17 the first priority of which is to open jail beds intended to house
18 otherwise prison-bound felons, and the second priority being to
19 appropriately utilize jail beds so that jail crowding does not
20 occur.
21 (c) Open jail beds through the increase of pretrial release
22 options.
23 (d) Reduce the readmission to prison of parole violators.
24 (e) Reduce the admission or readmission to prison of
25 offenders, including probation violators and parole violators, for
26 substance abuse violations.
27 (f) Contribute to offender success, as that term is defined in

1 section 203.
2 (2) The award of community corrections comprehensive plans and
3 residential services funds shall be based on criteria that include,
4 but are not limited to, the prison commitment rate by category of
5 offenders, trends in prison commitment rates and jail utilization,
6 historical trends in community corrections program capacity and
7 program utilization, and the projected impact and outcome of annual
8 policies and procedures of programs on offender success, prison
9 commitment rates, and jail utilization.
10 (3) Funds awarded for residential services in part 1 shall
11 provide for a per diem reimbursement of not more than $47.50 for
12 nonaccredited facilities, or of not more than $48.50 for facilities
13 that have been accredited by the American corrections association
14 or a similar organization as approved by the department.
15 Sec. 411. The comprehensive corrections plans shall also
16 include, where appropriate, descriptive information on the full
17 range of sanctions and services that are available and utilized
18 within the local jurisdiction and an explanation of how jail beds,
19 residential services, the special alternative incarceration
20 program, probation detention centers, the electronic monitoring
21 program for probationers, and treatment and rehabilitative services
22 will be utilized to support the objectives and priorities of the
23 comprehensive corrections plans and the purposes and priorities of
24 section 8(4) of the community corrections act, 1988 PA 511, MCL
25 791.408, that contribute to the success of offenders. The plans
26 shall also include, where appropriate, provisions that detail how
27 the local communities plan to respond to sentencing guidelines

found in chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69, and use the county jail reimbursement program under section 414. The state community corrections board shall encourage local community corrections advisory boards to include in their comprehensive corrections plans strategies to collaborate with local alcohol and drug treatment agencies of the MDCH for the provision of alcohol and drug screening, assessment, case management planning, and delivery of treatment to alcohol- and drug-involved offenders.

Sec. 412. (1) As part of the March biannual report specified in section 12(2) of the community corrections act, 1988 PA 511, MCL 791.412, that requires an analysis of the impact of that act on prison admissions and jail utilization, the department shall submit to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director the following information for each county and counties consolidated for comprehensive corrections plans:

(a) Approved technical assistance grants and comprehensive corrections plans including each program and level of funding, the utilization level of each program, and profile information of enrolled offenders.

(b) If federal funds are made available, the number of participants funded, the number served, the number successfully completing the program, and a summary of the program activity.

(c) Status of the community corrections information system and the jail population information system.

(d) Data on residential services, including participant data,

1 participant sentencing guideline scores, program expenditures,
2 average length of stay, and bed utilization data.
3 (e) Offender disposition data by sentencing guideline range,
4 by disposition type, by prior record variable score, by number and
5 percent statewide and by county, current year, and comparisons to
6 the previous 3 years.
7 (f) Data on the use of funding made available under the felony
8 drunk driver jail reduction and community treatment program.
9 (2) The report required under subsection (1) shall include the
10 total funding allocated, program expenditures, required program
11 data, and year-to-date totals.
12 Sec. 413. (1) The department shall identify and coordinate
13 information regarding the availability of and the demand for
14 community corrections programs, jail-based community corrections
15 programs, jail-based probation violation sanctions, and all state-
16 required jail data.
17 (2) The department is responsible for the collection,
18 analysis, and reporting of all state-required jail data.
19 (3) As a prerequisite to participation in the programs and
20 services offered through the department, counties shall provide
21 necessary jail data to the department.
22 Sec. 414. (1) The department shall administer a county jail
23 reimbursement program from the funds appropriated in part 1 for the
24 purpose of reimbursing counties for housing in jails certain felons
25 who otherwise would have been sentenced to prison.
26 (2) The county jail reimbursement program shall reimburse
27 counties for convicted felons in the custody of the sheriff if the

1 conviction was for a crime committed on or after January 1, 1999
2 and 1 of the following applies:
3 (a) The felon's sentencing guidelines recommended range upper
4 limit is more than 18 months, the felon's sentencing guidelines
5 recommended range lower limit is 12 months or less, the felon's
6 prior record variable score is 35 or more points, and the felon's
7 sentence is not for commission of a crime in crime class G or crime
8 class H or a nonperson crime in crime class F under chapter XVII of
9 the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.
10 (b) The felon's minimum sentencing guidelines range minimum is
11 more than 12 months under the sentencing guidelines described in
12 subdivision (a).
13 (c) The felon was sentenced to jail for a felony committed
14 while he or she was on parole and under the jurisdiction of the
15 parole board and for which the sentencing guidelines recommended
16 range for the minimum sentence has an upper limit of more than 18
17 months.
18 (3) State reimbursement under this subsection shall be $60.00
19 per diem per diverted offender for offenders with a presumptive
20 prison guideline score, $50.00 per diem per diverted offender for
21 offenders with a straddle cell guideline for a group 1 crime, and
22 $35.00 per diem per diverted offender for offenders with a straddle
23 cell guideline for a group 2 crime. Reimbursements shall be paid
24 for sentences up to a 1-year total.
25 (4) As used in this subsection:
26 (a) "Group 1 crime" means a crime in 1 or more of the
27 following offense categories: arson, assault, assaultive other,

burglary, criminal sexual conduct, homicide or resulting in death, other sex offenses, robbery, and weapon possession as determined by the department of corrections based on specific crimes for which counties received reimbursement under the county jail reimbursement program in fiscal year 2007 and fiscal year 2008, and listed in the county jail reimbursement program document titled "FY 2007 and FY 2008 Group One Crimes Reimbursed", dated March 31, 2009.

(b) "Group 2 crime" means a crime that is not a group 1 crime, including larceny, fraud, forgery, embezzlement, motor vehicle, malicious destruction of property, controlled substance offense, felony drunk driving, and other nonassaultive offenses.

(c) "In the custody of the sheriff" means that the convicted felon has been sentenced to the county jail and is either housed in the county jail or has been released from jail and is being monitored through the use of the sheriff's electronic monitoring system.

(5) County jail reimbursement program expenditures shall not exceed the amount appropriated in part 1 for the county jail reimbursement program. Payments to counties under the county jail reimbursement program shall be made in the order in which properly documented requests for reimbursements are received. A request shall be considered to be properly documented if it meets MDOC requirements for documentation. By October 15, 2011, the department shall distribute the documentation requirements to all counties.

(6) Of the funds appropriated in part 1 for the county jail reimbursement program, $500,000.00 shall be utilized to reimburse county jails for housing individuals who violate terms of probation

1 under the swift-and-sure sanctions pilot program.
2 Sec. 415. (1) The department shall create a database for use
3 by the department and MPRI service providers. The database shall be
4 available to both the department and the service provider in real
5 time. The department, in consultation with the service providers,
6 shall issue a policy defining each field in the database so that
7 there will be common usage of all terms and fields.
8 (2) The department, in consultation with the service
9 providers, shall publish financial guidelines for administration of
10 this program.
11 Sec. 416. (1) Funds included in part 1 for the felony drunk
12 driver jail reduction and community treatment program are
13 appropriated for and may be expended for any of the following
14 purposes:
15 (a) To increase availability of treatment options to reduce
16 drunk driving and drunk driving-related deaths by addressing the
17 alcohol addiction of felony drunk drivers who otherwise likely
18 would be sentenced to jail or a combination of jail and other
19 sanctions.
20 (b) To divert from jail sentences or to reduce the length of
21 jail sentences for felony drunk drivers who otherwise would have
22 been sentenced to jail and whose recommended minimum sentence
23 ranges under sentencing guidelines established under chapter XVII
24 of the code of criminal procedure, 1927 PA 175, MCL 777.1 to
25 777.69, have upper limits of 18 months or less or the lower limit
26 of the sentencing range is 1 year or less and the upper limit of
27 the range is more than 18 months and the prior record variable is

1 less than 35 points, through funding programs that may be used in
2 lieu of incarceration and that increase the likelihood of
3 rehabilitation.
4 (c) To provide a policy and funding framework to make
5 additional jail space available for housing convicted felons whose
6 recommended minimum sentence ranges under sentencing guidelines
7 established under chapter XVII of the code of criminal procedure,
8 1927 PA 175, MCL 777.1 to 777.69, have lower limits of 12 months or
9 less and who likely otherwise would be sentenced to prison, with
10 the aim of enabling counties to meet or exceed amounts received
11 through the county jail reimbursement program during fiscal year
12 2002-2003 and reducing the numbers of felons sentenced to prison.
13 (2) Expenditure of funds included in part 1 for the felony
14 drunk driver jail reduction and community treatment program shall
15 be by grant awards consistent with standards developed by a
16 committee of the state community corrections advisory board. The
17 chairperson of the committee shall be the board member representing
18 county sheriffs. Remaining members of the committee shall be
19 appointed by the chairperson of the board.
20 (3) In developing annual standards, the committee shall
21 consult with interested agencies and associations. Standards
22 developed by the committee shall include application criteria,
23 performance objectives and measures, funding allocations, and
24 allowable uses of the funds, consistent with the purposes specified
25 in this section.
26 (4) Allowable uses of the funds shall include reimbursing
27 counties for transportation, treatment costs, and housing felony

drunk drivers during a period of assessment for treatment and case planning. Reimbursements for housing during the assessment process shall be at the rate of $43.50 per day per offender, up to a maximum of 5 days per offender.

(5) The standards developed by the committee shall assign each county a maximum funding allocation based on the amount the county received under the county jail reimbursement program in fiscal year 2001-2002 for housing felony drunk drivers whose recommended minimum sentence ranges under the sentencing guidelines described in subsection (1)(c) had upper limits of 18 months or less.

(6) Awards of funding under this section shall be provided consistent with the local comprehensive corrections plans developed under the community corrections act, 1988 PA 511, MCL 791.401 to 791.414. Funds awarded under this section may be used in conjunction with funds awarded under grant programs established under that act. Due to the need for felony drunk drivers to be transitioned from county jails to community treatment services, it is the intent of the legislature that local units of government utilize funds received under this section to support county sheriff departments.

(7) As used in this section, "felony drunk driver" means a felon convicted of operating a motor vehicle under the influence of intoxicating liquor or a controlled substance, or both, third or subsequent offense, under section 625(9)(c) of the Michigan vehicle code, 1949 PA 300, MCL 257.625, or its predecessor statute, punishable as a felony.

Sec. 417. (1) By March 1, the department shall report to the

members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on each of the following programs from the previous fiscal year:

(a) The county jail reimbursement program.

(b) The felony drunk driver jail reduction and community treatment program.

(c) Any new initiatives to control prison population growth funded or proposed to be funded under part 1.

(2) For each program listed under subsection (1), the report shall include information on each of the following:

(a) Program objectives and outcome measures, including, but not limited to, the number of offenders who successfully completed the program, and the number of offenders who successfully remained in the community during the 3 years following termination from the program.

(b) Expenditures by location.

(c) The impact on jail utilization.

(d) The impact on prison admissions.

(e) Other information relevant to an evaluation of the program.

Sec. 418. (1) The department shall collaborate with the state court administrative office on facilitating changes to Michigan court rules that would require the court to collect at the time of sentencing the state operator's license, state identification card, or other documentation used to establish the identity of the individual to be admitted to the department. The department shall

maintain those documents in the prisoner's personal file.

(2) The department shall collaborate with the Michigan department of state to ensure that an achievable list of documents necessary to obtain a state operator's license or state identification card upon parole or release is developed and presented to the prisoner so that application for identification can begin prior to a prisoner's discharge or parole hearing. The process for prisoners to acquire this documentation shall be part of the department's operating procedure.

(3) The department shall cooperate with MDCH to create and maintain a process by which prisoners can obtain their Michigan birth certificates if necessary. The department shall describe a process for obtaining birth certificates from other states, and in situations where the prisoner's effort fails, the department shall assist in obtaining the birth certificate.

(4) By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the legislative corrections ombudsman, and the state budget director on the plan for implementing all necessary processes and policy changes in order to ensure compliance with the requirements of this section.

Sec. 419. (1) The department shall provide weekly electronic mail reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on prisoner, parolee, and probationer populations by facility, and prison capacities.

(2) The department shall provide monthly electronic mail

reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director. The reports shall include information on end-of-month prisoner populations in county jails, the net operating capacity according to the most recent certification report, identified by date, and end-of-month data, year-to-date data, and comparisons to the prior year for the following:

(a) Community residential program populations, separated by centers and electronic monitoring.

(b) Parole populations.

(c) Probation populations, with identification of the number in special alternative incarceration.

(d) Prison and camp populations, with separate identification of the number in special alternative incarceration and the number of lifers.

(e) Parole board activity, including the numbers and percentages of parole grants and parole denials.

(f) Prisoner exits, identifying transfers to community placement, paroles from prisons and camps, paroles from community placement, total movements to parole, prison intake, prisoner deaths, prisoners discharging on the maximum sentence, and other prisoner exits.

(g) Prison intake and returns, including probation violators, new court commitments, violators with new sentences, escaper new sentences, total prison intake, returns from court with additional sentences, community placement returns, technical parole violator returns, and total returns to prison and camp.

1 Sec. 420. By March 1, the department shall report to the
2 senate and house appropriations subcommittees on corrections, the
3 senate and house judiciary committees, the senate and house fiscal
4 agencies, and the state budget director on performance data and
5 efforts to improve efficiencies relative to departmental staffing,
6 health care services, food service, prisoner transportation, mental
7 health care services, and pharmaceutical costs.
8 Sec. 422. It is the intent of the legislature that MPRI
9 programs from prisoner entry into the corrections system to reentry
10 into the community and as measured by offender success and
11 programmatic success as those terms are defined in section 203
12 shall be maintained as standard operating procedure in the
13 department. In particular, services should be focused on moderate-
14 to high-risk individuals. Special in-prison programming shall be
15 directed to those prisoners who were paroled and have returned to
16 prison and who will subsequently be eligible for parole again in
17 the future. In addition, MPRI services provided to prisoners shall
18 include basic computer skills training.
19 Sec. 424. (1) From the funds appropriated in part 1 for
20 residential services, the department shall develop and implement,
21 in collaboration with the judiciary and as approved by the state
22 court administrative office, a demonstration project based on
23 evidence-based practices related to judicial and case management
24 interventions that have been proven to increase public safety for
25 high-risk, high-need probationers as determined by a validated risk
26 and need assessment instrument. As used in this section,
27 "probationer" means a circuit court probationer serving a probation

1 sentence for a crime.

2 (2) The demonstration project shall be implemented in 4 areas
3 of the state identified jointly by the department and the state
4 court administrative office. Preference shall be given to locations
5 that are representative of areas with high rates of violent crimes
6 as described in the council of state governments' justice center
7 report on analyses of crime, community corrections, and sentencing
8 policies in this state.

9 (3) The primary goal of the demonstration project is to reduce
10 crime and revictimization by high-risk, high-need probationers. The
11 secondary goal of the demonstration project is to reduce
12 expenditures for long-term incarceration.

13 (4) The demonstration project may provide up to 6 months of
14 residential services, and treatment methods, and interventions that
15 are evidence-based, including, but not limited to, the following:

16 (a) Risk/needs assessment.

17 (b) Motivational techniques.

18 (c) Type, intensity, and duration of treatment based on each
19 probationer's risk and needs and delivered consistent with
20 evidence-based practices.

21 (5) The department shall implement the evidence-based practice
22 of collaborative case management and utilize the services of the
23 department and of local community corrections consistent with the
24 local comprehensive corrections plan developed under the community
25 corrections act, 1988 PA 511, MCL 791.401 to 791.414.

26 (6) The department shall assign a probation officer to the
27 demonstration project to supervise a specialized caseload for high-

1 risk, high-need probationers. All probation officers supervising a
2 specialized caseload under this section shall receive substantial
3 education and training on issues of substance abuse, mental health,
4 and drug and alcohol testing.
5 (7) The probation officer shall work in cooperation with the
6 local judiciary and the community corrections advisory board in a
7 collaborative effort toward the goals of promoting probationer
8 success and reducing crime and revictimization.
9 (8) The probation officer assigned to the demonstration
10 project shall comply with supervision requirements established for
11 the demonstration project by the field operations administration
12 deputy director.
13 (9) The department shall identify and coordinate information
14 for each local jurisdiction selected for the demonstration project
15 regarding the rate of incarceration of high-risk, high-need
16 probationers to ensure that appropriate probationers are targeted
17 for the demonstration project.
18 (10) From the funds appropriated in part 1 for public
19 education and training, the department shall collaborate with the
20 local judiciary, community corrections advisory board, and service
21 providers to develop and provide appropriate training for all local
22 stakeholders involved in the demonstration project described in
23 this section.
24 (11) From the funds provided to the local jurisdiction for the
25 demonstration project, the department shall collaborate with the
26 local judiciary and the community corrections advisory board to
27 develop and implement an evaluation of the demonstration project

that will show the impact of the project on the arrests, convictions, technical violations, and commitments to prison of the demonstration project participants. This evaluation shall be performed in accordance with department of corrections policy and procedure on evaluation design in cooperation with the office of research and planning.

(12) By May 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the status of the demonstration project prescribed under this section, including information on all of the following:

(a) Demonstration project locations and participating courts.

(b) The number of probationers participating in the pilot categorized by location and offense.

(c) Evaluation status and methodology.

(d) Preliminary results, if any.

Sec. 426. The money appropriated in part 1 for prisoner reintegration, training, and employment programs shall be distributed to 1 or more Michigan-chartered 501(c)(3) nonprofit corporations to expand existing business models, create new business enterprises, or purchase capital equipment for expansion of current business operations. Qualifying nonprofits must hire new employees through the funding provided in this section, must include at least 45% returning citizens, must have documented entrepreneurial social enterprise expertise in creating employment opportunities for parolees, and must presently have established public utility asset recovery recycling programs. The programs

shall be administered by 1 or more Michigan-chartered corporations that are exempt from taxation under section 501(c)(3) of the internal revenue code, 26 USC 501(c)(3).

Sec. 429. It is the intent of the legislature that the department work with other state departments and agencies to implement the policy options provided to the state by the council of state governments in January 2009 and March 2011.

Sec. 430. The department shall ensure that each prisoner has the opportunity to meet with his or her transition team prior to release from prison. If applicable, community providers shall enter the prison to meet with the prisoner prior to release.

Sec. 431. The department shall ensure that prior to release from prison, each offender has possession of all of the following:

(a) All documents necessary to obtain a state operator's license or state identification card.

(b) A set of clothing that would be appropriate and suitable for wearing to an interview for employment.

Sec. 433. The department shall report quarterly on January 1, 2012, April 1, 2012, July 1, 2012, and September 30, 2012 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the status of any contracts entered into under the June 2009 request for proposals for the re-entry initiative project for offenders with special needs. The report shall include information on all of the following:

(a) The number of prisoners and participating parolees in each of the target population subgroups, including medically fragile,

mentally ill, developmentally disabled, and youthful offenders.

(b) Descriptions of the key services being provided to each subgroup under the contract or contracts.

(c) Estimates of the average per-offender costs of services for each target population subgroup under each contract, compared to the average cost of prison incarceration for those populations.

Sec. 434. (1) It is the intent of the legislature that the department, in coordination with the department of licensing and regulatory affairs, Michigan state housing development authority, nonprofit and faith-based organizations, and local government officials, implement employment-related projects targeted toward at-risk young adults who are disconnected from school and employment, and probationers and parolees in high-crime neighborhoods where the adult incarceration rate is at least 45%.

(2) The department shall identify high-crime neighborhoods where the adult incarceration rate is at least 45% and in consultation with the department of human services, the superintendent of public instruction, and nonprofit and faith-based organizations shall develop programs for recommendation to the legislature that offer academic, counseling, and social support to children of incarcerated parents.

OPERATIONS AND SUPPORT ADMINISTRATION

Sec. 501. From the funds appropriated in part 1 for prosecutorial and detainer expenses, the department shall reimburse counties for housing and custody of parole violators and offenders being returned by the department from community placement who are

available for return to institutional status and for prisoners who volunteer for placement in a county jail.

Sec. 502. Funds included in part 1 for the sheriffs' coordinating and training office are appropriated for and may be expended to defray costs of continuing education, certification, recertification, decertification, and training of local corrections officers, the personnel and administrative costs of the sheriffs' coordinating and training office, the local corrections officers advisory board, and the sheriffs' coordinating and training council under the local corrections officers training act, 2003 PA 125, MCL 791.531 to 791.546.

Sec. 503. Funds appropriated in part 1 for administrative hearings officers are appropriated as an interdepartmental grant to the department of licensing and regulatory affairs for the purpose of funding administrative hearings officers for adjudication of grievances pertaining to the department of corrections. The department shall not expend appropriations from part 1 to satisfy charges from the department of licensing and regulatory affairs for administrative hearings officers in excess of the amount expressly appropriated by this article for the administrative hearings officers unless funding is transferred into this line under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 504. Of the funds appropriated in part 1, $50,000.00 is appropriated to provide an interdepartmental grant to the judiciary for use of the judicial data warehouse by department employees.

Sec. 505. The department shall train all custody staff in effective and safe ways of handling prisoners with mental illness

and referring prisoners to mental health treatment programs. Mental health awareness training shall be incorporated into the training of new custody staff.

Sec. 506. Of the funds appropriated in part 1, $250,000.00 is appropriated to provide an interdepartmental grant to the legislative corrections ombudsman for oversight activities.

Sec. 507. Of the funds appropriated in part 1, $1,000,000.00 is appropriated as an interdepartmental grant to the judiciary for the establishment of a pilot program for the use of swift-and-sure jail sanctions as a response to certain probation violations.

FIELD OPERATIONS ADMINISTRATION

Sec. 601. (1) From the funds appropriated in part 1, the department shall conduct a statewide caseload audit of field agents. The audit shall address public protection issues and assess the ability of the field agents to complete their professional duties. The complete audit shall be submitted to the senate and house appropriations subcommittees on corrections and the senate and house fiscal agencies, and the state budget office by March 1.

(2) It is the intent of the legislature that the department maintain a number of field agents sufficient to meet supervision and workload standards.

Sec. 602. (1) Of the amount appropriated in part 1 for field operations, a sufficient amount shall be allocated for the community service work program and shall be used for salaries and wages and fringe benefit costs of community service coordinators employed by the department to supervise offenders participating in

work crew assignments. Funds shall also be used to cover motor transport division rates on state vehicles used to transport offenders to community service work project sites.

(2) The community service work program shall provide offenders with community service work of tangible benefit to a community while fulfilling court-ordered community service work sanctions and other postconviction obligations.

(3) As used in this section, "community service work" means work performed by an offender in an unpaid position with a nonprofit or tax-supported or government agency for a specified number of hours of work or service within a given time period.

Sec. 603. (1) All prisoners, probationers, and parolees involved with the electronic tether program shall reimburse the department for costs associated with their participation in the program. The department may require community service work reimbursement as a means of payment for those able-bodied individuals unable to pay for the costs of the equipment.

(2) Program participant contributions and local community tether program reimbursement for the electronic tether program appropriated in part 1 are related to program expenditures and may be used to offset expenditures for this purpose.

(3) Included in the appropriation in part 1 is adequate funding to implement the community tether program to be administered by the department. The community tether program is intended to provide sentencing judges and county sheriffs in coordination with local community corrections advisory boards access to the state's electronic tether program to reduce prison

1 admissions and improve local jail utilization. The department shall
2 determine the appropriate distribution of the tether units
3 throughout the state based upon locally developed comprehensive
4 corrections plans under the community corrections act, 1988 PA 511,
5 MCL 791.401 to 791.414.
6 (4) For a fee determined by the department, the department
7 shall provide counties with the tether equipment, replacement
8 parts, administrative oversight of the equipment's operation,
9 notification of violators, and periodic reports regarding county
10 program participants. Counties are responsible for tether equipment
11 installation and service. For an additional fee as determined by
12 the department, the department shall provide staff to install and
13 service the equipment. Counties are responsible for the
14 coordination and apprehension of program violators.
15 (5) Any county with tether charges outstanding over 60 days
16 shall be considered in violation of the community tether program
17 agreement and lose access to the program.
18 Sec. 604. Community-placement prisoners and parolees shall
19 reimburse the department for the total costs of the program. As an
20 alternative method of payment, the department may develop a
21 community service work schedule for those individuals unable to
22 meet reimbursement requirements established by the department.
23 Sec. 606. It is the intent of the legislature that the
24 department shall ensure that parolees and probationers may timely
25 contact their parole or probation agents and maintain procedures
26 that preclude any necessity for an offender to have access to an
27 agent's home telephone number or other personal information

pertaining to the agent.

Sec. 608. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the use of electronic monitoring. At a minimum, the report shall include all of the following:

(a) Details on the failure rate of parolees for whom GPS tether is utilized, including the number and rate of parolee technical violations, including specifying failures due to committing a new crime that is uncharged but leads to parole termination, and the number and rate of parolee violators with new sentences.

(b) Information on the factors considered in determining whether an offender is placed on active GPS tether, passive GPS tether, radio frequency tether, or some combination of these or other types of electronic monitoring.

(c) Monthly data on the number of offenders on active GPS tether, passive GPS tether, radio frequency tether, and any other type of tether.

Sec. 609. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the use of kiosk reporting stations. At a minimum, the report shall include all of the following:

(a) Factors considered in determining whether an offender is assigned to report at a kiosk.

(b) Information on the location, costs, safety features, and

other features of kiosks used for offender reporting.

(c) Information on demonstration project outcome measures.

(d) An evaluation of the kiosk reporting demonstration project, including any need for improvement and an assessment of the potential for expanded use of kiosk reporting stations.

Sec. 611. The department shall prepare by March 1, 2011 individual reports for the community re-entry program, the electronic tether program, and the special alternative to incarceration program. The reports shall be submitted to the house and senate appropriations subcommittees on corrections, the house and senate fiscal agencies, and the state budget director. Each program's report shall include information on all of the following:

(a) Monthly new participants by type of offender. Community re-entry program participants shall be categorized by reason for placement. For technical rule violators, the report shall sort offenders by length of time since release from prison, by the most recent violation, and by the number of violations occurring since release from prison.

(b) Monthly participant unsuccessful terminations, including cause.

(c) Number of successful terminations.

(d) End month population by facility/program.

(e) Average length of placement.

(f) Return to prison statistics.

(g) Description of each program location or locations, capacity, and staffing.

(h) Sentencing guideline scores and actual sentence statistics

1 for participants, if applicable.
2 (i) Comparison with prior year statistics.
3 (j) Analysis of the impact on prison admissions and jail
4 utilization and the cost effectiveness of the program.
5 Sec. 612. (1) The department shall review and revise as
6 necessary policy proposals that provide alternatives to prison for
7 offenders being sentenced to prison as a result of technical
8 probation violations and technical parole violations. To the extent
9 the department has insufficient policies or resources to affect the
10 continued increase in prison commitments among these offender
11 populations, the department shall explore other policy options to
12 allow for program alternatives, including department or OCC-funded
13 programs, local level programs, and programs available through
14 private agencies that may be used as prison alternatives for these
15 offenders.
16 (2) To the extent policies or programs described in subsection
17 (1) are used, developed, or contracted for, the department may
18 request that funds appropriated in part 1 be transferred under
19 section 393(2) of the management and budget act, 1984 PA 431, MCL
20 18.1393, for their operation.
21 (3) The department shall continue to utilize parole violator
22 processing guidelines that require parole agents to utilize all
23 available appropriate community-based, nonincarcerative postrelease
24 sanctions and services when appropriate. The department shall
25 periodically evaluate such guidelines for modification, in response
26 to emerging information from the demonstration projects for
27 substance abuse treatment provided under this article and

applicable provisions of prior budget acts for the department.

(4) The department shall provide quarterly reports to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the number of all parolees returned to prison and probationers sentenced to prison for either a technical violation or new sentence during the preceding calendar quarter. The reports shall include the following information each for probationers, parolees after their first parole, and parolees who have been paroled more than once:

(a) The numbers of parole and probation violators returned to or sent to prison for a new crime with a comparison of original versus new offenses by major offense type: assaultive, nonassaultive, drug, and sex.

(b) The numbers of parole and probation violators returned to or sent to prison for a technical violation and the type of violation, including, but not limited to, zero gun tolerance and substance abuse violations. For parole technical rule violators, the report shall list violations by type, by length of time since release from prison, by the most recent violation, and by the number of violations occurring since release from prison.

(c) The educational history of those offenders, including how many had a GED or high school diploma prior to incarceration in prison, how many received a GED while in prison, and how many received a vocational certificate while in prison.

(d) The number of offenders who participated in the MPRI versus the number of those who did not.

(e) The unduplicated number of offenders who participated in substance abuse treatment programs, mental health treatment programs, or both, while in prison, itemized by diagnosis.

Sec. 613. Subject to the appropriations in part 1, the department is encouraged to expand the use of continuous remote alcohol monitors for parolees and probationers who test positive for alcohol abuse or have alcohol-abuse-related violations of their community supervision.

Sec. 615. After the parole board has reviewed the cases of all inmates sentenced to life with the possibility of parole who have good institutional records and pose low-risk to the community, the parole board shall provide the legislature with a detailed explanation of why an inmate who scores "high probability of release" is not being paroled. A report containing this explanation shall be submitted to the house and senate appropriations subcommittees on corrections, the house and senate fiscal agencies, and the state budget director by January 1.

HEALTH CARE

Sec. 801. The department shall not expend funds appropriated under part 1 for any surgery, procedure, or treatment to provide or maintain a prisoner's sex change unless it is determined medically necessary by the chief medical officer of the department.

Sec. 802. As a condition of expenditure of the funds appropriated in part 1, the department shall provide the senate and house of representatives appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state

budget director with all of the following:

(a) Quarterly reports on physical and mental health care detailing the average number of days between a prisoner's diagnosis and commencement of treatment for that diagnosis, quarterly and fiscal year-to-date expenditures itemized by vendor, allocations, status of payments from contractors to vendors, and projected year-end expenditures from accounts for prisoner health care, mental health care, pharmaceutical services, and durable medical equipment.

(b) Regular updates on progress on requests for proposals and requests for information pertaining to prisoner health care and mental health care, until the applicable contract is approved.

Sec. 803. For mental health contracts entered into by the department, including those with the Michigan department of community health, recognized performance standards and measures of quality shall be utilized to conduct periodic performance reviews. At least once every 3 years, the department shall renegotiate all mental health contracts entered into under this section with the goals of improving care and reducing costs.

Sec. 804. (1) The department shall report quarterly to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on prisoner health care utilization. The report shall include the number of inpatient hospital days, outpatient visits, and emergency room visits in the previous quarter and since October 1, 2009, by facility.

(2) By March 1, the department shall report to the senate and

house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on prisoners receiving off-site inpatient medical care that would have received care in a state correctional facility if beds were available. The report shall include the number of prisoners receiving off-site inpatient medical care and average length of stay in an off-site facility during the period they would have received care in a state correctional facility if beds were available, by month and correctional facilities administration region.

Sec. 805. The bureau of health care services shall develop information on hepatitis C and HIV prevention and the risks associated with exposure to hepatitis C and HIV. The health care providers shall disseminate this information verbally and in writing to each prisoner at the health screening and full health appraisal conducted at admissions, at the annual health care screening 30 days before or after a prisoner's birthday, and prior to release to the community by parole, transfer to community residential placement, or discharge on the maximum sentence.

Sec. 806. (1) From the funds appropriated in part 1, the department shall require a hepatitis C antibody test and an HIV test for each prisoner prior to release to the community by parole, transfer to community residential placement, or discharge on the maximum sentence. The department shall require an HIV test and a hepatitis C risk factor screening for each prisoner at the health screening at admissions. If hepatitis C risk factors are identified, the department shall offer the prisoner a hepatitis C antibody test. An explanation of results of the tests shall be

1 provided confidentially to the prisoner, and if appropriate based
2 on the test results, the prisoner shall also be provided a
3 recommendation to seek follow-up medical attention.
4 (2) By March 1, the department shall report to the senate and
5 house appropriations subcommittees on corrections, the senate and
6 house appropriations subcommittees on community health, the senate
7 and house fiscal agencies, and the state budget director on the
8 number of offenders tested and the number of offenders testing
9 positive for HIV, the hepatitis C antibody, or both, at prison
10 admission and parole, transfer to community residential placement,
11 or discharge on the maximum sentence. The department shall keep
12 records of those offenders testing positive for HIV, the hepatitis
13 C antibody, or both, at prison admission, parole, transfer to
14 community residential placement, and discharge. These records shall
15 clearly state the date each test was performed.
16 (3) As a condition of expenditure of the funds appropriated in
17 part 1, the department shall keep records of the following:
18 (a) The number of offenders testing positive for the hepatitis
19 C antibody who do not receive treatment due to refusal of
20 treatment.
21 (b) Cost and duration of treatment by offender as allowable by
22 privacy law.
23 Sec. 807. The department shall ensure that all medications for
24 a prisoner be transported with that prisoner when the prisoner is
25 transferred from 1 correctional facility to another. Prisoners
26 being released shall be provided with at least a 30-day supply of
27 medication and a prescription for refills to allow for continuity

of care in the community.

Sec. 808. There are sufficient funds and FTEs appropriated in part 1 to provide a full complement of nurses for clinical complexes working regular pay hours, and it is the intent of the legislature that sufficient nurses be hired or retained to limit the use of overtime other-than-holiday pay.

Sec. 809. The department, in conjunction with efforts to implement the MPRI, shall cooperate with the MDCH to share data and information as they relate to prisoners being released who are HIV positive or positive for the hepatitis C antibody. By March 1, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on all of the following:

(a) Programs and the location of programs implemented as a result of the work under this section.

(b) The number of prisoners released to the community by parole, discharge on the maximum sentence, or transfer to community residential placement who are HIV positive, positive for the hepatitis C antibody, or both.

(c) The number of parolees and offenders discharged on the maximum sentence who are HIV or hepatitis C positive by paroling office as reported to the state department of community health for referral to the local public health department.

Sec. 810. As a condition of expending appropriations in part 1, the department shall ensure each prisoner serving a sentence in a state correctional facility, and each probationer placed at the special alternative incarceration program under the special

1 alternative incarceration act, 1988 PA 287, MCL 798.11 to 798.18,
2 provides a sample for DNA identification profiling. The department
3 shall implement the requirements of this section in accordance with
4 the provisions of any relevant legislation enacted by the
5 legislature.
6 Sec. 812. (1) The department shall provide the department of
7 human services with a monthly list of prisoners newly committed to
8 the department of corrections. The department and the department of
9 human services shall enter into an interagency agreement under
10 which the department of human services provides the department of
11 corrections with monthly lists of newly committed prisoners who are
12 eligible for Medicaid benefits in order to maintain the process by
13 which Medicaid benefits are suspended rather than terminated. The
14 department shall assist prisoners who may be eligible for Medicaid
15 benefits after release from prison with the Medicaid enrollment
16 process prior to release from prison.
17 (2) The department shall provide the senate and house
18 appropriations subcommittees on corrections, the senate and house
19 fiscal agencies, and the state budget director with quarterly
20 updates on the utilization of Medicaid benefits for prisoners.
21 Sec. 813. The department shall monitor and document drug
22 utilization by department for prisoner health care services. As
23 part of this effort, the department shall examine drug utilization
24 patterns and cost-cutting strategies used by corrections systems in
25 other states. By March 1, 2011, the department shall provide a
26 report to the legislature detailing the department's drug
27 utilizations and drug utilization statistics for corrections

systems in other states.

Sec. 816. By April 1, the department shall provide the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the state budget director, and the legislative corrections ombudsman with a report on pharmaceutical expenditures and prescribing practices. In particular, the report shall provide the following information:

(a) A detailed accounting of expenditures on antipsychotic medications.

(b) Any changes that have been made to the prescription drug formularies.

(c) A progress report on the department's efforts to address various findings outlined in audit report 471-0325-09L issued in March 2011 by the Michigan office of the auditor general.

CORRECTIONAL FACILITIES ADMINISTRATION

Sec. 902. From the funds appropriated in part 1, the department shall allocate sufficient funds to develop a demonstration children's visitation program. The demonstration program shall teach parenting skills and arrange for day visitation at these facilities for parents and their children, except for the families of prisoners convicted of a crime involving criminal sexual conduct in which the victim was less than 18 years of age or involving child abuse.

Sec. 903. Except as otherwise provided in this section, the department shall prohibit prisoners' access to or use of the Internet or any similar system. Under adequate supervision and with

1 security precautions that ensure appropriate computer use by
2 prisoners, the department may allow a prisoner access to or use of
3 the Internet for the purposes of educational programming,
4 employment training, job searches, or other Internet-based programs
5 and services consistent with programming objectives, efficient
6 operations, and the safety and security of the institution.
7 Sec. 904. Any department employee who, in the course of his or
8 her job, is determined by a physician to have had a potential
9 exposure to the hepatitis B virus, shall receive a hepatitis B
10 vaccination upon request.
11 Sec. 905. (1) Savings in the inmate housing fund shall be
12 achieved through competitive bidding of facility operations or
13 other measures to reduce the custody, treatment, clinical, and
14 administrative costs associated with the housing of prisoners.
15 Savings shall be distributed as necessary into separate accounts
16 created to separately identify savings through specific cost
17 savings measures.
18 (2) Quarterly reports on all expenditures from the inmate
19 housing fund shall be submitted by the department to the state
20 budget director, the senate and house appropriations subcommittees
21 on corrections, and the senate and house fiscal agencies.
22 Sec. 906. It is the intent of the legislature that the
23 department maintain or expand upon existing public works
24 programming by contracting with local units of government or
25 private organizations. Any local unit of government or private
26 organization that contracts with the department for public works
27 services shall be responsible for financing the entire cost of such

1 an agreement.

2 Sec. 907. The department shall report by March 1 to the senate
3 and house appropriations subcommittees on corrections, the senate
4 and house fiscal agencies, and the state budget director on
5 academic/vocational programs. The report shall provide information
6 relevant to an assessment of the department's academic and
7 vocational programs, including, but not limited to, the following:

8 (a) The number of instructors and the number of instructor
9 vacancies, by program and facility.

10 (b) The number of prisoners enrolled in each program, the
11 number of prisoners completing each program, the number of
12 prisoners who fail each program, the number of prisoners who do not
13 complete each program and the reason for not completing the
14 program, the number of prisoners transferred to another facility
15 while enrolled in a program and the reason for transfer, the number
16 of prisoners enrolled who are repeating the program by reason, and
17 the number of prisoners on waiting lists for each program, all
18 itemized by facility.

19 (c) The steps the department has undertaken to improve
20 programs, track records, accommodate transfers and prisoners with
21 health care needs, and reduce waiting lists.

22 (d) The number of prisoners paroled without a high school
23 diploma and the number of prisoners paroled without a GED.

24 (e) An explanation of the value and purpose of each program,
25 e.g., to improve employability, reduce recidivism, reduce prisoner
26 idleness, or some combination of these and other factors.

27 (f) An identification of program outcomes for each academic

1 and vocational program.
2 (g) An explanation of the department's plans for academic and
3 vocational programs, including plans to contract with intermediate
4 school districts for GED and high school diploma programs.
5 (h) The number of prisoners not paroled at their earliest
6 release date due to lack of a GED, and the reason those prisoners
7 have not obtained a GED.
8 Sec. 910. The department shall allow the Michigan Braille
9 transcribing fund program to operate at its current location. The
10 donation of the building by the Michigan Braille transcribing fund
11 at the G. Robert Cotton correctional facility in Jackson is
12 acknowledged and appreciated. The department shall continue to
13 encourage the Michigan Braille transcribing fund to produce high-
14 quality materials for use by the visually impaired.
15 Sec. 911. By March 1, the department shall report to the
16 senate and house appropriations subcommittees on corrections, the
17 senate and house fiscal agencies, the legislative corrections
18 ombudsman, and the state budget director the number of critical
19 incidents occurring each month by type and the number and severity
20 of assaults occurring each month at each facility during calendar
21 year 2011.
22 Sec. 912. The department shall report to the senate and house
23 appropriations subcommittees on corrections, the senate and house
24 fiscal agencies, and the state budget director by March 1 on the
25 ratio of correctional officers to prisoners for each correctional
26 institution, the ratio of shift command staff to line custody
27 staff, and the ratio of noncustody institutional staff to prisoners

for each correctional institution.

Sec. 913. (1) It is the intent of the legislature that any prisoner required to complete an assaultive offender program, sexual offender program, or other program as a condition of parole shall be transferred to a facility where that program is available in order to accomplish timely completion of that program prior to the expiration of his or her minimum sentence and eligibility for parole. Nothing in this section should be deemed to make parole denial appealable in court.

(2) The department shall submit a quarterly report to the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the state budget director, and the legislative corrections ombudsman detailing enrollment in sex offender programming and assaultive offender programming. At a minimum, the report shall include the following:

(a) A full accounting of the number of individuals who are required to complete either sex offender programming or assaultive offender programming, but have not yet done so.

(b) The number of individuals who have reached their earliest release date, but who have not completed required sex offender and/or assaultive offender programming.

(c) A plan of action for addressing any waiting lists or backlogs for sex offender programming or assaultive offender programming that may exist.

Sec. 916. The department shall report by February 1 to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on

the number of computers available for use by prisoners within each prison facility. The report shall summarize the purpose and frequency of use of these computers within each facility.

Sec. 920. The department shall make every effort to operate a garden or horticultural operation at each correctional facility, where practical, in order to provide food for correctional facilities and not-for-profit organizations.

Sec. 921. (1) By March 1, the department shall report to the chairs of the senate and house appropriations committees, the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the following:

(a) The actual savings realized between January 1, 2009 and April 1, 2011 as a result of closing correctional facilities and correctional camps between January 1, 2009 and January 1, 2012, itemized by correctional facility or correctional camp.

(b) The projected fiscal year 2011-2012 savings by closing correctional facilities and correctional camps between January 1, 2009 and January 1, 2012, itemized by correctional facility or correctional camp.

(2) The report in subsection (1) shall include information on all of the following:

(a) The savings realized or projected to be realized, itemized by program or type of expenditure.

(b) Any cost of field supervision, field operations programs, or prisoner reintegration programs related to the closure of correctional facilities and correctional camps between January 1,

1 2009 and January 1, 2012.

2 Sec. 922. It is the intent of the legislature that all
3 prisoners work 40 hours per week in the correctional facility, as
4 part of a public works crew or in private enterprise, or
5 participate in vocational or training programs. Prisoners may be
6 enrolled in GED or education programs in combination with
7 employment. Prisoners not employed shall be enrolled in GED or
8 other educational programs for not less than 20 hours per week.
9 This section does not apply to prisoners classified in level V or
10 administrative segregation.

11 Sec. 923. (1) The department shall cooperate with the
12 department of education to evaluate the feasibility of local school
13 districts providing education programming to targeted prisoners
14 under the age of 20 who have not received a high school diploma. By
15 June 1, the department shall report to the senate and house
16 appropriations subcommittees on corrections, the senate and house
17 fiscal agencies, and the state budget director on any plans or
18 evaluations developed under this section.

19 (2) The department shall make efforts to encourage retired
20 school teachers to provide education services in correctional
21 facilities through volunteerism.

22 Sec. 924. The department shall evaluate all prisoners at
23 intake for substance abuse disorders, developmental disorders,
24 serious mental illness, and other mental health disorders.
25 Prisoners with serious mental illness shall not be confined in
26 administrative segregation due to serious mental illness. Under the
27 supervision of a mental health professional, a prisoner with

1 serious mental illness may be secluded in a therapeutic environment
2 for the safety of the prisoner or others. A prisoner in therapeutic
3 seclusion shall be evaluated every 12 hours by a mental health
4 professional in order to remain in therapeutic seclusion.

5 Sec. 925. By March 1, 2012, the department shall report to the
6 senate and house appropriations subcommittees on corrections, the
7 senate and house fiscal agencies, and the state budget director on
8 the annual number of prisoners in administrative segregation
9 between October 1, 2003 and September 30, 2011, and the annual
10 number of prisoners in administrative segregation between October
11 1, 2003 and September 30, 2011 who at any time during the current
12 or prior prison term were diagnosed with serious mental illness or
13 have a developmental disorder and the number of days each of the
14 prisoners with serious mental illness or a developmental disorder
15 have been confined to administrative segregation.

16 Sec. 927. The department of corrections and the department of
17 human services shall enter into an intergovernmental agreement to
18 place offenders less than 19 years of age who are committed to the
19 department of corrections in underutilized units of the
20 Maxey/Woodland center correctional facility. The facilities shall
21 be used to house offenders less than 19 years of age who are
22 currently committed to the department of corrections.

23 Sec. 928. Funding appropriated in part 1 for consent decree
24 line items is appropriated into separate control accounts created
25 for each line item. Funding in each control account shall be
26 distributed as necessary into separate accounts created for the
27 purpose of separately identifying costs and expenditures associated

with each consent decree. The department shall report by February 1, 2012 to the house and senate appropriations subcommittees on corrections, the house and senate fiscal agencies, and the state budget director on distributions to each separate control account and the expenditures charged against each control account during the previous fiscal year.

Sec. 929. From the funds appropriated in part 1, the department shall do all of the following:

(a) Ensure that any inmate care and control staff in contact with prisoners less than 19 years of age are adequately trained with regard to the developmental and mental health needs of prisoners less than 19 years of age. By April 1, 2012, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on the training curriculum used and the number and types of staff receiving training under such curriculum since October 2009.

(b) Provide appropriate placement for prisoners less than 19 years of age who have serious mental illness, serious emotional disturbance, or a developmental disorder and need to be housed separately from the general population. Prisoners less than 19 years of age who have serious mental illness, serious emotional disturbance, or a developmental disorder shall not be placed in administrative segregation due to serious mental illness or serious emotional disturbance. Under the supervision of a mental health professional, a prisoner less than 19 years of age with serious mental illness or serious emotional disturbance may be secluded in

a therapeutic environment for the safety of the prisoner or others. A prisoner in therapeutic seclusion shall be evaluated every 12 hours by a mental health professional in order to remain in therapeutic seclusion.

(c) Implement a specialized re-entry program that recognizes the needs of prisoners less than 19 years old for supervised re-entry.

Sec. 930. The department shall not have a shooting range located on property east of 3760 Foco Road, Standish, Michigan.

Sec. 932. From the funds appropriated in part 1 for mental health services and support, $100,000.00 is appropriated to permit the department to contract with a board-certified child and adolescent psychiatrist to provide psychiatric services to individuals who are less than 19 years of age and are incarcerated in a department facility.

Sec. 934. From the funds appropriated in part 1 for prison industries operations, the department shall provide a report on the pilot program for the manufacturing of textiles and clothing established in at least 1 state correctional facility under section 934 of 2010 PA 188.

Sec. 935. When the department determines that the closure of a correctional facility is warranted and is determining which facility should be subject to closure, it is the intent of the legislature that the department fully consider the potential economic impact of each prison closure being considered on the community in which the facility resides. The department shall make it a high priority to close a facility for which the local economic

impact is minimized.

Sec. 936. The department shall contract with third-party providers to complete an assessment of energy utilization at each state correctional facility. In particular, the department shall endeavor to identify and implement energy-saving initiatives in the various correctional facilities. By April 1, the department shall provide the members of the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, the state budget director, and the legislative corrections ombudsman with a report on these efforts.

Sec. 937. The funds appropriated in part 1 for the cost-effective housing initiative shall be utilized to ensure more cost-effective housing of prisoners. The department shall use this funding to house prisoners in the most cost-effective manner possible. This shall include exploring the use of public-private partnerships, the use of privately owned facilities in Michigan, and the use of state facilities by third-party contractors. The use of cost-effective housing from this initiative shall be used to achieve general prison operations savings budgeted in the inmate housing fund line item. The department shall work cooperatively with the chairpersons of the senate and house appropriations subcommittees on corrections in identifying appropriate reductions to prison facility line items to achieve the budgeted savings in the inmate housing fund line item.

Sec. 938. A contractor that provides food service for a correctional facility should be encouraged to provide those services using fresh food that is grown or produced locally.

Sec. 939. By January 1, the department shall release a request for proposal seeking competitive bids for the privatization of the special alternative incarceration facility.

Sec. 940. For the purpose of procuring drug testing services at correctional facilities, the department shall enter into a contract with a Michigan-based company that provides laboratory oral fluid drug testing.

Sec. 941. The department shall ensure that any contract with a public or private party to operate the special alternative incarceration facility at camp Cassidy Lake includes a provision to require that public works program services continue to be provided to the St. Louis Center in Chelsea at rates consistent with the rate structure in place as of May 1, 2011.

Sec. 942. The department shall ensure that any contract with a public or private party to operate a facility to house state prisoners includes a provision to allow access by both the office of the legislative auditor general and the office of the legislative corrections ombudsman to the facility and to appropriate records and documents related to the operation of the facility. These access rights for both offices shall be the same for the contracted facility as for a general state-operated correctional facility.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

1 Sec. 1201. It is the intent of the legislature to provide
2 appropriations for the fiscal year ending on September 30, 2013 for
3 the line items listed in part 1. The fiscal year 2012-2013
4 appropriations are anticipated to be the same as those for fiscal
5 year 2011-2012, except that the line items will be adjusted for
6 changes in caseload and related costs, federal fund match rates,
7 economic factors, and available revenue. These adjustments will be
8 determined after the January 2012 consensus revenue estimating
9 conference.

10 ARTICLE VI
11 DEPARTMENT OF EDUCATION
12 PART 1
13 LINE-ITEM APPROPRIATIONS
14 FOR FISCAL YEAR 2011-2012
15 Sec. 101. There is appropriated for the department of
16 education and certain state purposes related to education as set
17 forth in this article for the fiscal year ending September 30,
18 2012, from the following funds:
19 **DEPARTMENT OF EDUCATION**
20 APPROPRIATION SUMMARY
21 Full-time equated unclassified positions..... 6.0
22 Full-time equated classified positions..... 554.0
23 GROSS APPROPRIATION..... $ 117,313,000
24 Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	$	117,313,000
Federal revenues:		
Federal revenues		68,186,100
Federal indirect funds		4,181,000
IMLS, library services and technology act		5,562,100
Total federal revenues		77,929,200
Special revenue funds:		
Local cost sharing (schools for deaf/blind)		6,835,000
Local school district service fees		324,200
Total local revenues		7,159,200
Gifts, bequests, and donations		760,800
Private foundations		2,283,600
Total private revenues		3,044,400
Total local and private revenues		10,203,600
Certification fees		6,065,200
Commodity distribution fees		71,700
Student insurance revenues		218,600
Teacher college review fees		55,300
Teacher testing fees		344,500
Tenant rent		261,000
Training and orientation workshop fees		150,000
Total other state restricted revenues		7,166,300
State general fund/general purpose	$	22,013,900

Sec. 102. STATE BOARD OF EDUCATION/OFFICE OF THE SUPERINTENDENT

1 Full-time equated unclassified positions..... 6.0
2 Full-time equated classified positions..... 14.0
3 State board of education, per diem payments..... $ 24,400
4 Unclassified positions--6.0 FTE positions..... 645,600
5 State board/superintendent operations--14.0 FTE
6 positions 2,032,000
7 GROSS APPROPRIATION..... $ 2,702,000
8 Appropriated from:
9 Federal revenues:
10 Federal revenues..... 114,400
11 Special revenue funds:
12 Private foundations..... 28,100
13 Certification fees..... 627,000
14 State general fund/general purpose..... $ 1,932,500
15 **Sec. 103. CENTRAL SUPPORT**
16 Full-time equated classified positions..... 19.6
17 Central support--19.6 FTE positions..... $ 3,120,600
18 Worker's compensation..... 54,000
19 Building occupancy charges - property management
20 services 2,728,200
21 Tenant rent..... 261,000
22 Training and orientation workshops..... 150,000
23 Terminal leave payments..... 554,700
24 GROSS APPROPRIATION..... $ 6,868,500
25 Appropriated from:
26 Federal revenues:
27 Federal revenues..... 1,441,700

1 Federal indirect funds..... 2,294,700
2 Special revenue funds:
3 Certification fees..... 413,800
4 Teacher testing fees..... 13,500
5 Tenant rent..... 261,000
6 Training and orientation workshop fees..... 150,000
7 State general fund/general purpose..... $ 2,293,800
8 **Sec. 104. INFORMATION TECHNOLOGY SERVICES**
9 Information technology operations..... $ 3,332,900
10 GROSS APPROPRIATION..... $ 3,332,900
11 Appropriated from:
12 Federal revenues:
13 Federal revenues..... 494,600
14 Federal indirect funds..... 1,455,300
15 Special revenue funds:
16 Local cost sharing (schools for deaf/blind)..... 76,500
17 Certification fees..... 313,000
18 State general fund/general purpose..... $ 993,500
19 **Sec. 105. SPECIAL EDUCATION SERVICES**
20 Full-time equated classified positions..... 47.0
21 Special education operations--47.0 FTE positions..... $ 7,909,900
22 GROSS APPROPRIATION..... $ 7,909,900
23 Appropriated from:
24 Federal revenues:
25 Federal revenues..... 7,463,200
26 Special revenue funds:
27 Private foundations..... 110,100

1 Certification fees..... 39,500
2 State general fund/general purpose..... $ 297,100
3 **Sec. 106. MICHIGAN SCHOOLS FOR THE DEAF AND BLIND**
4 Full-time equated classified positions..... 103.0
5 Michigan schools for the deaf and blind operations--
6 102.0 FTE positions ..... $ 13,632,000
7 Camp Tuhsmeheta--1.0 FTE position..... 295,100
8 Private gifts - blind..... 200,000
9 Private gifts - deaf..... 250,000
10 GROSS APPROPRIATION..... $ 14,377,100
11 Appropriated from:
12 Federal revenues:
13 Federal revenues..... 6,326,700
14 Special revenue funds:
15 Local cost sharing (schools for deaf/blind)..... 6,758,500
16 Local school district service fees..... 312,500
17 Gifts, bequests, and donations..... 760,800
18 Student insurance revenue..... 218,600
19 State general fund/general purpose..... $ 0
20 **Sec. 107. PROFESSIONAL PREPARATION SERVICES**
21 Full-time equated classified positions..... 34.0
22 Professional preparation operations--34.0 FTE
23 positions ..... $ 5,724,100
24 Department of attorney general..... 50,000
25 GROSS APPROPRIATION..... $ 5,774,100
26 Appropriated from:
27 Federal revenues:

1 Federal revenues..... 1,386,700
2 Special revenue funds:
3 Certification fees..... 3,564,900
4 Teacher college review fees..... 55,300
5 Teacher testing fees..... 331,000
6 State general fund/general purpose..... $ 436,200
7 **Sec. 108. EARLY CHILDHOOD EDUCATION AND FAMILY**
8 **SERVICES**
9 Full-time equated classified positions..... 26.0
10 Early childhood education and family services
11 operations--26.0 FTE positions..... $ 4,295,700
12 GROSS APPROPRIATION..... $ 4,295,700
13 Appropriated from:
14 Federal revenues:
15 Federal revenues..... 3,388,300
16 Special revenue funds:
17 Certification fees..... 59,100
18 State general fund/general purpose..... $ 848,300
19 **Sec. 109. STATE AID AND SCHOOL FINANCE SERVICES**
20 Full-time equated classified positions..... 7.5
21 State aid and school finance operations--7.5 FTE
22 positions ..... $ 985,400
23 GROSS APPROPRIATION..... $ 985,400
24 Appropriated from:
25 State general fund/general purpose..... $ 985,400
26 **Sec. 110. AUDIT SERVICES**
27 Full-time equated classified positions..... 3.5

1 Audit operations--3.5 FTE positions ..... $ 541,800
2 GROSS APPROPRIATION ..... $ 541,800
3 Appropriated from:
4 Federal revenues:
5 Federal indirect funds 431,000
6 Special revenue funds:
7 Certification fees 55,200
8 State general fund/general purpose ..... $ 55,600
9 **Sec. 111. ADMINISTRATIVE LAW SERVICES**
10 Full-time equated classified positions 2.0
11 Administrative law operations--2.0 FTE positions ..... $ 1,044,800
12 GROSS APPROPRIATION ..... $ 1,044,800
13 Appropriated from:
14 Federal revenues:
15 Federal revenues 541,700
16 Special revenue funds:
17 Certification fees 452,000
18 State general fund/general purpose ..... $ 51,100
19 **Sec. 112. EDUCATION ASSESSMENT AND ACCOUNTABILITY**
20 Full-time equated classified positions 64.1
21 Educational assessment operations--64.1 FTE positions $ 11,272,500
22 GROSS APPROPRIATION ..... $ 11,272,500
23 Appropriated from:
24 Federal revenues:
25 Federal revenues 9,704,500
26 State general fund/general purpose ..... $ 1,568,000
27 **Sec. 113. GRANTS ADMINISTRATION AND SCHOOL SUPPORT**

1 **SERVICES**

2 Full-time equated classified positions..... 73.6

3 Grants administration and school support services

4 operations--67.6 FTE positions..... $ 10,937,400

5 College access challenge grant program--6.0 FTE

6 positions 4,293,200

7 Federal and private grants..... 3,000,000

8 GROSS APPROPRIATION..... $ 18,230,600

9 Appropriated from:

10 Federal revenues:

11 Federal revenues..... 16,654,000

12 Special revenue funds:

13 Local school district service fees..... 11,700

14 Private foundations..... 1,000,000

15 Commodity distribution fees..... 71,700

16 State general fund/general purpose..... $ 493,200

17 **Sec. 114. FIELD SERVICES**

18 Full-time equated classified positions..... 44.0

19 Field services operations--44.0 FTE positions..... $ 9,302,700

20 GROSS APPROPRIATION..... $ 9,302,700

21 Appropriated from:

22 Federal revenues:

23 Federal revenues..... 8,537,900

24 Special revenue funds:

25 Private foundations..... 572,100

26 Certification fees..... 51,600

27 State general fund/general purpose..... $ 141,100

1 **Sec. 115. EDUCATIONAL IMPROVEMENT AND INNOVATION**
2 **SERVICES**
3 Full-time equated classified positions..... 55.7
4 Educational improvement and innovation operations--
5 55.7 FTE positions ..... $ 10,674,000
6 GROSS APPROPRIATION..... $ 10,674,000
7 Appropriated from:
8 Federal revenues:
9 Federal revenues..... 8,688,200
10 Special revenue funds:
11 Private foundations..... 573,300
12 Certification fees..... 489,100
13 State general fund/general purpose..... $ 923,400
14 **Sec. 116. CAREER AND TECHNICAL EDUCATION**
15 Full-time equated classified positions..... 27.0
16 Career and technical education operations--27.0 FTE
17 positions ..... $ 4,234,700
18 GROSS APPROPRIATION..... $ 4,234,700
19 Appropriated from:
20 Federal revenues:
21 Federal revenues..... 3,444,200
22 State general fund/general purpose..... $ 790,500
23 **Sec. 117. LIBRARY OF MICHIGAN**
24 Full-time equated classified positions..... 33.0
25 Library of Michigan operations--32.0 FTE positions ... $ 3,808,500
26 Library services and technology program--1.0 FTE
27 positions 5,562,100

State aid to libraries		5,445,700
Michigan elibrary		950,000
GROSS APPROPRIATION	$	15,766,300
Appropriated from:		
Federal revenues:		
IMLS, library services and technology act		5,562,100
State general fund/general purpose	$	10,204,200

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for the fiscal year ending September 30, 2012 is $29,180,200.00 and state spending from state resources to be paid to local units of government for the fiscal year ending September 30, 2012 is $5,445,700.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF EDUCATION

State aid to libraries	$	5,445,700
Total department of education	$	5,445,700

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

Sec. 203. As used in this article:

(a) "Department" means the Michigan department of education.

(b) "District" means a local school district as defined in section 6 of the revised school code, 1976 PA 451, MCL 380.6, or a public school academy as defined in section 5 of the revised school code, 1976 PA 451, MCL 380.5.

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

(d) "IMLS" means institute of museum and library services.

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

Sec. 205. Unless otherwise specified, the departments shall use the Internet to fulfill the reporting requirements of this article. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

Sec. 206. The department shall provide through the Internet the state board of education agenda and all supporting documents, and shall notify the state budget director and the senate and house fiscal agencies that the agenda and supporting documents are available on the Internet, at the time the agenda and supporting documents are provided to state board of education members.

Sec. 207. (1) The department shall maintain a searchable website accessible by the public at no cost that includes, but is

not limited to, all of the following:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

(2) The department may develop and operate its own website to provide this information or may reference the state's central transparency website as the source for this information.

Sec. 208. The department shall require all public school districts to maintain complete records within the personnel file of a teacher or school employee of any disciplinary actions taken by the local school board against the teacher or employee for sexual misconduct. The records shall not be destroyed or removed from the teacher's or employee's personnel file except as required by a court order.

Sec. 209. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of technology, management, and budget for technology-related services and projects. Such user fees shall be subject to provisions of an interagency agreement between the departments and agencies and the department of technology, management, and budget.

Sec. 210. Amounts appropriated in part 1 for information

technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 211. Before publishing a list of schools or districts determined to have failed to make adequate yearly progress as required by the no child left behind act of 2001, Public Law 107-110, the department shall allow a school or district to appeal that determination. The department shall consider and act upon the appeal within 30 days after it is submitted and shall not publish the list until after all appeals have been considered and decided.

Sec. 212. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, manufactured or provided by Michigan businesses owned and operated by veterans if they are competitively priced and of comparable quality.

Sec. 214. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2012 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

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

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

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

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

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

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

Sec. 215. The department shall not approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless the professional development conference or training seminar is funded by a federal or private funding source and requires more than 1 person from a department to attend, or the conference or training seminar includes multiple issues in which 1 employee from the department does not have expertise.

Sec. 216. The department shall not take disciplinary action against an employee who communicates truthfully and factually with a member of the legislature or his or her staff.

Sec. 217. The state superintendent of public instruction shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 218. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 219. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $5,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $250,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $3,000,000.00 for private contingency funds. These funds are not available for expenditure

until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 220. The department shall provide data requested by a member of the legislature, his or her staff, or the house and senate fiscal agencies in a timely manner.

Sec. 221. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 225. It is the intent of the legislature that not later than 60 days after the state receives audited membership counts from intermediate school districts, the state superintendent of public instruction shall investigate and report to the legislature on the scope of and proposed solutions to pupil membership fraud and the incidence of students counted in membership in a district and not remaining in that district for the balance of the school year.

Sec. 226. Not later than November 15, 2012, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of

the senate and house appropriations committees, and the senate and house fiscal agencies.

Sec. 227. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees responsible for the department budget, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2011 and September 30, 2012.

Sec. 229. The department and the superintendent of public instruction shall use funds appropriated in part 1 to ensure that all of the activities and duties required to be carried out by the department and the superintendent of public instruction under section 1280c of the revised school code, 1976 PA 451, MCL 380.1280c, are completed not later than the deadlines prescribed in that section.

STATE BOARD/OFFICE OF THE SUPERINTENDENT

Sec. 301. (1) The appropriations in part 1 may be used for per diem payments to the state board for meetings at which a quorum is present or for performing official business authorized by the state board. The per diem payments shall be at a rate as follows:

(a) State board of education - president - $110.00 per day.

(b) State board of education - member other than president - $100.00 per day.

(2) A state board of education member shall not be paid a per diem for more than 30 days per year.

Sec. 302. From the amount appropriated in part 1 to the state board of education, not more than $35,000.00 shall be expended for in-state travel and out-of-state travel directly related to the duties of the state board of education.

MICHIGAN SCHOOLS FOR THE DEAF AND BLIND

Sec. 402. For each student enrolled at the Michigan schools for the deaf and blind, the department shall assess the intermediate school district of residence 100% of the cost of operating the student's instructional program. The amount shall exclude room and board related costs and the cost of weekend transportation between the school and the student's home.

Sec. 404. (1) The department may assess rent or lease excess property located on the campus of the Michigan schools for the deaf and blind in Flint to private or publicly funded organizations.

(2) From the amount appropriated in part 1 for tenant rent, the department may receive and expend funds from lease agreements at the Michigan schools for the deaf and blind Flint campus that have been negotiated with the approval of the department of technology, management, and budget. These funds shall be used for the operation, maintenance, and renovation expenses associated with the leased space.

(3) From the unexpended balances of appropriations for the Michigan schools for the deaf and blind operations, up to $250,000.00 of any unexpended and unencumbered funds remaining on

1 September 30, 2012 may be carried forward as a work project and
2 expended for special maintenance and repairs of facilities at the
3 campus of the Michigan schools for the deaf and blind in Flint. The
4 work shall be carried out by state employees, or by contract as
5 necessary, at an estimated cost of $250,000.00. The estimated
6 completion date of the work is September 30, 2013.
7 (4) From the tenant rent appropriation for Michigan schools
8 for the deaf and blind operations, up to $100,000.00 of any
9 unexpended and unencumbered funds remaining on September 30, 2012
10 may be carried forward as a work project or as restricted revenue
11 and expended for special maintenance and repairs of facilities at
12 Fay hall. The work project may be performed by state employees, or
13 by contract when necessary, at an estimated cost of $100,000.00.
14 The estimated completion date of the work project is September 30,
15 2013.
16 Sec. 405. The department may assist the department of
17 community health, other departments, and local school districts to
18 secure reimbursement for eligible services provided in Michigan
19 schools from the federal Medicaid program. The department may
20 submit reports of direct expenses related to this effort to the
21 department of community health for reimbursement.
22 Sec. 406. (1) The Michigan schools for the deaf and blind may
23 promote its residential program as a possible appropriate option
24 for children who are deaf or hard of hearing or who are blind or
25 visually impaired. The Michigan schools for the deaf and blind
26 shall distribute information detailing its services to all
27 intermediate school districts in the state.

(2) Upon knowledge of or recognition by an intermediate school district that a child in the district is deaf or hard of hearing or blind or visually impaired, the intermediate school district shall provide to the parents of the child the literature distributed by the Michigan schools for the deaf and blind to intermediate school districts under subsection (1).

(3) Parents will continue to have a choice regarding the educational placement of their deaf or hard-of-hearing children.

Sec. 407. Revenue received by the Michigan schools for the deaf and blind from gifts, bequests, and donations that is unexpended at the end of the state fiscal year may be carried over to the succeeding fiscal year and shall not revert to the general fund.

PROFESSIONAL PREPARATION SERVICES

Sec. 501. From the funds appropriated in part 1 for professional preparation services, the department shall maintain the professional personnel register and certificate revocation/felony conviction files.

Sec. 502. The department shall authorize teacher preparation institutions to provide an alternative program by which up to 1/2 of the required student internship or student teaching credits may be earned through substitute teaching. The department shall require that teacher preparation institutions collaborate with school districts to ensure that the quality of instruction provided to student teachers is comparable to that required in a traditional student teaching program.

Sec. 506. Revenue received from teacher testing fees that is unexpended at the end of the state fiscal year may be carried over to the succeeding fiscal year and shall not revert to the general fund.

OFFICE OF EDUCATIONAL IMPROVEMENT AND INNOVATION

Sec. 601. From the amount appropriated in part 1 for the office of educational improvement and innovation, there is allocated $350,000.00 and 3.5 FTE positions to operate a charter school office to administer charter school legislation and associated regulations, and to coordinate the activities of the department relating to charter schools.

INFORMATION TECHNOLOGY

Sec. 701. The department shall work in collaboration with the center for educational performance and information to support the comprehensive educational information system and all data collection and reporting efforts of the department.

LIBRARY OF MICHIGAN

Sec. 801. In addition to the funds appropriated in part 1, the funds collected by the department for document reproduction and services; conferences, workshops, and training classes; and the use of specialized equipment, facilities, and software are appropriated for all expenses necessary to provide the required services. These funds are available for expenditure when they are received and may be carried forward into the next succeeding fiscal year.

Sec. 803. It is the intent of the legislature that the library of Michigan and the component programs currently within the library of Michigan shall be kept together in a state department.

Sec. 804. From the funds appropriated in part 1 and other funding available, the department and library of Michigan shall maintain custody of the non-Michigan genealogy and all Michigan-specific collections. These collections shall continue to be made available to the public.

GRANTS ADMINISTRATION AND SCHOOL SUPPORT SERVICES

Sec. 901. Within 10 days of the receipt of a grant appropriated in the federal and private grants line item in part 1, the department shall notify the house and senate chairpersons of the appropriations subcommittees responsible for the department budget, the house and senate fiscal agencies, and the state budget director of the receipt of the grant, including the funding source, purpose, and amount of the grant.

Sec. 902. The college access challenge grant program is a work project as provided in section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a, and as follows and as such appropriations for the program shall not lapse at the end of the fiscal year but shall continue to be available for expenditure until the project has been completed:

(a) The purpose of the project is to provide assistance and training to Michigan families, counselors, teachers, and community leaders in applying for and securing funds for college to low-income students.

(b) The project will be accomplished by state employees and/or by contracts with private vendors.

(c) The total estimated cost of the project is $8,571,000.00.

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

Sec. 903. By not later than March 1, 2012, the department shall work with districts that operate as a school of excellence cyber school as defined in section 551 of the revised school code, 1976 PA 451, MCL 380.551, and districts that operate an alternative education program with a seat-time waiver under section 101 of the state school aid act of 1979, 1979 PA 94, MCL 388.1701, to provide a report to the house and senate chairpersons of the appropriations subcommittees responsible for the department budget, the house and senate fiscal agencies, and the state budget director on all of the following:

(a) Each district operating a program and the districts that enroll students in their program.

(b) The total number of students and membership pupils enrolled in each program.

(c) The district in which each pupil is enrolled if other than the district with the seat-time wavier or the cyber school.

(d) The district in which the pupil was enrolled prior to enrolling in the cyber school or the district with a seat-time waiver program.

(e) The number of participating students who had previously dropped out of school.

(f) The number of participating students who had previously been expelled from school.

(g) The cost per pupil paid to each online education provider.

(h) The cost per pupil charged to school districts that enroll their students in the program.

(i) The name of each online education provider contracted by a district with a seat-time waiver or a cyber school and the state in which the online education provider is located.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2013 for the line items listed in part 1. The fiscal year 2012-2013 appropriations are anticipated to be the same as those for fiscal year 2011-2012, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2012 consensus revenue estimating conference.

ARTICLE VII

DEPARTMENT OF ENVIRONMENTAL QUALITY

PART 1

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

1 Sec. 101. Subject to the conditions set forth in this article,
2 the amounts listed in this part are appropriated for the department
3 of environmental quality for the fiscal year ending September 30,
4 2012, from the funds indicated in this part. The following is a
5 summary of the appropriations in this part:
6 **DEPARTMENT OF ENVIRONMENTAL QUALITY**
7 APPROPRIATION SUMMARY
8 Full-time equated unclassified positions..... 6.0
9 Full-time equated classified positions..... 1,334.5
10 GROSS APPROPRIATION..... $ 414,520,000
11 Interdepartmental grant revenues:
12 Total interdepartmental grants and intradepartmental
13 transfers 9,043,200
14 ADJUSTED GROSS APPROPRIATION..... $ 405,476,800
15 Federal revenues:
16 Total federal revenues..... 159,701,500
17 Special revenue funds:
18 Total private revenues..... 711,800
19 Total other state restricted revenues..... 223,571,900
20 State general fund/general purpose..... $ 21,491,600
21 FUND SOURCE SUMMARY
22 Full-time equated unclassified positions..... 6.0
23 Full-time equated classified positions..... 1,334.5
24 GROSS APPROPRIATION..... $ 414,520,000
25 Interdepartmental grant revenues:
26 IDG, MDOT - Michigan transportation fund..... 1,165,900

1	IDG, MDSP	1,095,900
2	IDT, interdivisional charges	2,053,400
3	IDT, laboratory services	4,728,000
4	Total interdepartmental grants and intradepartmental	
5	transfers	9,043,200
6	ADJUSTED GROSS APPROPRIATION	$ 405,476,800
7	Federal revenues:	
8	Federal funds	159,701,500
9	Special revenue funds:	
10	Private funds	711,800
11	Aboveground storage tank fees	489,700
12	Air emissions fees	10,163,900
13	Campground fund	292,700
14	Clean Michigan initiative - response activities	5,500,000
15	Clean Michigan initiative fund - clean water fund	4,030,700
16	Cleanup and redevelopment fund	16,555,600
17	Community pollution prevention fund	250,000
18	Electronic waste recycling fund	269,800
19	Environmental education fund	260,900
20	Environmental pollution prevention fund	2,425,900
21	Environmental protection bond fund	1,452,500
22	Environmental protection fund	5,832,200
23	Environmental response fund	8,236,000
24	Fees and collections	348,000
25	Financial instruments	5,000,000
26	Great Lakes protection fund	1,051,500
27	Groundwater discharge permit fees	1,624,400

Hazardous materials transportation permit fund	912,400
Infrastructure construction fund	434,300
Land and water permit fees	5,695,800
Landfill maintenance trust fund	28,200
Medical waste emergency response fund	330,000
Metallic mining surveillance fee revenue	38,000
Mineral well regulatory fee revenue	213,100
NPDES fees	4,298,400
Oil and gas regulatory fund	10,632,700
Orphan well fund	2,207,000
Public swimming pool fund	690,200
Public utility assessments	264,800
Public water supply fees	4,682,500
Refined petroleum fund	37,642,400
Retired engineers technical assistance program	1,860,200
Revitalization revolving loan fund	94,100
Revolving loan revenue bonds	11,400,000
Sand extraction fee revenue	81,000
Scrap tire regulatory fund	5,328,800
Septage waste contingency fund	17,000
Septage waste program fund	609,000
Settlement funds	2,490,900
Sewage sludge land application fees	993,700
Small business pollution prevention revolving loan fund	146,700
Soil erosion and sedimentation control training fund	134,100
Solid waste management fund - staff account	4,822,600

1 State site cleanup fund		4,400,000
2 Stormwater permit fees		3,345,300
3 Strategic water quality initiatives fund		40,000,000
4 Underground storage tank fees		2,575,500
5 Waste reduction fee revenue		4,851,100
6 Wastewater operator training fees		550,700
7 Water analysis fees		3,947,900
8 Water pollution control revolving fund		3,530,500
9 Water quality protection fund		100,000
10 Water use reporting fees		439,200
11 Total other state restricted revenues		223,571,900
12 State general fund/general purpose	$	21,491,600
13 **Sec. 102. EXECUTIVE OPERATIONS**		
14 Full-time equated unclassified positions 6.0		
15 Full-time equated classified positions 14.0		
16 Unclassified salaries--6.0 FTE positions	$	500,000
17 Executive direction--14.0 FTE positions		1,656,400
18 GROSS APPROPRIATION	$	2,156,400
19 Appropriated from:		
20 Federal revenues:		
21 Federal funds		72,100
22 Special revenue funds:		
23 Environmental response fund		140,500
24 Oil and gas regulatory fund		231,900
25 Refined petroleum fund		414,500
26 Settlement funds		58,100
27 State general fund/general purpose	$	1,239,300

1 **Sec. 103. OFFICE OF THE GREAT LAKES**

2 Full-time equated classified positions..... 18.0

3 Office of the Great Lakes--18.0 FTE positions..... $ 2,697,700

4 GROSS APPROPRIATION..... $ 2,697,700

5 Appropriated from:

6 Federal revenues:

7 Federal funds..... 1,591,500

8 Special revenue funds:

9 Great Lakes protection fund..... 680,800

10 Settlement funds..... 106,600

11 State general fund/general purpose..... $ 318,800

12 **Sec. 104. GREAT LAKES RESTORATION INITIATIVE**

13 Great Lakes restoration initiative..... $ 25,000,000

14 GROSS APPROPRIATION..... $ 25,000,000

15 Appropriated from:

16 Federal revenues:

17 Federal funds..... 25,000,000

18 State general fund/general purpose..... $ 0

19 **Sec. 105. DEPARTMENT SUPPORT SERVICES**

20 Full-time equated classified positions..... 37.0

21 Central support services--37.0 FTE positions..... $ 3,905,400

22 Accounting service center..... 1,224,700

23 Administrative hearings..... 489,700

24 Automated data processing..... 2,053,400

25 Building occupancy charges..... 5,985,000

26 Environmental support projects..... 5,000,000

27 Rent - privately owned property..... 1,960,800

1	GROSS APPROPRIATION	$ 20,619,000
2	Appropriated from:	
3	Interdepartmental grant revenues:	
4	IDG, MDSP	86,700
5	IDT, interdivisional charges	2,053,400
6	IDT, laboratory services	502,700
7	Federal revenues:	
8	Federal funds	5,200
9	Special revenue funds:	
10	Aboveground storage tank fees	55,900
11	Air emissions fees	1,597,600
12	Campground fund	15,100
13	Cleanup and redevelopment fund	1,332,600
14	Environmental pollution prevention fund	105,100
15	Environmental protection fund	5,500
16	Environmental response fund	614,000
17	Fees and collections	38,300
18	Financial instruments	5,000,000
19	Great Lakes protection fund	82,500
20	Groundwater discharge permit fees	188,200
21	Hazardous material transportation permit fund	34,900
22	Land and water permit fees	309,300
23	Medical waste emergency response fund	40,400
24	Metallic mining surveillance fee revenue	1,300
25	Mineral well regulatory fee revenue	15,200
26	NPDES fees	412,100
27	Oil and gas regulatory fund	1,016,800

1 Orphan well fund..... 40,400
2 Public swimming pool fund..... 64,100
3 Public utility assessments..... 49,400
4 Public water supply fees..... 254,100
5 Refined petroleum fund..... 1,879,200
6 Sand extraction fee revenue..... 1,000
7 Scrap tire regulatory fund..... 200,300
8 Septage waste program fund..... 34,000
9 Settlement funds..... 192,500
10 Sewage sludge land application fees..... 107,400
11 Small business pollution prevention revolving loan
12 fund 19,000
13 Soil erosion and sedimentation control training fund . 5,300
14 Solid waste management fund - staff account..... 581,400
15 Stormwater permit fees..... 184,400
16 Underground storage tank fees..... 219,100
17 Waste reduction fee revenue..... 365,200
18 Wastewater operator training fees..... 6,000
19 Water analysis fees..... 355,600
20 Water use reporting fees..... 8,900
21 State general fund/general purpose..... $ 2,538,900
22 **Sec. 106. OFFICE OF ENVIRONMENTAL ASSISTANCE**
23 Full-time equated classified positions..... 44.0
24 Office of environmental assistance--44.0 FTE positions $ 6,915,500
25 GROSS APPROPRIATION..... $ 6,915,500
26 Appropriated from:
27 Federal revenues:

1 Federal funds..... 880,100
2 Special revenue funds:
3 Private funds..... 537,600
4 Air emissions fees..... 124,500
5 Environmental education fund..... 260,900
6 Retired engineers technical assistance program..... 1,860,200
7 Settlement funds..... 248,400
8 Small business pollution prevention revolving loan
9 fund 118,900
10 Waste reduction fee revenue..... 2,884,900
11 State general fund/general purpose..... $ 0
12 **Sec. 107. WATER RESOURCE DIVISION**
13 Full-time equated classified positions..... 321.0
14 Land and water interface permit programs--85.0 FTE
15 positions ..... $ 14,806,800
16 Program direction and project assistance--30.0 FTE
17 positions 2,775,000
18 Water withdrawal assessment program--4.0 FTE positions 756,600
19 Expedited water/wastewater permits--3.0 FTE positions 434,300
20 Fish contaminant monitoring..... 316,100
21 Groundwater discharge--22.0 FTE positions..... 2,868,800
22 NPDES nonstormwater program--89.0 FTE positions..... 11,690,400
23 Surface water--88.0 FTE positions..... 15,163,600
24 GROSS APPROPRIATION..... $ 48,811,600
25 Appropriated from:
26 Interdepartmental grant revenues:
27 IDG, MDOT - Michigan transportation fund..... 1,108,100

1 Federal revenues:

2 Federal funds..... 14,298,800

3 Special revenue funds:

4 Clean Michigan initiative fund - clean water fund.... 4,030,700

5 Environmental protection fund..... 2,546,100

6 Environmental response fund..... 183,700

7 Groundwater discharge permit fees..... 1,356,900

8 Infrastructure construction fund..... 434,300

9 Land and water permit fees..... 5,251,400

10 NPDES fees..... 3,685,600

11 Refined petroleum fund..... 429,400

12 Soil erosion and sedimentation control training fund. 126,300

13 Stormwater permit fees..... 2,972,600

14 Water pollution control revolving fund..... 734,300

15 Water use reporting fees..... 426,100

16 State general fund/general purpose..... $ 11,227,300

17 **Sec. 108. LAW ENFORCEMENT DIVISION**

18 Full-time equated classified positions..... 14.0

19 Environmental investigations--14.0 FTE positions..... $ 2,396,900

20 GROSS APPROPRIATION..... $ 2,396,900

21 Appropriated from:

22 Federal revenues:

23 Federal funds..... 703,100

24 Special revenue funds:

25 Aboveground storage tank fees..... 5,100

26 Air emissions fees..... 150,600

27 Campground fund..... 2,800

Cleanup and redevelopment fund	126,700
Environmental pollution prevention fund	10,400
Environmental protection fund	45,400
Environmental response fund	65,300
Fees and collections	3,800
Great Lakes protection fund	8,300
Groundwater discharge permit fees	17,300
Hazardous material transportation permit fund	3,500
Land and water permit fees	36,800
Medical waste emergency response fund	4,100
Metallic mining surveillance fee revenue	500
Mineral well regulatory fee revenue	1,600
NPDES fees	41,600
Oil and gas regulatory fund	114,200
Orphan well fund	4,100
Public swimming pool fund	5,100
Public water supply fees	25,400
Refined petroleum fund	291,600
Sand extraction fee revenue	500
Scrap tire regulatory fund	97,000
Septage waste program fund	3,400
Settlement funds	22,200
Sewage sludge land application fees	9,800
Small business pollution prevention revolving loan fund	1,900
Stormwater permit fees	18,400
Soil erosion and sedimentation control training fund	600

1 Underground storage tank fees 21,900
2 Waste reduction fee revenue 45,700
3 Wastewater operator training fees 600
4 Water analysis fees 28,400
5 Water use reporting fees 900
6 State general fund/general purpose ..... $ 478,300
7 **Sec. 109. AIR QUALITY DIVISION**
8 Full-time equated classified positions..... 208.0
9 Air quality programs--208.0 FTE positions ..... $ 24,228,800
10 GROSS APPROPRIATION ..... $ 24,228,800
11 Appropriated from:
12 Federal revenues:
13 Federal funds 7,488,200
14 Special revenue funds:
15 Air emissions fees 7,739,500
16 Environmental response fund 119,800
17 Fees and collections 254,900
18 Oil and gas regulatory fund 121,600
19 Refined petroleum fund 3,163,200
20 Waste reduction fee revenue 1,200,000
21 State general fund/general purpose ..... $ 4,141,600
22 **Sec. 110. ENVIRONMENTAL RESOURCE MANAGEMENT**
23 **DIVISION**
24 Full-time equated classified positions..... 324.5
25 Drinking water and environmental health--109.5 FTE
26 positions ..... $ 15,098,900
27 Hazardous waste management program--51.0 FTE positions 6,593,200

1	Low-level radioactive waste authority--2.0 FTE	
2	positions	199,300
3	Medical waste program--2.0 FTE positions	271,000
4	Municipal assistance--34.0 FTE positions	6,020,800
5	Radiological protection program--12.0 FTE positions ..	1,295,300
6	Scrap tire regulatory program--11.0 FTE positions	1,198,600
7	Oil, gas, and mineral services--60.0 FTE positions ...	11,176,500
8	Sewage sludge land application program--6.0 FTE	
9	positions	841,600
10	Solid waste management program--37.0 FTE positions ...	4,462,800
11	GROSS APPROPRIATION.....	$ 47,158,000
12	Appropriated from:	
13	Interdepartmental grant revenues:	
14	IDG-MDSP.....	979,600
15	Federal revenues:	
16	Federal funds.....	15,793,400
17	Special revenue funds:	
18	Campground fund.....	264,600
19	Electronic waste recycling fund.....	269,800
20	Environmental pollution prevention fund.....	2,205,800
21	Fees and collections.....	32,100
22	Hazardous material transportation permit fund.....	861,300
23	Medical waste emergency response fund.....	271,000
24	Metallic mining surveillance fee revenue.....	35,700
25	Mineral well regulatory fee revenue.....	190,800
26	Oil and gas regulatory fund.....	8,715,400
27	Orphan well fund.....	2,148,000

1 Public swimming pool fund..... 602,400
2 Public utility assessments..... 199,300
3 Public water supply fees..... 2,556,900
4 Refined petroleum fund..... 601,100
5 Sand extraction fee revenue..... 79,200
6 Scrap tire regulatory fund..... 1,198,600
7 Septage waste contingency fund..... 17,000
8 Septage waste program fund..... 281,600
9 Sewage sludge land application fees..... 841,600
10 Solid waste management fund - staff account..... 4,030,500
11 Stormwater permit fees..... 103,100
12 Strategic water quality initiatives fund..... 400,000
13 Waste reduction fee revenue..... 162,500
14 Wastewater operator training fees..... 541,900
15 Water pollution control revolving fund..... 2,621,500
16 State general fund/general purpose..... $ 1,153,300
17 **Sec. 111. REMEDIATION DIVISION**
18 Full-time equated classified positions..... 354.0
19 Contaminated site investigations, cleanup and
20 revitalization--207.0 FTE positions..... $ 26,130,600
21 Federal cleanup project management--60.0 FTE positions 9,254,400
22 Laboratory services--48.0 FTE positions..... 7,702,600
23 Aboveground storage tank program--8.0 FTE positions.. 856,400
24 Underground storage tank program--31.0 FTE positions. 3,865,100
25 Environmental bond site reclamation program..... 1,452,500
26 Brownfield grants and loans..... 5,500,000
27 Emergency cleanup actions..... 4,000,000

1	Environmental cleanup support	1,840,000
2	Environmental cleanup and redevelopment program	30,000,000
3	State sites cleanup program	4,400,000
4	Refined petroleum product cleanup program	20,000,000
5	Superfund cleanup	3,000,000
6	GROSS APPROPRIATION	$ 118,001,600
7	Appropriated from:	
8	Interdepartmental grant revenues:	
9	IDT, laboratory services	4,068,600
10	Federal revenues:	
11	Federal funds	10,035,000
12	Special revenue funds:	
13	Private funds	174,200
14	Aboveground storage tank fees	410,400
15	Clean Michigan initiative - response activities	5,500,000
16	Cleanup and redevelopment fund	14,626,300
17	Environmental protection bond fund	1,452,500
18	Environmental protection fund	3,234,100
19	Environmental response fund	6,846,500
20	Landfill maintenance trust fund	28,200
21	Public water supply fees	276,800
22	Refined petroleum fund	29,592,000
23	Revitalization revolving loan fund	94,100
24	Settlement funds	1,782,400
25	State site cleanup fund	4,400,000
26	Strategic water quality initiatives fund	30,000,000
27	Underground storage tank fees	2,123,300

1	Water analysis fees	3,357,200
2	State general fund/general purpose	$ 0
3	**Sec. 112. GRANTS**	
4	Coastal management grants	$ 1,750,000
5	Drinking water program grants	1,330,000
6	Federal - Great Lakes remedial action plan grants	700,000
7	Federal - nonpoint source water pollution grants	6,500,000
8	Grants to counties - air pollution	83,700
9	Great Lakes research and protection grants	250,000
10	Noncommunity water grants	1,400,000
11	Pollution prevention local grants	250,000
12	Radon grants	90,000
13	Scrap tire grants	3,500,000
14	Septage waste compliance grants	275,000
15	Strategic water quality initiative loans	9,600,000
16	Water quality protection grants	100,000
17	Water pollution control and drinking water revolving	
18	funds	82,943,000
19	GROSS APPROPRIATION	$ 108,771,700
20	Appropriated from:	
21	Federal revenues:	
22	Federal funds	81,913,000
23	Special revenue funds:	
24	Community pollution prevention fund	250,000
25	Great Lakes protection fund	250,000
26	Public water supply fees	1,400,000
27	Refined petroleum fund	83,700

1	Revolving loan revenue bonds	11,400,000
2	Scrap tire regulatory fund	3,500,000
3	Septage waste program fund	275,000
4	Strategic water quality initiatives fund	9,600,000
5	Water quality protection fund	100,000
6	State general fund/general purpose	$ 0
7	**Sec. 113. INFORMATION TECHNOLOGY**	
8	Information technology services and projects	$ 7,762,800
9	GROSS APPROPRIATION	$ 7,762,800
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	IDT, laboratory services	156,700
13	IDG, MDSP	29,600
14	IDG, MDOT - Michigan transportation fund	57,800
15	Federal revenues:	
16	Federal funds	1,921,100
17	Special revenue funds:	
18	Aboveground storage tank fees	18,300
19	Air emissions fees	551,700
20	Campground fund	10,200
21	Cleanup and redevelopment fund	470,000
22	Environmental pollution prevention fund	104,600
23	Environmental protection fund	1,100
24	Environmental response fund	266,200
25	Fees and collections	18,900
26	Great Lakes protection fund	29,900
27	Groundwater discharge permit fees	62,000

Hazardous material transportation permit fund	12,700
Land and water permit fees	98,300
Medical waste emergency response fund	14,500
Metallic mining surveillance fee revenue	500
Mineral well regulatory fee revenue	5,500
NPDES fees	159,100
Oil and gas regulatory fund	432,800
Orphan well fund	14,500
Public swimming pool fund	18,600
Public utility assessments	16,100
Public water supply fees	169,300
Refined petroleum fund	1,187,700
Sand extraction fee revenue	300
Scrap tire regulatory fund	332,900
Septage waste program fund	15,000
Settlement funds	80,700
Sewage sludge land application fees	34,900
Small business pollution prevention revolving loan fund	6,900
Soil erosion and sedimentation control training fund	1,900
Solid waste management fund - staff account	210,700
Stormwater permit fees	66,800
Underground storage tank fees	211,200
Waste reduction fee revenue	192,800
Wastewater operator training fees	2,200
Water analysis fees	206,700
Water pollution control revolving fund	174,700

Water use reporting fees		3,300
State general fund/general purpose	$	394,100

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2011-2012 is $245,063,500.00 and state spending from state resources to be paid to local units of government for fiscal year 2011-2012 is $2,175,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

GRANTS

Noncommunity water grants	$	1,400,000
Scrap tire grants		500,000
Septage waste compliance program		275,000
TOTAL	$	2,175,000

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

Sec. 203. As used in this article:

(a) "Department" means the department of environmental quality.

(b) "Director" means the director of the department.

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

(d) "IDG" means interdepartmental grant.

(e) "IDT" means intradepartmental transfer.

(f) "MDOT" means the state transportation department.

(g) "MDSP" means the department of state police.

(h) "NPDES" means national pollution discharge elimination system.

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

Sec. 205. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this article. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

Sec. 206. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 207. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded

from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 208. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of technology, management, and budget for technology-related services and projects. The user fees shall be subject to provisions of an interagency agreement between the department and agencies and the department of technology, management, and budget.

Sec. 210. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 211. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 212. The department shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.

Sec. 213. (1) Funds appropriated in part 1 shall not be used by the department to promulgate a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(2) As used in this section:

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

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

Sec. 214. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 215. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $30,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget

act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

Sec. 216. (1) The department shall report all of the following information relative to allocations made from appropriations for the environmental cleanup and redevelopment program, state cleanup, emergency actions, superfund cleanup, the revitalization revolving loan program, the brownfield grants and loans program, the leaking underground storage tank cleanup program, the contaminated lake and river sediments cleanup program, the refined petroleum product cleanup program, and the environmental protection bond projects

1 under section 19508(7) of the natural resources and environmental
2 protection act, 1994 PA 451, MCL 324.19508, to the state budget
3 director, the senate and house appropriations subcommittees on
4 environmental quality, and the senate and house fiscal agencies:
5 (a) The name and location of the site for which an allocation
6 is made.
7 (b) The nature of the problem encountered at the site.
8 (c) A brief description of how the problem will be resolved if
9 the allocation is made for a response activity.
10 (d) The estimated date that site closure activities will be
11 completed.
12 (e) The amount of the allocation, or the anticipated financing
13 for the site.
14 (f) A summary of the sites and the total amount of funds
15 expended at the sites at the conclusion of the fiscal year.
16 (g) The number of brownfield projects that were successfully
17 redeveloped.
18 (2) The report prepared under subsection (1) shall also
19 include all of the following:
20 (a) The status of all state-owned facilities that are on the
21 list compiled under part 201 of the natural resources and
22 environmental protection act, 1994 PA 451, MCL 324.20101 to
23 324.20142.
24 (b) The report shall include the total amount of funds
25 expended during the fiscal year and the total amount of funds
26 awaiting expenditure.
27 (c) The total amount of bonds issued for the environmental

1 protection bond program pursuant to part 193 of the natural
2 resources and environmental protection act, 1994 PA 451, MCL
3 324.19301 to 324.19306, and bonds issued pursuant to the clean
4 Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.
5 (3) The report shall be made available by March 31 of each
6 year.
7 Sec. 217. (1) The department may expend amounts remaining from
8 the current and prior fiscal year appropriations to meet funding
9 needs of legislatively approved sites for the environmental cleanup
10 and redevelopment program, the leaking underground storage tank
11 cleanup program, and the refined petroleum product cleanup program.
12 (2) Unexpended and unencumbered amounts remaining from
13 appropriations from the environmental protection bond fund
14 contained in 1993 PA 353, 2003 PA 173, and 2006 PA 343 are
15 appropriated for expenditure for any site listed in this article
16 and any site listed in the public acts referenced in this section.
17 (3) Unexpended and unencumbered amounts remaining from
18 appropriations from the cleanup and redevelopment fund contained in
19 2000 PA 275 and 2002 PA 520 are appropriated for expenditure for
20 any site listed in this article and any site listed in the public
21 acts referenced in this section.
22 (4) Unexpended and unencumbered amounts remaining from
23 appropriations from the clean Michigan initiative fund - response
24 activities contained in 2000 PA 506, 2001 PA 120, 2004 PA 309, 2004
25 PA 350, 2005 PA 11, 2006 PA 343, and 2007 PA 121 are appropriated
26 for expenditure for any site listed in this article and any site
27 listed in the public acts referenced in this section.

(5) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection fund contained in 2001 PA 43, 2002 PA 520, and 2003 PA 171 are appropriated for expenditure for any site listed in this article and any site listed in the public acts referenced in this section.

(6) Unexpended and unencumbered amounts remaining from appropriations from the refined petroleum fund activities contained in 2005 PA 154, 2007 PA 121, 2008 PA 247, 2009 PA 118, and 2010 PA 189 are appropriated for expenditure for any site listed in this article and any site listed in the public acts referenced in this section.

Sec. 219. Unexpended settlement revenues at the end of the fiscal year may be carried forward into the settlement fund in the succeeding fiscal year up to a maximum carryforward of $2,500,000.00.

Sec. 221. Not later than November 15, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the previous fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies.

Sec. 222. Within 14 days after the release of the executive budget recommendation, the department shall provide the state

budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on environmental quality, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2011 and September 30, 2012.

Sec. 223. Part 1 of this article provides authorizations to fund 1,334.5 FTE classified positions during the fiscal year ending September 30, 2012. Line-item appropriations include limitations on the number of payroll hours to be funded, on the basis of 2,088 hours per each FTE position. The department shall report the number of funded FTE positions within 15 days after the effective date of this article. The number of classified employees compensated through each line item is limited by the authorized FTE positions indicated in this article, as adjusted for the number of reported funded FTE positions. The report shall be provided to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies.

Sec. 224. On a quarterly basis, the department shall report on the number of FTEs in pay status by civil service classification to the senate and house appropriations subcommittees on environmental quality and the senate and house fiscal agencies.

Sec. 225. (1) The department shall maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

(2) The department may develop and operate its own website to provide this information or may reference the state's central transparency website as the source for this information.

Sec. 226. The department shall not expend more than $10,000.00 from the appropriations in part 1 to implement the requirements of section 225.

Sec. 227. The department shall provide a report on the implementation of a permit application status tracking tool on the department's public internet website to the house and senate appropriations subcommittees on environmental quality, the standing committees of the house and senate with primary responsibility for environmental quality issues, and the house and senate fiscal agencies by December 31, 2011. This permit application status tracking tool shall allow permit applicants and the general public to track and review pending permit applications. Searchable parameters shall include, but are not limited to, applicant name and address, county of request, date of application, most recent activity, and status of the permit application. The report shall include the estimated cost of the proposed tool, the information technology requirements that would be needed for the database, the

FTE and/or contractual requirements to develop and maintain the proposed tool, an estimated timeline of the implementation of the tool, and any potential foreseen challenges to its implementation.

Sec. 228. The department shall develop a customer satisfaction evaluation program. The program shall utilize customer satisfaction surveys to receive feedback in select program areas to help identify opportunities for improvements and efficiencies. The department shall provide a report on the customer satisfaction evaluation program and the feedback received to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies by July 1, 2012.

Sec. 229. (1) The department shall submit a report identifying specific permit programs for which an expedited permitting option to fast track the permit process could be developed and instituted. The report shall include, but is not limited to, all of the following:

(a) A listing of the proposed permit programs.

(b) Estimates of the amount of time a pending permit would be granted with the expedited process compared to the amount of time with the normal permit process in those programs.

(c) Any estimated increase in cost to the department or the applicant for the expedited program.

(2) The report described in subsection (1) shall be submitted to the house and senate appropriations subcommittees on environmental quality, the standing committees of the house and senate with primary responsibility for environmental quality issues, and the house and senate fiscal agencies by December 31,

2011.

REMEDIATION DIVISION

Sec. 301. Revenues remaining in the interdepartmental transfers, laboratory services at the end of the fiscal year shall carry forward into the succeeding fiscal year.

Sec. 302. The unexpended funds appropriated in part 1 for emergency cleanup actions and the refined petroleum product cleanup program are considered work project appropriations and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the projects to be carried forward is to provide contaminated site cleanup.

(b) The projects will be accomplished by contract.

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

(d) The tentative completion date is September 30, 2016.

Sec. 303. Effective October 1, 2011, surplus funds not to exceed $1,000,000.00 in the cleanup and redevelopment trust fund are appropriated to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a.

Sec. 304. Effective October 1, 2011, surplus funds not to exceed $1,000,000.00 in the community pollution prevention fund created in section 3f of 1976 IL 1, MCL 445.573f, are appropriated

to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a.

Sec. 305. It is the intent of the legislature to repay the refined petroleum fund for the $70,000,000.00 that was transferred to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a, as part of the resolution for the fiscal year 2006-2007 budget.

Sec. 306. The funds appropriated in part 1 for the refined petroleum product cleanup program shall be used to fund cleanup activities on the following sites:

Site Name	**County**
Alcona Oil Company	Alcona
Former Tavern & Gas Station	Alcona
Paragon Metal Works/Mikado Total	Alcona
Chatham Corners Store	Alger
Christmas Sports Enterprises	Alger
Midway Resort Inc.	Alger
Superior Shell Munising	Alger
Fennville Feed Supply	Allegan
New Salem Grocery	Allegan
Country Party Store	Alpena
Hubbard Lake Garage	Alpena
Bellaire Bay Mart	Antrim
Res. Wells Torch Lake Twp.	Antrim
Torch River Pit Stop	Antrim

1	Arvon Township School	Baraga
2	Blankenstein Pontiac	Barry
3	Bud's of Honor	Benzie
4	Village of Honor Res. Wells	Benzie
5	Berrien County Sheriff's Substation	Berrien
6	Coloma Citgo	Berrien
7	Fredrick's Auto Clinic	Berrien
8	Randy's Amoco	Berrien
9	Sterling Express Ltd.	Berrien
10	Baker Oil (E. Michigan)	Calhoun
11	Helmer I-94 Inc.	Calhoun
12	Korner Krossroads Party Store	Calhoun
13	Indian Lake Mini Super	Cass
14	Rigg's Corner Store	Cass
15	Service Mart 2, Union	Cass
16	Unocal 76, Edwardsburg (Energy Oil)	Cass
17	Arnold's Bait and Tackle	Charlevoix
18	Northern Oil (former)	Charlevoix
19	Club Rd. Property	Cheboygan
20	Park Shell Service	Chippewa
21	Ackels Car Care	Clinton
22	Bay Petroleum Corp.	Eaton
23	Bob's Marathon	Eaton
24	Beckon & Larks Lake Rd.	Emmet
25	Farmers Petroleum Coop - Petoskey	Emmet
26	Action Auto #10	Genesee
27	Central Distributing	Genesee

1	City of Davison-Mill St.	Genesee
2	Flint FD Fleet Admin.	Genesee
3	Flint Water Department Service Center	Genesee
4	Sunshine Foods #119 Burton	Genesee
5	United Cleaners Inc.	Genesee
6	Watkins & Himelohoch Inc.	Genesee
7	Bondale Dinkens	Gladwin
8	Winegar's Trading Post	Gladwin
9	4 Corners	Grand Traverse
10	Stop N Shop	Grand Traverse
11	Woodland Shop N Go #175	Grand Traverse
12	KD's Country Store	Gratiot
13	Pat's Service	Gratiot
14	Wilson's Grocery	Gratiot
15	Action Auto Store #30	Ingham
16	Bay Gas Station	Ingham
17	Bay Petroleum W. Willow	Ingham
18	Bay Petroleum, S. MLK	Ingham
19	Citgo #7	Ingham
20	Clark Station #1995	Ingham
21	Former Clark #531	Ingham
22	Fresh-Up Car Wash	Ingham
23	Miller Oil Company	Ingham
24	Forest Park School District	Iron
25	Alamo General Store	Kalamazoo
26	Bud's Auto Repair	Kalamazoo
27	Dutton Mills	Kent

1	Former Clark #1481	Kent
2	Great Northern Packaging	Kent
3	MSI #635	Kent
4	Hurly's Lodge	Lake
5	Church & Sons Gas Station	Lapeer
6	E.J. Green	Lapeer
7	P.T. Auto Sales	Lapeer
8	Schaudt's Service Station	Lapeer
9	Former Ted's Standard	Leelanau
10	Lakeside Resort and Party Store	Leelanau
11	Clark Store #2128	Livingston
12	Lakeland Montessori School	Livingston
13	The Oasis Truck Stop	Livingston
14	Bob's Standard Service	Luce
15	Action Auto (former)	Macomb
16	Memphis Shell	Macomb
17	Sokana Mobil	Macomb
18	Muffler Man	Manistee
19	Harvey Oil Co. Inc.	Marquette
20	Joe & Son's Service	Marquette
21	Quick Lube	Mason
22	Morley General Store	Mecosta
23	Jack's Mobil	Menominee
24	Dutch Hutch	Missaukee
25	Rinckey's Store	Missaukee
26	A.N. Russell & Son Inc.	Montcalm
27	Coral General Store	Montcalm

1	Edmore Mobil	Montcalm
2	R.V. Jensen Inc.	Montcalm
3	Lowell St. Hillman Twp.	Montmorency
4	Wyson's General Store	Montmorency
5	Bennett Pump	Muskegon
6	Bernie's Amoco	Muskegon
7	Grant Mini Mart	Newaygo
8	Wesco #14/Triangle Market	Newaygo
9	Emma Milner Property, Waterford	Oakland
10	Jenny Enterprises/Wine Basket, Highland	Oakland
11	Little Caesar's Pizza, Ortonville	Oakland
12	Wayne Oakland Oil Company	Oakland
13	Village of Mears GW Contam.	Oceana
14	Kimball's Western	Ogemaw
15	Rose City Feed & Tack	Ogemaw
16	Andy's Standard	Osceola
17	Lowing's Auto	Osceola
18	Neal's Service	Osceola
19	Tiel Oil Company	Osceola
20	Don's Marathon	Oscoda
21	West Otsego Lake Grocery	Otsego
22	Radio Tavern	Presque Isle
23	Westervelt, 805 S.	Saginaw
24	Former Sav-U Station	Shiawassee
25	Frank's Service	Shiawassee
26	Decker Service	St. Joseph
27	Payless SuperAmerica	St. Joseph

State Rd. 6842, Millington	Tuscola
Clark Store #1126	Van Buren
Drew, Ripple Property	Van Buren
Roy Smothers	Van Buren
Jimmie's Filling Station	Washtenaw
Total #2542 (Huron Mini-mart)	Washtenaw
B & H Food & Gas/Dix-Toledo Petro Mart	Wayne
Cal's Car Care, Incorporated - BTEX	Wayne
City of Detroit - DOT - 5800 Russell St.	Wayne
Garden Gas Station	Wayne
Hail Investments	Wayne
JJ Curran Crane	Wayne
K & A Gas	Wayne
Master Petroleum	Wayne
Micks Auto	Wayne
Speedy's Gas & Goodies	Wayne
Welcome Gas on Telegraph	Wayne
Peterson's Standard	Wexford

Sec. 307. Effective October 1, 2011, surplus funds not to exceed $2,000,000.00 in the small business pollution prevention assistance revolving loan fund created in section 14513 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.14513, are appropriated to the environmental pollution prevention fund created in section 11130 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11130.

Sec. 308. Effective October 1, 2011, surplus funds not to exceed $1,300,000.00 in the small business pollution prevention

assistance revolving loan fund created in section 14513 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.14513, are appropriated to the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a.

Sec. 309. The funds appropriated in part 1 for the brownfield grants and loans program are considered work project appropriations, and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the projects is to provide contaminated site cleanup.

(b) The projects will be accomplished by contract.

(c) The total estimated cost of all projects is $5,500,000.00.

(d) The tentative completion date is September 30, 2016.

Sec. 310. The funds appropriated in part 1 for the environmental bond site reclamation program are considered work project appropriations, and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the projects to be carried forward is to provide contaminated site cleanup.

(b) The projects will be accomplished by contract.

(c) The total estimated cost of all projects is $1,452,500.00.

(d) The tentative completion date is September 30, 2016.

Sec. 311. The department shall enter into a memorandum of understanding with the department of treasury to develop a process for the review and approval of tax exemption certificates in accordance with the list of commonly approved air pollution control equipment adopted by the state tax commission on August 16, 2010 and the list of commonly approved water pollution equipment adopted by the state tax commission on August 16, 2010.

WATER RESOURCES DIVISION

Sec. 401. From the funds appropriated in part 1 for surface water, $100,000.00 shall be allocated to support the 1 additional FTE position for the aquatic nuisance control program that was added in the fiscal year ending September 30, 2011. The department shall report to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies by September 30, 2012 on the use of this funding and the number of permit applications processed by the program in 2012.

Sec. 402. From the funds appropriated in part 1, the department shall fund a groundwater dispute resolution process in such a manner that maintains a strategically selected dispute resolution process given funds available. The department may utilize any and all available resources in providing this process and shall report to the legislature on the need for additional funds.

Sec. 403. From the funds appropriated in part 1, contingent upon the creation of an aquatic invasive species advisory council, the department shall support funding for the advisory council to

provide recommendations to appropriate parties and bodies for a basin-wide approach to managing invasive species.

GRANTS

Sec. 501. If a certified health department does not exist in a city, county, or district or does not fulfill its responsibilities under part 117 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11701 to 324.11720, then the department may spend funds appropriated in part 1 under the septage waste compliance program in accordance with section 11716 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11716.

RESOURCE MANAGEMENT DIVISION

Sec. 601. (1) The department shall develop a report that addresses implementation of the state's solid waste policy. At a minimum, the report shall do both of the following:

(a) Identify options for long-term funding for the solid waste management program. For each option, the report shall take into account the extent to which additional activities or materials, or both, such as recycling, composting, and beneficial reuse would impact the long-term funding of the solid waste management program.

(b) Assess the feasibility of contracting out landfill inspections.

(2) The department shall provide the report prepared under subsection (1) to the state budget director, the house and senate appropriations subcommittees on environmental quality, and the

house and senate fiscal agencies by June 30, 2012.

ONE-TIME BASIS ONLY

Sec. 1001. For the state fiscal year ending September 30, 2012, there is appropriated from general fund/general purpose revenue, on a 1-time basis only, $6,000,000.00 for the Muskegon cleanup site.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2013 for the line items listed in part 1. The fiscal year 2012-2013 appropriations are anticipated to be the same as those for fiscal year 2011-2012, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2012 consensus revenue estimating conference.

ARTICLE VIII

GENERAL GOVERNMENT

PART 1

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

Sec. 101. Subject to the conditions set forth in this article, the amounts listed in this part are appropriated for the departments of attorney general, civil rights, state, technology, management, and budget, and treasury, the executive office, the legislative branch, and certain other state purposes, for the fiscal year ending September 30, 2012, from the funds indicated in this part. The following is a summary of the appropriations in this part:

TOTAL GENERAL GOVERNMENT

APPROPRIATION SUMMARY

Full-time equated unclassified positions 43.0	
Full-time equated classified positions 8,116.2	
GROSS APPROPRIATION	$ 3,897,242,100
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	669,027,400
ADJUSTED GROSS APPROPRIATION	$ 3,228,214,700
Federal revenues:	
Total federal revenues	768,099,400
Special revenue funds:	
Total local revenues	7,989,300
Total private revenues	979,400
Total other state restricted revenues	1,726,410,300
State general fund/general purpose	$ 724,736,300

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

2 **(1) APPROPRIATION SUMMARY**

3 Full-time equated unclassified positions..... 6.0

4 Full-time equated classified positions..... 514.0

5 GROSS APPROPRIATION..... $ 74,590,900

6 Interdepartmental grant revenues:

7 Total interdepartmental grants and intradepartmental

8 transfers 21,885,400

9 ADJUSTED GROSS APPROPRIATION..... $ 52,705,500

10 Federal revenues:

11 Total federal revenues..... 8,848,800

12 Special revenue funds:

13 Total local revenues..... 0

14 Total private revenues..... 0

15 Total other state restricted revenues..... 15,489,100

16 State general fund/general purpose..... $ 28,367,600

17 **(2) ATTORNEY GENERAL OPERATIONS**

18 Full-time equated unclassified positions..... 6.0

19 Full-time equated classified positions..... 514.0

20 Attorney general..... $ 112,500

21 Unclassified positions--5.0 FTE positions..... 476,300

22 Attorney general operations--477.0 FTE positions..... 68,330,700

23 Child support enforcement--25.0 FTE positions..... 3,008,000

24 Prosecuting attorneys coordinating council--12.0 FTE

25 positions 1,881,800

26 GROSS APPROPRIATION..... $ 73,809,300

27 Appropriated from:

1 Interdepartmental grant revenues:

2 IDG from MDCH, health services	2,062,400
3 IDG from MDCH, WIC	77,000
4 IDG from department of corrections	527,700
5 IDG from MDE	317,000
6 IDG from MDEQ	1,917,700
7 IDG from MDHS	3,617,000
8 IDG from Michigan state housing development authority	540,200
9 IDG from MDLARA, children's protection registry	39,100
10 IDG from MDLARA, financial and insurance regulation	1,154,400
11 IDG from MDLARA, licensing and regulation fees	197,800
12 IDG from MDLARA, Michigan occupational safety and 13 health administration	100,800
14 IDG from MDLARA, remonumentation fees	85,000
15 IDG from MDMVA	131,500
16 IDG from MDOT, comprehensive transportation fund	177,200
17 IDG from MDOT, state aeronautics fund	165,900
18 IDG from MDOT, state trunkline fund	2,817,500
19 IDG from MDSP	322,300
20 IDG from MDSP, Michigan justice training fund	139,000
21 IDG from MDTMB	208,000
22 IDG from MDTMB, civil service commission	300,600
23 IDG from MDTMB, risk management revolving fund	1,419,300
24 IDG from MSF, workforce development agency	205,400
25 IDG from treasury	5,220,000
26 IDG from treasury, Michigan strategic fund	142,600

27 Federal revenues:

DAG, state administrative match grant/food stamps	413,300
Federal funds	2,645,200
HHS, medical assistance, medigrant	645,100
HHS-OS, state Medicaid fraud control units	5,045,200
National criminal history improvement program	100,000
Special revenue funds:	
Antitrust enforcement collections	656,600
Assigned claims assessments	132,800
Attorney general's operations fund	985,600
Auto repair facilities fees	261,300
Franchise fees	331,700
Game and fish protection fund	797,100
Liquor purchase revolving fund	1,165,700
Manufactured housing fees	217,200
Merit award trust fund	408,600
Michigan employment security act - administrative fund	1,785,800
Prisoner reimbursement	515,200
Prosecuting attorneys training fees	375,000
Public utility assessments	1,888,800
Real estate enforcement fund	549,100
Reinstatement fees	175,400
Retirement funds	832,100
Second injury fund	913,600
Self-insurers security fund	640,800
Silicosis and dust disease fund	210,900
State building authority revenue	104,200
State casino gaming fund	1,235,200

1 State lottery fund..... 275,600
2 Utility consumers fund..... 623,700
3 Waterways fund..... 111,800
4 Worker's compensation administrative revolving fund .. 295,300
5 State general fund/general purpose..... $ 27,586,000
6 **(3) INFORMATION TECHNOLOGY**
7 Information technology services and projects..... $ 781,600
8 GROSS APPROPRIATION..... $ 781,600
9 Appropriated from:
10 State general fund/general purpose..... $ 781,600

11 **Sec. 103. DEPARTMENT OF CIVIL RIGHTS**
12 **(1) APPROPRIATION SUMMARY**
13 Full-time equated unclassified positions..... 5.0
14 Full-time equated classified positions..... 121.0
15 GROSS APPROPRIATION..... $ 13,730,200
16 Interdepartmental grant revenues:
17 Total interdepartmental grants and intradepartmental
18 transfers 0
19 ADJUSTED GROSS APPROPRIATION..... $ 13,730,200
20 Federal revenues:
21 Total federal revenues..... 2,880,600
22 Special revenue funds:
23 Total local revenues..... 0
24 Total private revenues..... 18,700
25 Total other state restricted revenues..... 151,900
26 State general fund/general purpose..... $ 10,679,000

1 **(2) CIVIL RIGHTS OPERATIONS**

2 Full-time equated unclassified positions..... 5.0

3 Full-time equated classified positions..... 121.0

4 Unclassified positions--5.0 FTE positions..... $ 267,100

5 Civil rights operations--113.0 FTE positions..... 11,454,100

6 Commission on disability concerns--7.0 FTE positions. 1,186,100

7 Hispanic/Latino commission of Michigan--1.0 FTE

8 positions..... 206,700

9 GROSS APPROPRIATION..... $ 13,114,000

10 Appropriated from:

11 Federal revenues:

12 EEOC, state and local antidiscrimination agency

13 contracts..... 885,000

14 HUD, grant..... 1,313,200

15 Federal revenues..... 667,400

16 Special revenue funds:

17 Private revenues..... 18,700

18 Division on deafness fund..... 93,400

19 State restricted indirect funds..... 58,500

20 State general fund/general purpose..... $ 10,077,800

21 **(3) INFORMATION TECHNOLOGY**

22 Information technology services and projects..... $ 616,200

23 GROSS APPROPRIATION..... $ 616,200

24 Appropriated from:

25 Federal revenues:

26 EEOC, state and local antidiscrimination agency

27 contracts..... 15,000

1 State general fund/general purpose ..... $ 601,200

2 **Sec. 104. EXECUTIVE OFFICE**

3 **(1) APPROPRIATION SUMMARY**

4 Full-time equated unclassified positions..... 10.0

5 Full-time equated classified positions..... 74.2

6 GROSS APPROPRIATION ..... $ 4,399,200

7 Interdepartmental grant revenues:

8 Total interdepartmental grants and intradepartmental

9 transfers 0

10 ADJUSTED GROSS APPROPRIATION ..... $ 4,399,200

11 Federal revenues:

12 Total federal revenues 0

13 Special revenue funds:

14 Total local revenues 0

15 Total private revenues 0

16 Total other state restricted revenues 0

17 State general fund/general purpose ..... $ 4,399,200

18 **(2) EXECUTIVE OFFICE OPERATIONS**

19 Full-time equated unclassified positions..... 10.0

20 Full-time equated classified positions..... 74.2

21 Governor ..... $ 159,300

22 Lieutenant governor 111,600

23 Executive office--74.2 FTE positions 3,278,500

24 Unclassified positions--8.0 FTE positions 849,800

25 GROSS APPROPRIATION ..... $ 4,399,200

26 Appropriated from:

1 State general fund/general purpose ..... $ 4,399,200

2 **Sec. 105. LEGISLATURE**

3 **(1) APPROPRIATION SUMMARY**

4 GROSS APPROPRIATION ..... $ 115,971,600

5 Interdepartmental grant revenues:

6 Total interdepartmental grants and intradepartmental

7 transfers 3,751,500

8 ADJUSTED GROSS APPROPRIATION ..... $ 112,220,100

9 Federal revenues:

10 Total federal revenues 0

11 Special revenue funds:

12 Total local revenues 0

13 Total private revenues 400,000

14 Total other state restricted revenues 2,649,700

15 State general fund/general purpose ..... $ 109,170,400

16 **(2) LEGISLATURE**

17 Senate ..... $ 24,598,800

18 Senate automated data processing 2,156,800

19 Senate fiscal agency 2,687,800

20 House of representatives 39,087,800

21 House automated data processing 1,712,300

22 House fiscal agency 2,687,800

23 GROSS APPROPRIATION ..... $ 72,931,300

24 Appropriated from:

25 State general fund/general purpose ..... $ 72,931,300

26 **(3) LEGISLATIVE COUNCIL**

1	Legislative council	$ 8,446,700
2	Legislative service bureau automated data processing	1,163,600
3	Worker's compensation	126,300
4	National association dues	141,500
5	Legislative corrections ombudsman	606,200
6	GROSS APPROPRIATION	$ 10,484,300
7	Appropriated from:	
8	Interdepartmental grant revenues:	
9	IDG from Michigan department of corrections	250,000
10	Special revenue funds:	
11	Private - gifts and bequests revenues	400,000
12	State general fund/general purpose	$ 9,834,300
13	**(4) LEGISLATIVE RETIREMENT SYSTEM**	
14	General nonretirement expenses	$ 4,233,300
15	GROSS APPROPRIATION	$ 4,233,300
16	Appropriated from:	
17	Special revenue funds:	
18	Court fees	1,109,800
19	State general fund/general purpose	$ 3,123,500
20	**(5) PROPERTY MANAGEMENT**	
21	Capitol building	$ 2,552,800
22	Cora Anderson building	8,315,800
23	Farnum building and other properties	1,815,700
24	GROSS APPROPRIATION	$ 12,684,300
25	Appropriated from:	
26	State general fund/general purpose	$ 12,684,300
27	**(6) OFFICE OF THE AUDITOR GENERAL**	

1	Unclassified positions	$ 313,500
2	Field operations	15,324,900
3	GROSS APPROPRIATION	$ 15,638,400
4	Appropriated from:	
5	Interdepartmental grant revenues:	
6	IDG from MDLARA, liquor purchase revolving fund	11,300
7	IDG from MDOT, comprehensive transportation fund	25,200
8	IDG from MDOT, Michigan transportation fund	204,300
9	IDG from MDOT, state aeronautics fund	19,600
10	IDG from MDTMB, civil service commission	107,900
11	IDG from MDOT, state trunkline fund	474,600
12	IDG, single audit act	2,658,600
13	Special revenue funds:	
14	21st century jobs trust fund	50,000
15	Clean Michigan initiative implementation bond fund	38,300
16	Commercial mobile radio system emergency telephone	
17	fund	38,300
18	Contract audit administration fees	53,900
19	Correctional industries revolving fund	32,000
20	Fee adequacy, air quality delegated authority	9,600
21	Game and fish protection fund	22,000
22	Legislative retirement system	19,100
23	Michigan economic development corporation	54,400
24	Michigan education trust fund	30,700
25	Michigan justice training commission fund	28,700
26	Michigan state housing development authority fees	22,600
27	Michigan strategic fund	89,000

1 Michigan tobacco settlement authority 27,000
2 Michigan veterans' trust fund 24,900
3 Motor transport revolving fund 5,200
4 Office services revolving fund 6,900
5 State disbursement unit, office of child support 27,600
6 State services fee fund 952,100
7 Waterways fund 7,600
8 State general fund/general purpose ..... $ 10,597,000

9 **Sec. 106. DEPARTMENT OF STATE**
10 **(1) APPROPRIATION SUMMARY**
11 Full-time equated unclassified positions 6.0
12 Full-time equated classified positions 1,809.0
13 GROSS APPROPRIATION ..... $ 211,885,000
14 Interdepartmental grant revenues:
15 Total interdepartmental grants and intradepartmental
16 transfers 20,000,000
17 ADJUSTED GROSS APPROPRIATION ..... $ 191,885,000
18 Federal revenues:
19 Total federal revenues 1,810,000
20 Special revenue funds:
21 Total local revenues 0
22 Total private revenues 100
23 Total other state restricted revenues 178,788,700
24 State general fund/general purpose ..... $ 11,286,200
25 **(2) EXECUTIVE DIRECTION**
26 Full-time equated unclassified positions 6.0

1 Full-time equated classified positions..... 30.0
2 Secretary of state..... $ 112,500
3 Unclassified positions--5.0 FTE positions..... 453,200
4 Operations--30.0 FTE positions..... 3,224,100
5 GROSS APPROPRIATION..... $ 3,789,800
6 Appropriated from:
7 Auto repair facilities fees..... 60,300
8 Driver fees..... 221,600
9 Expedient service fees..... 58,300
10 Parking ticket court fines..... 8,300
11 Personal identification card fees..... 26,100
12 Reinstatement fees - operator licenses..... 204,000
13 Transportation administration collection fund..... 2,061,500
14 Vehicle theft prevention fees..... 35,500
15 State general fund/general purpose..... $ 1,114,200
16 **(3) DEPARTMENT SERVICES**
17 Full-time equated classified positions..... 159.0
18 Operations--152.0 FTE positions..... $ 22,600,800
19 Assigned claims assessments--7.0 FTE positions..... 1,031,800
20 GROSS APPROPRIATION..... $ 23,632,600
21 Appropriated from:
22 Special revenue funds:
23 Abandoned vehicle fees..... 467,400
24 Assigned claims assessments..... 1,031,800
25 Auto repair facilities fees..... 414,000
26 Child support clearance fees..... 34,200
27 Driver fees..... 917,200

1	Driver improvement course fund.....	300,000
2	Expedient service fees.....	256,200
3	Marine safety fund.....	79,400
4	Off-road vehicle title fees.....	8,000
5	Parking ticket court fines.....	52,600
6	Personal identification card fees.....	118,900
7	Reinstatement fees - operator licenses.....	684,700
8	Scrap tire fund.....	72,800
9	Snowmobile registration fee revenue.....	18,100
10	Transportation administration collection fund.....	18,758,400
11	Vehicle theft prevention fees.....	242,800
12	State general fund/general purpose..... $	176,100
13	**(4) REGULATORY SERVICES**	
14	Full-time equated classified positions..... 210.5	
15	Operations--208.5 FTE positions..... $	21,819,900
16	County clerk education and training.....	100,000
17	Motorcycle safety education administration--2.0 FTE	
18	positions	323,600
19	Motorcycle safety education grants.....	1,500,000
20	GROSS APPROPRIATION..... $	23,743,500
21	Appropriated from:	
22	Special revenue funds:	
23	Auto repair facilities fees.....	4,129,600
24	Driver education provider and instructor fund.....	72,700
25	Driver fees.....	2,677,400
26	Expedient service fees.....	35,100
27	Motorcycle safety fund.....	1,823,600

1	Notary education and training fund.....	100,000
2	Notary fee fund.....	313,800
3	Parking ticket court fines.....	20,600
4	Personal identification card fees.....	104,700
5	Reinstatement fees - operator licenses.....	2,041,400
6	Transportation administration collection fund.....	10,881,700
7	Vehicle theft prevention fees.....	1,326,000
8	State general fund/general purpose..... $	216,900
9	**(5) CUSTOMER DELIVERY SERVICES**	
10	Full-time equated classified positions..... 1,373.5	
11	Branch operations--931.5 FTE positions..... $	75,703,600
12	Central operations--415.0 FTE positions.....	43,684,500
13	Commemorative license plates--24.0 FTE positions.....	2,147,300
14	Specialty license plates--3.0 FTE positions.....	1,922,000
15	Credit and debit assessment service fees.....	1,000,000
16	Olympic center plate.....	75,700
17	Organ donor program.....	79,100
18	GROSS APPROPRIATION..... $	124,612,200
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	IDG from MDOT, Michigan transportation fund.....	20,000,000
22	Federal revenues:	
23	Federal funds.....	1,460,000
24	Special revenue funds:	
25	Private funds.....	100
26	Abandoned vehicle fees.....	196,900
27	Auto repair facilities fees.....	92,500

1 Child support clearance fees		294,000
2 Credit and debit assessment service fees		1,000,000
3 Driver fees		23,788,700
4 Driver improvement course fund		1,200,000
5 Enhanced driver license and enhanced official state		
6 personal identification card fund		4,849,900
7 Expedient service fees		2,456,400
8 Marine safety fund		1,261,600
9 Michigan state police auto theft fund		118,900
10 Mobile home commission fees		472,900
11 Off-road vehicle title fees		141,600
12 Parking ticket court fines		1,485,200
13 Personal identification card fees		2,057,400
14 Recreation passport fee revenue		1,037,800
15 Reinstatement fees - operator licenses		1,406,400
16 Snowmobile registration fee revenue		345,800
17 Transportation administration collection fund		60,478,900
18 Vehicle theft prevention fees		208,600
19 State general fund/general purpose	$	258,600
20 **(6) ELECTION REGULATION**		
21 Full-time equated classified positions 36.0		
22 Election administration and services--36.0 FTE		
23 positions	$	5,140,600
24 Fees to local units		109,800
25 Help America Vote Act		350,000
26 GROSS APPROPRIATION	$	5,600,400
27 Appropriated from:		

1 Federal revenues:

2 Federal Funds - HAVA HHS 350,000

3 State general fund/general purpose ..... $ 5,250,400

4 **(7) DEPARTMENTWIDE APPROPRIATIONS**

5 Building occupancy charges/rent ..... $ 9,772,000

6 Worker's compensation 292,500

7 GROSS APPROPRIATION ..... $ 10,064,500

8 Appropriated from:

9 Special revenue funds:

10 Auto repair facilities fees 135,300

11 Driver fees 738,200

12 Expedient service fees 26,000

13 Parking ticket court fines 447,800

14 Transportation administration collection fund 5,925,000

15 State general fund/general purpose ..... $ 2,792,200

16 **(8) INFORMATION TECHNOLOGY**

17 Information technology services and projects ..... $ 20,442,000

18 GROSS APPROPRIATION ..... $ 20,442,000

19 Appropriated from:

20 Special revenue funds:

21 Administrative order processing fee 11,100

22 Auto repair facilities fees 179,000

23 Child support clearance fees 16,200

24 Driver fees 741,700

25 Expedient service fees 1,022,700

26 Parking ticket court fines 82,500

27 Personal identification card fees 159,900

1 Reinstatement fees - operator licenses 558,500
2 Transportation administration collection fund 16,022,100
3 Vehicle theft prevention fees 170,500
4 State general fund/general purpose ..... $ 1,477,800

5 **Sec. 107. DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND**
6 **BUDGET**
7 **(1) APPROPRIATION SUMMARY**
8 Full-time equated unclassified positions..... 6.0
9 Full-time equated classified positions..... 3,032.5
10 GROSS APPROPRIATION ..... $ 1,017,184,300
11 Interdepartmental grant revenues:
12 Total interdepartmental grants and intradepartmental
13 transfers 608,968,900
14 ADJUSTED GROSS APPROPRIATION ..... $ 408,215,400
15 Federal revenues:
16 Total federal revenues 10,346,000
17 Special revenue funds:
18 Total local revenues 1,456,600
19 Total private revenues 180,600
20 Total other state restricted revenues 85,374,400
21 State general fund/general purpose ..... $ 310,857,800
22 **(2) EXECUTIVE DIRECTION**
23 Full-time equated unclassified positions..... 6.0
24 Full-time equated classified positions..... 11.0
25 Unclassified positions--6.0 FTE positions ..... $ 796,500
26 Executive operations--11.0 FTE positions 1,410,000

1 GROSS APPROPRIATION.....	$	2,206,500
2 Appropriated from:		
3 Interdepartmental grant revenues:		
4 IDG from building occupancy and parking charges.....		74,400
5 IDG from technology user fees.....		1,394,500
6 Special revenue funds:		
7 Special revenue, internal service, and pension trust		
8 funds		140,800
9 State general fund/general purpose.....	$	596,800
10 **(3) DEPARTMENT SERVICES**		
11 Full-time equated classified positions..... 778.5		
12 Administrative services--132.5 FTE positions.....	$	15,411,100
13 Budget and financial management--158.5 FTE positions.		15,726,700
14 Office of the state employer--23.0 FTE positions.....		2,980,800
15 Design and construction services--40.0 FTE positions.		5,772,800
16 Business support services--105.5 FTE positions.....		9,584,200
17 Building operation services--221.0 FTE positions.....		87,962,100
18 Building occupancy charges, rent, and utilities.....		5,129,400
19 Motor vehicle fleet--46.0 FTE positions.....		57,349,700
20 Information technology services and projects.....		26,482,900
21 Bureau of labor market information and strategies--		
22 52.0 FTE positions		6,676,900
23 GROSS APPROPRIATION.....	$	233,076,600
24 Appropriated from:		
25 Interdepartmental grant revenues:		
26 IDG from accounting service centers user charges.....		2,471,200
27 IDG from building occupancy and parking charges.....		90,446,400

1	IDG from MDCH	453,000
2	IDG from MDHS	187,800
3	IDG from MDLARA	100,000
4	IDG from MDOT, comprehensive transportation fund	41,900
5	IDG from MDOT, state aeronautics fund	38,100
6	IDG from MDOT, state trunkline fund	1,308,100
7	IDG from motor transport fund	57,349,700
8	IDG from technology user fees	7,960,500
9	IDG from user fees	5,833,200
10	Federal revenues:	
11	Federal funds	100
12	Federal revenues	7,542,600
13	Special revenue funds:	
14	Deferred compensation	2,600
15	Game and fish protection fund	408,500
16	Health management funds	1,969,700
17	MAIN user charges	5,143,000
18	Pension trust funds	6,726,900
19	Special revenue, internal service, and pension trust	
20	funds	13,529,200
21	State building authority revenue	675,400
22	State lottery fund	225,000
23	State restricted indirect funds	1,857,800
24	State services fee fund	117,900
25	Waterways fund	106,000
26	State general fund/general purpose	$ 28,582,000
27	**(4) TECHNOLOGY SERVICES**	

1 Full-time equated classified positions..... 1,559.5
2 Education services--31.0 FTE positions ..... $ 3,262,600
3 Health and human services--659.5 FTE positions 255,628,900
4 Public protection--271.5 FTE positions 54,819,100
5 Resources services--156.5 FTE positions 18,305,400
6 Transportation services--95.5 FTE positions 27,737,500
7 General services--345.5 FTE positions 75,363,100
8 GROSS APPROPRIATION..... $ 435,116,600
9 Appropriated from:
10 Interdepartmental grant revenues:
11 IDG from technology user fees 435,116,600
12 State general fund/general purpose ..... $ 0
13 **(5) SPECIAL PROGRAMS**
14 Full-time equated classified positions..... 177.0
15 Building occupancy charges - property management
16 services for executive/legislative building
17 occupancy ..... $ 1,188,200
18 Retirement services--166.0 FTE positions 18,402,900
19 Office of children's ombudsman--11.0 FTE positions ... 1,028,900
20 Information technology innovation fund 2,500,000
21 GROSS APPROPRIATION..... $ 23,120,000
22 Appropriated from:
23 Special revenue funds:
24 Deferred compensation..... 1,542,400
25 Pension trust funds..... 16,860,500
26 State general fund/general purpose ..... $ 4,717,100
27 **(6) STATE BUILDING AUTHORITY RENT**

1 State building authority rent - state agencies	$	68,305,800
2 State building authority rent - department of		
3 corrections		47,379,900
4 State building authority rent - universities		117,225,300
5 State building authority rent - community colleges ...		23,959,600
6 GROSS APPROPRIATION.....	$	256,870,600
7 Appropriated from:		
8 State general fund/general purpose	$	256,870,600
9 **(7) CIVIL SERVICE COMMISSION**		
10 Full-time equated classified positions..... 506.5		
11 Agency services--102.5 FTE positions	$	12,371,700
12 Executive direction--33.0 FTE positions		8,773,400
13 Employee benefits--31.0 FTE positions		6,078,100
14 Training.....		1,300,000
15 Human resources operations--340.0 FTE positions		32,275,600
16 Information technology services and projects		3,995,200
17 GROSS APPROPRIATION.....	$	64,794,000
18 Appropriated from:		
19 Interdepartmental grant revenues:		
20 IDG, training charges.....		1,300,000
21 IDG, 1% special funds.....		2,893,500
22 Federal revenues:		
23 Federal funds 1%.....		2,803,300
24 Special revenue funds:		
25 Local funds 1%.....		1,456,600
26 Private funds 1%.....		180,600
27 State restricted funds 1%.....		21,241,300

1 State restricted indirect funds 5,956,600
2 State sponsored group insurance 2,650,000
3 State sponsored group insurance, flexible spending
4 accounts, and COBRA 6,220,800
5 State general fund/general purpose ..... $ 20,091,300
6 **(8) CAPITAL OUTLAY**
7 Major special maintenance, remodeling and addition for
8 state agencies ..... $ 2,000,000
9 GROSS APPROPRIATION ..... $ 2,000,000
10 Appropriated from:
11 Interdepartmental grant revenues:
12 IDG from building occupancy charges 2,000,000
13 State general fund/general purpose ..... $ 0

14 **Sec. 108. DEPARTMENT OF TREASURY**
15 **(1) APPROPRIATION SUMMARY**
16 Full-time equated unclassified positions 10.0
17 Full-time equated classified positions 2,565.5
18 GROSS APPROPRIATION ..... $ 2,459,480,900
19 Interdepartmental grant revenues:
20 Total interdepartmental grants and intradepartmental
21 transfers 14,421,600
22 ADJUSTED GROSS APPROPRIATION ..... $ 2,445,059,300
23 Federal revenues:
24 Total federal revenues 744,214,000
25 Special revenue funds:
26 Total local revenues 6,532,700

1	Total private revenues.....	380,000
2	Total other state restricted revenues.....	1,443,956,500
3	State general fund/general purpose.....	$ 249,976,100
4	**(2) EXECUTIVE DIRECTION**	
5	Full-time equated unclassified positions..... 10.0	
6	Full-time equated classified positions..... 5.0	
7	Unclassified positions--10.0 FTE positions.....	$ 923,000
8	Office of the director--5.0 FTE positions.....	1,013,700
9	GROSS APPROPRIATION.....	$ 1,936,700
10	Appropriated from:	
11	Federal revenues:	
12	DED-OPSE, federal lenders allowance.....	20,000
13	DED-OPSE, higher education act of 1965 insured loans.	45,000
14	Special revenue funds:	
15	State lottery fund.....	196,200
16	State services fee fund.....	357,900
17	State general fund/general purpose.....	$ 1,317,600
18	**(3) DEPARTMENTWIDE APPROPRIATIONS**	
19	Travel.....	$ 1,209,500
20	Rent and building occupancy charges - property	
21	management services	5,357,600
22	Worker's compensation insurance premium.....	168,000
23	GROSS APPROPRIATION.....	$ 6,735,100
24	Appropriated from:	
25	Special revenue funds:	
26	Delinquent tax collection revenue.....	3,843,800
27	State general fund/general purpose.....	$ 2,891,300

1 **(4) LOCAL GOVERNMENT PROGRAMS**

2 Full-time equated classified positions..... 93.0

3 Supervision of the general property tax law--59.0 FTE

4 positions ..... $ 12,730,300

5 Property tax assessor training--4.0 FTE positions 457,100

6 Local finance--23.0 FTE positions 2,450,300

7 Business property tax appeal--7.0 FTE positions 402,400

8 GROSS APPROPRIATION..... $ 16,040,100

9 Appropriated from:

10 Federal revenues:

11 Special revenue funds:

12 Local - assessor training fees 1,292,100

13 Local - audit charges 667,100

14 Local - equalization study charge-backs 40,000

15 Local - revenue from local government 100,000

16 Land reutilization fund 4,528,400

17 Municipal finance fees 535,200

18 Delinquent tax collection revenue 1,440,500

19 State general fund/general purpose ..... $ 7,436,800

20 **(5) TAX PROGRAMS**

21 Full-time equated classified positions..... 762.0

22 Customer contact--112.0 FTE positions ..... $ 9,980,900

23 Tax compliance--345.0 FTE positions 38,456,900

24 Tax and economic policy--121.0 FTE positions 13,848,700

25 Tax processing--156.0 FTE positions 15,630,400

26 Home heating assistance 2,834,800

27 Bottle act implementation 250,000

1 Tobacco tax enforcement 3,000,000
2 Tax plan implementation--28.0 FTE positions 10,537,000
3 GROSS APPROPRIATION ..... $ 94,538,700
4 Appropriated from:
5 Interdepartmental grant revenues:
6 IDG, data/collection services fees 50,900
7 IDG from MDOT, Michigan transportation fund 7,901,600
8 IDG from MDOT, state aeronautics fund 68,700
9 Federal revenues:
10 HHS-SSA, low-income energy assistance 2,834,800
11 Special revenue funds:
12 Bottle deposit fund 250,000
13 Delinquent tax collection revenue 65,102,000
14 Emergency 911 fund 150,000
15 Tobacco tax revenue 3,980,400
16 Waterways fund 80,500
17 State general fund/general purpose ..... $ 14,119,800
18 **(6) BANKING AND MANAGEMENT SERVICES**
19 Full-time equated classified positions 343.0
20 Departmental and budget services--48.0 FTE positions . $ 4,218,300
21 Unclaimed property--26.0 FTE positions 4,356,600
22 Collections--209.0 FTE positions 24,492,100
23 Finance and accounting--21.0 FTE positions 1,997,500
24 Receipts processing--39.0 FTE positions 3,923,400
25 GROSS APPROPRIATION ..... $ 38,987,900
26 Appropriated from:
27 Interdepartmental grant revenues:

1 IDG, levy/warrant cost assessment fees		2,000,000
2 IDG, state agency collection fees		2,426,800
3 IDG from MDHS, title IV-D		662,500
4 IDG data/collection service fees		229,600
5 IDG from accounting service center user charges		389,400
6 Special revenue funds:		
7 Delinquent tax collection revenue		20,920,300
8 Escheats revenue		4,356,600
9 Justice system fund		696,100
10 Garnishment fees		2,342,200
11 State restricted indirect funds		258,500
12 Treasury fees		43,900
13 State general fund/general purpose	$	4,662,000
14 **(7) FINANCIAL PROGRAMS**		
15 Full-time equated classified positions 237.5		
16 Investments--82.0 FTE positions	$	17,614,500
17 Common cash and debt management--22.5 FTE positions		1,365,700
18 Student financial assistance programs--46.5 FTE		
19 positions		3,564,000
20 Michigan finance authority - bond finance--84.5 FTE		
21 positions		36,943,200
22 Public private partnership investment--2.0 FTE		
23 positions		1,487,900
24 John R. Justice grant program		282,100
25 GROSS APPROPRIATION	$	61,257,400
26 Appropriated from:		
27 Interdepartmental grant revenues:		

1 IDG, fiscal agent service fees		177,100
2 Federal revenues:		
3 DED-OPSE, federal lenders allowance		10,908,900
4 DED-OPSE, higher education act of 1965, insured loans		24,203,900
5 Federal - John R. Justice grant		282,100
6 Special revenue funds:		
7 Defined contribution administrative fee revenue		100,000
8 Michigan finance authority bond and loan program		
9 revenue		3,068,100
10 Michigan merit award trust fund		996,400
11 Public private partnership investment fund		1,487,900
12 Retirement funds		16,430,200
13 School bond fees		688,100
14 Treasury fees		1,277,000
15 State general fund/general purpose	$	1,637,700
16 **(8) DEBT SERVICE**		
17 Water pollution control bond and interest redemption	$	2,125,500
18 Quality of life bond		75,278,500
19 Clean Michigan initiative		59,373,100
20 Great Lakes water quality bond		4,150,900
21 GROSS APPROPRIATION	$	140,928,000
22 Appropriated from:		
23 Special revenue funds:		
24 Refined petroleum fund		15,514,500
25 State general fund/general purpose	$	125,413,500
26 **(9) GRANTS**		
27 Convention facility development distribution	$	74,850,000

1 Presidential primary..... 10,000,000
2 Senior citizen cooperative housing tax exemption
3 program 12,020,000
4 Emergency 911 payments..... 27,000,000
5 Health and safety fund grants..... 9,000,000
6 GROSS APPROPRIATION..... $ 132,870,000
7 Appropriated from:
8 Special revenue funds:
9 Emergency 911 fund..... 27,000,000
10 Convention facility development fund..... 74,850,000
11 Health and safety fund..... 9,000,000
12 State general fund/general purpose..... $ 22,020,000
13 **(10) BUREAU OF STATE LOTTERY**
14 Full-time equated classified positions..... 179.0
15 Lottery operations--179.0 FTE positions..... $ 21,657,900
16 Promotion and advertising..... 17,690,900
17 Lottery information technology services and projects . 4,837,800
18 GROSS APPROPRIATION..... $ 44,186,600
19 Appropriated from:
20 Special revenue funds:
21 State lottery fund..... 44,186,600
22 State general fund/general purpose..... $ 0
23 **(11) CASINO GAMING**
24 Full-time equated classified positions..... 126.0
25 Michigan gaming control board..... $ 50,000
26 Casino gaming control operations--116.0 FTE positions 22,418,800
27 Casino gaming information technology services and

1 projects 1,647,700
2 Racing commission--10.0 FTE positions 2,193,300
3 GROSS APPROPRIATION ..... $ 26,309,800
4 Appropriated from:
5 Special revenue funds:
6 Casino gambling agreements 719,300
7 Equine development fund 2,316,300
8 Laboratory fees 700,000
9 State services fee fund 22,574,200
10 State general fund/general purpose ..... $ 0
11 **(12) PAYMENTS IN LIEU OF TAXES**
12 Commercial forest reserve ..... $ 1,991,600
13 Purchased lands 3,292,200
14 Swamp and tax reverted lands 5,293,200
15 GROSS APPROPRIATION ..... $ 10,577,000
16 Appropriated from:
17 Special revenue funds:
18 Game and fish protection fund 1,201,500
19 Michigan natural resources trust fund 350,400
20 Michigan state waterways fund 94,700
21 State general fund/general purpose ..... $ 8,930,400
22 **(13) MICHIGAN STRATEGIC FUND**
23 Full-time equated classified positions 531.0
24 Administration--22.0 FTE positions ..... $ 2,786,200
25 Job creation services--139.0 FTE positions 17,205,200
26 Pure Michigan 25,000,000
27 Innovation and entrepreneurship 25,000,000

1	Business attraction and economic gardening.....	50,000,000
2	Community development block grants.....	47,000,000
3	Arts and cultural program.....	2,567,400
4	Michigan film office--6.0 FTE positions.....	766,900
5	GEAR-UP program grants.....	3,000,000
6	Carl D. Perkins grants.....	19,000,000
7	Adult basic education.....	20,000,000
8	Adult education--16.0 FTE positions.....	2,599,100
9	Bureau of energy systems.....	4,610,900
10	Postsecondary education--9.0 FTE positions.....	2,411,300
11	Employment services--246.0 FTE positions.....	49,586,000
12	Wage and hour division--1.0 FTE positions.....	115,000
13	Workforce development agency administrative services-	
14	-25.0 FTE positions	2,059,400
15	Workforce program administration--61.0 FTE positions .	12,904,800
16	Workforce training programs.....	296,478,600
17	Welfare-to-work programs.....	93,158,800
18	Worker's compensation.....	17,900
19	Workforce development agency rent and property	
20	management	1,483,500
21	Land bank fast track authority - bond finance--6.0 FTE	
22	positions	2,823,500
23	Information technology services and projects.....	2,951,400
24	GROSS APPROPRIATION.....	$ 683,525,900
25	Appropriated from:	
26	Interdepartmental grant revenues:	
27	IDG-MDEQ, air quality fees.....	37,600

1 Federal revenues:
2 DAG, employment and training 7,290,000
3 DED-OESE, GEAR-UP 3,000,000
4 DED-OSERS, rehabilitation services, vocational
5 rehabilitation state grants 1,458,600
6 DED-OVAE, adult education 20,000,000
7 DED-OVAE, basic grants to states 19,000,000
8 DOE-OEERE, multiple grants 4,737,300
9 DOL, federal funds 125,868,000
10 DOL-ETA, workforce investment act 234,008,400
11 Federal funds 6,808,400
12 HHS, temporary assistance for needy families 64,669,000
13 HUD-CPD, community development block grants 49,602,800
14 US-EPA, revolving loan fund 1,000,000
15 NFAH-NEA, promotion of the arts, partnership
16 agreements 1,050,000
17 Special revenue funds:
18 Local revenues 4,433,500
19 Private - special project advances 250,000
20 Private - Michigan council for the arts fund 100,000
21 Private - oil overcharge 30,000
22 Contingent fund, penalty and interest account 2,725,400
23 Defaulted loan collection fees 100,000
24 Industry support fees 5,500
25 Land bank fast track fund 1,981,000
26 21st century jobs trust fund 75,000,000
27 Michigan film promotion fund 563,100

1 Public utility assessments		843,600
2 State general fund/general purpose	$	58,963,700
3 **(14) REVENUE SHARING**		
4 Constitutional state general revenue sharing grants	$	658,979,300
5 County revenue sharing payments		100,000,000
6 Economic vitality incentive program		200,000,000
7 GROSS APPROPRIATION	$	958,979,300
8 Appropriated from:		
9 Special revenue funds:		
10 Sales tax		958,979,300
11 State general fund/general purpose	$	0
12 **(15) MICHIGAN STRATEGIC FUND - MICHIGAN STATE**		
13 **HOUSING DEVELOPMENT AUTHORITY**		
14 Full-time equated classified positions 289.0		
15 Payments on behalf of tenants	$	166,860,000
16 Housing and rental assistance--266.0 FTE positions		48,562,500
17 State historic preservation program--23.0 FTE		
18 positions		3,105,700
19 Lighthouse preservation program		307,500
20 Rent and administrative support		3,846,100
21 Michigan state housing development authority		
22 technology services and projects		3,291,300
23 GROSS APPROPRIATION	$	225,973,100
24 Appropriated from:		
25 Federal revenues:		
26 HUD, lower income housing assistance		166,860,000
27 Special revenue funds:		

1 Michigan state housing development authority fees and		
2 charges		58,805,600
3 Michigan lighthouse preservation fund		307,500
4 State general fund/general purpose	$	0
5 **(16) INFORMATION TECHNOLOGY**		
6 Treasury operations information technology services		
7 and projects	$	16,635,300
8 GROSS APPROPRIATION	$	16,635,300
9 Appropriated from:		
10 Interdepartmental grant revenues:		
11 IDG from MDOT, Michigan transportation fund		477,400
12 Federal revenues:		
13 DED-OPSE, federal lender allowance		566,800
14 Special revenue funds:		
15 Delinquent tax collection revenue		12,201,100
16 Retirement funds		690,600
17 Tobacco tax revenue		116,100
18 State general fund/general purpose	$	2,583,300

19 PART 2

20 PROVISIONS CONCERNING APPROPRIATIONS

21 FOR FISCAL YEAR 2011-2012

22 **GENERAL SECTIONS**

23 Sec. 201. (1) Pursuant to section 30 of article IX of the

24 state constitution of 1963, total state spending from state

25 resources under part 1 for fiscal year 2011-2012 is

$2,451,146,600.00 and state spending from state resources to be paid to local units of government for fiscal year 2011-2012 is $1,129,558,400.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF STATE

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

DEPARTMENT OF TREASURY

Senior citizen cooperative housing tax exemption	$	12,020,000
Health and safety fund grants		9,000,000
Constitutional state general revenue sharing grants		658,979,300
Economic vitality incentive program		200,000,000
Convention facility development fund distribution		74,850,000
Emergency 9-1-1 payments		24,600,000
County revenue sharing payments		100,000,000
Airport parking distribution pursuant to section 909		12,946,500
Presidential primary		10,000,000
Payments in lieu of taxes		10,577,000
Welfare-to-work programs		15,224,800
Subtotal	$	1,128,197,600
TOTAL GENERAL GOVERNMENT	$	1,129,558,400

(2) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 2011-2012 is estimated at $26,336,775,800.00 in the 2011-2012 appropriations acts and total state spending from state

sources paid to local units of government for fiscal year 2011-2012 is estimated at $14,717,752,700.00. The state-local proportion is estimated at 55.9% of total state spending from state resources.

(3) If payments to local units of government and state spending from state sources for fiscal year 2011-2012 are different than the amounts estimated in subsection (2), the state budget director shall report the payments to local units of government and state spending from state sources that were made for fiscal year 2011-2012 to the senate and house of representatives standing committees on appropriations within 30 days after the final book-closing for fiscal year 2011-2012.

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

Sec. 203. As used in this article:

(a) "AFSCME" means American federation of state, county, and municipal employees.

(b) "ATM" means automated teller machine.

(c) "CDBG" means community development block grants.

(d) "COBRA" means the consolidated omnibus budget reconciliation act of 1985, Public Law 99-272, 100 Stat. 82.

(e) "CPI" means consumer price index.

(f) "DAG" means the United States department of agriculture.

(g) "DED" means the United States department of education.

(h) "DED-OESE" means the DED office of elementary and secondary education.

(i) "DED-OPSE" means the DED, office of postsecondary

education.

(j) "DED-OSERS" means the DED office of special education rehabilitation services.

(k) "DED-OVAE" means the DED office of vocational and adult education.

(*l*) "DOE-OEERE" means the United States department of energy, office of energy efficiency and renewable energy.

(m) "DOI-NPS" means the Untied State department of interior, national park service.

(n) "DOL-ETA" means the United States department of labor, employment and training administration.

(o) "DOL-OSHA" means the United States department of labor, occupational safety and health administration.

(p) "EEOC" means the United States equal employment opportunity commission.

(q) "EPA" means the United States environmental protection agency.

(r) "FTE" means full-time equated.

(s) "Fund" means the Michigan strategic fund.

(t) "GEAR-UP" means gaining early awareness and readiness for undergraduate programs.

(u) "GF/GP" means general fund/general purpose.

(v) "HAVA" means help America vote act.

(w) "HHS" means the United States department of health and human services.

(x) "HHS-OS" means the HHS office of the secretary.

(y) "HHS-SSA" means the HHS social security administration.

1 (z) "HUD" means the United States department of housing and
2 urban development.
3 (aa) "HUD-CPD" means the United States department of housing
4 and urban development – community planning and development.
5 (bb) "IDG" means interdepartmental grant.
6 (cc) "IDT" means intradepartmental transfer.
7 (dd) "JCOS" means the joint capital outlay subcommittee.
8 (ee) "MAIN" means the Michigan administrative information
9 network.
10 (ff) "MCL" means the Michigan Compiled Laws.
11 (gg) "MDCH" means the Michigan department of community health.
12 (hh) "MDE" means the Michigan department of education.
13 (ii) "MDELEG" means the Michigan department of energy, labor,
14 and economic growth or its successor.
15 (jj) "MDEQ" means the Michigan department of environmental
16 quality.
17 (kk) "MDHS" means the Michigan department of human services.
18 (*ll*) "MDMVA" means the Michigan department of military and
19 veterans affairs.
20 (mm) "MDOC" means the Michigan department of corrections.
21 (nn) "MDOT" means the Michigan department of transportation.
22 (oo) "MDSP" means the Michigan department of state police.
23 (pp) "MDTMB" means the Michigan department of technology,
24 management, and budget.
25 (qq) "MEDC" means the Michigan economic development
26 corporation, which is the public body corporate created under
27 section 28 of article VII of the state constitution of 1963 and the

urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by contractual interlocal agreement effective April 5, 1999, between local participating economic development corporations formed under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636, and the Michigan strategic fund.

(rr) "MFA" means the Michigan finance authority.

(ss) "MPE" means the Michigan public employees.

(tt) "MSC" means managerial, supervisory, and confidential.

(uu) "MSHDA" means Michigan state housing development authority.

(vv) "NERE" means nonexclusively represented employees.

(ww) "NFAH-NEA" means the national foundation of the arts and the humanities - national endowment for the arts.

(xx) "PA" means public act.

(yy) "PACC" means the prosecuting attorneys coordinating council.

(zz) "SEIU" means service employees international union.

Sec. 206. (1) The departments and agencies receiving appropriations in this article shall maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job

classification.

(e) Job specifications and wage rates.

(2) Departments and agencies may develop and operate their own websites to provide this information or may reference the state's central transparency website as the source for this information.

Sec. 207. Amounts appropriated in part 1 for information technology may be designated as work project accounts and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

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

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

1 competitively priced and of comparable quality.

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

9 Sec. 211. Pursuant to section 352 of the management and budget
10 act, 1984 PA 431, MCL 18.1352, which provides for a transfer of
11 state general funds into or out of the countercyclical budget and
12 economic stabilization fund, there is appropriated for the fiscal
13 year ending September 30, 2012, from general fund/general purpose
14 revenue for deposit into the countercyclical budget and economic
15 stabilization fund the sum of $255,800,000.00. The calculation
16 required by section 352 of the management and budget act, 1984 PA
17 431, MCL 18.1352, is determined as follows:

	2010	2011
Michigan personal income (millions)	$351,830	$369,070
less: transfer payments	81,535	81,943
Subtotal	$270,295	$287,127
Divided by: Detroit CPI for 12 months ending June 30	2.045	2.062
Equals: real adjusted Michigan personal income	$132,157	$139,273
Percentage change		5.4%
Percentage change greater than 2%		3.4%

1 Multiplied by: estimated GF/GP revenue in
2 fiscal year 2010-2011 (millions) 7,524.1
3 Equals: countercyclical budget and
4 economic stabilization fund payin
5 calculation for the fiscal year ending
6 September 30, 2012 (millions)..... $255.8
7 Sec. 212. The departments and agencies receiving
8 appropriations in part 1 shall receive and retain copies of all
9 reports funded from appropriations in part 1. Federal and state
10 guidelines for short-term and long-term retention of records shall
11 be followed. The department may electronically retain copies of
12 reports unless otherwise required by federal and state guidelines.
13 Sec. 213. Funds appropriated in part 1 shall not be used by
14 this state, a department, an agency, or an authority of this state
15 to purchase an ownership interest in a casino enterprise or a
16 gambling operation as those terms are defined in the Michigan
17 gaming control and revenue act, 1996 IL 1, MCL 432.201 to 432.226.
18 Sec. 214. From the funds appropriated in part 1 for
19 information technology, departments and agencies shall pay user
20 fees to the department of technology, management, and budget for
21 technology-related services and projects. Such user fees shall be
22 subject to provisions of an interagency agreement between the
23 departments and agencies and the department of technology,
24 management, and budget.
25 Sec. 215. A department or state agency shall not take
26 disciplinary action against an employee for communicating with a
27 member of the legislature or his or her staff.

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

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant exceptions to allow the travel. Any exceptions granted by the state budget director shall be reported on a quarterly basis to the senate and house of representatives standing committees on appropriations.

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

Sec. 220. Funds appropriated in this article shall not be used

to administer a committee or to solicit or obtain contributions for a committee. As used in this section, "committee" means that term as defined in section 3 of the Michigan campaign finance act, 1976 PA 388, MCL 169.203.

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

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

(3) As used in this section:

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

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

Sec. 226. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of

the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 227. Within 14 days after the release of the executive budget recommendation, the departments and agencies receiving appropriations in this article shall provide the state budget director, the chairs of the senate and house of representatives standing committees on appropriations, the senate and house of representatives standing committees on appropriations subcommittees on general government, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2011 and September 30, 2012.

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

Sec. 229. If the office of the auditor general has identified an initiative or made a recommendation that is related to savings and efficiencies in an audit report for an executive branch

department or agency, the department or agency shall report within 6 months of the release of the audit on their efforts and progress made toward achieving the savings and efficiencies identified in the audit report. The report shall be submitted to the chairs of the senate and house of representatives standing committees on appropriations, the chairs of the senate and house of representatives standing committees with jurisdiction over matters relating to the department that is audited, and the senate and house fiscal agencies.

DEPARTMENT OF ATTORNEY GENERAL

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

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

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this

article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

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

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

Sec. 303. The attorney general may sell copies of the biennial report in excess of the 350 copies that the attorney general may distribute on a gratis basis. Gratis copies shall not be provided to members of the legislature. Electronic copies of biennial

reports shall be made available on the department of attorney general's website. The attorney general shall sell copies of the report at not less than the actual cost of the report and shall deposit the money received into the general fund.

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

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

Sec. 306. Any proceeds from a lawsuit initiated by or

settlement agreement entered into on behalf of this state against a manufacturer of tobacco products by the attorney general are state funds and are subject to appropriation as provided by law.

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

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

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

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

(3) Unexpended funds at the end of the fiscal year may be

carried forward for expenditure in the following year, up to a maximum authorization of $500,000.00.

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

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

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

Sec. 312. The department of attorney general shall not receive and expend funds in addition to those authorized in part 1 for

legal services provided specifically to other state departments or agencies except for costs for expert witnesses, court costs, or other nonsalary litigation expenses associated with a pending legal action.

DEPARTMENT OF CIVIL RIGHTS

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

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

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

(a) Developing and presenting training for employers on equal employment opportunity law and procedures.

(b) The publication and sale of civil rights related informational material.

(c) The provision of copy material made available under freedom of information requests.

(d) Other copy fees, subpoena fees, and witness fees.

(e) Developing, presenting, and participating in mediation processes for certain civil rights cases.

(f) Workshops, seminars, and recognition or award programs consistent with the programmatic mission of the individual unit sponsoring or coordinating the programs.

(g) Staffing costs for all activities included in this subsection.

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

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

LEGISLATURE

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

Sec. 601. (1) Funds appropriated in part 1 to an entity within the legislative branch shall not be expended or transferred to another account without written approval of the authorized agent of the legislative entity. If the authorized agent of the legislative

entity notifies the state budget director of its approval of an expenditure or transfer before the year-end book-closing date for that legislative entity, the state budget director shall immediately make the expenditure or transfer. The authorized legislative entity agency shall be designated by the speaker of the house of representatives for house entities, the senate majority leader for senate entities, and the legislative council for legislative council entities.

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

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

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

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

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

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

Sec. 606. The appropriations in part 1 to the legislative branch, for property management, shall be used to purchase equipment and services for building maintenance in order to ensure a safe and productive work environment. These funds are designated as work project appropriations and shall not lapse at the end of the fiscal year, and shall continue to be available for expenditure until the project has been completed. The total cost is estimated at $500,000.00, and the tentative completion date is September 30, 2016.

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

completion date is September 30, 2016.

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

LEGISLATIVE AUDITOR GENERAL

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

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

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

(3) The auditor general shall compile an annual report

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

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

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

Sec. 624. Not later than December 31, 2011, the auditor general, in conjunction with the office of the state budget, shall submit a report regarding the feasibility of converting to a statewide single audit. The report shall be submitted to the senate and the house of representatives appropriation subcommittees on

1 general government and the senate and house fiscal agencies. The
2 report shall include an estimate of the cost savings or increase
3 that would result from converting to a statewide single audit, an
4 analysis of required statutory changes, the impact on legislative
5 oversight, organizational changes necessary to provide centralized
6 coordination, billing and funding structure changes, corrective
7 action for known internal control weaknesses and prior single audit
8 findings, and a recommendation regarding implementation of a
9 statewide single audit.

10 Sec. 625. (1) In addition to amounts appropriated in part 1
11 for auditor general operations, there is appropriated for the
12 fiscal year ending September 30, 2012 an amount not to exceed
13 $905,000.00 from the unexpended and unencumbered balance of fiscal
14 year 2010-2011 appropriations for the office of the auditor
15 general.

16 (2) The funds appropriated in subsection (1) shall be made
17 immediately available in fiscal year 2011-2012 and shall only be
18 expended for the payment of the net economic cost increases of the
19 legislative auditor general for fiscal year 2011-2012 as computed
20 by the state budget office.

21 (3) Funds appropriated in subsection (1) that exceed the net
22 economic cost increases of the legislative auditor general for
23 fiscal year 2011-2012 as computed by the state budget office shall
24 lapse to the general fund.

25 (4) Any unexpended and unencumbered balances at the end of
26 fiscal year 2010-2011 that resulted from the legislative auditor
27 general not completing mandated financial audits during fiscal year

2010-2011 shall not be appropriated in subsection (1).

DEPARTMENT OF STATE

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

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

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

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

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

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

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

Sec. 705. (1) The department of state may accept gifts, donations, contributions, and grants of money and other property from any private or public source to underwrite, in whole or in

1 part, the cost of a departmental publication that is prepared and
2 disseminated under the Michigan vehicle code, 1949 PA 300, MCL
3 257.1 to 257.923. A private or public funding source may receive
4 written recognition in the publication and may furnish a traffic
5 safety message, subject to departmental approval, for inclusion in
6 the publication. The department may reject a gift, donation,
7 contribution, or grant. The department may furnish copies of a
8 publication underwritten, in whole or in part, by a private source
9 to the underwriter at no charge.
10 (2) The department of state may sell and accept paid
11 advertising for placement in a departmental publication that is
12 prepared and disseminated under the Michigan vehicle code, 1949 PA
13 300, MCL 257.1 to 257.923. The department may charge and receive a
14 fee for any advertisement appearing in a departmental publication
15 and shall review and approve the content of each advertisement. The
16 department may refuse to accept advertising from any person or
17 organization. The department may furnish a reasonable number of
18 copies of a publication to an advertiser at no charge.
19 (3) Pending expenditure, the funds received under this section
20 shall be deposited in the Michigan department of state publications
21 fund created by section 211 of the Michigan vehicle code, 1949 PA
22 300, MCL 257.211. Funds given, donated, or contributed to the
23 department from a private source are appropriated and allocated for
24 the purpose for which the revenue is furnished. Funds granted to
25 the department from a public source are allocated and may be
26 expended upon receipt. The department shall not accept a gift,
27 donation, contribution, or grant if receipt is conditioned upon a

commitment of state funding at a future date. Revenue received from the sale of advertising is appropriated and may be expended upon receipt.

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

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

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

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

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

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

(6) In addition to copies delivered without charge as the secretary of state considers necessary, the department of state may sell copies of manuals and other publications regarding the sale, ownership, or operation or regulation of motor vehicles, with amendments, at prices to be established by the secretary of state.

As used in this subsection, the term "manuals and other publications" includes videos and proprietary electronic publications. All funds received from sales of these manuals and other publications shall be credited to the Michigan department of state publications fund.

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

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

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

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

1 administer commemorative and specialty license plate programs.
2 (2) Commemorative and specialty license plate fee revenue
3 collected by the department of state and deposited in the
4 transportation administration collection fund, in addition to the
5 amount appropriated in part 1 to the department of state, shall
6 remain in the transportation administration collection fund and be
7 available for future appropriation.
8 Sec. 711. (1) Collector plate and fund-raising registration
9 plate revenues collected by the department of state are
10 appropriated and allotted for distribution to the recipient
11 university or public or private agency overseeing a state-sponsored
12 goal when received. Distributions shall occur on a quarterly basis
13 or as otherwise authorized by law. Any revenues remaining at the
14 end of the fiscal year shall not lapse to the general fund but
15 shall remain available for distribution to the university or agency
16 in the next fiscal year.
17 (2) Funds or revenues in the Olympic education training center
18 fund are appropriated for distribution to the Olympic education
19 training center at Northern Michigan University. Distributions
20 shall occur on a quarterly basis. Any undistributed revenue
21 remaining at the end of the fiscal year shall be carried over into
22 the next fiscal year.
23 Sec. 712. The department of state may produce and sell copies
24 of a training video designed to inform registered automotive repair
25 facilities of their obligations under Michigan law. The price shall
26 not exceed the cost of production and distribution. The money
27 received from the sale of training videos shall revert to the

department of state and be placed in the auto repair facility account.

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

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

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

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

(5) The pamphlet shall include a return reply form addressed

1 to the gift of life organization. Funding appropriated in part 1
2 for the organ donor program shall be used to pay for return postage
3 costs.
4 (6) In addition to the appropriations in part 1, the
5 department of state may receive and expend funds from the organ and
6 tissue donation education fund for administrative expenses.
7 Sec. 714. At least 180 days before closing or consolidating a
8 branch office and at least 60 days before relocating a branch
9 office, the department of state shall inform members of the senate
10 and house of representatives standing committees on appropriations
11 and legislators who represent affected areas regarding the details
12 of the proposal. The information provided shall be in written form
13 and include all analyses done regarding criteria for changes in the
14 location of branch offices, including, but not limited to, branch
15 transactions, revenue, and the impact on citizens of the affected
16 area. The impact on citizens shall include information regarding
17 additional distance to branch office locations resulting from the
18 plan. The written notice provided by the department of state shall
19 also include detailed estimates of costs and savings that will
20 result from the overall changes made to the branch office structure
21 and the same level of detail regarding costs for new leased
22 facilities and expansions of current leased space.
23 Sec. 715. (1) Any service assessment collected by the
24 department of state from the user of a credit or debit card under
25 section 3 of 1995 PA 144, MCL 11.23, may be used by the department
26 for necessary expenses related to that service and may be remitted
27 to a credit or debit card company, bank, or other financial

institution.

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

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

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

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

1.

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

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

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

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

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

Sec. 721. From the funds appropriated in part 1, the

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

DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET

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

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

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

(4) In addition to the funds appropriated in part 1, there is

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

Sec. 802. Proceeds in excess of necessary costs incurred in the conduct of transfers or auctions of state surplus, salvage, or scrap property made pursuant to section 267 of the management and budget act, 1984 PA 431, MCL 18.1267, are appropriated to the department of technology, management, and budget to offset costs incurred in the acquisition and distribution of federal surplus property. The department of technology, management, and budget shall provide consolidated internet auction services through the state's contractors for all local units of government.

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

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

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

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

(5) The department of technology, management, and budget may not expend funds for the purchase of new office furniture for principal executive departments and state agencies, the legislative branch, or the judicial branch without first examining the possibility of using existing inventory that can be reused or refurbished. The department of technology, management, and budget may utilize its existing refurbished open space office furniture, lateral files, design and installation services statewide contract to work with a vendor that specializes in inventory management and product reutilization and that is not a seller of new furniture to the state of Michigan to supplement any additional office furniture needs.

Sec. 804. (1) The source of financing in part 1 for statewide appropriations shall be funded by assessments against longevity and insurance appropriations throughout state government in a manner prescribed by the department of technology, management, and budget. Funds shall be used as specified in joint labor/management

agreements or through the coordinated compensation hearings process. Any deposits made under this subsection and any unencumbered funds are restricted revenues, may be carried over into the succeeding fiscal years, and are appropriated.

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

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

Sec. 806. In addition to the funds appropriated in part 1 to the department of technology, management, and budget, the department may receive and expend funds from other principal executive departments and state agencies to implement administrative leave bank transfer provisions as may be specified in joint labor/management agreements. The amounts may also be transferred to other principal executive departments and state agencies under the joint agreement and any amounts transferred under the joint agreement are authorized for receipt and

expenditure by the receiving principal executive department or state agency. Any amounts received by the department of technology, management, and budget under this section and intended, under the joint labor/management agreements, to be available for use beyond the close of the fiscal year and any unencumbered funds may be carried over into the succeeding fiscal year.

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

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

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

Sec. 809. The department of technology, management, and budget shall notify the chairpersons of the senate and house of representatives standing committees on appropriations and the

1 chairpersons of the senate and house of representatives standing
2 committees on appropriations subcommittees on general government on
3 any revisions that increase or decrease current contracts by more
4 than $500,000.00 for computer software development, hardware
5 acquisition, or quality assurance at least 14 days before the
6 department of technology, management, and budget finalizes the
7 revisions.
8 Sec. 810. The department of technology, management, and budget
9 shall maintain an Internet website that contains notice of all
10 invitations for bids and requests for proposals over $50,000.00
11 issued by the department or by any state agency operating under
12 delegated authority. The department shall not accept an invitation
13 for bid or request for proposal in less than 14 days after the
14 notice is made available on the Internet website, except in
15 situations where it would be in the best interest of the state and
16 documented by the department. In addition to the requirements of
17 this section, the department may advertise the invitations for bids
18 and requests for proposals in any manner the department determines
19 appropriate, in order to give the greatest number of individuals
20 and businesses the opportunity to make bids or requests for
21 proposals.
22 Sec. 811. The department of technology, management, and budget
23 may receive and expend funds from the Vietnam veterans memorial
24 monument fund as provided in the Michigan Vietnam veterans memorial
25 act, 1988 PA 234, MCL 35.1051 to 35.1057. Funds are appropriated
26 and allocated when received and may be expended upon receipt.
27 Sec. 812. The Michigan veterans' memorial park commission may

1 receive and expend money from any source, public or private,
2 including, but not limited to, gifts, grants, donations of money,
3 and government appropriations, for the purposes described in
4 Executive Order No. 2001-10. Funds are appropriated and allocated
5 when received and may be expended upon receipt. Any deposits made
6 under this section and unencumbered funds are restricted revenues
7 and may be carried over into succeeding fiscal years.
8 Sec. 813. (1) Funds in part 1 for motor vehicle fleet are
9 appropriated to the department of technology, management, and
10 budget for administration and for the acquisition, lease,
11 operation, maintenance, repair, replacement, and disposal of state
12 motor vehicles.
13 (2) The appropriation in part 1 for motor vehicle fleet shall
14 be funded by revenue from rates charged to principal executive
15 departments and agencies for utilizing vehicle travel services
16 provided by the department. Revenue in excess of the amount
17 appropriated in part 1 from the motor transport fund and any
18 unencumbered funds are restricted revenues and may be carried over
19 into the succeeding fiscal year.
20 (3) Pursuant to the department of technology, management, and
21 budget's authority under sections 213 and 215 of the management and
22 budget act, 1984 PA 431, MCL 18.1213 and 18.1215, the department
23 shall maintain a plan regarding the operation of the motor vehicle
24 fleet. The plan shall include the number of vehicles assigned to,
25 or authorized for use by, state departments and agencies, efforts
26 to reduce vehicle expenditures, the number of cars in the motor
27 vehicle fleet, the number of miles driven by fleet vehicles, and

1 the number of gallons of fuel consumed by fleet vehicles. The plan
2 shall include a calculation of the amount of state motor vehicle
3 fuel taxes that would have been incurred by fleet vehicles if fleet
4 vehicles were required by law to pay motor fuel taxes. The plan
5 shall include a description of fleet garage operations, the goods
6 sold and services provided by the fleet garage, the cost to operate
7 the fleet garage, the number of fleet garage locations, and the
8 number of employees assigned to each fleet garage. The plan may be
9 adjusted during the fiscal year based on needs and cost savings to
10 achieve the maximum value and efficiency from the state motor
11 fleet. Within 60 days after the close of the fiscal year, the
12 department shall provide a report to the senate and house of
13 representatives standing committees on appropriations and the
14 senate and house fiscal agencies detailing the current plan and
15 changes made to the plan during the fiscal year.
16 (4) The department of technology, management, and budget may
17 charge state agencies for fuel cost increases that exceed $2.27 per
18 gallon of unleaded gasoline. The department shall notify state
19 agencies, in writing or by electronic mail, at least 30 days before
20 implementing additional charges for fuel cost increases. Revenues
21 received from these charges are appropriated upon receipt.
22 (5) In order to reduce costs and maintain quality, it is the
23 intent of the legislature that, excluding the fleet of motor
24 vehicles for the department of state police, when economically
25 feasible, the department of technology, management, and budget will
26 prioritize the utilization of remanufactured parts as the primary
27 means of maintenance and repair for the state of Michigan's fleet

of motor vehicles.

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

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

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

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

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

committees on appropriations subcommittees on general government, as well as the senate and house fiscal agencies.

Sec. 822a. The department shall submit a report regarding the feasibility of privatizing the administration of the state lottery. The report shall include an estimate of the cost savings or increase that would result from privatizing the administration of the state lottery, an analysis of required statutory changes, and any other issues that need to be addressed. The report shall be submitted to the senate and house of representatives appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget office. The report shall be submitted not later than April 1.

INFORMATION TECHNOLOGY

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

(2) The department of technology, management, and budget may

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

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

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

Sec. 824. The department of technology, management, and budget may enter into agreements to supply spatial information and technical services to other principal executive departments, state agencies, local units of government, and other organizations. The department of technology, management, and budget may receive and

1 expend funds in addition to those authorized in part 1 for
2 providing information and technical services, publications, maps,
3 and other products. The department of technology, management, and
4 budget may expend amounts received for salaries, supplies, and
5 equipment necessary to provide informational products and technical
6 services. Prior to December 1 of each year, the department shall
7 provide a report to the senate and house of representatives
8 standing committees on appropriations subcommittees on general
9 government, detailing the sources of funding and expenditures made
10 under this section.
11 Sec. 825. The legislature shall have access to all historical
12 and current data contained within MAIN pertaining to state
13 departments. State departments shall have access to all historical
14 and current data contained within MAIN.
15 Sec. 826. When used in this article, "information technology
16 services" means services involving all aspects of managing and
17 processing information, including, but not limited to, all of the
18 following:
19 (a) Application development and maintenance.
20 (b) Desktop computer support and management.
21 (c) Mainframe computer support and management.
22 (d) Server support and management.
23 (e) Local area network support and management, including, but
24 not limited to, wireless networking.
25 (f) Information technology project management.
26 (g) Information technology planning and budget management.
27 (h) Telecommunication services, security, infrastructure, and

support.

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

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

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

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

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

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

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

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

Sec. 830. By December 31, the department shall provide a report that lists all information technology-related change orders and follow-on contracts, greater than $50,000.00, whether they are bid, exercise options, or no-bid, and the amount of each change order or contract extension contract entered into by the department to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director.

Sec. 832. The department shall provide a report that calculates the total amount of funds expended for the child support enforcement system to date from the inception of the program. The report shall contain information on the original start and completion dates for the project, the original cost to complete the project, and a listing of all revisions to project completion dates

and costs. The report shall include the total amount of funds paid to the federal government for penalties. The report shall be submitted to the senate and house of representatives standing committees on government operations, the senate and house of representatives standing committees on appropriations subcommittees on general government, and the senate and house fiscal agencies by January 1.

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

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

Sec. 834. (1) Revenue collected from licenses issued under the antenna site management project shall be deposited into the antenna site management revolving fund created for this purpose in the department of technology, management, and budget. The department may receive and expend money from the fund for costs associated with the antenna site management project, including the cost of a

third-party site manager. Any excess revenue remaining in the fund at the close of the fiscal year shall be proportionately transferred to the appropriate state restricted funds as designated in statute or by constitution.

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

Sec. 835. In addition to the funds appropriated in part 1, the funds collected by the department for supplying census-related information and technical services, publications, statistical studies, population projections and estimates, and other demographic products area appropriated for all expenses necessary to provide the required services. These funds are available for expenditure when they are received and may be carried forward into the next succeeding fiscal year.

STATE BUILDING AUTHORITY

Sec. 840. (1) Subject to section 242 of the management and budget act, 1984 PA 431, MCL 18.1242, and upon the approval of the state building authority, the department may expend from the general fund of the state during the fiscal year an amount to meet the cash flow requirements of those state building authority projects solely for lease to a state agency identified in both part 1 and this section, and for which state building authority bonds or notes have not been issued, and for the sole acquisition by the state building authority of equipment and furnishings for lease to a state agency as permitted by 1964 PA 183, MCL 830.411 to 830.425,

for which the issuance of bonds or notes is authorized by a legislative concurrent resolution that is effective for the fiscal year ending September 30, 2012. Any general fund advances for which state building authority bonds have not been issued shall bear an interest cost to the state building authority at a rate not to exceed that earned by the state treasurer's common cash fund during the period in which the advances are outstanding and are repaid to the general fund of the state.

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

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

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

Sec. 841. (1) State building authority funding to finance

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

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

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

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

Sec. 843. The state building authority shall provide to the

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

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

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

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

CIVIL SERVICE

Sec. 850. (1) In accordance with section 5 of article XI of the state constitution of 1963, all restricted funds shall be assessed a sum not less than 1% of the total aggregate payroll paid from those funds for financing the civil service commission on the basis of actual 1% restricted sources total aggregate payroll of the classified service for the fiscal year 2011. This includes, but is not limited to, restricted funds appropriated in part 1 of any appropriations act. Unexpended 1% appropriated funds shall be returned to each 1% fund source at the end of the fiscal year.

(2) The appropriations in part 1 are estimates of actual charges based on payroll appropriations. With the approval of the state budget director, the commission is authorized to adjust financing sources for civil service charges based on actual payroll expenditures, provided that such adjustments do not increase the total appropriation for the civil service commission.

(3) The financing from restricted sources shall be credited to the civil service commission by the end of the second fiscal quarter.

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

Sec. 852. The appropriation in part 1 to the civil service commission, for state-sponsored group insurance, flexible spending accounts, and COBRA, represents amounts, in part, included within the various appropriations throughout state government for the current fiscal year to fund the flexible spending account program included within the civil service commission. Deposits against state-sponsored group insurance, flexible spending accounts, and

COBRA for the flexible spending account program shall be made from assessments levied during the current fiscal year in a manner prescribed by the civil service commission. Unspent employee contributions to the flexible spending accounts may be used to offset administrative costs for the flexible spending account program, with any remaining balance of unspent employee contributions to be lapsed to the general fund.

CAPITAL OUTLAY

Sec. 860. As used in sections 861 through 865:

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

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

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

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

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

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

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

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

Sec. 861. Each capital outlay project authorized in this

article or any previous capital outlay act shall comply with the procedures required by the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

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

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

(a) The account number and name of each construction project.

(b) The balance remaining in each account.

(c) The date of the last expenditure from the account.

(d) The anticipated date of occupancy if the project is under construction.

(e) The appropriations history for the project.

(f) The professional service contractor.

(g) The amount of the project financed with federal funds.

(h) The amount of the project financed through the state building authority.

(i) The total authorized cost for the project and the state authorized share if different than the total.

(3) Before the end of each fiscal year, the department shall report the following for each project by a state agency, university, or community college that is authorized for planning

but is not yet authorized for construction:

(a) The name of the project and account number.

(b) Whether a program statement is approved.

(c) Whether schematics are approved by the department.

(d) Whether preliminary plans are approved by the department.

(e) The name of the professional service contractor.

(4) As used in this section, "project" includes appropriation line items made for purchase of real estate.

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

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

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

1 Sec. 865. (1) A site preparation economic development fund is
2 created in the department of technology, management, and budget. As
3 used in this section, "economic development sites" means those
4 state-owned sites declared as surplus property pursuant to section
5 251 of the management and budget act, 1984 PA 431, MCL 18.1251,
6 that would provide economic benefit to the area or to the state.
7 The Michigan economic development corporation board and the state
8 budget director shall determine whether or not a specific state-
9 owned site qualifies for inclusion in the fund created under this
10 subsection.
11 (2) Proceeds from the sale of any sites designated in
12 subsection (1) shall be deposited into the fund created in
13 subsection (1) and shall be available for site preparation
14 expenditures, unless otherwise provided by law. The economic
15 development sites authorized in subsection (1) are authorized for
16 sale consistent with state law. Expenditures from the fund are
17 authorized for site preparation activities that enhance the
18 marketable sale value of the sites. Site preparation activities
19 include, but are not limited to, demolition, environmental studies
20 and abatement, utility enhancement, and site excavation.
21 (3) A cash advance in an amount of not more than
22 $25,000,000.00 is authorized from the general fund to the site
23 preparation economic development fund.
24 (4) An annual report shall be transmitted to the senate and
25 house of representatives standing committees on appropriations not
26 later than December 31 of each year. This report shall detail both
27 of the following:

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

(b) The sites identified as economic development sites under subsection (1).

CAPITAL OUTLAY - UNIVERSITIES AND COMMUNITY COLLEGES

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

Sec. 871. (1) Before proceeding with final planning and construction for projects at community colleges and universities included in an appropriations act, the community college or university shall sign an agreement with the department that includes the following provisions:

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

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

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

(2) The department retains the authority and responsibility normally associated with the prudent maintenance of the public's

financial and policy interests relative to the state-financed construction projects managed by a community college or university.

Sec. 872. A state agency, community college, or university shall take steps necessary to make available federal and other money indicated in this article, to make available federal or other money that may become available for the purposes for which appropriations are made in this article, and to use any part or all of the appropriations to meet matching requirements that are considered to be in the best interest of this state. However, the purpose, scope, and total estimated cost of a project shall not be altered to meet the matching requirements. Any federal matching revenues received to support the construction of the project shall be applied to the total authorized project cost, with the state and community college or university financing shares proportionately adjusted.

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

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

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

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

Sec. 874. If university and community college matching revenues are received in an amount less than the appropriations for

capital projects contained in this article, the state funds shall be reduced in proportion to the amount of matching revenue received.

Sec. 875. (1) The director may require that community colleges and universities that have an authorized project listed in part 1 submit documentation regarding the project match and governing board approval of the authorized project not more than 60 days after the beginning of the fiscal year.

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

DEPARTMENT OF TREASURY

OPERATIONS

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

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $10,000,000.00 for state restricted contingency funds. These funds are not available for

1 expenditure until they have been transferred to another line item
2 in this article under section 393(2) of the management and budget
3 act, 1984 PA 431, MCL 18.1393.
4 (3) In addition to the funds appropriated in part 1, there is
5 appropriated an amount not to exceed $200,000.00 for local
6 contingency funds. These funds are not available for expenditure
7 until they have been transferred to another line item in this
8 article under section 393(2) of the management and budget act, 1984
9 PA 431, MCL 18.1393.
10 (4) In addition to the funds appropriated in part 1, there is
11 appropriated an amount not to exceed $40,000.00 for private
12 contingency funds. These funds are not available for expenditure
13 until they have been transferred to another line item in this
14 article under section 393(2) of the management and budget act, 1984
15 PA 431, MCL 18.1393.
16 Sec. 902. (1) Amounts needed to pay for interest, fees,
17 principal, mandatory and optional redemptions, arbitrage rebates as
18 required by federal law, and costs associated with the payment,
19 registration, trustee services, credit enhancements, and issuing
20 costs in excess of the amount appropriated to the department of
21 treasury in part 1 for debt service on notes and bonds that are
22 issued by the state under sections 14, 15, and 16 of article IX of
23 the state constitution of 1963 as implemented by 1967 PA 266, MCL
24 17.451 to 17.455, are appropriated.
25 (2) In addition to the amount appropriated to the department
26 of treasury for debt service in part 1, there is appropriated an
27 amount for fiscal year cash-flow borrowing costs to pay for

interest on interfund borrowing made under 1967 PA 55, MCL 12.51 to 12.53.

(3) In addition to the amount appropriated to the department of treasury for debt service in part 1, there is appropriated all repayments received by the state on loans made from the school bond loan fund not required to be deposited in the school loan revolving fund by or pursuant to section 4 of 1961 PA 112, MCL 388.984, to the extent determined by the state treasurer, for the payment of debt service, including, without limitation, optional and mandatory redemptions, on bonds, notes or commercial paper issued by the state pursuant to 1961 PA 112, MCL 388.981 to 388.985.

Sec. 902a. The department of treasury shall notify the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget office not more than 30 days after a refunding or restructuring bond issue is sold. The notification shall compare the annual debt service prior to the refinancing or restructuring, the annual debt service after the refinancing or restructuring, the change in the principal and interest over the duration of the debt, and the projected change in the present value of the debt service due to the refinancing and restructuring.

Sec. 903. (1) From the funds appropriated in part 1, the department of treasury may contract with private collection agencies and law firms to collect taxes and other accounts due this state. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund collection costs and fees not to exceed 25% of the collections

or 2.5% plus operating costs, whichever amount is prescribed by each contract. The appropriation to fund collection costs and fees for the collection of taxes or other accounts due this state are from the fund or account to which the revenues being collected are recorded or dedicated. However, if the taxes collected are constitutionally dedicated for a specific purpose, the appropriation of collection costs and fees are from the general purpose account of the general fund.

(2) From the funds appropriated in part 1, the department of treasury may contract with private collections agencies and law firms to collect defaulted student loans and other accounts due the Michigan guaranty agency. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund collection costs and fees not to exceed 24.34% of the collection or a lesser amount as prescribed by the contract. The appropriation to fund collection costs and fees for the auditing and collection of defaulted student loans due the Michigan guaranty agency is from the fund or account to which the revenues being collected are recorded or dedicated.

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

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

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

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

(2) The appropriations under subsection (1) shall be funded by restricting revenues from common cash interest earnings and

investment earnings in an amount sufficient to record these expenditures.

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

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

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

Sec. 907. A revolving fund known as the assessor certification and training fund is created in the department of treasury. The assessor certification and training fund shall be used to organize

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 915. Pursuant to section 61 of the Michigan campaign finance act, 1976 PA 388, MCL 169.261, there is appropriated from the general fund to the state campaign fund an amount equal to the amounts designated for tax year 2010. Except as otherwise provided in this section, the amount appropriated shall not revert to the general fund and shall remain in the state campaign fund. Any amounts remaining in the state campaign fund in excess of $10,000,000.00 on December 31 shall revert to the general fund.

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

Sec. 917. (1) There is appropriated for write-offs and advances an amount equal to total write-offs and advances for departmental programs, but not to exceed current year

1 authorizations that would otherwise lapse to the general fund.
2 (2) The department of treasury shall submit a report for the
3 immediately preceding fiscal year to the state budget director and
4 the senate and house fiscal agencies not later than November 30
5 stating the amounts appropriated for write-offs and advances under
6 subsection (1).
7 Sec. 918. In addition to funds appropriated in part 1, the
8 department of treasury may receive and expend funds for conducting
9 tax orientation workshops and seminars. Funds received may not
10 exceed costs incurred in conducting the workshops and seminars.
11 Sec. 919. (1) From funds appropriated in part 1, the
12 department of treasury may contract with private auditing firms to
13 audit for and collect unclaimed property due this state in
14 accordance with the uniform unclaimed property act, 1995 PA 29, MCL
15 567.221 to 567.265. In addition to the amounts appropriated in part
16 1 to the department of treasury, there are appropriated amounts
17 necessary to fund auditing and collection costs and fees not to
18 exceed 12% of the collections, or a lesser amount as prescribed by
19 the contract. The appropriation to fund collection costs and fees
20 for the auditing and collection of unclaimed property due this
21 state is from the fund or account to which the revenues being
22 collected are recorded or dedicated.
23 (2) The department of treasury shall submit a report for the
24 immediately preceding fiscal year ending September 30 to the state
25 budget director and the senate and house of representatives
26 standing committees on appropriations not later than November 30
27 stating the auditing firms employed, the amount of collections for

each, the costs of collection, and other pertinent information relating to determining whether this authority should be continued.

Sec. 922. The department of treasury shall submit a report for the immediately preceding fiscal year ending September 30 to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director by November 30 stating the amount of Michigan transportation fund revenue collected and the cost of collection. The cost of collection may be determined by proration of costs in fiscal year 2011-2012 only. Not later than April 1, 2012, the department of treasury shall provide an analysis of the actual costs of tax administration in order to justify continuation of the proration approach.

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

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

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

(a) Capital asset improvements including buildings, land, or structures.

(b) Energy resource exploration, extraction, generation, and sales.

(c) Financial and investment incentive opportunities.

(d) Infrastructure construction, maintenance, and operation.

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

(2) Public-private investments shall not include projects, consultant expenses, staff effort, or any other activity related to the development, financing, construction, operation, or implementation of the Detroit River International Crossing or any successor project unless the project is approved by the legislature and signed into law.

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

(4) Investment development revenue, including a portion of the proceeds from the sale of any public-private partnership investment designated in subsection (1), shall be deposited into the fund created in subsection (1) and shall be available for administration, development, financing, marketing, and operating expenditures associated with public-private partnerships, unless otherwise provided by law. Public-private partnership investments authorized in subsection (1) are authorized for public or private operation or sale consistent with state law. Expenditures from the fund are authorized for investment purposes as designated in

subsection (1) to enhance the marketable value of each investment. The unencumbered balance remaining in the fund at the end of the fiscal year may be carried forward for appropriation in future years.

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

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

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

(6) The department of treasury shall monitor the revenue deposited in the public-private partnership investment fund created in (1). If the revenue in the fund is insufficient to pay the amount appropriated in part 1 for public-private partnership investment, then treasury shall propose a legislative transfer to fund the line from the appropriations in part 1.

Sec. 925a. The funds appropriated in part 1 shall not be used to support any staff effort, projects, consultant expenses, or any other activity related to the development, financing, construction, operation, or implementation of the Detroit River International Crossing or any successor project unless the project is approved by the legislature and signed into law.

Sec. 926. Unexpended appropriations of the John R. Justice grant program are designated as work project appropriations and

shall not lapse at the end of the fiscal year and shall continue to be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

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

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

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

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

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

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

Sec. 930. (1) The department of treasury shall provide

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

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

Sec. 931. (1) The appropriation in part 1 to the department of treasury for treasury fees shall be assessed against all restricted funds that receive common cash earnings or other investment income. Treasury fees include all costs, including administrative overhead, relating to the investment of each restricted fund. The fee assessed against each restricted fund will be based on the size of the restricted fund (the absolute value of the average daily cash balance plus the market value of investments in the prior fiscal year) and the level of effort necessary to maintain the restricted fund as required by each department. The department of treasury

shall provide a report to the state budget director, the senate and house of representatives standing committees on appropriations subcommittees on general government, and the senate and house fiscal agencies by November 30 of each year identifying the fees assessed against each restricted fund and the methodology used for assessment.

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

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

Sec. 934. (1) The department of treasury may expend revenues received under the hospital finance authority act, 1969 PA 38, MCL 331.31 to 331.84, the shared credit rating act, 1985 PA 227, MCL 141.1051 to 141.1076, the higher education facilities authority act, 1969 PA 295, MCL 390.921 to 390.934, the Michigan public educational facilities authority, Executive Reorganization Order No. 2002-3, MCL 12.192, the Michigan tobacco settlement finance authority act, 2005 PA 226, MCL 129.261 to 129.279, the land bank

fast track act, 2003 PA 258, MCL 124.751 to 124.774, part 505 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.50501 to 324.50522, the state housing development authority act of 1966, 1966 PA 346, MCL 125.1401 to 125.1499c, and the Michigan finance authority, Executive Reorganization Order No. 2010-2, MCL 12.194, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, grants to the civil service commission and state employees' retirement fund, and other expenses as allowed under those acts.

(2) The department of treasury shall report by January 31, 2012 to the senate and house appropriations subcommittees, the senate and house fiscal agencies, and the state budget director on the amount and purpose of expenditures made under subsection (1) from funds received in addition to those appropriated in part 1. The report also shall include a listing of reimbursement of revenue, if any. The report shall cover the 2010-2011 fiscal year.

Sec. 943. (1) The appropriation in part 1 for tobacco tax enforcement shall be used for, but not limited to, the following:

(a) Costs associated with a new stamp indicia.

(b) Reimbursement to licensed cigarette stamping agents for costs associated with the new stamp, to include machines acceptable to licensed cigarette stamping agents and to the department of treasury.

(c) Scanners.

(2) The department of treasury shall work cooperatively with the Michigan state police to improve tobacco tax enforcement.

(3) The department of treasury shall submit a report on the proposed use of the funds appropriated in part 1 for tobacco tax enforcement. The report shall be submitted by November 1 to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director.

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

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

REVENUE SHARING

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

1 section 10 of article IX of the state constitution of 1963.
2 Sec. 951. (1) From the funds appropriated in part 1 and in
3 section 1201(2) to the economic vitality incentive program,
4 $5,000,000.00 is to be used for assistance grants to cities,
5 villages, townships, and counties to offset the costs associated
6 with mergers, interlocal agreements, and cooperative efforts for
7 those cities, villages, townships, and counties that elect to
8 combine government operations. Grant funding shall be available for
9 mergers, interlocal agreements, and cooperative efforts that occur
10 on or after October 1, 2011. The department of treasury shall
11 develop an application process and method of grant distribution.
12 (2) From the funds appropriated in part 1 and in section
13 1201(2) to the economic vitality incentive program, $210,000,000.00
14 is to be used for grants to cities, villages, and townships such
15 that, subject to fulfilling the requirements under subsection (3)
16 (a), (b), or (c), each city, village, or township that received a
17 payment under section 950(2), 2009 PA 128, greater than $4,500.00
18 will be eligible to receive a maximum of 67.837363% of its total
19 payment received under section 950(2), 2009 PA 128, rounded to the
20 nearest dollar. For the purposes of this subsection, any city or
21 village that according to the 2010 federal decennial census is
22 determined to have population in more than 1 county will be treated
23 as a single entity when determining the payment received under
24 section 950(2), 2009 PA 128.
25 (3) Cities, villages, and townships eligible to receive a
26 potential payment from the allocation under subsection (2) may
27 qualify to receive economic vitality incentive program payments

1 under 1 or more of the following 3 categories:
2 (a) Category 1, accountability and transparency, requires each
3 eligible city, village, or township to certify that by October 1,
4 2011, it has produced, and has made readily available to the
5 public, a citizen's guide and a performance dashboard of its local
6 finances, including a recognition of its unfunded liabilities. Each
7 city, village, and township applying for a payment under this
8 category shall submit a copy of the citizen's guide and a copy of
9 the performance dashboard to the department of treasury by October
10 1, 2011.
11 (b) Category 2, consolidation of services, requires each
12 eligible city, village, or township to certify that by January 1,
13 2012, it has a plan with 1 or more proposals to increase its
14 existing level of cooperation, collaboration, and consolidation,
15 either within the jurisdiction or with other jurisdictions. A plan
16 shall include a listing of any previous services consolidated with
17 the cost savings realized from each consolidation and an estimate
18 of the potential savings for any new service consolidations being
19 planned. A plan shall be made readily available to the public. Each
20 city, village, and township applying for a payment under this
21 subdivision shall submit a copy of the cooperation, collaboration,
22 and consolidation plan to the department of treasury by January 1,
23 2012.
24 (c) Category 3, employee compensation, requires each eligible
25 city, village, or township to certify that by May 1, 2012, it has
26 developed and publicized an employee compensation plan that the
27 city, village, or township intends to implement with any new,

modified, or extended contract or employment agreements for employees not covered under contract or employment agreement. The employee compensation plan that each city, village, or township plans to achieve shall be made available for public viewing in the city, village, or township clerk's office or posted on a publicly accessible Internet site and must be submitted to the department of treasury by May 1, 2012. At a minimum, the employee compensation plan shall include the following:

(*i*) New hires who are eligible for retirement plans are placed on retirement plans that cap annual employer contributions at 10% of base salary for employees who are eligible for social security benefits. For employees who are not eligible for social security benefits, the annual employer contribution is capped at 16.2% of base salary.

(*ii*) For defined benefit pension plans, a maximum multiplier of 1.5% for all employees who are eligible for social security benefits, except, where postemployment health care is not provided, the maximum multiplier shall be 2.25%. For all employees who are not eligible for social security benefits, a maximum multiplier of 2.25%, except, where postemployment health care is not provided, the maximum multiplier shall be 3.0%.

(*iii*) For defined benefit pension plans, final average compensation for all employees is calculated using a minimum of 3 years of compensation and shall not include more than a total of 240 hours of paid leave. Overtime hours shall not be used in computing the final average compensation for an employee.

(*iv*) Health care premium costs for new hires shall include a

minimum employee share of 20%; or, an employer's share of the local health care plan costs shall be cost competitive with the new state preferred provider organization health plan, on a per-employee basis.

(4) Economic vitality incentive program payments are subject to the following conditions:

(a) In order for a city, village, or township to qualify for a category under subsection (3)(a), (b), or (c), the city, village, or township shall meet every criteria for that category including a certification to the department that it has met the required criteria for that category and submission of the required citizen's guide and performance dashboard; cooperation, collaboration, and consolidation plan; or the employee compensation plan as required by subsection (3)(a), (b), or (c), respectively. A department of treasury review of the citizen's guide, dashboard, or plan is not required in order for a city, village, or township to receive a payment under subsection (2). The department shall develop a certification process and method for cities, villages, and townships to follow.

(b) For each category that a city, village, or township qualifies for in subsection (3), the city, village, or township shall receive 1/3 of its potential economic vitality incentive program payment amount calculated in subsection (2).

(c) Payments under this section shall be issued to cities, villages, and townships for each category in subsection (3) until the specified due date for the category. After the specified due date for the category, payments shall be made to a city, village,

or township only if that city, village, or township has complied with subdivision (a).

(d) If a city, village, or township does not provide the required certification or fails to submit the required citizen's guide and performance dashboard; cooperation, collaboration, and consolidation plan; and the employee compensation plan by the first day of a payment month, the city, village, or township shall forfeit the payment in that payment month for the uncertified category in subsection (3).

(e) Any local unit that falsifies certification documents shall forfeit any future economic vitality incentive program payments and shall repay this state all economic vitality incentive program payments it has received.

(f) Payments under this section shall be distributed on the last business day of October, December, February, April, June, and August.

(g) Payments distributed under this section may be withheld pursuant to sections 17a and 21 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.917a and 141.921.

(5) The unexpended funds appropriated in this section for the economic vitality incentive program are designated as work project appropriations and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall continue to be available for expenditure for projects under subsection (1) until the projects have been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the projects is to provide incentive-based grants to recipients under subsection (1).

(b) The projects will be accomplished by grants to qualified governmental units.

(c) The total estimated cost of all projects is $215,000,000.00.

(d) The tentative completion date is September 30, 2016.

Sec. 955. (1) The funds appropriated in part 1 and section 1201(2) for county revenue sharing shall be distributed by the department to eligible counties pursuant to the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.901 to 141.921.

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

LOTTERY

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

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

CASINO GAMING

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

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

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

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

(4) A local revenue sharing board described in subsection (1) shall comply with all applicable provisions of any agreement authorized by the Indian gaming regulatory act, Public Law 100-497, in which the local revenue sharing board is referenced, including,

1 but not limited to, the disbursal of tribal casino payments
2 received under applicable provisions of the tribal-state class III
3 gaming compact in which those funds are received.
4 (5) The director of the department of state police and the
5 executive director of the Michigan gaming control board are
6 authorized to assist the local revenue sharing boards in
7 determining allocations to be made to local public safety
8 organizations.
9 (6) The department of treasury shall submit a report by
10 September 30 to the senate and house of representatives standing
11 committees on appropriations and the state budget director on the
12 receipts and distribution of revenues by local revenue sharing
13 boards.
14 Sec. 974. If revenues collected in the state services fee fund
15 are less than the amounts appropriated from the fund, available
16 revenues shall be used to fully fund the appropriation in part 1
17 for casino gaming regulation activities before distributions are
18 made to other state departments and agencies. If the remaining
19 revenue in the fund is insufficient to fully fund appropriations to
20 other state departments or agencies, the shortfall shall be
21 distributed proportionally among those departments and agencies.
22 Sec. 976. The executive director of the Michigan gaming
23 control board may pay rewards of not more than $5,000.00 to a
24 person who provides information that results in the arrest and
25 conviction on a felony or misdemeanor charge for a crime that
26 involves the horse racing industry. A reward paid pursuant to this
27 section shall be paid out of the appropriation in part 1 for the

1 racing commission.

2 Sec. 977. All appropriations from the Michigan agriculture
3 equine industry development fund, except for the racing commission
4 and laboratory analysis program appropriations, shall be reduced
5 proportionately if revenues to the Michigan agriculture equine
6 industry development fund decline during the fiscal year ending
7 September 30, 2012 to a level lower than the amount appropriated in
8 part 1.

9 Sec. 978. The Michigan gaming control board shall use actual
10 expenditure data in determining the actual regulatory costs of
11 conducting racing dates and shall provide that data to the senate
12 and house appropriations subcommittees on agriculture and general
13 government and the senate and house fiscal agencies. The Michigan
14 gaming control board shall not be reimbursed for more than the
15 actual regulatory cost of conducting race dates. If a certified
16 horsemen's organization funds more than the actual regulatory cost,
17 the balance shall remain in the agriculture equine industry
18 development fund to be used to fund subsequent race dates conducted
19 by race meeting licensees with which the certified horsemen's
20 organization has contracts. If a certified horsemen's organization
21 funds less than the actual regulatory costs of the additional horse
22 racing dates, the Michigan gaming control board shall reduce the
23 number of future race dates conducted by race meeting licensees
24 with which the certified horsemen's organization has contracts.
25 Prior to the reduction in the number of authorized race dates due
26 to budget deficits, the executive director of the Michigan gaming
27 control board shall provide notice to the certified horsemen's

organizations with an opportunity to respond with alternatives. In determining actual costs, the Michigan gaming control board shall take into account that each specific breed may require different regulatory mechanisms.

MICHIGAN STRATEGIC FUND - HOUSING AND COMMUNITY DEVELOPMENT

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

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

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

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

appropriated for all expenses necessary to provide the required services. These funds are available for expenditure when they are received and may be carried forward into the succeeding fiscal year.

MICHIGAN STRATEGIC FUND

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

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

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

Sec. 1005. In addition to the appropriations in part 1, Travel Michigan may receive and expend private revenue related to the use of "Pure Michigan" and all other copyrighted slogans and images. This revenue may come from the direct licensing of the name and

image or from the royalty payments from various merchandise sales. Revenue collected is appropriated for the marketing of the state as a travel destination. The funds are available for expenditure when they are received by the department of treasury.

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

(a) The name of the recipient.

(b) The amount awarded to the recipient.

(c) The purpose of the grant.

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

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

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

(c) Business services.

(d) Community development block grants.

(e) Strategic fund administration.

(f) Renaissance zones.

(g) 21st century investment program.

(h) Business and clean air ombudsman.

(i) Any other programs of the fund.

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

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

Sec. 1009. (1) Of the funds appropriated to the fund or

through grants to the Michigan economic development corporation, no funds shall be expended for the purchase of options on land or the purchase of land unless at least 1 of the following conditions applies:

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

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

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

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

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

(2) Any encumbered funds shall be used for the same purposes

for which funding was originally appropriated in this article.

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

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

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

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

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

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

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

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

(2) The fund shall provide an annual report on the status of this fund which includes information that details the awards made.

The report shall be provided to the appropriations subcommittees on general government, the fiscal agencies, and the state budget office by January 31.

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

Sec. 1021. The unexpended portion of funds appropriated in 2007 PA 127 for the jobs for Michigan investment program 21st century jobs fund is appropriated for the same purposes as originally appropriated and is available until September 30, 2016. The project shall be completed through the use of staff, awards, and contracts and shall not exceed $5,500,000.00.

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

material.

Sec. 1024. From the funds appropriated in part 1 and in section 1201(1) for business attraction and economic gardening, not less than $20,000,000.00 shall be granted by the Michigan strategic fund board for brownfield redevelopment incentives and historic preservation incentives.

Sec. 1031. The Michigan strategic fund shall report to the senate and house of representatives appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget office by April 15, 2012 on the spending plan for the line items for innovation and entrepreneurship and business attraction and economic gardening.

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

(a) The tax credit provided under section 455 of the Michigan business tax act, 2007 PA 36, MCL 208.1455.

(b) The tax credit provided under section 457 of the Michigan business tax act, 2007 PA 36, MCL 208.1457.

(c) The tax credit provided under section 459 of the Michigan business tax act, 2007 PA 36, MCL 208.1459.

(d) The amount of any tax credit claimed under section 367 of

1 the income tax act of 1967, 1967 PA 281, MCL 206.367.
2 (e) Any tax credits provided for film and digital media
3 production under the Michigan economic growth authority act, 1995
4 PA 24, MCL 207.801 to 207.810.
5 (f) Loans to an eligible production company or film and
6 digital media private equity fund authorized under section 88d(3),
7 (4), and (5) of the Michigan strategic fund act, 2005 PA 225, MCL
8 125.2088d.
9 (2) The report shall include all of the following information:
10 (a) For each tax credit, the number of contracts signed, the
11 projected expenditures qualifying for the credit, and the estimated
12 value of the credits. For loans, the number of loans made under
13 each section, the interest rate of those loans, the loan amount,
14 the percent of the projected budget of each production financed by
15 those loans, and the estimated interest earnings from the loan.
16 (b) For credits authorized under section 455 of the Michigan
17 business tax act, 2007 PA 36, MCL 208.1455, for productions
18 completed by December 31, the expenditures of each production
19 eligible for the credit that has filed a request for certificate of
20 completion with the film office, broken down into expenditures for
21 goods, services, or salaries and wages and showing separately
22 expenditures in each local unit of government, including
23 expenditures for personnel, whether or not they were made to a
24 Michigan entity, and whether or not they were taxable under the
25 laws of this state. For loans, the report shall include the number
26 of loans that have been fully repaid, with principal and interest
27 shown separately, and the number of loans that are delinquent or in

default, and the amount of principal that is delinquent or is in default.

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

(*i*) The number of temporary jobs created.

(*ii*) The number of permanent jobs created.

(*iii*) The number of persons employed in Michigan as a result of the incentive, on a full-time equated basis.

(3) For any information not included in the report due to the provisions of sections 455(6), 457(6), or 459(6) of the Michigan business tax act, 2007 PA 36, MCL 208.1455, 208.1457, and 208.1459, the report shall do all of the following:

(a) Indicate how the information would describe the commercial and financial operations or intellectual property of the company.

(b) Attest that the information has not been publicly disseminated at any time.

(c) Describe how disclosure of the information may put the company at a competitive disadvantage.

(4) Any information not disclosed due to the provisions of sections 455(6), 457(6), or 459(6) of the Michigan business tax act, 2007 PA 36, MCL 208.1455, 208.1457, and 208.1459, shall be presented at the lowest level of aggregation that would no longer describe the commercial and financial operations or intellectual property of the company.

Sec. 1034. (1) A portion of the funds appropriated in part 1 for innovation and entrepreneurship shall be used to fund business

1 incubators and accelerators. The Michigan strategic fund shall
2 award a grant to 1 high-performance business incubator or
3 accelerator in each of the following governmental units:
4 (a) Houghton County.
5 (b) Kent County.
6 (c) Macomb County.
7 (d) Oakland County.
8 (e) Washtenaw County.
9 (f) A city with a population greater than 650,000.
10 (g) A Midland County satellite site of an incubator located in
11 Isabella County.
12 (2) Grant funding awarded under this section may be used to
13 fund satellite locations, as determined by the Michigan strategic
14 fund.
15 (3) Eligible recipients for these awards must have been
16 operational on October 1, 2010 and operating continuously since
17 that date.
18 (4) Awards shall not be less than $500,000.00 per selected
19 business incubator or accelerator. No recipient shall receive more
20 than $2,000,000.00 under this section. No unit of local government
21 listed in subsection (1) shall receive more than 1 award.
22 (5) Applicants shall submit a comprehensive business plan to
23 the Michigan strategic fund that demonstrates the sustainability of
24 the organization.
25 (6) Awards shall be announced by December 31, 2011.
26 (7) Each recipient business incubator or accelerator shall
27 develop a dashboard of indicators to measure the effectiveness of

the business incubator and accelerator programs. Indicators shall include the direct jobs created, new companies launched as a direct result of business incubator or accelerator involvement, businesses expanded as a direct result of business incubator or accelerator involvement, direct investment in client companies, private equity financing obtained by client companies, grant funding obtained by client companies, and other measures developed by the recipient business incubators and accelerators in conjunction with the Michigan economic development corporation. Dashboard indicators shall be reported for the prior fiscal year and cumulatively, if available. Each recipient shall submit a copy of their dashboard indicators to the Michigan strategic fund by March 1. The Michigan strategic fund shall transmit the local reports to the senate and house of representatives appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget office by March 15.

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

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

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

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

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

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

MICHIGAN STRATEGIC FUND - CAREER EDUCATION

Sec. 1050. The fund shall publish the "activities classification structure data book" for Michigan community colleges on or before March 1.

Sec. 1051. The fund shall compile information received from community colleges on North American Indian tuition waivers granted pursuant to 1976 PA 174, MCL 390.1251 to 390.1253, and shall submit this compilation to the house and senate appropriations subcommittees on community colleges, the fiscal agencies, and the state budget director by February 15.

Sec. 1052. The fund shall compile information received from community colleges on the number and types of associate degrees and

other certificates awarded during the previous fiscal year and shall submit this compilation to the house and senate appropriations subcommittees on community colleges, the fiscal agencies, and the state budget director by January 15.

Sec. 1053. From the funds appropriated in part 1, the fund shall allocate an amount not to exceed $680,100.00 for the Detroit precollege engineering program and the Grand Rapids area precollege engineering program, which were appropriated funds under 2005 PA 156.

Sec. 1054. From the funds appropriated in part 1 for workforce programs subgrantees, the fund may allocate funding for grants to nonprofit organizations that offer programs to workforce investment act-eligible youth focusing on entrepreneurship, work-readiness skills, job shadowing, and financial literacy. Organizations eligible for funding under this section must have the capacity to provide similar programs in urban areas, as determined by the United States bureau of the census according to the most recent federal decennial census. Additionally, programs eligible for funding under this section must include the participation of local business partners. The fund shall develop other appropriate eligibility requirements to ensure compliance with applicable federal rules and regulations.

MICHIGAN STRATEGIC FUND - WORKFORCE DEVELOPMENT

Sec. 1060. The fund shall administer the jobs, education, and training program in accordance with the requirements of section 407(d) of title IV of the social security act, 42 USC 607, the state social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and

all other applicable laws and regulations.

Sec. 1061. State and federal funds allocated to local workforce development boards for disbursement shall not be expended unless the local workforce development boards maintain a partnership with governmental agencies, public school districts, and public colleges located within the local service delivery area. Each board shall appoint an education advisory group made up of high-level administrators within local educational institutions, workforce development board members, other employers, labor, academic educators, parents of public school pupils, and, at the board's discretion, representatives of organizations that provide school-based curriculum and youth programs focusing on entrepreneurship, work-readiness skills, and financial literacy.

Sec. 1062. The fund shall make available, in person or by telephone, 1 disabled veterans outreach program specialist or local veterans employment representative to Michigan works! service centers, as resources permit, during hours of operation, and shall continue to make the appropriate placement of veterans and disabled veterans a priority.

Sec. 1063. (1) In addition to the funds appropriated in part 1, any unencumbered and unrestricted federal workforce investment act or trade adjustment assistance funds available from prior fiscal years are appropriated for the purposes originally intended.

(2) The fund shall report by January 15 to the subcommittees, the fiscal agencies, and the state budget office on the amount by fiscal year of federal workforce investment act funds appropriated under this section.

Sec. 1064. Of the funds appropriated in part 1 for workforce training programs, up to $200,000.00 shall be allocated for grants to 2 work force development programs, meeting the following criteria:

(a) Up to $100,000.00 shall be allocated to 1 nonprofit organization to expand an existing innovative, employer-led, public/private workforce development program. Grant funds may be used for program operating expenses such as staffing, rent, equipment, and other expenses. To be eligible for funding under this subdivision, a program must meet the following criteria:

(*i*) Provide program participants with early intervention services that promote employment stabilization and alleviate barriers to job attainment, retention, or advancement, including assistance with transportation, language barriers, childcare, housing, and facilitating access to services available through public agencies and community-based organizations.

(*ii*) Provide program participants with training in basic job skills, basic life skills, and career exploration.

(*iii*) Provide program participants with opportunities for advancement within the network of partnering employers by facilitating incumbent worker training programs.

(*iv*) Demonstrate a quantifiable return on investment for participating employers, as evidenced by costs savings achieved through pooled training/workforce development activities, and increases in employee retention, attendance, satisfaction, and productivity.

(*v*) Have a regional impact across more than 3 counties.

(b) Up to $100,000.00 shall be allocated to 1 nonprofit organization to expand an existing workforce development program operated collaboratively with local businesses and educational institutions to link unemployed and dislocated workers with new market industries and to spur the development of small businesses. To be eligible for funding under this subdivision, a program must meet the following criteria:

(*i*) Provide low-wage, unemployed, and dislocated workers assistance in developing career pathways that provide education and career options for program participants to meet the workforce needs of new markets and in-demand occupations.

(*ii*) Provide educational programs and seminars that provide an introduction to the values and basic entrepreneurial skills necessary to successfully start a new business.

(*iii*) Provide programs that provide business incubation and support services, including entrepreneurial education and access to capital.

(*iv*) Provide program participants with job placement assistance, including on-the-job training, apprenticeships, and internships.

Sec. 1065. Local Michigan works! agencies shall utilize a portion of the funds received under part 1 for services provided by local libraries that serve as access points, service centers, or local partners serving high-demand service areas or underserved areas.

Sec. 1066. It is the intent of the legislature that a portion of the workforce investment act, statewide activities funds be

allocated to support coordinated efforts between local Michigan works! agencies and police and sheriff departments to create programs that offer gang diversion activities and support services to at-risk youth in Wyoming, Benton Harbor, Saginaw, Mt. Morris Charter Township, and Detroit.

Sec. 1068. (1) Of the funds appropriated in part 1 for the workforce training programs, the fund shall provide a report by December 15 to the house and senate chairs of the subcommittees, the state budget director, and the fiscal agencies on the status of the no-worker-left-behind program. The report shall include the following:

(a) The amount of funding allocated to each Michigan works! agency and the total funding allocated to the no-worker-left-behind program statewide by fund source.

(b) The number of participants enrolled in the program by each Michigan works! agency.

(c) The average duration of training for program participants by each Michigan works! agency.

(d) The number of participants enrolled in remedial education programs and the number of participants enrolled in literacy programs.

(e) The number of participants enrolled in programs at 2-year institutions.

(f) The number of participants enrolled in 4-year institutions.

(g) The number of participants enrolled in proprietary schools or other technical training programs.

(h) The number of participants that have completed education or training programs.

(i) The number of participants who secured employment in Michigan within 1 year of completing a no-worker-left-behind training program.

(j) The number of participants who completed a no-worker-left-behind training program and secured employment in a field related to their training.

(k) The average wage earned by participants who completed a no-worker-left-behind training program and secured employment within 1 year.

(2) Data collection for the report shall be for the period October 1, 2011 through September 30, 2012.

REVENUE STATEMENT

Sec. 1101. Pursuant to section 18 of article V of the state constitution of 1963, fund balances and estimates are presented in the following statement:

BUDGET RECOMMENDATIONS BY OPERATING FUNDS

(Amounts in millions)

Fiscal Year 2011-2012

Fund	Beginning Unreserved Fund Balance	Estimated Revenue	Ending Balance
OPERATING FUNDS			

1 General fund/general purpose	0110	313.6	8,802.0	473.4
2 General fund/special purpose		972.1	20,529.7	321.1
3 Special Revenue Funds:				
4 Countercyclical budget and				
5 economic stabilization	0111	2.2	0.0	2.2
6 Game and fish protection	0112	3.9	63.9	1.8
7 Michigan employment security act				
8 administration	0113	11.8	8.4	15.0
9 State aeronautics	0114	19.4	119.8	31.5
10 Michigan veterans' benefit				
11 trust	0115	0.0	5.2	0.0
12 State trunkline	0116	5.7	1,905.8	(20.5)
13 Michigan state waterways	0117	1.4	27.4	0.1
14 Blue Water Bridge	0118	19.3	21.3	20.6
15 Michigan transportation	0119	0.0	1,853.4	0.0
16 Comprehensive transportation	0120	0.1	315.4	(66.0)
17 School aid	0122	0.0	12,711.3	0.0
18 Game and fish protection trust	0124	6.0	8.7	6.0
19 State park improvement	0125	6.0	48.6	14.1
20 Forest development	0126	3.8	29.2	0.0
21 Michigan civilian conservation				
22 corps endowment	0128	0.0	0.0	0.0
23 Michigan natural resources				
24 trust	0129	35.8	0.7	24.7
25 Michigan state parks endowment	0130	4.9	43.8	20.6
26 Safety education and training	0131	6.1	8.7	6.4
27 Bottle deposit	0136	0.0	11.7	0.0

State construction code	0138	2.6	7.3	0.0
Children's trust	0139	0.9	2.9	0.7
State casino gaming	0140	0.0	34.3	(2.0)
Michigan nongame fish and wildlife	0143	0.1	0.3	0.0
Michigan merit award trust	0154	0.0	136.0	0.0
Outdoor recreation legacy	0162	0.4	2.9	0.7
Off-road vehicle account	0163	0.2	3.6	0.1
Snowmobile account	0164	0.7	12.1	0.7
Silicosis dust disease and logging	0870	2.1	1.7	2.1
Utility consumer representation	0893	3.6	1.1	3.6
TOTALS		$1,422.7	$46,717.2	$857.0

ONE-TIME BASIS ONLY

Sec. 1201. (1) For the state fiscal year ending September 30, 2012, there is appropriated from general fund/general purpose revenue, on a 1-time basis only, $136,250,000.00 for the following purposes:

DTMB - asbestos abatement, former state police headquarters	$ 1,250,000
DTMB – other postemployment benefits	60,000,000
Michigan strategic fund - film incentive funding	25,000,000
Michigan strategic fund - business attraction and economic gardening	50,000,000

(2) For the state fiscal year ending September 30, 2012, there

is appropriated from sales tax revenue, on a 1-time basis only, $30,000,000.00 for the following purposes:

Treasury – county revenue sharing.....	$	15,000,000
Treasury – economic vitality incentive program.....		15,000,000

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 1301. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2013 for the line items listed in part 1. The fiscal year 2012-2013 appropriations are anticipated to be the same as those for fiscal year 2011-2012, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2012 consensus revenue estimating conference.

ARTICLE X

DEPARTMENT OF HUMAN SERVICES

PART 1

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

Sec. 101. Subject to the conditions set forth in this article,

1 the amounts listed in this part are appropriated for the department
2 of human services for the fiscal year ending September 30, 2012,
3 from the funds indicated in this part. The following is a summary
4 of the appropriations in this part:
5 **DEPARTMENT OF HUMAN SERVICES**
6 APPROPRIATION SUMMARY
7 Full-time equated classified positions..... 11,576.5
8 Unclassified positions 6.0
9 Total full-time equated positions..... 11,582.5
10 GROSS APPROPRIATION..... $ 6,831,704,900
11 Interdepartmental grant revenues:
12 Total interdepartmental grants and intradepartmental
13 transfers 1,243,100
14 ADJUSTED GROSS APPROPRIATION..... $ 6,830,461,800
15 Federal revenues:
16 Federal-other ARRA revenues..... 549,632,400
17 Total federal revenues..... 5,077,418,800
18 Special revenue funds:
19 Total private revenues..... 15,911,100
20 Total local revenues..... 27,948,500
21 Total other state restricted revenues..... 88,616,500
22 State general fund/general purpose..... $ 1,070,934,500
23 **Sec. 102. EXECUTIVE OPERATIONS**
24 Total full-time equated positions..... 667.7
25 Full-time equated unclassified positions..... 6.0
26 Full-time equated classified positions..... 661.7

1	Unclassified salaries--6.0 FTE positions	$ 647,900
2	Salaries and wages--273.7 FTE positions	16,364,200
3	Contractual services, supplies, and materials	10,192,700
4	Demonstration projects--9.0 FTE positions	13,950,900
5	Inspector general salaries and wages--136.0 FTE	
6	positions	7,531,500
7	Electronic benefit transfer EBT	13,009,000
8	Michigan community service commission--15.0 FTE	
9	positions	12,161,600
10	AFC, children's welfare and day care	
11	licensure--228.0 FTE positions	25,598,300
12	State office of administrative hearings and rules	5,931,600
13	GROSS APPROPRIATION	$ 105,387,700
14	Appropriated from:	
15	Federal revenues:	
16	Total other federal revenues	69,190,800
17	Special revenue funds:	
18	Total private revenues	8,207,700
19	Total local revenues	175,000
20	Total other state restricted revenue	25,000
21	State general fund/general purpose	$ 27,789,200
22	**Sec. 103. CHILD SUPPORT ENFORCEMENT**	
23	Full-time equated classified positions 192.7	
24	Child support enforcement operations--186.7 FTE	
25	positions	$ 22,470,200
26	Legal support contracts	138,753,600
27	Child support incentive payments	32,409,600

1 State disbursement unit--6.0 FTE positions 12,766,100
2 GROSS APPROPRIATION ..... $ 206,399,500
3 Appropriated from:
4 Federal revenues:
5 Total federal revenues 181,100,100
6 Special revenue funds:
7 Total local revenues 340,000
8 Total other state restricted revenues 770,000
9 State general fund/general purpose ..... $ 24,189,400
10 **Sec. 104. COMMUNITY ACTION AND ECONOMIC OPPORTUNITY**
11 Full-time equated classified positions..... 16.0
12 Bureau of community action and economic
13 opportunity--16.0 FTE positions ..... $ 1,866,400
14 Community services block grant 25,840,000
15 Weatherization assistance 28,340,000
16 GROSS APPROPRIATION ..... $ 56,046,400
17 Appropriated from:
18 Federal revenues:
19 Total federal revenues 56,046,400
20 State general fund/general purpose ..... $ 0
21 **Sec. 105. ADULT AND FAMILY SERVICES**
22 Full-time equated classified positions..... 43.7
23 Executive direction and support--4.0 FTE positions ... $ 456,400
24 Guardian contract 600,000
25 Adult services policy and administration--6.0 FTE
26 positions 701,600
27 Office of program policy--33.7 FTE positions 5,550,900

1	Employment and training support services	6,407,100
2	Wage employment verification reporting	848,700
3	Urban and rural empowerment/enterprise zones	100
4	Nutrition education	30,000,000
5	Background check program	1,000,000
6	Elder law of Michigan MiCAFE contract	100,000
7	GROSS APPROPRIATION	$ 45,664,800
8	Appropriated from:	
9	Federal revenues:	
10	Total other federal revenues	39,713,300
11	State general fund/general purpose	$ 5,951,500
12	**Sec. 106. CHILDREN'S SERVICES**	
13	Full-time equated classified positions 146.8	
14	Salaries and wages--59.2 FTE positions	$ 3,765,600
15	Contractual services, supplies, and materials	1,276,500
16	Interstate compact	231,600
17	Children's benefit fund donations	21,000
18	Families first	17,950,700
19	Strong families/safe children--3.0 FTE positions	15,072,300
20	Child protection and permanency--37.5 FTE positions	16,264,100
21	Family reunification program	3,977,100
22	Family preservation and prevention services	
23	administration--14.5 FTE positions	1,228,200
24	Children's trust fund administration--12.0 FTE	
25	positions	1,057,200
26	Children's trust fund grants	2,825,100
27	ECIC, early childhood investment corporation	12,723,000

1 Attorney general contract 3,923,200
2 Prosecuting attorney contracts 2,561,700
3 Child protection--5.0 FTE positions 862,700
4 Domestic violence prevention and treatment--14.6 FTE
5 positions 14,660,900
6 Rape prevention and services--0.5 FTE positions 3,300,000
7 Child advocacy centers--0.5 FTE positions 1,000,000
8 GROSS APPROPRIATION ..... $ 102,700,900
9 Appropriated from:
10 Federal revenues:
11 Total other federal revenues 90,938,200
12 Special revenue funds:
13 Private - children's benefit fund donations 21,000
14 Compulsive gambling prevention fund 1,040,000
15 Children's trust fund 2,823,700
16 Sexual assault victims' prevention and treatment 1,000,000
17 Child advocacy centers fund 1,000,000
18 State general fund/general purpose ..... $ 5,878,000
19 **Sec. 107. CHILD WELFARE SERVICES**
20 Full-time equated classified positions 3,599.0
21 Children's services administration--64.0 FTE positions $ 4,715,500
22 Title IV-E compliance and accountability office--5.0
23 FTE positions 432,600
24 Child welfare institute--40.0 FTE positions 5,696,500
25 Child protective services workers--1,481.0 FTE
26 positions 79,228,300
27 Direct care workers--1,058.0 FTE positions 55,111,400

1	Education planners--14.0 FTE positions	736,300
2	Permanency planning specialists--55.0 FTE positions ..	3,171,000
3	Child welfare first line supervisors--519.0 FTE	
4	positions	35,950,600
5	Administrative support workers--241.0 FTE positions ..	10,438,900
6	Second line supervisors and technical staff--45.0	
7	FTE positions	3,230,100
8	Permanency planning specialists--62.0 FTE positions ..	3,638,300
9	Child welfare field staff contractual services,	
10	supplies, and materials	5,432,200
11	Settlement monitor.....	1,625,800
12	Needs assessment.....	4,000,000
13	Foster care payments.....	186,112,400
14	Foster care - children with serious emotional	
15	disturbance waiver	1,769,000
16	Guardianship assistance program.....	2,170,000
17	Child care fund.....	205,255,500
18	Child care fund administration--5.8 FTE positions	808,600
19	Adoption subsidies.....	225,783,500
20	Adoption support services--7.2 FTE positions	33,604,300
21	Youth in transition--2.0 FTE positions	12,264,500
22	GROSS APPROPRIATION.....	$ 881,175,300
23	Appropriated from:	
24	Federal revenues:	
25	Total federal revenues.....	493,207,700
26	Special revenue funds:	
27	Private - collections.....	1,900,000

1 Local funds - county chargeback.....		13,388,800
2 State general fund/general purpose.....	$	372,678,800
3 **Sec. 108. JUVENILE JUSTICE SERVICES**		
4 Full-time equated classified positions..... 198.7		
5 W.J. Maxey training school--72.0 FTE positions.....	$	11,185,500
6 Bay pines center--44.0 FTE positions.....		4,900,000
7 Shawono center--44.0 FTE positions.....		4,900,000
8 County juvenile officers.....		3,904,300
9 Community support services--2.0 FTE positions.....		1,600,100
10 Juvenile justice, administration and		
11 maintenance--31.7 FTE positions.....		4,236,200
12 W.J. Maxey memorial fund.....		45,000
13 Juvenile accountability block grant--1.0 FTE positions		1,296,000
14 Committee on juvenile justice administration--4.0		
15 FTE positions		425,300
16 Committee on juvenile justice grants.....		5,000,000
17 GROSS APPROPRIATION.....	$	37,492,400
18 Appropriated from:		
19 Federal revenues:		
20 Total federal revenues.....		7,248,800
21 Special revenue funds:		
22 Total private revenues.....		45,000
23 Local funds - state share education funds.....		1,197,500
24 Local funds - county chargeback.....		9,861,500
25 State general fund/general purpose.....	$	19,139,600
26 **Sec. 109. LOCAL OFFICE STAFF AND OPERATIONS**		
27 Full-time equated classified positions..... 5,937.5		

1	Field staff, salaries and wages--5,695.5 FTE positions	$ 294,203,500
2	Contractual services, supplies, and materials	11,771,300
3	Medical/psychiatric evaluations	9,467,600
4	Donated funds positions--208.0 FTE positions	17,445,600
5	Training and program support--24.0 FTE positions	3,429,400
6	Wayne County gifts and bequests	100,000
7	Volunteer services and reimbursement	1,036,100
8	SSI advocates--10.0 FTE positions	966,700
9	GROSS APPROPRIATION	$ 338,420,200
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	IDG from department of corrections	100,000
13	Federal revenues:	
14	Total other federal revenues	211,101,200
15	Special revenue funds:	
16	Local funds	2,985,700
17	Private funds - donated funds	5,637,400
18	Private funds - Wayne County gifts	100,000
19	Supplemental security income recoveries	746,100
20	State general fund/general purpose	$ 117,749,800
21	**Sec. 110. DISABILITY DETERMINATION SERVICES**	
22	Full-time equated classified positions..... 747.4	
23	Disability determination operations--721.9 FTE	
24	positions	$ 110,723,100
25	Medical consultation program--21.4 FTE positions	2,840,600
26	Retirement disability determination--4.1 FTE positions	847,100
27	GROSS APPROPRIATION	$ 114,410,800

1 Appropriated from:
2 Interdepartmental grant revenues:
3 IDG from DMB - office of retirement systems 1,143,100
4 ADJUSTED GROSS APPROPRIATION ..... $ 113,267,700
5 Appropriated from:
6 Federal revenues:
7 Total federal revenues 110,491,400
8 State general fund/general purpose ..... $ 2,776,300
9 **Sec. 111. CENTRAL SUPPORT ACCOUNTS**
10 Rent ..... $ 47,047,400
11 Occupancy charge 8,228,800
12 Travel 7,216,400
13 Equipment 227,300
14 Worker's compensation 3,363,800
15 Advisory commissions 17,900
16 Payroll taxes and fringe benefits 361,295,600
17 GROSS APPROPRIATION ..... $ 427,397,200
18 Appropriated from:
19 Federal revenues:
20 Total other federal revenues 275,273,300
21 State general fund/general purpose ..... $ 152,123,900
22 **Sec. 112. PUBLIC ASSISTANCE**
23 Full-time equated classified positions 33.0
24 Family independence program ..... $ 340,948,600
25 State disability assistance payments 27,927,800
26 Food assistance program benefits 3,036,402,200
27 Food assistance program benefits (ARRA) 549,632,400

1	State supplementation	60,489,000
2	State supplementation administration	2,681,100
3	Low-income home energy assistance program	116,451,600
4	Food bank funding	1,345,000
5	Homeless programs	11,646,700
6	Multicultural integration funding	1,515,500
7	Chaldean community foundation	100,000
8	Indigent burial	1,000,000
9	Emergency services local office allocations	21,615,500
10	Licensed and registered child development and care	99,312,900
11	Enrolled child development and care	59,842,800
12	Day care technology and oversight--26.0 FTE positions	2,618,400
13	Refugee assistance program--7.0 FTE positions	27,910,700
14	GROSS APPROPRIATION	$ 4,361,440,200
15	Appropriated from:	
16	Federal revenues:	
17	Federal supplemental nutrition assistance revenues	
18	(ARRA)	549,632,400
19	Total other federal revenues	3,437,813,600
20	Special revenue funds:	
21	Child support collections	29,145,800
22	Supplemental security income recoveries	14,955,900
23	Public assistance recoupment revenue	7,010,000
24	Michigan merit award trust fund	30,100,000
25	State general fund/general purpose	$ 292,782,500
26	**Sec. 113. INFORMATION TECHNOLOGY**	
27	Information technology services and projects	$ 109,591,500

1	Child support automation.....	45,578,000
2	GROSS APPROPRIATION..... $	155,169,500
3	Appropriated from:	
4	Federal revenues:	
5	Total federal revenues.....	105,294,000
6	State general fund/general purpose..... $	49,875,500

7 PART 2

8 PROVISIONS CONCERNING APPROPRIATIONS

9 FOR FISCAL YEAR 2011-2012

10 **GENERAL SECTIONS**

11 Sec. 201. Pursuant to section 30 of article IX of the state
12 constitution of 1963, total state spending from state resources
13 under part 1 for fiscal year 2011-2012 is $1,159,551,000.00 and
14 state spending from state resources to be paid to local units of
15 government for fiscal year 2011-2012 is $107,003,300.00. The
16 itemized statement below identifies appropriations from which
17 spending to local units of government will occur:

18 DEPARTMENT OF HUMAN SERVICES

19	Child care fund..... $	97,235,600
20	County juvenile officers.....	3,603,900
21	State disability assistance payments.....	2,286,600
22	Legal support contracts.....	3,141,000
23	Child support enforcement operations.....	583,200
24	Family independence program.....	153,000
25	TOTAL..... $	107,003,300

1 Sec. 202. The appropriations authorized under this article are
2 subject to the management and budget act, 1984 PA 431, MCL 18.1101
3 to 18.1594.
4 Sec. 203. As used in this article:
5 (a) "AFC" means adult foster care.
6 (b) "ARRA" means the American recovery and reinvestment act of
7 2009, Public Law 111-5.
8 (c) "Children's rights settlement agreement" means the
9 settlement agreement entered in the case of Dwayne B. vs. Granholm,
10 docket no. 2:06-cv-13548 in the United States district court for
11 the eastern district of Michigan.
12 (d) "Current fiscal year" means the fiscal year ending
13 September 30, 2012.
14 (e) "Department" means the department of human services.
15 (f) "Director" means the director of the department of human
16 services.
17 (g) "FTE" means full-time equated.
18 (h) "IDG" means interdepartmental grant.
19 (i) "JET" means jobs, education, and training program.
20 (j) "Previous fiscal year" means the fiscal year ending
21 September 30, 2011.
22 (k) "SSI" means supplemental security income.
23 (*l*) "Temporary assistance for needy families" or "TANF" or
24 "title IV-A" means part A of title IV of the social security act,
25 42 USC 601 to 619.
26 (m) "Title IV-D" means part D of title IV of the social
27 security act, 42 USC 651 to 669b.

1 (n) "Title IV-E" means part E of title IV of the social
2 security act, 42 USC 670 to 679c.
3 Sec. 204. The civil service commission shall bill departments
4 and agencies at the end of the first fiscal quarter for the 1%
5 charge authorized by section 5 of article XI of the state
6 constitution of 1963. Payments shall be made for the total amount
7 of the billing by the end of the second fiscal quarter.
8 Sec. 207. (1) Sanctions, suspensions, conditions for
9 provisional license status, and other penalties shall not be more
10 stringent for private service providers than for public entities
11 performing equivalent or similar services.
12 (2) Neither the department nor private service providers or
13 licensees shall be granted preferential treatment or considered
14 automatically to be in compliance with administrative rules based
15 on whether they have collective bargaining agreements with direct
16 care workers. Private service providers or licensees without
17 collective bargaining agreements shall not be subjected to
18 additional requirements or conditions of licensure based on their
19 lack of collective bargaining agreements.
20 Sec. 208. Unless otherwise specified, the department shall use
21 the Internet to fulfill the reporting requirements of this article.
22 This requirement may include transmission of reports via electronic
23 mail to the recipients identified for each reporting requirement,
24 or it may include placement of reports on the Internet or Intranet
25 site.
26 Sec. 209. Funds appropriated in part 1 shall not be used for
27 the purchase of foreign goods or services, or both, if

1 competitively priced and of comparable quality American goods or
2 services, or both, are available. Preference should be given to
3 goods or services, or both, manufactured or provided by Michigan
4 businesses, if they are competitively priced and of comparable
5 quality. In addition, preference should be given to goods or
6 services, or both, that are manufactured or provided by Michigan
7 businesses owned and operated by veterans, if they are
8 competitively priced and of comparable quality.

9 Sec. 211. Funds appropriated in part 1 shall not be used by a
10 principal executive department, state agency, or authority to hire
11 a person to provide legal services that are the responsibility of
12 the attorney general. This prohibition does not apply to legal
13 services for bonding activities and for those activities that the
14 attorney general authorizes.

15 Sec. 212. (1) In addition to funds appropriated in part 1 for
16 all programs and services, there is appropriated for write-offs of
17 accounts receivable, deferrals, and for prior year obligations in
18 excess of applicable prior year appropriations, an amount equal to
19 total write-offs and prior year obligations, but not to exceed
20 amounts available in prior year revenues or current year revenues
21 that are in excess of the authorized amount.

22 (2) The department's ability to satisfy appropriation fund
23 sources in part 1 shall not be limited to collections and accruals
24 pertaining to services provided in the current fiscal year, but
25 shall also include reimbursements, refunds, adjustments, and
26 settlements from prior years.

27 Sec. 213. The department may retain all of the state's share

of food assistance overissuance collections as an offset to general fund/general purpose costs. Retained collections shall be applied against federal funds deductions in all appropriation units where department costs related to the investigation and recoupment of food assistance overissuances are incurred. Retained collections in excess of such costs shall be applied against the federal funds deducted in the executive operations appropriation unit.

Sec. 214. On a bimonthly basis, the department shall report on the number of FTEs in pay status by type of staff.

Sec. 215. If a legislative objective of this article or the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, cannot be implemented without loss of federal financial participation because implementation would conflict with or violate federal regulations, the department shall notify the state budget director, the house and senate appropriations committees, and the house and senate fiscal agencies and policy offices of that fact.

Sec. 217. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2012 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal

1 funds or securing additional federal funds.
2 (d) The travel is necessary to comply with federal
3 requirements.
4 (e) The travel is necessary to secure specialized training for
5 staff that is not available within this state.
6 (f) The travel is financed entirely by federal or nonstate
7 funds.
8 (2) If out-of-state travel is necessary but does not meet 1 or
9 more of the conditions in subsection (1), the state budget director
10 may grant an exception to allow the travel. Any exceptions granted
11 by the state budget director shall be reported on a monthly basis
12 to the senate and house of representatives standing committees on
13 appropriations.
14 Sec. 219. (1) The department shall maintain a searchable
15 website accessible by the public at no cost that includes, but is
16 not limited to, all of the following:
17 (a) Fiscal year-to-date expenditures by category.
18 (b) Fiscal year-to-date expenditures by appropriation unit.
19 (c) Fiscal year-to-date payments to a selected vendor,
20 including the vendor name, payment date, payment amount, and
21 payment description.
22 (d) The number of active department employees by job
23 classification.
24 (e) Job specifications and wage rates.
25 (2) The department may develop and operate its own website to
26 provide this information or may reference the state's central
27 transparency website as the source for this information.

Sec. 220. The department shall ensure that faith-based organizations are able to apply and compete for services, programs, or contracts that they are qualified and suitable to fulfill. The department shall not disqualify faith-based organizations solely on the basis of the religious nature of their organization or their guiding principles or statements of faith.

Sec. 221. If the revenue collected by the department from private and local sources exceeds the amount spent from amounts appropriated in part 1, the revenue may be carried forward, with approval from the state budget director, into the subsequent fiscal year.

Sec. 222. (1) The department shall report no later than April 1 of the current fiscal year on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.

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

(3) As used in this section:

(a) "Rule" means that term as defined under section 7 of the

1 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.
2 (b) "Small business" means that term as defined under section
3 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
4 24.207a.
5 Sec. 223. The department shall make a determination of
6 Medicaid eligibility not later than 60 days after all information
7 to make the determination is received from the applicant when
8 disability is an eligibility factor. For all other Medicaid
9 applicants, the department shall make a determination of Medicaid
10 eligibility not later than 45 days after all information to make
11 the determination is received from the applicant.
12 Sec. 224. The department shall approve or deny a Medicaid
13 application for a patient of a nursing home within 45 days after
14 the receipt of the necessary information.
15 Sec. 230 (1) The department shall convene a work group of all
16 interested parties to evaluate the feasibility of combining the
17 bureau of child and adult licensing with the contract compliance
18 unit into 1 unit.
19 (2) By April 1, 2012, the department shall report to the
20 senate and house appropriations subcommittees on the department
21 budget, the senate and house fiscal agencies, and the senate and
22 house policy offices on the findings of the work group established
23 in subsection (1).
24 Sec. 231. If TANF contingency funds for the current fiscal
25 year become available, the department shall utilize all TANF
26 contingency funds the state receives to increase the family
27 independence program earned income disregard or for reform measures

that will fundamentally improve public assistance programs by emphasizing work. An annual report on the expenditures and programs paid by these TANF contingency funds shall be provided to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices no later than November 1, 2012.

Sec. 250. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 251. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 259. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of technology, management, and budget for technology-related services and projects. The user fees shall be subject to provisions of an interagency agreement between the department and agencies and the department of technology, management, and budget.

Sec. 264. The department shall not take disciplinary action

against an employee for communicating with a member of the legislature or his or her staff.

Sec. 265. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on the department budget, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2011 and September 30, 2012.

Sec. 273. (1) The department shall only use money appropriated in section 102 to prepare regulatory reform plans. Money appropriated in part 1 shall not be used to prepare regulatory reform plans or promulgate rules that exceed statutory authority granted to the department. If the department fails to comply with the provisions of section 39(1) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.239, money shall not be expended for the further preparation of that regulatory plan or the promulgation of rules for that regulatory plan.

(2) Money appropriated in part 1 shall not be used to prepare a regulatory plan or promulgate rules that fail to reduce the disproportionate economic impact on small businesses as required in section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(3) Money appropriated in part 1 shall not be used to prepare a regulatory plan or promulgate rules that grant preferences to

private providers of services based on whether that private provider has a collective bargaining agreement with its workers.

Sec. 274. (1) The department, in collaboration with the state budget office, shall submit to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the house and senate policy offices on the day the governor submits to the legislature the budget for the ensuing fiscal year a report on spending and revenue projections for each of the capped federal funds listed below. The report shall contain actual spending and revenue in the previous fiscal year, spending and revenue projections for the current fiscal year as enacted, and spending and revenue projections within the executive budget proposal for the fiscal year beginning October 1, 2012 for each individual line item for the department budget. The report shall also include federal funds transferred to other departments. The capped federal funds shall include, but not be limited to, all of the following:

(a) TANF.

(b) Child care and development funds.

(c) Title XX social services block grant.

(d) Title IV-B part I child welfare services block grant.

(e) Title IV-B part II promoting safe and stable families funds.

(2) By February 15 of the current fiscal year, the department shall prepare an annual report of its efforts to identify additional TANF maintenance of effort sources from all of the following, but not limited to:

(a) Other departments.

(b) Local units of government.

(c) Private sources.

Sec. 279. (1) All contracts relating to human services shall be performance-based contracts that employ a client-centered results-oriented process that is based on measurable performance indicators and desired outcomes and includes the annual assessment of the quality of services provided.

(2) During the annual budget presentation, the department shall provide the senate and house appropriations subcommittees on the department budget and the senate and house fiscal agencies and policy offices a report detailing measurable performance indicators, desired outcomes, and an assessment of the quality of services provided by the department during the previous fiscal year.

Sec. 284. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $200,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $20,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $20,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 292. By November 1, 2011, the department shall submit a report to the house and senate appropriations subcommittees on the human services budget and the house and senate fiscal agencies on the number of eligible child care providers by type receiving payment for child care services from the department on October 1, 2011.

Sec. 293. The department may use money from the money appropriated in part 1 to strengthen marriage and family relations through the practice of marriage and family therapy for individuals, families, couples, or groups. The goal of the therapy shall be strengthening families by helping them avoid, eliminate, relieve, manage, or resolve marital or family conflict or discord.

Sec. 294. Money appropriated in part 1 for the statewide automated child welfare information system is contingent upon the approval of an advanced planning document from the administration

for children and families. If the necessary matching funds are identified and legislatively transferred to the information and technology services and projects line item for this purpose, any corresponding federal revenue required shall be appropriated at a 50% federal match rate. This appropriation may be designated as a work project under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a, and carried forward to support completion of this project.

Sec. 296. Not later than November 15, 2012, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house appropriations committees, and the senate and house fiscal agencies.

Sec. 298. The department shall work toward a new supervisor-to-staff ratio in all department divisions and subdivisions, excluding the supervisor-to-staff ratios required by the children's rights settlement agreement, of 1 supervisor to 12 staff members.

EXECUTIVE OPERATIONS

Sec. 307. (1) From the money appropriated in part 1 for demonstration projects, $550,000.00 shall be distributed as provided in subsection (2). The amount distributed under this subsection shall not exceed 50% of the total operating expenses of

1 the program described in subsection (2), with the remaining 50%
2 paid by local United Way organizations and other nonprofit
3 organizations and foundations.
4 (2) Money distributed under subsection (1) shall be
5 distributed to Michigan 2-1-1, a nonprofit corporation organized
6 under the laws of this state that is exempt from federal income tax
7 under section 501(c)(3) of the internal revenue code, 26 USC
8 501(c)(3), and whose mission is to coordinate and support a
9 statewide 2-1-1 system. Michigan 2-1-1 shall use the money only to
10 fulfill the Michigan 2-1-1 business plan adopted by Michigan 2-1-1
11 in January 2005.
12 (3) Michigan 2-1-1 shall report annually to the department and
13 the house and senate standing committees with primary jurisdiction
14 over matters relating to human services and telecommunications on
15 2-1-1 system performance, including, but not limited to, call
16 volume by community health and human service needs and unmet needs
17 identified through caller data and customer satisfaction metrics.
18 Sec. 311. The department shall administer licensing and
19 regulation of licensees with the highest priority given to
20 licensing activities that present the highest risk to vulnerable
21 children or adults receiving services of licensees.

22 **ADULT AND FAMILY SERVICES**

23 Sec. 415. (1) If money becomes available in part 1, the
24 department may contract with independent contractors from various
25 counties, including, but not limited to, faith-based and nonprofit
26 organizations. Preference shall be given to independent contractors

that provide at least 10% in matching funds, through any combination of local, state, or federal funds or in-kind or other donations. However, an independent contractor that cannot secure matching funds shall not be excluded from consideration for the fatherhood program.

(2) The department may choose providers that will work with counties to help eligible fathers under TANF guidelines to acquire skills that will enable them to increase their responsible behavior toward their children and the mothers of their children. An increase of financial support for their children should be a very high priority as well as emotional support.

(3) A fatherhood initiative program established under this section shall minimally include at least 3 of the following components: promoting responsible, caring, and effective parenting through counseling; mentoring and parental education; enhancing the abilities and commitment of unemployed or low-income fathers to provide material support for their families and to avoid or leave welfare programs by assisting them to take advantage of job search programs, job training, and education to improve their work habits and work skills; improving fathers' ability to effectively manage family business affairs by means such as education, counseling, and mentoring in household matters; infant care; effective communication and respect; anger management; children's financial support; and drug-free lifestyle.

(4) The department is authorized to make allocations of TANF funds, of not more than 20% per county, under this section only to agencies that report necessary data to the department for the

1 purpose of meeting TANF eligibility reporting requirements.
2 (5) Upon receipt of the promotion of responsible fatherhood
3 funds from the United States department of health and human
4 services, the department shall use the program criteria set forth
5 in subsection (3) to implement the program with the federal funds.
6 Sec. 416. (1) If money becomes available in part 1, the
7 department may contract with independent contractors from various
8 counties, including, but not limited to, faith-based and nonprofit
9 organizations. Preference shall be given to independent contractors
10 that provide at least 10% in matching funds, through any
11 combination of local, state, or federal funds or in-kind or other
12 donations. However, an independent contractor that cannot secure
13 matching funds shall not be excluded from consideration for a
14 marriage initiative program.
15 (2) The department may choose providers to work with counties
16 that will work to support and strengthen marriages of those
17 eligible under the TANF guidelines. The areas of work may include,
18 but are not limited to, marital counseling, domestic violence
19 counseling, family counseling, effective communication, and anger
20 management as well as parenting skills to improve the family
21 structure.
22 (3) A marriage initiative program established under this
23 section may include, but is not limited to, 1 or more of the
24 following: public advertising campaigns on the value of marriage
25 and the skills needed to increase marital stability and health;
26 education in high schools on the value of marriage, relationship
27 skills, and budgeting; premarital, marital, family, and domestic

violence counseling; effective communication; marriage mentoring programs which use married couples as role models and mentors in at-risk communities; anger management; and parenting skills to improve the family structure.

(4) The department is authorized to make allocations of TANF funds, of not more than 20% per county, under this section only to agencies that report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements.

(5) Upon receipt of the healthy marriage promotion grant from the United States department of health and human services, the department shall use the program criteria set forth in subsection (3) to implement the program with the federal funds.

Sec. 423. From the money appropriated in part 1 for elder law of Michigan MiCAFE contract, the department shall allocate not less than $100,000.00 to the elder law of Michigan MiCAFE to assist this state's elderly population to participate in the food assistance program. The money may be used as state matching funds to acquire available United States department of agriculture funding to provide outreach program activities, such as eligibility screen and information services, as part of a statewide food stamp hotline.

Sec. 425. The department shall implement administrative efforts, either through policy change or proposed legislation, to reduce waste, fraud, and abuse within the employment support services program, including, but not limited to, revisions to current policy on car repair and car purchase payments.

CHILDREN'S SERVICES

Sec. 501. A goal is established that not more than 35% of all children in foster care at any given time during the current fiscal year will have been in foster care for 24 months or more. During the annual budget presentation, the department shall provide a report describing the steps that will be taken to achieve the specific goal established in this section.

Sec. 505. By March 1, 2012, the department and Wayne County shall provide to the senate and house appropriations committees on the department budget and the senate and house fiscal agencies and policy offices a report for youth served in the previous fiscal year and in the first quarter of the current fiscal year outlining the number of youth served within each juvenile justice system, the type of setting for each youth, performance outcomes, and financial costs or savings.

Sec. 507. The department's ability to satisfy appropriation deducts in part 1 for foster care private collections shall not be limited to collections and accruals pertaining to services provided only in the current fiscal year but may include revenues collected during the current fiscal year for services provided in prior fiscal years.

Sec. 508. (1) In addition to the amount appropriated in part 1 for children's trust fund grants, money granted or money received as gifts or donations to the children's trust fund created by 1982 PA 249, MCL 21.171 to 21.172, is appropriated for expenditure.

(2) The department and the child abuse neglect and prevention board shall collaborate to ensure that administrative delays are avoided and the local grant recipients and direct service providers

receive money in an expeditious manner. The department and board shall seek to have the children's trust fund grants distributed no later than October 31 of the current fiscal year.

Sec. 513. (1) The department shall not expend money appropriated in part 1 to pay for the direct placement by the department of a child in an out-of-state facility unless all of the following conditions are met:

(a) There is no appropriate placement available in this state as determined by the department interstate compact office.

(b) An out-of-state placement exists that is nearer to the child's home than the closest appropriate in-state placement as determined by the department interstate compact office.

(c) The out-of-state facility meets all of the licensing standards of this state for a comparable facility.

(d) The out-of-state facility meets all of the applicable licensing standards of the state in which it is located.

(e) The department has done an on-site visit to the out-of-state facility, reviewed the facility records, reviewed licensing records and reports on the facility, and believes that the facility is an appropriate placement for the child.

(2) The department shall not expend money for a child placed in an out-of-state facility without approval of the deputy director for children's services. The department shall notify the appropriate state agency in that state including the name of the out-of-state provider who accepted the placement.

(3) The department shall submit a report by February 1 of each year on the number of children who were placed in out-of-state

1 facilities during the previous fiscal year, the number of Michigan
2 children residing in such facilities at the time of the report, the
3 total cost and average per diem cost of these out-of-state
4 placements to this state, and a list of each such placement
5 arranged by the Michigan county of residence for each child.
6 Sec. 514. The department shall make a comprehensive report
7 concerning children's protective services (CPS) to the legislature,
8 including the senate and house policy offices and the state budget
9 director, by January 1 of the current fiscal year, that shall
10 include all of the following:
11 (a) Statistical information including, at a minimum, all of
12 the following:
13 (*i*) The total number of reports of abuse or neglect
14 investigated under the child protection law, 1975 PA 238, MCL
15 722.621 to 722.638, and the number of cases classified under
16 category I or category II and the number of cases classified under
17 category III, category IV, or category V.
18 (*ii*) Characteristics of perpetrators of abuse or neglect and
19 the child victims, such as age, relationship, race, and ethnicity
20 and whether the perpetrator exposed the child victim to drug
21 activity, including the manufacture of illicit drugs, that exposed
22 the child victim to substance abuse, a drug house, or
23 methamphetamine.
24 (*iii*) The mandatory reporter category in which the individual
25 who made the report fits, or other categorization if the individual
26 is not within a group required to report under the child protection
27 law, 1975 PA 238, MCL 722.621 to 722.638.

(*iv*) The number of cases that resulted in the separation of the child from the parent or guardian and the period of time of that separation, up to and including termination of parental rights.

(*v*) For the reported complaints of abuse or neglect by teachers, school administrators, and school counselors, the number of cases classified under category I or category II and the number of cases classified under category III, category IV, or category V.

(*vi*) For the reported complaints of abuse or neglect by teachers, school administrators, and school counselors, the number of cases that resulted in separation of the child from the parent or guardian and the period of time of that separation, up to and including termination of parental rights.

(b) New policies related to children's protective services including, but not limited to, major policy changes and court decisions affecting the children's protective services system during the immediately preceding 12-month period.

(c) The information contained in the report required under section 8d(5) of the child protection law, 1975 PA 238, MCL 722.628d, on cases classified under category III.

(d) The department policy, or changes to the department policy, regarding children who have been exposed to the production or manufacture of methamphetamines.

Sec. 523. (1) By March 15 of the current fiscal year, the department shall report on family preservation programs for which money is appropriated in part 1 to the senate and house appropriations subcommittees on the department budget. The report shall contain all of the following for each program:

1 (a) The average cost per recipient served.
2 (b) Measurable performance indicators.
3 (c) Desired outcomes or results and goals that can be measured
4 on an annual basis, or desired results for a defined number of
5 years.
6 (d) Monitored results.
7 (e) Innovations that may include savings or reductions in
8 administrative costs.
9 (2) If money becomes available in part 1 for youth in
10 transition and domestic violence prevention and treatment, the
11 department is authorized to make allocations of TANF funds only to
12 agencies that report necessary data to the department for the
13 purpose of meeting TANF eligibility reporting requirements.
14 Sec. 532. (1) The department, in collaboration with
15 representatives of private child and family agencies, shall revise
16 and improve the annual licensing review process and the annual
17 contract compliance review process for child placing agencies and
18 child caring institutions. The improvement goals shall be safety
19 and care for children. Improvements to the review process shall be
20 directed toward alleviating administrative burdens so that agency
21 resources may be focused on children. The revision shall include
22 identification of duplicative staff activities and information
23 sought from child placing agencies and child caring institutions in
24 the annual review process. The department shall report to the
25 senate and house appropriations subcommittees on the department
26 budget, the senate and house fiscal agencies and policy offices,
27 and the state budget director on or before January 15 of the

current fiscal year on the findings of the annual licensing review.

(2) The department shall conduct licensing reviews no more than once every 2 years for child placing agencies and child caring institutions that are nationally accredited and have no outstanding violations.

Sec. 533. (1) The department shall make payments to child placing facilities for out-of-home care services within 30 days of receiving all necessary documentation from those agencies.

(2) The department shall explore various types of automated payments to private nonprofit child placing facilities to improve speed and accuracy of payments.

(3) The department shall provide a report on the activities under this section by October 1, 2012.

Sec. 536. (1) The department shall place all children within their own county or within a 75-mile radius of the home from which the child entered custody, whichever is greater, unless 1 or more of the following applies:

(a) The child's needs are so exceptional that they cannot be met by a family or facility within the county or 75-mile radius.

(b) The child needs re-placement and the child's permanency goal is to be returned to his or her parents who at the time reside out of the county or 75-mile radius.

(c) The child is to be placed with a relative out of the county or 75-mile radius.

(d) The child is to be placed in an appropriate preadoptive or adoptive home that is out of the county or 75-mile radius.

(2) If placement outside the county or 75-mile radius is made,

either of the following applies:

(a) In a "designated county", as defined in section IV.A.3 of the children's rights settlement agreement, the county administrator of children's services shall be specifically required to certify the circumstances supporting the placement in writing, based on his or her own examination of the circumstances and the child's needs and best interests.

(b) In any other county, the children's services field manager shall be specifically required to certify the circumstances supporting the placement in writing, based on his or her own examination of the circumstances and the child's needs and best interests.

Sec. 537. The department, in collaboration with child placing agencies, shall develop a strategy to implement section 115o of the social welfare act, 1939 PA 280, MCL 400.115o. The strategy shall include a requirement that a department caseworker responsible for preparing a recommendation to a court concerning a juvenile placement shall provide, as part of the recommendation, information regarding the requirements of section 115o of the social welfare act, 1939 PA 280, MCL 400.115o.

Sec. 539. The department shall work in collaboration with representatives from child placing agencies to ensure appropriate placement for children who have been adjudicated abused, neglected, or delinquent and for whom residential treatment is required. The department and the representatives from the child placing agencies shall focus on statewide placement criteria to address the best interests of the child in need of services. The placement criteria

shall include a continuum of care settings and options as appropriate for each child and his or her needs at specific times, including home placements, relative placements, shelter placements, and other options.

Sec. 546. (1) From the money appropriated in part 1 for foster care payments and from child care fund, the department shall pay providers of foster care services not less than a $37.00 administrative rate.

(2) From the funds appropriated in part 1 for foster care payments and from child care fund, the department shall pay providers of general independent living services not less than a $28.00 administrative rate. For specialized independent living services, the administrative rate paid shall be reduced by 50% of the difference between the general independent living administrative rate and the specialized independent living rate paid in the fiscal year ending September 30, 2009.

Sec. 556. (1) The department shall submit a quarterly report by February 1, May 1, August 1, and November 1 of each fiscal year to the chairpersons of the senate and house appropriations committees, the senate and house fiscal agencies, and the senate and house policy offices that includes all of the following:

(a) A description of how the department is complying with federal requirements to notify prospective adoptive parents about adoption subsidies for which those prospective adoptive parents may qualify.

(b) The number of requests received by the department from adoptive parents for money or reimbursement of costs to attend

conferences that include training or discussion of significant adoption issues, the proportion of these requests approved by the department, and the total annual expenditure for approved requests.

(c) The number of fair hearing requests from adoptive parents received by the department challenging the amount of the adoption subsidy, broken down by the stated reason for the challenge.

(d) The number of adoption subsidy payments suspended when the child is still in the custody of the adoptive parent, but no longer in the physical care of the adoptive parent.

(2) From the money appropriated in part 1 for adoption subsidies, $4,250,000.00 in state general fund/general purpose revenues shall not be expended until the department provides proposed legislation to the senate and house standing committees with primary jurisdiction over matters relating to human services, the senate and house appropriations subcommittees on the department budget, senate and house fiscal agencies, and senate and house policy offices that would allow adoptive parents up to 1 year after an adoption has been finalized to submit a request to revise the determination of care supplement for an adopted child who has previously existing special needs or request a new determination.

(3) The department shall provide an annual report to the subcommittees of the senate and house appropriation committees on the department budget with the number of complaints filed by adoptive parents who were not notified that their adopted child had special needs.

Sec. 570. From the money appropriated in part 1 for the guardianship assistance program, the department shall provide

assistance under this program to children who are eligible under section 3 of the guardianship assistance act, 2008 PA 260, MCL 722.873.

Sec. 574. (1) From the money appropriated in part 1 for foster care payments, $2,500,000.00 is allocated to support contracts with child placing agencies to facilitate the licensure of relative caregivers as foster parents. Agencies shall receive $2,300.00 for each facilitated licensure. The agency facilitating the licensure would retain the placement and continue to provide case management services for at least 50% of the newly licensed cases for which the placement was appropriate to the agency. Up to 50% of the newly licensed cases would have direct foster care services provided by the department.

(2) From the money appropriated for foster care payments, $375,000.00 is allocated to support family incentive grants to private and community-based foster care service providers to assist with home improvements or payment for physical exams for applicants needed by foster families to accommodate foster children.

Sec. 578. The department and child placing agencies shall utilize a standardized assessment tool to ensure greater cooperation between the department and the department of community health and to measure the mental health treatment needs of every child supervised by the department. The department shall use the results of this assessment process to determine the best placement and the best mental health services to be provided for the child while under department supervision.

Sec. 580. The department and the department of community

1 health shall initiate efforts to identify mental health programs
2 and activities where the services of the 2 departments overlap, or
3 are uncoordinated. The goal shall be to provide adequate and stable
4 mental health services which address the need of the individual
5 child without duplicative, confusing, or needlessly complex
6 services. The department shall report on these coordination efforts
7 with the department of community health during the annual budget
8 presentations to the senate and house appropriations subcommittees
9 with jurisdiction over the department budget.
10 Sec. 583. By February 1 of the current fiscal year, the
11 department, in conjunction with the legislature, shall carry out a
12 work group to determine what caused individuals participating as
13 foster parents during the previous fiscal year to drop out of the
14 program. The department shall provide to the senate and house
15 appropriations subcommittees on the department budget, the senate
16 and house standing committees on families and human services, and
17 the senate and house fiscal agencies and policy offices a report
18 detailing the work group findings as well as the number of
19 individuals participating as foster parents during the previous
20 fiscal year who dropped out of the program.
21 Sec. 585. (1) The department shall allow private nationally
22 accredited foster care and adoption agencies to conduct their own
23 staff training, based on current department policies and
24 procedures, provided that the agency trainer and training materials
25 are accredited by the department and that the agency documents to
26 the department that the training was provided. The department shall
27 provide access to any training materials requested by the private

1 agencies to facilitate this training.
2 (2) By November 1, 2012, the department shall post on the
3 department's website a list of all relevant departmental training
4 materials available to private child placing agencies that are
5 allowed to conduct their own training in accordance with this
6 section. The department shall also provide to private child placing
7 agencies that are allowed to conduct their own training any updated
8 training materials as they become available.
9 Sec. 588. (1) Concurrent with public release, the department
10 shall transmit all reports from the court-appointed settlement
11 monitor, including, but not limited to, the needs assessment and
12 period outcome reporting, to the state budget office, the senate
13 and house appropriations subcommittees on the department budget,
14 and the senate and house fiscal agencies, without revision.
15 (2) The department shall report monthly to the state budget
16 office, the senate and house appropriations subcommittees on the
17 department budget, and the senate and house fiscal agencies, on the
18 number of children enrolled in the guardianship assistance and
19 foster care - children with serious emotional disturbance waiver
20 programs.
21 Sec. 589. From the money appropriated in part 1 to facilitate
22 the transfer of foster care cases currently under department
23 supervision from department supervision to private child placing
24 agency supervision, the department shall not transfer any foster
25 care cases that require a county contribution to the private agency
26 administrative rate.

PUBLIC ASSISTANCE

Sec. 601. Whenever a client agrees to the release of his or her name and address to the local housing authority, the department shall request from the local housing authority information regarding whether the housing unit for which vendoring has been requested meets applicable local housing codes. Vendoring shall be terminated for those units that the local authority indicates in writing do not meet local housing codes until such time as the local authority indicates in writing that local housing codes have been met.

Sec. 603. (1) The department, as it determines is appropriate, shall enter into agreements with energy providers by which cash assistance recipients and the energy providers agree to permit the department to make direct payments to the energy providers on behalf of the recipient. The payments may include heat and electric payment requirements from recipient grants and amounts in excess of the payment requirements.

(2) The department shall establish caps for natural gas, wood, electric heat service, deliverable fuel heat services, and for electric service based on available federal funds.

(3) The department shall review and adjust the standard utility allowance for the state food assistance program to ensure that it reflects current energy costs in the state.

(4) Payments under this section shall be made directly to service providers and not to the individuals who are receiving the assistance.

Sec. 604. (1) The department shall operate a state disability

assistance program. Except as provided in subsection (3), persons eligible for this program shall include needy citizens of the United States or aliens exempted from the supplemental security income citizenship requirement who are at least 18 years of age or emancipated minors meeting 1 or more of the following requirements:

(a) A recipient of supplemental security income, social security, or medical assistance due to disability or 65 years of age or older.

(b) A person with a physical or mental impairment which meets federal supplemental security income disability standards, except that the minimum duration of the disability shall be 90 days. Substance abuse alone is not defined as a basis for eligibility.

(c) A resident of an adult foster care facility, a home for the aged, a county infirmary, or a substance abuse treatment center.

(d) A person receiving 30-day postresidential substance abuse treatment.

(e) A person diagnosed as having acquired immunodeficiency syndrome.

(f) A person receiving special education services through the local intermediate school district.

(g) A caretaker of a disabled person who meets the requirements specified in subdivision (a), (b), (e), or (f).

(2) Applicants for and recipients of the state disability assistance program shall be considered needy if they:

(a) Meet the same asset test as is applied for the family independence program.

(b) Have a monthly budgetable income that is less than the payment standards.

(3) Except for a person described in subsection (1)(c) or (d), a person is not disabled for purposes of this section if his or her drug addiction or alcoholism is a contributing factor material to the determination of disability. "Material to the determination of disability" means that, if the person stopped using drugs or alcohol, his or her remaining physical or mental limitations would not be disabling. If his or her remaining physical or mental limitations would be disabling, then the drug addiction or alcoholism is not material to the determination of disability and the person may receive state disability assistance. Such a person must actively participate in a substance abuse treatment program, and the assistance must be paid to a third party or through vendor payments. For purposes of this section, substance abuse treatment includes receipt of inpatient or outpatient services or participation in alcoholics anonymous or a similar program.

(4) A refugee or asylee who loses his or her eligibility for the federal supplemental security income program by virtue of exceeding the maximum time limit for eligibility as delineated in 8 USC 1612 and who otherwise meets the eligibility criteria under this section shall be eligible to receive benefits under the state disability assistance program.

Sec. 605. The level of reimbursement provided to state disability assistance recipients in licensed adult foster care facilities shall be the same as the prevailing supplemental security income rate under the personal care category.

Sec. 606. County department offices shall require each recipient of family independence program and state disability assistance who has applied with the social security administration for supplemental security income to sign a contract to repay any assistance rendered through the family independence program or state disability assistance program upon receipt of retroactive supplemental security income benefits.

Sec. 607. (1) The department's ability to satisfy appropriation deductions in part 1 for state disability assistance/supplemental security income recoveries and public assistance recoupment revenues shall not be limited to recoveries and accruals pertaining to state disability assistance, or family independence assistance grant payments provided only in the current fiscal year, but may include revenues collected during the current year that are prior year related and not a part of the department's accrued entries.

(2) The department may use supplemental security income recoveries to satisfy the deduct in any line in which the revenues are appropriated, regardless of the source from which the revenue is recovered.

Sec. 608. Adult foster care facilities providing domiciliary care or personal care to residents receiving supplemental security income or homes for the aged serving residents receiving supplemental security income shall not require those residents to reimburse the home or facility for care at rates in excess of those legislatively authorized. To the extent permitted by federal law, adult foster care facilities and homes for the aged serving

residents receiving supplemental security income shall not be prohibited from accepting third-party payments in addition to supplemental security income provided that the payments are not for food, clothing, shelter, or result in a reduction in the recipient's supplemental security income payment.

Sec. 609. The state supplementation level under the supplemental security income program for the personal care/adult foster care and home for the aged categories shall not be reduced during the current fiscal year. The legislature shall be notified not less than 30 days before any proposed reduction in the state supplementation level.

Sec. 610. (1) In developing good cause criteria for the state emergency relief program, the department shall grant exemptions if the emergency resulted from unexpected expenses related to maintaining or securing employment.

(2) For purposes of determining housing affordability eligibility for state emergency relief, a group is considered to have sufficient income to meet ongoing housing expenses if their total housing obligation does not exceed 75% of their total net income.

(3) State emergency relief payments shall not be made to individuals who have been found guilty of fraud in regard to obtaining public assistance.

(4) State emergency relief payments shall not be made available to persons who are out-of-state residents or illegal immigrants.

(5) State emergency relief payments for rent assistance shall

be distributed directly to landlords and shall not be added to Michigan bridge cards.

Sec. 613. The department shall provide reimbursements for the final disposition of indigent persons if the deceased's remains have not been claimed by a person having the right to control the disposition of the body regardless of whether there is no person with that right, the person cannot be located, or the person fails or refuses to exercise that right. The maximum allowable reimbursement for the final disposition shall be $800.00. In addition, reimbursement for a cremation permit fee of up to $75.00 and for mileage at the standard rate will also be made available for an eligible cremation. The reimbursements under this section shall be used for disposal by cremation unless the deceased's expressed religious preference prohibits cremation.

Sec. 614. The funds available in part 1 for burial services shall be available if the deceased was an eligible recipient and an application for emergency relief funds was made within 10 business days of the burial or cremation of the deceased person. Each provider of burial services shall be paid directly by the department.

Sec. 615. Except as required by federal law or regulations, funds appropriated in part 1 shall not be used to provide public assistance to a person who is an illegal alien. This section shall not prohibit the department from entering into contracts with food banks, emergency shelter providers, or other human services agencies who may, as a normal part of doing business, provide food or emergency shelter.

1 Sec. 619. (1) Subject to subsection (2), the department shall
2 exempt from the denial of title IV-A assistance and food assistance
3 benefits under 21 USC 862a any individual who has been convicted of
4 a felony that included the possession, use, or distribution of a
5 controlled substance, after August 22, 1996, provided that the
6 individual is not in violation of his or her probation or parole
7 requirements. Benefits shall be provided to such individuals as
8 follows:
9 (a) A third-party payee or vendor shall be required for any
10 cash benefits provided.
11 (b) An authorized representative shall be required for food
12 assistance receipt.
13 (2) Subject to federal approval, an individual is not entitled
14 to the exemption in this section if the individual was convicted in
15 2 or more separate cases of a felony that included the possession,
16 use, or distribution of a controlled substance after August 22,
17 1996.
18 Sec. 620. The department shall establish a work group to
19 explore if privatization of Medicaid eligibility determination
20 would lead to increased efficiencies and budgetary savings. The
21 work group shall include, but not be limited to, the department and
22 members of the legislature.
23 Sec. 643. As a condition of receipt of federal TANF funds,
24 homeless shelters and human services agencies shall collaborate
25 with the department to obtain necessary TANF eligibility
26 information on families as soon as possible after admitting a
27 family to the homeless shelter. From the funds appropriated in part

1 for homeless programs, the department is authorized to make
allocations of TANF funds only to the agencies that report
necessary data to the department for the purpose of meeting TANF
eligibility reporting requirements. Homeless shelters or human
services agencies that do not report necessary data to the
department for the purpose of meeting TANF eligibility reporting
requirements will not receive reimbursements which exceed the per
diem amount they received in fiscal year 2000. The use of TANF
funds under this section should not be considered an ongoing
commitment of funding.

Sec. 644. The department shall prioritize the money
appropriated in part 1 for homeless programs to support regional
homeless shelters that offer wraparound services in cases where
shelters have a lower cost per night than an alternative emergency
shelter.

Sec. 645. An individual or family is considered homeless, for
purposes of eligibility for state emergency relief, if living
temporarily with others in order to escape domestic violence. For
purposes of this section, domestic violence is defined and verified
in the same manner as in the department's policies on good cause
for not cooperating with child support and paternity requirements.

Sec. 653. From the funds appropriated in part 1 for food
assistance, an individual who is the victim of domestic violence
and does not qualify for any other exemption may be exempt from the
3-month in 36-month limit on receiving food assistance under 7 USC
2015. This exemption can be extended an additional 3 months upon
demonstration of continuing need.

Sec. 660. From the funds appropriated in part 1 for food bank funding, the department is authorized to make allocations of TANF funds only to the agencies that report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements. The agencies that do not report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements will not receive allocations in excess of those received in fiscal year 2000. The use of TANF funds under this section should not be considered an ongoing commitment of funding.

Sec. 669. The department shall allocate up to $2,880,000.00 for the annual clothing allowance. The allowance shall be granted to all eligible children in a family independence program group that does not include an adult.

Sec. 670. By March 1 of the current fiscal year, the department shall submit a report to the house and senate subcommittees on the department budget and house and senate fiscal agencies and policy offices regarding child development and care program activities in the previous fiscal year. The report shall include the following:

(a) The amount of child care payments made by the parents for child care charges, by provider type, not paid by the department's child development and care subsidy.

(b) The number of enrolled child care providers with a reported annual household income of $15,000.00 or less.

(c) The number of enrolled child care providers with a reported annual household income of more than $15,000.00 but not more than $25,000.00.

(d) The number of enrolled child care providers with a reported annual household income of more than $25,000.00 but not more than $35,000.00.

(e) The number of enrolled child care providers with a reported annual household income of more than $35,000.00.

Sec. 672. (1) The department's office of inspector general shall report to the senate and house of representatives appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices by May 1 of the current fiscal year on department efforts to reduce inappropriate use of Michigan bridge cards. The department shall provide information on the number of recipients of services who used their electronic benefit transfer card inappropriately and the current status of each case.

(2) As used in this section, "inappropriate use" means not used to meet a family's ongoing basic needs, including food, clothing, shelter, utilities, household goods, personal care items, and general incidentals.

Sec. 673. (1) The department shall immediately send notification to a client participating in the state child development and care program and his or her child care provider if the client's eligibility is reduced or eliminated.

(2) If the department fails to notify a provider as required by subsection (1), the department shall continue to pay for services by the provider to the day of the notice.

(3) By March 1 of the current fiscal year, the department shall submit a report to the senate and house appropriations

1 subcommittees for the department budget and the senate and house
2 fiscal agencies and policy offices on any additional expenditures
3 paid to child care providers as a result of the requirements in
4 subsection (2).
5 Sec. 677. The department shall establish a state goal for the
6 percentage of family independence program (FIP) cases involved in
7 employment activities. The percentage established shall not be less
8 than 50%. On a quarterly basis, the department shall report to the
9 senate and house appropriations subcommittees on the department
10 budget, the senate and house fiscal agencies and policy offices,
11 and the state budget director on the current percentage of FIP
12 cases involved in JET employment activities and an estimate of the
13 current percentage of FIP cases that meet federal work
14 participation requirements. If the FIP case percentage is below the
15 goal for more than 2 consecutive quarters, the department shall
16 develop a plan to increase the percentage of FIP cases involved in
17 employment-related activities. The department shall deliver the
18 plan during the next annual budget presentation to the senate and
19 house appropriations subcommittees on the department budget.
20 Sec. 680. (1) It is the intent of the legislature that the
21 department achieve $10,000,000.00 in savings through the child
22 development and care program by revising the maximum number of
23 reimbursable hours per recipient.
24 (2) It is the intent of the legislature that the department
25 achieve $5,000,000.00 in savings through the child development and
26 care program by improving the error rates for income verification
27 and income eligibility.

Sec. 686. (1) The department shall ensure that program policy requires caseworkers to confirm that individuals presenting personal identification issued by another state seeking assistance through the family independence program, food assistance program, state disability assistance program, or medical assistance program are not receiving benefits from any other state.

(2) The department shall require caseworkers to confirm the address provided by any individual seeking family independence program benefits or state disability assistance benefits.

(3) The department shall prohibit individuals with property assets assessed at a value higher than $500,000.00 from accessing assistance through department-administered programs, unless such a prohibition would violate federal rules and guidelines.

(4) The department shall require caseworkers to obtain an up-to-date telephone number during the eligibility determination or redetermination process for individuals seeking medical assistance benefits. On a monthly basis, the department shall provide the department of community health an updated list of telephone numbers for medical assistance recipients.

Sec. 696. From the money appropriated in part 1, the department shall allocate $100,000.00 to the Chaldean community foundation. This money shall be utilized to provide translation services, health care services, youth tutoring and mentoring programs, and refugee resettlement services.

JUVENILE JUSTICE SERVICES

Sec. 706. Counties shall be subject to 50% chargeback for the

use of alternative regional detention services, if those detention services do not fall under the basic provision of section 117e of the social welfare act, 1939 PA 280, MCL 400.117e, or if a county operates those detention services programs primarily with professional rather than volunteer staff.

Sec. 707. In order to be reimbursed for child care fund expenditures, counties are required to submit department-developed reports to enable the department to document potential federally claimable expenditures. This requirement is in accordance with the reporting requirements specified in section 117a(7) of the social welfare act, 1939 PA 280, MCL 400.117a.

Sec. 708. (1) As a condition of receiving money appropriated in part 1 for the child care fund line item, by December 15 of the current fiscal year, counties shall have an approved service spending plan for the current fiscal year. Counties must submit the service spending plan to the department by October 1 of the current fiscal year for approval. The department shall approve within 30 calendar days after receipt a properly completed service plan that complies with the requirements of the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b.

(2) The department shall provide a report on the number of counties that fail to submit a service spending plan by October 1 of the current fiscal year. The report shall be submitted to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the house and senate policy offices by December 15 of the current fiscal year.

Sec. 710. The department, the county of Wayne, and the third

1 circuit court may rewrite the memorandum of understanding (MOU)
2 that permits the county of Wayne to manage its juvenile justice
3 system so that the MOU takes into account all interested parties,
4 including, but not limited to, the legislature.
5 Sec. 717. (1) The department shall contract using private
6 revenues with the Michigan public health institute to conduct a
7 behavioral health study of juvenile justice facilities operated or
8 contracted for by the state. The study shall utilize diagnostic
9 clinical interviews with and records reviews for a representative
10 random sample of juvenile justice system detainees to develop a
11 report on each of the following:
12 (a) The proportion of juvenile justice detainees with a
13 primary diagnosis of emotional disorder, the percentage of those
14 detainees considered to currently require mental health treatment,
15 and the proportion of those detainees currently receiving mental
16 health services, including a description and breakdown,
17 encompassing, at a minimum, the categories of inpatient,
18 residential, and outpatient care, of the type of mental health
19 services provided to those detainees.
20 (b) The proportion of juvenile justice detainees with a
21 primary diagnosis of addiction disorder, the percentage of those
22 detainees considered to currently require substance abuse
23 treatment, and the proportion of those detainees currently
24 receiving substance abuse services, including a description and
25 breakdown, encompassing, at a minimum, the categories of
26 residential and outpatient care, of the type of substance abuse
27 services provided to those detainees.

(c) The proportion of juvenile justice detainees with a dual diagnosis of emotional disorder and addiction disorder, the percentage of those detainees considered to currently require treatment for their condition, and the proportion of those detainees currently receiving that treatment, including a description and breakdown, encompassing, at a minimum, the categories of mental health inpatient, mental health residential, mental health outpatient, substance abuse residential, and substance abuse outpatient, of the type of treatment provided to those detainees.

(d) Data indicating whether juvenile justice detainees with a primary diagnosis of emotional disorder, a primary diagnosis of addiction disorder, and a dual diagnosis of emotional disorder and addiction disorder were previously hospitalized in a state psychiatric hospital for persons with mental illness. These data shall be broken down according to each of these 3 respective categories.

(e) Data indicating whether and with what frequency juvenile justice detainees with a primary diagnosis of emotional disorder, a primary diagnosis of addiction disorder, and a dual diagnosis of emotional disorder and addiction disorder have been detained previously. These data shall be broken down according to each of these 3 respective categories.

(f) Data classifying the types of offenses historically committed by juvenile justice detainees with a primary diagnosis of emotional disorder, a primary diagnosis of addiction disorder, and a dual diagnosis of emotional disorder and addiction disorder.

1 These data shall be broken down according to each of these 3
2 respective categories.
3 (g) Data indicating whether juvenile justice detainees have
4 previously received services managed by a community mental health
5 program or substance abuse coordinating agency. These data shall be
6 broken down according to the respective categories of detainees
7 with a primary diagnosis of emotional disorder, a primary diagnosis
8 of addiction disorder, and a dual diagnosis of emotional disorder
9 and addiction disorder.
10 (2) The report referenced under subsection (1) would be
11 provided not later than June 30 of the current fiscal year to the
12 senate and house appropriations subcommittees on human services,
13 the senate and house fiscal agencies and policy offices, and the
14 state budget director.
15 Sec. 719. The department shall notify the legislature at least
16 30 days before closing or making any change in the status,
17 including the licensed bed capacity and operating bed capacity, of
18 a state juvenile justice facility.
19 Sec. 724. The department shall establish a work group to study
20 the feasibility of contracting out the juvenile justice secure
21 treatment beds for males and females operated by the department's
22 bureau of juvenile justice to private nonprofit child caring
23 institutions that are nationally accredited and licensed in this
24 state. The work group shall include, but not be limited to, the
25 department, members of the house and senate appropriations
26 subcommittees on the department budget, and representatives of 2
27 statewide organizations whose members consist of private nonprofit

1 child caring institutions.

2 **LOCAL OFFICE SERVICES**

3 Sec. 750. The department shall maintain out-stationed
4 eligibility specialists in community-based organizations, community
5 mental health agencies, nursing homes, and hospitals unless a
6 community-based organization, community mental health agency,
7 nursing home, or hospital requests that the program be discontinued
8 at its facility.

9 Sec. 753. By January 1, 2012, the department shall implement
10 the recommendations of the 2004 public private partnership
11 initiative's training committee to define, design, and implement a
12 train-the-trainer program to certify private agency staff to
13 deliver child welfare staff training, explore the use of e-learning
14 technologies, and include consumers in the design and
15 implementation of training. The intent of the legislature is to
16 reduce training and travel costs for both the department and the
17 private agencies. The department shall report no later than
18 December 1 of the current fiscal year on each specific policy
19 change made to implement enacted legislation and the plans to
20 implement the recommendations, including timelines, to the senate
21 and house appropriations subcommittees on the department budget,
22 the senate and house standing committees on human services matters,
23 the senate and house fiscal agencies and policy offices, and the
24 state budget director.

25 **CHILD SUPPORT ENFORCEMENT**

Sec. 901. (1) The appropriations in part 1 assume a total federal child support incentive payment of $26,500,000.00.

(2) From the federal money received for child support incentive payments, $12,000,000.00 shall be retained by the state and expended for child support program expenses.

(3) From the federal money received for child support incentive payments, $14,500,000.00 shall be paid to the counties based on each county's performance level for each of the federal performance measures as established in 45 CFR 305.2.

(4) If the child support incentive payment to the state from the federal government is greater than $26,500,000.00, then 100% of the excess shall be retained by the state and is appropriated until the total retained by the state reaches $15,397,400.00.

(5) If the child support incentive payment to the state from the federal government is greater than the amount needed to satisfy the provisions identified in subsections (1), (2), (3), and (4), the additional funds shall be subject to appropriation by the legislature.

(6) If the child support incentive payment to the state from the federal government is less than $26,500,000.00, then the state and county share shall each be reduced by 50% of the shortfall.

Sec. 909. (1) If statewide retained child support collections exceed $38,300,000.00, 75% of the amount in excess of $38,300,000.00 is appropriated to legal support contracts. This excess appropriation may be distributed to eligible counties to supplement and not supplant county title IV-D funding.

(2) Each county whose retained child support collections in

1 the current fiscal year exceed its fiscal year 2004-2005 retained
2 child support collections, excluding tax offset and financial
3 institution data match collections in both the current year and
4 fiscal year 2004-2005, shall receive its proportional share of the
5 75% excess.
6 Sec. 910. (1) If title IV-D-related child support collections
7 are escheated, the state budget director is authorized to adjust
8 the sources of financing for the funds appropriated in part 1 for
9 legal support contracts to reduce federal authorization by 66% of
10 the escheated amount and increase general fund/general purpose
11 authorization by the same amount. This budget adjustment is
12 required to offset the loss of federal revenue due to the escheated
13 amount being counted as title IV-D program income in accordance
14 with federal regulations at 45 CFR 304.50.
15 (2) The department shall notify the chairs of the house and
16 senate appropriations subcommittees on the department budget and
17 the house and senate fiscal agencies within 15 days of the
18 authorization adjustment in subsection (1).

19 **COMMUNITY ACTION AND ECONOMIC OPPORTUNITY**

20 Sec. 1103. (1) The department shall establish a work group to
21 develop a more efficient way to administer state emergency relief,
22 low income home energy assistance program, and weatherization. The
23 work group shall include, but not be limited to, the department and
24 members of the legislature.
25 (2) By April 1, 2012, the department shall report to the
26 senate and house appropriations subcommittees on the department

budget, the senate and house fiscal agencies, and the senate and house policy offices on the findings of the work group established in subsection (1).

Sec. 1105. The department shall report to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office by February 1 of the current fiscal year on the number of homes, the approximate value of each home, and the square footage of each home weatherized through the appropriations in section 104 during the preceding quarter of the calendar year.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2013 for the line items listed in part 1. The fiscal year 2012-2013 appropriations are anticipated to be the same as those for fiscal year 2011-2012, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2012 consensus revenue estimating conference.

ARTICLE XI

JUDICIARY

PART 1

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

Sec. 101. Subject to the conditions set forth in this article, the amounts listed in this part are appropriated for the judicial branch for the fiscal year ending September 30, 2012, from the funds indicated in this part. The following is a summary of the appropriations in this part:

JUDICIARY

APPROPRIATION SUMMARY

Full-time equated exempted positions..... 491.0		
GROSS APPROPRIATION.....	$	256,973,200
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		3,573,500
ADJUSTED GROSS APPROPRIATION.....	$	253,399,700
Federal revenues:		
Total federal revenues.....		5,539,500
Special revenue funds:		
Total local revenues.....		6,342,700
Total private revenues.....		842,500
Total other state restricted revenues.....		88,140,700
State general fund/general purpose.....	$	152,534,300

Sec. 102. SUPREME COURT

Full-time equated exempted positions..... 243.0

1	Supreme court administration--97.0 FTE positions	$ 11,184,900
2	Judicial institute--13.0 FTE positions	1,979,000
3	State court administrative office--60.0 FTE positions	10,548,900
4	Judicial information systems--22.0 FTE positions	3,174,700
5	Direct trial court automation support--36.0 FTE	
6	positions	6,342,700
7	Foster care review board--12.0 FTE positions	1,289,800
8	Community dispute resolution--3.0 FTE positions	2,335,500
9	Other federal grants	275,100
10	Drug treatment courts	7,133,000
11	Community court pilot project	20,000
12	GROSS APPROPRIATION	$ 44,283,600
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDG from department of state police	1,800,000
16	IDG from department of corrections	1,050,000
17	IDG from state police - Michigan justice training fund	300,000
18	Federal revenues:	
19	DOJ, victims assistance programs	50,000
20	DOJ, drug court training and evaluation	300,000
21	DOT, national highway traffic safety administration ..	1,300,000
22	HHS, access and visitation grant	550,000
23	HHS, children's justice grant	206,300
24	HHS, court improvement project	1,160,000
25	HHS, title IV-D child support program	907,700
26	HHS, title IV-E foster care program	540,400
27	Other federal grant revenues	275,100

1 Special revenue funds:

2 Local - user fees..... 6,342,700

3 Private..... 169,000

4 Private - interest on lawyers trust accounts..... 232,700

5 Private - state justice institute..... 370,800

6 Community dispute resolution fund..... 2,335,500

7 Law exam fees..... 536,200

8 Drug court fund..... 1,920,500

9 Miscellaneous revenue..... 227,900

10 Justice system fund..... 700,000

11 State court fund..... 339,000

12 State general fund/general purpose..... $ 22,669,800

13 **Sec. 103. COURT OF APPEALS**

14 Full-time equated exempted positions..... 190.0

15 Court of appeals operations--190.0 FTE positions..... $ 19,143,800

16 GROSS APPROPRIATION..... $ 19,143,800

17 Appropriated from:

18 Special revenue funds:

19 Court filing/motion fees..... 1,458,500

20 Miscellaneous revenue..... 77,800

21 State general fund/general purpose..... $ 17,607,500

22 **Sec. 104. BRANCHWIDE APPROPRIATIONS**

23 Full-time equated exempted positions..... 4.0

24 Branchwide appropriations--4.0 FTE positions..... $ 8,338,700

25 GROSS APPROPRIATION..... $ 8,338,700

26 Appropriated from:

27 State general fund/general purpose..... $ 8,338,700

1 **Sec. 105. JUSTICES' AND JUDGES' COMPENSATION**

2 Full-time judges positions 607.0

3 Supreme court justices' salaries--7.0 justices ..... $ 1,152,300

4 Court of appeals judges' salaries--26.0 judges 3,937,400

5 District court judges' state base salaries--252.0

6 judges 23,321,900

7 District court judicial salary standardization 11,522,500

8 Probate court judges' state base salaries--103.0

9 judges 9,627,900

10 Probate court judicial salary standardization 4,669,700

11 Circuit court judges' state base salaries--219.0

12 judges 20,628,800

13 Circuit court judicial salary standardization 10,013,600

14 Judges' retirement system defined contributions 3,894,300

15 OASI, social security..... 5,511,000

16 GROSS APPROPRIATION..... $ 94,279,400

17 Appropriated from:

18 Special revenue funds:

19 Court fee fund..... 7,090,200

20 State general fund/general purpose ..... $ 87,189,200

21 **Sec. 106. JUDICIAL AGENCIES**

22 Full-time equated exempted positions..... 7.0

23 Judicial tenure commission--7.0 FTE positions ..... $ 961,500

24 GROSS APPROPRIATION..... $ 961,500

25 Appropriated from:

26 State general fund/general purpose ..... $ 961,500

27 **Sec. 107. INDIGENT DEFENSE - CRIMINAL**

1 Full-time equated exempted positions..... 47.0
2 Appellate public defender program--39.0 FTE positions $ 5,322,800
3 Appellate assigned counsel administration--8.0 FTE
4 positions 906,300
5 GROSS APPROPRIATION..... $ 6,229,100
6 Appropriated from:
7 Interdepartmental grant revenues:
8 IDG from state police - Michigan justice training fund 423,500
9 Federal revenues:
10 Other federal grant revenues..... 250,000
11 Special revenue funds:
12 Private - interest on lawyers trust accounts..... 70,000
13 Miscellaneous revenue..... 113,100
14 State general fund/general purpose..... $ 5,372,500
15 **Sec. 108. INDIGENT CIVIL LEGAL ASSISTANCE**
16 Indigent civil legal assistance..... $ 7,937,000
17 GROSS APPROPRIATION..... $ 7,937,000
18 Appropriated from:
19 Special revenue funds:
20 State court fund..... 7,937,000
21 State general fund/general purpose..... $ 0
22 **Sec. 109. TRIAL COURT OPERATIONS**
23 Court equity fund reimbursements..... $ 60,835,100
24 Judicial technology improvement fund..... 4,815,000
25 GROSS APPROPRIATION..... $ 65,650,100
26 Appropriated from:
27 Special revenue funds:

1 Court equity fund		50,440,000
2 Judicial technology improvement fund		4,815,000
3 State general fund/general purpose	$	10,395,100

4 **Sec. 110. GRANTS AND REIMBURSEMENTS TO LOCAL**
5 **GOVERNMENT**

6 Drug case-flow program	$	250,000
7 Drunk driving case-flow program		3,300,000
8 Juror compensation reimbursement		6,600,000
9 GROSS APPROPRIATION	$	10,150,000
10 Appropriated from:		
11 Special revenue funds:		
12 Drug fund		250,000
13 Drunk driving fund		3,300,000
14 Juror compensation fund		6,600,000
15 State general fund/general purpose	$	0

16 PART 2
17 PROVISIONS CONCERNING APPROPRIATIONS
18 FOR FISCAL YEAR 2011-2012

19 **GENERAL SECTIONS**

20 Sec. 201. Pursuant to section 30 of article IX of the state
21 constitution of 1963, total state spending from state resources
22 under part 1 for fiscal year 2011-2012 is $240,675,000.00 and state
23 spending from state resources to be paid to local units of
24 government for fiscal year 2011-2012 is $119,875,600.00. The
25 itemized statement below identifies appropriations from which

spending to local units of government will occur:

JUDICIARY

SUPREME COURT

State court administrative office	$	511,900
Drug treatment courts		6,833,000

TRIAL COURT OPERATIONS

Court equity fund reimbursements	$	60,835,100
Judicial technology improvement fund		4,815,000

JUSTICES' AND JUDGES' COMPENSATION

District court judicial salary standardization	$	11,522,500
Probate court judges' state base salaries		9,627,900
Probate court judicial salary standardization		4,669,700
Circuit court judicial salary standardization		10,013,600
Grant to OASI contribution fund, employers share, social security		896,900

GRANTS AND REIMBURSEMENTS TO LOCAL GOVERNMENT

Drunk driving case-flow program	$	3,300,000
Drug case-flow program		250,000
Juror compensation reimbursement		6,600,000
TOTAL	$	119,875,600

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

(2) Funds appropriated in part 1 to an entity within the judicial branch shall not be expended or transferred to another account without written approval of the authorized agent of the judicial entity. If the authorized agent of the judicial entity

notifies the state budget director of its approval of an expenditure or transfer, the state budget director shall immediately make the expenditure or transfer. The authorized judicial entity agent shall be designated by the chief justice of the supreme court.

Sec. 203. As used in this article:

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

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

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

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

(e) "IDG" means interdepartmental grant.

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

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

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

Sec. 212. The judicial branch receiving appropriations in part 1 shall receive and retain copies of all reports funded from

appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The judicial branch may electronically retain copies of reports unless otherwise required by federal and state guidelines.

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

Sec. 215. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2012 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal

requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the chief justice or his or her designee may grant an exception to allow the travel. Any exceptions granted by the chief justice or his or her designee shall be reported on a monthly basis to the senate and house of representatives standing committees on appropriations.

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

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

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

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

(e) The transportation and related costs of each travel

occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

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

Sec. 219. Not later than November 15, 2012, the judiciary shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house appropriations committees, and the senate and house fiscal agencies.

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

Sec. 222. Within 14 days after the release of the executive budget recommendation, the judicial branch shall provide the state budget director, the senate and house appropriations chairs, the

senate and house appropriations subcommittees on the judiciary, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2011 and September 30, 2012.

JUDICIAL BRANCH

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

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

Sec. 303. Of the amount appropriated in part 1 for the judicial branch, $325,000.00 is allocated for circuit court reimbursement under section 3 of 1978 PA 16, MCL 800.453, and $186,900.00 is allocated for court of claims reimbursement under section 6413 of the revised judicature act of 1961, 1961 PA 236, MCL 600.6413.

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

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

Sec. 309. By April 1, 2012, the state court administrative office shall provide an update on the status of the pilot mental health courts to the state budget director, the senate and house appropriations subcommittees on the judiciary, and the senate and house fiscal agencies.

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

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

(b) It shall be completed no later than April 1 of each year and shall also be provided to the senate and house appropriations subcommittees on the judiciary, the senate and house fiscal agencies, and the state budget director.

(c) The evaluation of a program funded with federal Byrne funds shall be consistent with the requirements contained in the federal Byrne grant for that program.

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

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

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

(4) The judiciary shall receive $1,800,000.00 in Byrne formula grant funding as an interdepartmental grant from the department of state police to be used for expansion of drug treatment courts, to assist in avoiding prison bed space growth for nonviolent offenders in collaboration with the department of corrections.

(5) If United States department of transportation, national highway traffic safety administration federal funding is awarded to the judiciary for the support of drug treatment courts in an amount that exceeds the amount appropriated in part 1, the judiciary may receive and expend the funds in an amount not exceeding $450,000.00 above the amount appropriated in part 1 for the support of drug treatment courts.

Sec. 312. From the funds appropriated in part 1, the state court administrator shall produce a statistical report regarding the implementation of the parental rights restoration act, 1990 PA 211, MCL 722.901 to 722.908, as it pertains to minors seeking a court-issued waiver of parental consent. The state court administrative office shall report the total number of petitions filed and the total number of petitions granted in accordance with section 208.

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

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

Sec. 320. (1) From the funds appropriated in part 1 for drug treatment courts, $1,000,000.00 shall be administered by the state

court administrative office to distribute to qualifying counties to support a swift-and-sure sanctions pilot program. A qualifying county shall apply to the state court administrative office for a portion of the funds appropriated in part 1.

(2) A qualifying county that receives funding under this section shall provide a report on the pilot program to the state budget director, the senate and house appropriations subcommittees on the judiciary, and the senate and house fiscal agencies. The report shall include all of the following:

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

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

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

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

(3) As used in this section:

(a) "Pilot program" means a swift-and-sure sanctions pilot program.

(b) "Qualifying county" means a county that has both of the following:

(*i*) A drug treatment court.

(*ii*) A unified trial court system.

Sec. 321. It is the intent of the legislature that the judicial branch support a statewide legal self-help Internet

website and local nonprofit self-help centers that use the statewide website to provide assistance to individuals representing themselves in civil legal proceedings.

Sec. 322. (1) If Byrne formula grant funding is awarded to the state appellate defender office for criminal defense review and training on evidence-based sentencing in problem-solving courts, the state appellate defender office may receive and expend Byrne formula grant funds in an amount not exceeding $525,000.00 as an interdepartmental grant from the department of state police.

(2) If Byrne formula grant funding is awarded to the state appellate defender office for criminal defense review and representation of defendants in cases that involve potentially unreliable evidence processed by the now-closed Detroit police crime laboratory, the state appellate defender office may receive and expend Byrne formula grant funds in an amount not exceeding $225,000.00 as an interdepartmental grant from the department of state police.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2013 for the line items listed in part 1. The fiscal year 2012-2013 appropriations are anticipated to be the same as those for fiscal

1 year 2011-2012, except that the line items will be adjusted for
2 changes in caseload and related costs, federal fund match rates,
3 economic factors, and available revenue. These adjustments will be
4 determined after the January 2012 consensus revenue estimating
5 conference.

6 ARTICLE XII
7 DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
8 PART 1
9 LINE-ITEM APPROPRIATIONS
10 FOR FISCAL YEAR 2011-2012
11 Sec. 101. The amounts listed in this part are appropriated for
12 the department of licensing and regulatory affairs, subject to the
13 conditions set forth in this article, for the fiscal year ending
14 September 30, 2012, from the funds identified in this part. The
15 following is a summary of the appropriations in this part:
16 **DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS**
17 APPROPRIATION SUMMARY
18 Full-time equated unclassified positions..... 57.5
19 Full-time equated classified positions..... 4,320.8
20 GROSS APPROPRIATION..... $ 811,570,400
21 Interdepartmental grant revenues:
22 Total interdepartmental grants and intradepartmental
23 transfers 13,373,500
24 ADJUSTED GROSS APPROPRIATION..... $ 798,196,900
25 Federal revenues:

1	Total federal revenues	365,728,300
2	Special revenue funds:	
3	Total local revenues	7,859,900
4	Total private revenues	4,727,800
5	Total other state restricted revenues	388,808,100
6	State general fund/general purpose	$ 31,072,800
7	**Sec. 102. DEPARTMENTAL ADMINISTRATION**	
8	Full-time equated unclassified positions 57.5	
9	Full-time equated classified positions 129.0	
10	Unclassified salaries--57.5 FTE positions	$ 4,531,900
11	Executive director programs--33.0 FTE positions	5,083,200
12	Property management	11,768,400
13	Rent	12,032,200
14	Worker's compensation	758,400
15	Special project advances	200,000
16	Administrative services--96.0 FTE positions	9,925,800
17	GROSS APPROPRIATION	$ 44,299,900
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	Federal revenues:	
21	DOE-OEERE, multiple grants	3,000
22	DED-OSERS, rehabilitation services, vocational	
23	rehabilitation of state grants	4,163,400
24	DOL-ETA, unemployment insurance	11,774,000
25	DOL, federal funds	30,800
26	DOL, multiple grants for safety and health	767,000
27	Federal revenues	437,100

Title XVIII Medicare	300,100
Title XIX Medicaid	21,000
Title XIX Medicaid, facility certification fees	193,900
Special revenue funds:	
Private - special project advances	200,000
Local revenues	130,900
Bank fees	356,300
Boiler fee revenue	244,400
Construction code fund	1,127,200
Consumer finance fees	74,900
Contingent fund, penalty and interest account	39,200
Corporation fees	4,168,800
Credit union fees	366,100
Deferred presentment service transaction fees	24,900
Elevator fees	251,500
Fees and collections/asbestos	100,000
Fire service fees	755,400
Health professions regulatory fund	1,559,400
Health systems fees	404,000
Insurance licensing and regulation fees	1,738,500
Insurance bureau fund	514,100
Licensing and regulation fees	1,005,700
Liquor purchase revolving fund	4,791,100
MBLSLA fund	84,800
Mobile home code fund	252,600
Motor carrier fees	203,600
Private occupational school license fees	14,000

1 Public utility assessments 2,310,400
2 Radiological health fees 90,000
3 Safety education and training fund 719,800
4 Second injury fund 249,900
5 Securities fees 2,441,000
6 Self-insurers security fund 89,500
7 Silicosis and dust disease fund 111,100
8 Tax tribunal fund 181,400
9 Video franchise assessments 4,000
10 Workers' compensation administrative revolving fund .. 100,000
11 State general fund/general purpose ..... $ 1,905,100
12 **Sec. 103. OFFICE OF FINANCIAL AND INSURANCE**
13 **REGULATION**
14 Full-time equated classified positions 377.0
15 Administration--35.0 FTE positions ..... $ 7,392,600
16 Financial evaluation--232.0 FTE positions 34,613,400
17 Regulatory compliance and consumer assistance--110.0
18 FTE positions 18,465,500
19 GROSS APPROPRIATION ..... $ 60,471,500
20 Appropriated from:
21 Federal revenues:
22 Federal revenues 2,000,000
23 Special revenue funds:
24 Bank fees 8,236,900
25 Captive insurance regulatory and supervision fund 256,800
26 Consumer finance fees 4,362,800
27 Credit union fees 6,382,400

1 Deferred presentment service transaction fees 2,705,800
2 Insurance bureau fund 20,584,400
3 Insurance continuing education fees 1,023,600
4 Insurance licensing and regulation fees 4,800,400
5 MBLSLA fund 4,300,600
6 Multiple employer welfare arrangement 72,600
7 Securities fees 4,745,200
8 Securities investor education and training fund 1,000,000
9 State general fund/general purpose ..... $ 0
10 **Sec. 104. PUBLIC SERVICE COMMISSION AND ENERGY**
11 **SYSTEMS**
12 Full-time equated classified positions 195.0
13 Public service commission--190.0 FTE positions ..... $ 27,158,500
14 METRO authority--5.0 FTE positions 355,900
15 GROSS APPROPRIATION ..... $ 27,514,400
16 Appropriated from:
17 Federal revenues:
18 DOE-OEERE, multiple grants 9,000
19 DOT, gas pipeline safety 677,800
20 Special revenue funds:
21 Children's protection registry fund 272,600
22 Motor carrier fees 2,094,700
23 Public utility assessments 23,620,300
24 Restructuring mechanism assessments 440,000
25 Video franchise assessments 400,000
26 State general fund/general purpose ..... $ 0
27 **Sec. 105. LIQUOR CONTROL COMMISSION**

1 Full-time equated classified positions..... 152.0
2 Management support services--28.0 FTE positions ..... $ 3,812,200
3 Liquor licensing and enforcement--124.0 FTE positions 13,801,300
4 GROSS APPROPRIATION..... $ 17,613,500
5 Appropriated from:
6 Special revenue funds:
7 Direct shipper enforcement revolving fund 120,000
8 Liquor license revenue 7,136,200
9 Liquor purchase revolving fund 10,357,300
10 State general fund/general purpose ..... $ 0
11 **Sec. 106. OCCUPATIONAL REGULATION**
12 Full-time equated classified positions..... 835.3
13 Boiler inspection program--25.0 FTE positions ..... $ 2,931,000
14 Bureau of fire services--57.0 FTE positions 5,603,700
15 Code enforcement--120.0 FTE positions 14,022,200
16 Commercial services--175.0 FTE positions 19,812,600
17 Elevator inspection program--30.0 FTE positions 3,162,400
18 Bureau of health professions--160.0 FTE positions 26,945,900
19 Bureau of health systems--199.6 FTE positions 21,630,100
20 Health policy and regulation--8.8 FTE positions 2,646,500
21 Radiological health administration--21.4 FTE positions 3,179,700
22 Background check program--5.5 FTE positions 2,545,900
23 Manufactured housing and land resources
24 program--22.0 FTE positions 2,733,700
25 Property development group--11.0 FTE positions 1,707,600
26 GROSS APPROPRIATION..... $ 106,921,300
27 Appropriated from:

1 Interdepartmental grant revenues:
2 IDG from department of community health, inspection
3 contract 100,000
4 IDG from department of human services, background
5 checks 1,000,000
6 Federal revenues:
7 Clinical lab improvement 360,000
8 CMS transformation grant 3,000,000
9 DOT 60,000
10 FEMA 28,000
11 Mammography quality standards 710,400
12 Prescription drug monitoring 100,000
13 Title XVIII Medicare 9,287,900
14 Title XIX Medicaid 950,800
15 Title XIX Medicaid, facility certification fees 6,217,500
16 Special revenue funds:
17 Private - civil monetary penalties 200,000
18 Accountancy enforcement fund 420,000
19 Boiler fee revenue 3,363,600
20 Builder enforcement fund 427,000
21 Construction code fund 13,186,600
22 Corporation fees 6,342,700
23 Elevator fees 3,565,400
24 Fire alarm fees 114,000
25 Fire safety standard and enforcement fund 40,000
26 Fire service fees 1,953,300
27 Health professions regulatory fund 22,972,000

1 Health systems fees 1,417,200
2 Licensing and regulation fees 11,302,800
3 Liquor purchase revolving fund 2,636,500
4 Mobile home code fund 2,733,700
5 Nurse professional fund 1,744,200
6 Pain management fees 1,728,600
7 Private occupational school license fees 832,200
8 Property development fees 298,900
9 Radiological health fees 2,469,300
10 Real estate appraiser continuing education fund 47,000
11 Real estate education fund 320,300
12 Real estate enforcement fund 364,600
13 Survey and remonumentation fund 776,700
14 Security business fund 321,100
15 Unarmed combat fund 66,900
16 State general fund/general purpose ..... $ 5,462,100
17 **Sec. 107. MICHIGAN OCCUPATIONAL SAFETY AND HEALTH**
18 **ADMINISTRATION**
19 Full-time equated classified positions 229.0
20 Occupational safety and health--229.0 FTE positions .. $ 28,561,900
21 GROSS APPROPRIATION ..... $ 28,561,900
22 Appropriated from:
23 Federal revenues:
24 DOL, multiple grants for safety and health 13,365,600
25 Special revenue funds:
26 Corporation fees 3,780,300
27 Fees and collections/asbestos 919,900

1	Safety education and training fund.....	8,477,300
2	Securities fees.....	2,018,800
3	State general fund/general purpose..... $	0
4	**Sec. 108. EMPLOYMENT SERVICES**	
5	Full-time equated classified positions..... 2,171.1	
6	Worker's compensation administration--96.6 FTE	
7	positions ..... $	8,918,200
8	Wage and hour division--33.0 FTE positions.....	3,136,700
9	Insurance funds administration--28.0 FTE positions...	4,982,700
10	Supplemental benefit fund.....	820,000
11	Unemployment programs--1,302.7 FTE positions.....	136,315,200
12	Advocacy assistance program.....	1,500,000
13	Special audit and collections program--34.0 FTE	
14	positions	3,091,200
15	Training program for agency staff--2.1 FTE positions.	1,827,700
16	Expanded fraud control program--33.2 FTE positions...	3,561,300
17	Commission for the blind--107.0 FTE positions.....	26,728,500
18	Michigan rehabilitation services--513.5 FTE positions	71,720,500
19	Employment and labor relations--21.0 FTE positions...	3,745,000
20	GROSS APPROPRIATION..... $	266,347,000
21	Appropriated from:	
22	Federal revenues:	
23	DED-OPSE, multiple grants.....	1,222,900
24	DED-OSERS, centers for independent living.....	58,200
25	DED-OSERS, rehabilitation long-term training.....	316,900
26	DED-OSERS, rehabilitation services, vocational	
27	rehabilitation of state grants.....	56,417,700

1 DED-OSERS, state grants for technical related
2 assistance 65,300
3 DOL, employment and training administration 1,219,100
4 DOL-ETA, unemployment insurance 142,576,300
5 Federal revenues 20,265,900
6 HHS-SSA, supplemental security income 3,783,000
7 Special revenue funds:
8 Private - gifts, bequests, and donations 816,000
9 Private revenues 111,800
10 Local revenues 529,000
11 Corporation fees 2,862,400
12 Contingent fund, regular penalty and interest 1,500,000
13 Michigan commission for the blind business
14 enterprise program fund 553,600
15 Rehabilitation service fees 1,352,300
16 Second injury fund 2,733,800
17 Securities fees 5,267,800
18 Self-insurers security fund 1,268,400
19 Silicosis and dust disease fund 1,032,000
20 Special fraud control fund 1,000,000
21 Workers' compensation administrative revolving fund .. 2,755,600
22 State general fund/general purpose ..... $ 18,639,000
23 **Sec. 109. MICHIGAN ADMINISTRATIVE HEARING SYSTEM**
24 Full-time equated classified positions..... 232.4
25 Michigan administrative hearing system--205.4 FTE
26 positions ..... $ 30,230,300
27 Office of regulatory reinvention--2.0 FTE positions .. 350,000

1	Michigan compensation appellate commission--25.0 FTE	
2	positions	3,033,600
3	GROSS APPROPRIATION.....	$ 33,613,900
4	Appropriated from:	
5	Interdepartmental grant revenues:	
6	IDG - administrative hearings.....	12,273,500
7	Federal revenues:	
8	DOL-ETA, unemployment insurance.....	2,882,100
9	Federal revenue - administrative hearings and rules ..	7,596,900
10	Special revenue funds:	
11	Construction code fund.....	29,000
12	Corporation fees.....	1,121,500
13	Fire service fees.....	29,000
14	Insurance bureau fund.....	29,000
15	Insurance licensing and regulation fees.....	29,000
16	Licensing and regulation fees.....	29,000
17	Liquor license revenue.....	29,000
18	Motor carrier fees.....	29,000
19	Public utility assessments.....	29,000
20	Safety education and training fund.....	29,000
21	Securities fees.....	1,125,200
22	State restricted revenue - administrative hearings	
23	and rules	4,963,000
24	Tax tribunal fund.....	3,149,000
25	Workers' compensation administrative revolving fund ..	180,500
26	State general fund/general purpose.....	$ 61,200
27	**Sec. 110. INFORMATION TECHNOLOGY**	

1	Information technology services and projects	$ 43,132,900
2	Liquor control commission IT upgrades	100
3	GROSS APPROPRIATION	$ 43,133,000
4	Appropriated from:	
5	Federal revenues:	
6	DOL-ETA, unemployment insurance	21,797,800
7	DOL, multiple grants for safety and health	273,700
8	Federal revenues	3,365,300
9	Special revenue funds:	
10	Bank fees	219,500
11	Boiler fee revenue	280,500
12	Construction code fund	1,076,700
13	Consumer finance fees	95,100
14	Corporation fees	4,833,400
15	Credit union fees	192,100
16	Deferred presentment service transaction fees	85,700
17	Elevator fees	271,300
18	Fees and collections/asbestos	11,000
19	Fire service fees	503,500
20	Health professions regulatory fund	873,900
21	Health systems fees	186,400
22	Insurance continuing education fees	11,700
23	Insurance bureau fund	545,500
24	Insurance licensing and regulation fees	315,000
25	Licensing and regulation fees	1,430,900
26	Liquor purchase revolving fund	2,771,000
27	MBLSLA fund	104,100

1	Mobile home code fund	152,800
2	Motor carrier fees	148,900
3	Pain management fees	160,000
4	Public utility assessments	1,166,600
5	Radiological health fees	140,000
6	Safety education and training fund	624,700
7	Second injury fund	143,600
8	Securities fees	944,100
9	Self-insurers security fund	71,500
10	Silicosis and dust disease fund	61,500
11	Tax tribunal fund	210,000
12	State general fund/general purpose	$ 65,200
13	**Sec. 111. DEPARTMENT GRANTS**	
14	Personal assistance services	$ 459,500
15	Vocational rehabilitation customer support	56,908,400
16	Independent living	4,908,600
17	Fire protection grants	9,273,900
18	Low-income energy efficiency assistance	95,000,000
19	Liquor law enforcement grants	6,600,000
20	Remonumentation grants	5,300,000
21	Private grant programs	3,000,000
22	Subregional libraries state aid	451,800
23	Utility consumer representation	950,000
24	Youth low-vision program	241,800
25	GROSS APPROPRIATION	$ 183,094,000
26	Appropriated from:	
27	Federal revenues:	

1 DED-OSERS, centers for independent living		450,200
2 DED-OSERS, rehabilitation services, vocational		
3 rehabilitation of state grants		37,056,700
4 DED-OSERS, rehabilitation services facilities		2,272,500
5 DED-OSERS, supported employment		1,541,300
6 DED-OSERS, state grants for technical related		
7 assistance		2,240,800
8 HHS-SSA, supplemental security income		5,868,400
9 Special revenue funds:		
10 Private - gifts, bequests, and donations		400,000
11 Private revenues		3,000,000
12 Local vocational rehabilitation match		7,000,000
13 Local vocational rehabilitation facilities match		200,000
14 Contingent fund, penalty and interest account		1,000,000
15 Low-income energy efficiency fund		95,000,000
16 Fire protection fund		8,500,000
17 Liquor purchase revolving fund		773,900
18 Liquor license revenue		6,600,000
19 Survey and remonumentation fund		5,300,000
20 Utility consumer representation fund		950,000
21 State general fund/general purpose	$	4,940,200

22 PART 2

23 PROVISIONS CONCERNING APPROPRIATIONS

24 FOR FISCAL YEAR 2011-2012

25 **GENERAL SECTIONS**

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2011-2012 is $419,880,900.00 and state spending from state resources to be paid to local units of government for fiscal year 2011-2012 is $22,988,700.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

Fire protection grants	$	9,273,900
Liquor law enforcement		6,600,000
Remonumentation grants		5,300,000
Firefighters training council		1,363,000
Subregional libraries state aid		451,800
Total department of licensing and regulatory affairs	$	22,988,700

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

Sec. 203. As used in this article:

(a) "DED" means the United States department of education.

(b) "DED-OPSE" means the DED office of postsecondary education.

(c) "DED-OSERS" means the DED office of special education rehabilitation services.

(d) "Department" means the department of licensing and regulatory affairs.

(e) "Director" means the director of the department.

(f) "DOE-OEERE" means the United States department of energy, office of energy efficiency and renewable energy.

(g) "DOL" means the United States department of labor.

(h) "DOL-ETA" means the DOL employment and training administration.

(i) "DOT" means the United States department of transportation.

(j) "FEMA" means federal emergency management agency.

(k) "Fire safety standard and enforcement fund" means fire safety standard and firefighter protection act enforcement fund created in section 9 of the fire safety standard and firefighter protection act, 2009 PA 56, MCL 29.499.

(*l*) "Fiscal agencies" means Michigan house fiscal agency and Michigan senate fiscal agency.

(m) "FTE" means full-time equated.

(n) "HHS" means the United States department of health and human services.

(o) "HHS-SSA" means HHS social security administration.

(p) "IDG" means interdepartmental grant.

(q) "MAHS" means Michigan administrative hearing system.

(r) "MARVIN" means Michigan's automated response voice interactive network.

(s) "METRO" means metropolitan extension telecommunications rights-of-way oversight.

(t) "MIOSHA" means Michigan occupational safety and health administration.

(u) "Pain management fees" means the pain management education

and controlled substances electronic monitoring and antidiversion fund.

(v) "Subcommittees" means all members of the subcommittees of the house and senate appropriations committees with jurisdiction over the budget for the department.

Sec. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this article. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

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

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

Sec. 211. (1) Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

(2) The funds appropriated in part 1 for liquor control commission information technology are designated as work project appropriations and shall not lapse at the end of the fiscal year. Any unencumbered and unexpended funds shall continue to be available for expenditure until the project has been completed. The total cost of the work project is estimated at $1,000,000.00 and the tentative completion date is September 30, 2013.

Sec. 212. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

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

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

Sec. 216. Not later than November 15, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies.

Sec. 217. (1) Due to the current budgetary problems in this state, out-of-state travel shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) The department shall not approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless a professional development conference or training seminar is funded by a federal or private funding source and requires more than 1 person from a department to attend, or the conference or training seminar includes multiple issues in which 1 employee from the department does not have expertise.

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

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

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

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

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general

fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

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

Sec. 220. The department may carry into the succeeding fiscal year unexpended federal pass-through funds to local institutions and governments that do not require additional state matching funds. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 and that do not require additional state matching funds are appropriated for the purposes intended. Within 14 days after the receipt of federal pass-through funds, the department shall notify the house and senate chairpersons of the subcommittees, the fiscal agencies, and the state budget director of pass-through funds appropriated under this section.

Sec. 221. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 223. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $45,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget

act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $31,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $600,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 225. Within 10 days after the receipt of a grant appropriated in the private grant funded projects line item in part 1, the department shall notify the house and senate chairpersons of the subcommittees, the fiscal agencies, and the state budget director of the receipt of the grant, including the funding source, purpose, and amount of the grant.

Sec. 227. (1) The department shall sell documents at a price not to exceed the cost of production and distribution. Money

received from the sale of these documents shall revert to the department. In addition to the funds appropriated in part 1, these funds are available for expenditure when they are received by the department of treasury and may only be used for costs directly related to the continued updating and distribution of the documents pursuant to this section. This section applies only for the following documents:

(a) Corporation and securities division documents, reports, and papers required or permitted by law pursuant to section 1060(5) of the business corporation act, 1972 PA 284, MCL 450.2060.

(b) The subdivision control manual, the state boundary commission operations manual, and other local government assistance manuals.

(c) The Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303.

(d) The mobile home commission act, 1987 PA 96, MCL 125.2301 to 125.2349; the business corporation act, 1972 PA 284, MCL 450.1101 to 450.2098; the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to 450.3192; and the uniform securities act (2002), 2008 PA 551, MCL 451.2101 to 451.2703.

(e) Labor law books.

(f) Worker's compensation health care services rules.

(g) Construction code manuals.

(h) Copies of transcripts from administrative law hearings.

(2) In addition to the funds appropriated in part 1, funds collected by the department under sections 55, 57, 58, and 59 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.255,

24.257, 24.258, and 24.259, and section 203 of the legislative council act, 1986 PA 268, MCL 4.1203, are appropriated for all expenses necessary to provide for the cost of publication and distribution. The funds appropriated under this section are allotted for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.

Sec. 228. Unless prohibited by law, the department may accept credit card or other electronic means of payment for licenses, fees, or permits.

Sec. 231. (1) The department shall maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

(2) The department may develop and operate its own website to provide this information or may reference the state's central transparency website as the source for this information.

Sec. 232. The department shall not develop or produce any television productions.

Sec. 234. Within 14 days after the release of the executive

budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the subcommittees, and the fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2011 and September 30, 2012.

REGULATORY

Sec. 301. (1) The appropriation in part 1 for fire protection grants shall be appropriated to cities, villages, and townships with state-owned facilities for fire services, instead of taxes, in accordance with 1977 PA 289, MCL 141.951 to 141.956.

(2) Cities, villages, and townships with state-owned facilities shall report to the department no later than November 15 on a form developed by the department in order to be eligible to receive funds appropriated in part 1 for fire protection grants. The report shall indicate all of the following:

(a) The ability to respond to state facilities in their service area.

(b) The cost for being prepared and able to respond to fire service situations during the most recent fiscal year.

(3) The department shall prepare a summary of the local submissions and provide it to the subcommittees, fiscal agencies, and the state budget director by March 31.

Sec. 301a. (1) Cities, villages, and townships receiving fire protection grant funds in accordance with 1977 PA 289, MCL 141.951 to 141.956, shall submit a report to the department detailing the

expenditures made by the local unit from fire protection grant funds, the fire-related activities of the local unit's police and fire departments on state property, and the costs of such activities. The local unit shall provide a report no later than January 1, covering the state fiscal year ending September 30, 2011.

(2) The department shall provide a standard template for use by local units of government when submitting a report to the department.

(3) The department shall prepare a summary of the local submissions and provide it to the house and senate chairpersons of the subcommittees, the fiscal agencies, and the state budget director by March 31.

Sec. 302. Money appropriated under this article for the bureau of fire services shall not be expended unless, in accordance with section 2c of the fire prevention code, 1941 PA 207, MCL 29.2c, inspection and plan review fees will be charged according to the following schedule:

Operation and maintenance inspection fee

Facility type	Facility size	Fee
Hospitals	Any	$8.00 per bed

Plan review and construction inspection fees for hospitals and schools

Project cost range	Fee
$101,000.00 or less	minimum fee of $155.00
$101,001.00 to $1,500,000.00	$1.60 per $1,000.00
$1,500,001.00 to $10,000,000.00	$1.30 per $1,000.00

$10,000,001.00 or more	$1.10 per $1,000.00 or a maximum fee of $60,000.00.

Sec. 302a. In addition to the funds appropriated in part 1, the funds credited to the cigarette fire safety standard and firefighter protection act fund created in section 13 of the fire safety standard and firefighter protection act, 2009 PA 56, MCL 29.503, shall be appropriated to be expended for the purposes provided for in the fire safety standard and firefighter protection act, 2009 PA 56, MCL 29.491 to 29.513. These funds are appropriated for expenditure when they are received.

Sec. 303. The funds collected by the department for licenses, permits, and other elevator regulation fees set forth in the Michigan administrative code and as determined under section 8 of 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL 408.816, that are unexpended at the end of the fiscal year shall carry forward to the subsequent fiscal year.

Sec. 304. The department may make available to interested entities customized listings of nonconfidential information in its possession, such as names and addresses of licensees. The department may establish and collect a reasonable charge to provide this service. The revenue received from this service shall be used to offset expenses to provide the service. Any balance of this revenue collected and unexpended at the end of the fiscal year shall revert to the appropriate restricted fund.

Sec. 320. If the revenue collected by the department from licensing and regulation fees collected by the bureau of commercial services exceeds the amount expended from appropriations in part 1,

1 the revenue may be carried forward into the subsequent fiscal year.
2 The revenue carried forward under this section shall be used as the
3 first source of funds in the subsequent fiscal year.
4 Sec. 330. Funds earned or authorized by the DOL in excess of
5 the gross appropriation in part 1 for the unemployment insurance
6 agency from the DOL are appropriated and may be expended for
7 staffing and related expenses incurred in the operation of its
8 programs. These funds may be spent after the department notifies
9 the state budget director and the subcommittees of the purpose and
10 amount of each grant award.
11 Sec. 332. The unemployment insurance agency shall provide the
12 subcommittees, fiscal agencies, and state budget office with
13 quarterly status reports on the development of the agency's
14 integrated system project. The quarterly status reports shall
15 include, but not be limited to, a summary of the expenditures for
16 the project, project budget information, a summary of the tasks
17 completed and milestones reached to date, the percentage of the
18 total project completed to date, and a summary of the tasks
19 anticipated to be completed in the subsequent quarter.
20 Sec. 333. The department shall report quarterly to the members
21 of the house and senate committees on appropriations, the fiscal
22 agencies, and the state budget director on the percentage of
23 unemployment claimants that meet the certification requirements for
24 receiving benefits by using the Internet MARVIN system. The
25 department shall implement improvements to the Internet MARVIN
26 system that promote greater ease of access and security with a goal
27 of reaching 50% of users certifying by using the Internet MARVIN

system.

Sec. 340. MIOSHA shall provide an annual report by February 1 of each year to the state budget director, the fiscal agencies, and the subcommittees on the number of individuals killed and the number of individuals injured on the job within industries regulated by the bureau during the most recent year for which data are available.

Sec. 341. The department shall not promulgate or adopt a rule more stringent than the applicable federal standard unless specifically authorized by statute.

Sec. 342. From the funds appropriated in part 1 for Michigan occupational safety and health consultation education and training (CET) grants, not less than $80,000.00 shall be allocated to nonprofit organizations representing the mining industry in Michigan.

Sec. 361. (1) The public service commission shall report by November 1 to the subcommittees, the state budget office, and the fiscal agencies on the distribution of funds appropriated in part 1 for the low-income/energy efficiency assistance program.

(2) The funds collected from public utilities for low-income energy efficiency fund grants as provided under orders issued by the public service commission pursuant to 1939 PA 3, MCL 460.1 to 460.11, that are unexpended at the end of the fiscal year may carry forward to the subsequent fiscal year.

Sec. 368. No later than March 1, the department shall submit a report to the state budget office, the fiscal agencies, and the subcommittees, providing expenditure and revenue data and

statistical data on licensing and regulatory activities of the bureau of commercial services and the bureau of construction codes during the previous fiscal year. To the extent possible, the data required shall be reported for each individual occupation, trade, or industry regulated.

Sec. 380. Funds remaining in the homeowner construction lien recovery fund are appropriated to the department for payment of court-ordered homeowner construction lien recovery fund judgments entered prior to August 23, 2010. Pursuant to available funds, the payment of final judgments shall be made in the order in which the final judgments were entered and began accruing interest.

Sec. 390. The Michigan tax tribunal and the Michigan administrative hearing system shall submit a report on the number of cases heard and the number of cases decided by MAHS hearings officers, contractual hearings officers, and tribunal members during the fiscal year. The report shall also include information on case filings and dispositions, the number of active and pending cases before the small claims division and the entire tribunal, and the agencies' plan to eliminate the backlog of cases. The report shall be submitted to the subcommittees, fiscal agencies, and state budget office not later than November 1, 2012.

OFFICE OF FINANCIAL AND INSURANCE REGULATION

Sec. 401. In addition to the funds appropriated in part 1, the funds collected by the office of financial and insurance regulation in connection with a conservatorship pursuant to section 32 of the mortgage brokers, lenders, and servicers licensing act, 1987 PA

173, MCL 445.1682, and funds collected by the department from corporations being liquidated pursuant to the insurance code of 1956, 1956 PA 218, MCL 500.100 to 500.8302, shall be appropriated for all expenses necessary to provide for the required services. Funds are available for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.

MICHIGAN REHABILITATION SERVICES AND MICHIGAN COMMISSION FOR THE BLIND

Sec. 603. The local match requirements for vocational rehabilitation facilities establishment grants shall not exceed 21.3% for the fiscal year ending September 30.

Sec. 604. All funds appropriated in part 1 for independent living shall be used for the support of centers for independent living in compliance with federal rules and regulations for such centers, by existing centers in serving underserved areas, and for projects to build capacity of centers to deliver independent living services. Applications for such funds shall be reviewed in accordance with criteria and procedures established by the department. Funds must be used in a manner consistent with the state plan for independent living.

Sec. 610. (1) The appropriation in part 1 for the Michigan commission for the blind includes funds for case services. These funds may be used for tuition payments for blind clients.

(2) Revenue collected by the Michigan commission for the blind and from private and local sources that is unexpended at the end of

the fiscal year may carry forward to the subsequent fiscal year.

Sec. 611. The Michigan commission for the blind and the Michigan rehabilitation services shall work collaboratively with service organizations and government entities to identify qualified match dollars to maximize use of available federal vocational rehabilitation funds.

Sec. 613. (1) The funds appropriated in part 1 for a regional or subregional library shall not be released until a budget for that regional or subregional library has been approved by the department for expenditures for library services directly serving the blind and persons with disabilities.

(2) In order to receive subregional state aid as appropriated in part 1, a regional or subregional library's fiscal agency shall agree to maintain local funding support at the same level in the current fiscal year as in the fiscal agency's preceding fiscal year. If a reduction in expenditures equally affects all agencies in a local unit of government that is the regional or subregional library's fiscal agency, that reduction shall not be interpreted as a reduction in local support and shall not disqualify a regional or subregional library from receiving state aid under part 1. If a reduction in income affects a library cooperative or district library that is a regional or subregional library's fiscal agency or a reduction in expenditures for the regional or subregional library's fiscal agency, a reduction in expenditures for the regional or subregional library shall not be interpreted as a reduction in local support and shall not disqualify a regional or subregional library from receiving state aid under part 1.

Sec. 615. The department may provide and enter into agreements to provide general services, training, meetings, information, special equipment, software, facility use, and technical consulting services to other principal executive departments, state agencies, local units of government, the judicial branch of government, other organizations, and patrons of department facilities. The department may charge fees for these services that are reasonably related to the cost of providing the services. In addition to the funds appropriated in part 1, funds collected by the department for these services are appropriated for all expenses necessary. The funds appropriated under this section are allotted for expenditure when they are received by the department of treasury.

HEALTH REGULATION

Sec. 708. Nursing facilities shall report in the quarterly staff report to the department, the total patient care hours provided each month, by state licensure and certification classification, and the percentage of pool staff, by state licensure and certification classification, used each month during the preceding quarter. The department shall make available to the public, the quarterly staff report compiled for all facilities including the total patient care hours and the percentage of pool staff used, by classification.

Sec. 714. The department shall report by April 1 to the subcommittees, fiscal agencies, and state budget director on the timeliness of nursing facility complaint investigations and the number of allegations that are substantiated on an annual basis.

1 The report shall consist of the number of allegations filed by
2 consumers and the number of facility-reported incidents. The
3 department shall make every effort to contact every complainant and
4 the subject of a complaint during an investigation.
5 Sec. 716. The department shall give priority in investigations
6 of alleged wrongdoing by licensed health care professionals to
7 instances that are alleged to have occurred within 2 years of the
8 initial complaint.
9 Sec. 718. The department shall gather information on its most
10 frequently cited complaint deficiencies for the prior 3 fiscal
11 years. The department shall determine whether there is an increase
12 in the number of citations from 1 year to the next and assess the
13 cause of the increase, if any, and whether education and training
14 of nursing facility staff or department staff is needed. The
15 department shall provide the results of the study to the
16 subcommittees, fiscal agencies, and state budget director by May 1.
17 Sec. 726. (1) The department shall submit a report by April 1
18 to the subcommittees, fiscal agencies, and state budget director
19 that includes all data on the amount collected from medical
20 marihuana program application and renewal fees along with the cost
21 of administering the medical marihuana program under the Michigan
22 medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430.
23 (2) If the required fees are shown to be insufficient to
24 offset all expenses of implementing and administering the medical
25 marihuana program, the department shall review and revise the
26 application and renewal fees accordingly to ensure that all
27 expenses of implementing and administering the medical marihuana

1 program are offset as is permitted under section 5 of the Michigan
2 medical marihuana act, 2008 IL 1, MCL 333.26425.
3 (3) The department shall submit a report by January 1 to the
4 standing committees on appropriations of the senate and house of
5 representatives, the fiscal agencies, and the state budget director
6 that includes all of the following information for the prior fiscal
7 year regarding the medical marihuana program under the Michigan
8 medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430:
9 (a) The number of initial applications received.
10 (b) The number of initial applications approved and the number
11 of initial applications denied.
12 (c) The average amount of time, from receipt to approval or
13 denial, to process an initial application.
14 (d) The number of renewal applications received.
15 (e) The number of renewal applications approved and the number
16 of renewal applications denied.
17 (f) The average amount of time, from receipt to approval or
18 denial, to process a renewal application.
19 (g) The percentage of initial applications not approved or
20 denied within the time requirements established in section 6 of the
21 Michigan medical marihuana act, 2008 IL 1, MCL 333.26426.
22 (h) The percentage of renewal applications not approved or
23 denied within the time requirements established in section 6 of the
24 Michigan medical marihuana act, 2008 IL 1, MCL 333.26426.
25 (i) The percentage of registry cards for approved initial
26 applications not issued within the time requirements established in
27 section 6 of the Michigan medical marihuana act, 2008 IL 1, MCL

333.26426.

(j) The percentage of registry cards for approved renewal applications not issued within the time requirements established in section 6 of the Michigan medical marihuana act, 2008 IL 1, MCL 333.26426.

Sec. 727. By October 1, 2011, the department shall establish and implement a bid process to identify a private or public contractor to provide management of the medical marihuana program. By January 1, the department shall transfer responsibility for management of the medical marihuana program to the contractor identified by the bid process.

Sec. 729. (1) A hospital or freestanding surgical outpatient facility may report whether a registered nurse, qualified by training and experience in operating room nursing, is present as a circulating nurse in each separate operating room where surgery is being performed for the duration of the operative procedure. This section does not preclude a circulating nurse from leaving the operating room as part of the procedure, leaving the operating room as part of the operative procedure, leaving the operating room for short periods, or, in accordance with employer rules or regulations, being relieved during an operative procedure by another circulating nurse assigned to continue the operative procedure.

(2) The department shall report any data collected pursuant to subsection (1) on the use of a circulating nurse in the operating room of hospitals and freestanding surgical outpatient facilities to the legislature on an annual basis. The circulating nurse shall

assist administration in assuring regulatory compliance data are collected, including the verification of the circulating nurse.

Sec. 731. (1) The bureau of health systems shall prepare a report detailing the number of facilities, locations, and beds for each type of health facility licensed, certified, inspected, or otherwise regulated by the bureau. The report shall also include the bureau's cost to license, certify, inspect, or otherwise regulate each type of facility. The data required by this subsection shall be collected and reported on acute care hospitals, home health agencies, hospices, hospice residences, psychiatric units in general hospitals, psychiatric hospitals, partial hospitalization psychiatric programs, outpatient surgical facilities, laboratories, end stage renal disease facilities, rural health clinics, substance abuse programs, long-term care facilities including nursing homes, hospital long-term care units, county medical care facilities, and radiation machines.

(2) By February 1, the bureau of health systems shall work with interested stakeholders to recommend to the governor and the legislature a schedule of fees to be charged by the bureau for regulating health facilities. The fee schedule proposed by the bureau shall bear a direct relationship to the cost of the service or act, including overhead expenses. The report shall also recommend the necessary statutory and administrative rule changes necessary to implement the recommended fee schedule.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2013 for the line items listed in part 1. The fiscal year 2012-2013 appropriations are anticipated to be the same as those for fiscal year 2011-2012, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2012 consensus revenue estimating conference.

ARTICLE XIII

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

PART 1

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

Sec. 101. Subject to the conditions set forth in this article, the amounts listed in this part for the department of military and veterans affairs are appropriated for the fiscal year ending September 30, 2012 from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

APPROPRIATION SUMMARY

Full-time equated unclassified positions..... 7.0

Full-time equated classified positions..... 819.0

1 GROSS APPROPRIATION ..... $ 152,483,500
2 Total interdepartmental grants and intradepartmental
3 transfers 1,152,800
4 Schedule of interdepartmental grant revenue sources:
5 IDG, challenge grant 152,800
6 IDG, community health 100,000
7 IDG, state police 900,000
8 ADJUSTED GROSS APPROPRIATION ..... $ 151,330,700
9 Total federal revenues 87,678,000
10 Schedule of federal revenue sources:
11 DOD-DOA-NGB 59,527,800
12 DVA-VHA 24,657,500
13 HHS-Medicare 3,262,000
14 HHS-Medicaid 180,700
15 Federal counter narcotics revenues 50,000
16 Total local revenues 744,800
17 Schedule of local revenue sources:
18 Local - school aid revenue 744,800
19 Total private revenues 1,423,300
20 Schedule of private revenue sources:
21 Private donations 883,300
22 Private-veterans' home post and posthumous
23 funds 540,000
24 Total other state restricted revenues 28,439,700
25 Schedule of restricted revenue sources:
26 Rental fees 346,400
27 Mackinac bridge authority 70,000

1 Test project fees 100,000
2 Income and assessments 21,857,800
3 Lease revenue 12,200
4 Michigan veterans trust fund 5,053,300
5 Michigan family relief fund 1,000,000
6 State general fund/general purpose ..... $ 33,044,900
7 **Sec. 102. MILITARY**
8 Full-time equated unclassified positions..... 7.0
9 Full-time equated classified positions..... 285.0
10 Military..... $ 54,119,800
11 GROSS APPROPRIATION..... $ 54,119,800
12 Appropriated from:
13 Interdepartmental grant revenues..... 1,000,000
14 Federal revenues..... 38,523,900
15 State restricted revenues..... 884,500
16 State general fund/general purpose ..... $ 13,711,400
17 Schedule of programs:
18 Headquarters and armories 11,363,300
19 Unclassified military personnel..... 665,000
20 Military appeals tribunal 900
21 State active duty 100,100
22 Homeland security 1,000,000
23 Military training sites and support
24 facilities 28,212,100
25 Military training site and support facilities test
26 projects 100,000
27 Departmentwide accounts 1,861,300

1 Special maintenance - state 651,200
2 Special maintenance - federal..... 5,300,000
3 Military retirement 3,784,100
4 Counter narcotic operations 50,000
5 Information technology services and
6 projects 1,031,800
7 **Sec. 103. VETERANS AND COMMUNITY OUTREACH**
8 Full-time equated classified positions..... 33.0
9 Veterans and community outreach..... $ 15,402,100
10 GROSS APPROPRIATION..... $ 15,402,100
11 Appropriated from:
12 Interdepartmental grant revenues..... 152,800
13 Federal revenues..... 4,728,000
14 Local revenues..... 744,800
15 Private revenues..... 883,300
16 State restricted revenues..... 5,653,300
17 State general fund/general purpose..... $ 3,239,900
18 Schedule of programs:
19 Veterans advice, advocacy and assistance
20 grants 3,029,600
21 Veterans' affairs directorate administration. 205,300
22 Veterans' trust fund administration..... 1,306,800
23 Veterans' trust fund grants 3,746,500
24 Michigan emergency volunteers..... 5,000
25 Challenge program 4,186,900
26 Military family relief fund 600,000
27 Starbase grant 2,322,000

1 **Sec. 104. HOMES**

2 Full-time equated classified positions..... 501.0

3 Homes..... $ 66,261,600

4 GROSS APPROPRIATION..... $ 66,261,600

5 Appropriated from:

6 Federal revenues..... 27,726,100

7 Private revenues..... 540,000

8 State restricted revenues..... 21,901,900

9 State general fund/general purpose..... $ 16,093,600

10 Schedule of programs:

11 Grand Rapids veterans' home 48,251,000

12 Board of managers 665,000

13 D.J. Jacobetti veterans' home..... 17,070,600

14 Board of managers 275,000

15 **Sec. 105. CAPITAL OUTLAY**

16 Capital outlay..... $ 16,700,000

17 GROSS APPROPRIATION..... $ 16,700,000

18 Appropriated from:

19 Federal revenues..... 16,700,000

20 State general fund/general purpose..... $ 0

21 Schedule of programs:

22 Special maintenance, remodeling and

23 additions 15,000,000

24 Camp Grayling - light demolition range..... 1,700,000

25 PART 2

26 PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2011-2012 is $61,484,600.00 and state spending from state resources to be paid to local units of government for fiscal year 2011-2012 is $120,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

Military	$	70,000
Schedule of programs:		
Payments in lieu of taxes		70,000
Veterans and community outreach		50,000
Schedule of programs:		
County counselor education and training expenses		50,000
TOTAL	$	120,000

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

Sec. 203. As used in this article:

(a) "Department" means the department of military and veterans affairs.

(b) "DOD" means the United States department of defense.

(c) "DOD-DOA-NGB" means the DOD department of the army, national guard bureau.

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

(e) "DVA" means the United States department of veterans affairs.

(f) "DVA-VHA" means the DVA veterans health administration.

(g) "IDG" means interdepartmental grant.

(h) "Work project" means, except as used in section 211, a group of activities featuring a fixed duration, budget, and scope that is expected to cause a measurable change in the delivery, efficiency, or effectiveness of 1 or more operations.

(i) "Large veterans service organization" means a VSO that can certify that its membership exceeds 30,000 individuals.

(j) "Medium veterans service organization" means a VSO that can certify that its membership is between 2,500 and 30,000 individuals.

(k) "Small veterans service organization" means a VSO that can certify that its membership is between 1,000 and 2,499 individuals.

(*l*) "VSO" means veterans service organization.

Sec. 204. The following shall constitute the appropriations from part 1 for interdepartmental grant funds received by the department from sources outside the department: $152,800.00 from challenge grant; $100,000.00 from the department of community health; and $900,000.00 from the department of state police.

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $10,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item

in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

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

Sec. 207. (1) The department shall maintain a searchable website accessible by the public at no cost that includes, but it not limited to, all of the following:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and

payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

(2) The department may develop and operate its own website to provide this information or may reference the state's central transparency website as the source for this information.

Sec. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this article. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

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

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

director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 211. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

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

Sec. 213. (1) Due to the current budgetary problems in this state, out-of-state travel for this fiscal year ending September 30, 2012 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal

funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the senate and house standing committees on appropriations.

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

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

Sec. 216. (1) Notwithstanding any other provision of this article, the schedule of programs in part 1 lists programs which may, but are not required to be, funded under this article.

(2) Notwithstanding any other provisions of this article, the schedule of revenue sources in part 1 may or may not be received

from the funding entities listed.

(3) Any funding required by statute is not subject to funding flexibility and shall be funded in accordance with that statute.

Sec. 217. The department shall improve its budgetary efficiency pertaining to the delivery of core services delineated in section 211 by doing all of the following:

(a) Prioritizing personnel over buildings in budgetary efficiency considerations.

(b) Pursuing the physical or virtual consolidation of support service functions such as information technology, human resources, and accounting as a means of improving standardization and efficiency.

(c) Seeking expenditure reductions whenever possible through the streamlining of existing service delivery activities

(d) Identifying efficiencies that can be gained via the reduction or elimination of programs, policies, and practices which have outlived their usefulness.

Sec. 218. (1) Any unused general fund/general purpose funds for this fiscal year created through efficiencies and identified by the department as potential lapsed funds shall be designated as the department incentive pool balance, provided that all the requirements of this part have been met.

(2) Any funds associated with any supplemental general fund/general purpose fund requests for this fiscal year shall be debited against this fiscal year's department incentive pool balance if it does not meet 1 or more of the following criteria:

(a) The supplemental funds pertain to the addition of a new

core service.

(b) The supplemental funds pertain to the expansion of existing service capacity beyond current fiscal year expectations.

(3) At the end of this fiscal year, if the incentive pool balance is positive, the department incentive pool balance shall be allocated as follows:

(a) Ten percent of the unused funds shall be allocated as work project funds to be used in a manner that provides direct benefit to department employees or their families within 12 months of the end of this fiscal year.

(b) Forty percent of the unused funds shall be allocated as work project funds to be used at the discretion of the department for projects designed to improve service delivery.

(c) Fifty percent of the unused funds shall be lapsed to the general fund/general purpose fund.

Sec. 219. (1) The department shall be available to meet on a quarterly basis before the appropriate senate and house appropriations subcommittee.

(2) The department shall provide all information necessary to validate that the requirements of this part have been achieved.

(3) The department shall provide a corrective action plan within 30 days of a quarterly report under this section for any requirements of this part that have not been achieved. The department shall provide a monthly status of corrective action plans.

(4) The department shall provide a summary of fund shifts, that have been approved by the state budget office, that have

occurred between core services on a quarterly basis to the senate and house appropriations subcommittees.

(5) The department shall provide the following data to the senate and house appropriations subcommittees:

(a) A list of all major work projects, including a status report of each project.

(b) The department's financial status, featuring a report of budgeted versus actual expenditures by part 1 line item including a year-end projection of budget requirements. If projected department budget requirements exceed the allocated budget, the report shall include a plan to reduce overall expenses while still satisfying specified service level requirements.

(c) Evidence of efficiencies and management of funds within established appropriations, documented through the DTMB monthly expenditure report as described in section 301(3) of this part.

(d) A list of projected armory closings from section 302(6) of this part.

(e) A list of property sales as described in section 223 of this part.

(6) The department shall provide a corrective action plan for any service metrics that do not meet requirements. The department shall provide a status of correction action plans at the next quarterly review.

(7) The Grand Rapids and D.J. Jacobetti veterans' homes shall provide to the appropriate house and senate appropriations subcommittees the results of the veterans' homes annual veterans' affairs inspection and their corrective action plans.

Sec. 220. The department shall provide the following data to the appropriate senate and house appropriations subcommittees on an annual basis:

(a) Using information received from the grant recipients in section 401 of this part, a progress report on metric requirements, copies of certified financial audits and tax reports of grant recipients, a listing from grant recipients of expenditures by spending category, including a listing of individual salaries of each officer and administrative staff, a listing of volunteer hours including the hours, series, and donations provided to residents of the Grand Rapids veterans' home and the D.J. Jacobetti veterans' home. The department shall provide within the report a specific notification whether any veterans grant recipients failed to comply with established reporting requirements.

(b) The Grand Rapids veterans' home and the D.J. Jacobetti veterans' home shall produce a report including an accounting of member populations and bed space available, a description and accounting of services and activities provided to members, financial information, and current state nursing home licensure status.

(c) A detailed report of the Michigan veteran's trust fund that includes information on grants provided from the emergency grant program, including details concerning the methodology of allocations, the selection of emergency grant program authorized agents, and a detailed breakdown of trust fund expenditures for that year. The report shall also provide an update on the department's efforts to reduce program administrative costs and

maintain the Michigan veterans' trust fund corpus to its original amount of at least $50,000,000.00.

Sec. 221. Grant recipients in section 401 of this part shall submit a report to the department on the number of claims filed for veterans in this state with the United States department of veterans affairs and the number of actual claims awarded.

Sec. 222. The appropriations in part 1 are for the core services, support services, and work projects of the department, including, but not limited to, the following core services: armories and joint forces readiness, maintenance and operation of army national guard training facilities, operation and maintenance of air national guard air bases, veterans affairs directorate and administration of the veterans trust fund, administration and oversight of veterans advice, advocacy, and assistance grants, training support for county veterans counselors, administration of the military family relief fund, the Michigan youth challenge academy program, and the administration of the Grand Rapids veterans' home and the D.J. Jacobetti veterans' home.

Sec. 223. Sixty days prior to the public announcement of the intention to sell any department property, the department shall submit notification of that intent to the appropriate senate and house appropriations subcommittees and the senate and house fiscal agencies.

Sec. 224. The department shall consult with the house and senate appropriations subcommittees on state police and military and veterans affairs regarding the projected closing or consolidation of any national guard armories.

Sec. 225. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 226. The department shall seek partnerships with United States armed forces reserve units for the colocation of activities, including sharing in the acquisition and costs for facilities.

Sec. 227. Bids for contract services shall not exclude public employee unions from the bid process.

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

Sec. 229. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on state police and military and veterans affairs, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues,

and state restricted fund expenditures for the fiscal years ending September 30, 2011 and September 30, 2012.

MILITARY

Sec. 301. (1) The department shall provide administrative support for department operations.

(2) The department shall maintain the staffing and resources necessary to ensure proper accountability of state funds.

(3) The department shall maintain the staffing and resources necessary to adhere to the state of Michigan financial management guide for accounting, contracting, purchasing, budgeting, and financial reporting and the administrative guide to state government.

(4) The department shall ensure fiscal controls relating to procurement of goods and services and other expenditures.

Sec. 302. (1) The department shall operate and maintain national guard armories.

(2) The department shall provide resources necessary to ensure that armories are maintained in accordance with army regulation 210-4.

(3) The department shall evaluate armories for consolidation, energy, and utility efficiency and identify work projects that would improve this efficiency.

(4) The department shall provide armory equipment maintenance by maintaining equipment and tracking and monitoring trends in repair maintenance to determine whether a piece of equipment is to be retired or kept.

(5) The department shall provide security for national guard armories by ensuring that a passive electronic security system is in place at all armories.

(6) The department shall consult with the house and senate appropriations subcommittees on state police and military and veterans affairs regarding the projected closing or consolidation of any national guard armories.

(7) Using individual facility assessments, the department shall improve the adequacy of utilities and infrastructure of the armories. The department shall improve quality rating at the armory facilities based on the number of faults corrected and dollars available (spent) during the fiscal year.

Sec. 303. (1) The department shall provide army national guard forces, when directed, for state and local emergencies and in support of national military requirements.

(2) The department shall provide resources necessary to train and equip military forces to standards set by the United States armed forces.

Sec. 304. (1) The department shall operate and maintain army national guard training facilities, including Fort Custer and Camp Grayling.

(2) The department shall provide resources necessary to meet building maintenance requirements per performance specifications established in master cooperative agreement appendix 1, section 104, national guard bureau regulations.

(3) Army national guard training facilities security management shall secure all locations, monitor alarm equipment, and

adhere to state laws, statutes, and army regulation 190-56 and master cooperative agreement appendix 3, section 308, national guard bureau regulations.

(4) Using individual facility assessments, the department shall improve the adequacy of utilities and infrastructure of the air bases. The department shall improve quality rating at the air base facilities based on the number of faults corrected and dollars available (spent) during the fiscal year.

Sec. 305. (1) The department shall provide air national guard forces when directed, for state and local emergencies and in support of national military requirements.

(2) The department shall provide resources necessary to train and equip military forces to standards set by the United States armed forces.

(3) Using individual facility assessments, the department shall improve the adequacy of utilities and infrastructure of the military training sites and support facilities. The department shall improve quality rating at the facilities based on the number of faults corrected and dollars available (spent) during the fiscal year.

Sec. 306. (1) The department shall operate and maintain air national guard air bases, including Selfridge air national guard base, Battle Creek air national guard base, and Alpena combat readiness training center.

(2) The department shall provide resources necessary to meet facility maintenance at air national guard bases, including maintenance and preventive maintenance of authorized building and

systems at no less than the minimum standards required by applicable federal, state, and local agencies.

(3) The department shall maintain the staffing and resources necessary to provide security services at air national guard bases, including the security of the location and the monitoring of alarm equipment, in accordance with air force instruction 31-101 and master cooperative agreement appendix 23, section 2308, national guard bureau regulations.

VETERANS AND COMMUNITY OUTREACH

Sec. 401. (1) The department shall provide advice, advocacy, and assistance services to Michigan veterans.

(2) The department shall maintain the staffing and resources necessary to develop and operate a program that will provide benefits counseling and representation to veterans of this state for the purpose of assisting veterans to obtain United States department of veteran affairs health, financial, and memorial benefits for which they are eligible.

(3) The department shall create a 5-member advisory board consisting of presidents/commanders from 2 large veterans service organizations, 2 medium veterans service organizations, and 1 small veterans service organization. The board shall meet no less than twice a year, without reimbursement by the department, and have the following duties:

(a) Assist the department in establishing criteria for grant awards. The department, while utilizing advice provided by the board in establishing grant criteria, is solely responsible for

1 determination of the amounts and recipients of the grants.
2 (b) Serve as a liaison between the grant recipients, the
3 department, and the legislature.
4 (c) Assist the department in developing plans, reviewing
5 service delivery, and identifying goals to better assist veterans
6 in applying for and receiving benefits from the federal, state, and
7 local governments.
8 (d) Provide a forum regarding veterans' issues, including
9 suggesting changes in department programs that address veterans'
10 changing needs.
11 (4) Of the appropriation in part 1 for veterans advice,
12 advocacy, and assistance, grants shall be distributed by the
13 department in the form of 5 grants for the period beginning October
14 1, 2011, including 1 specialized grant. The specialized grant shall
15 be awarded to a group specializing in advocacy for paralyzed
16 veterans.
17 (5) Money used for grants shall be used only for salaries,
18 wages, related personnel costs, in-state training, and equipment
19 for accredited veteran service advocacy officers and necessary
20 support and managerial staff.
21 (6) The department shall take steps to improve the
22 coordination of veterans' benefits counseling in the state to
23 maximize the effective and efficient use of taxpayer dollars in
24 this goal and to ensure that every veteran is served.
25 (7) The department shall increase its responsibility in the
26 administration, management, oversight, and outreach of the delivery
27 of services to veterans by working with grant recipients, the

1 veterans advisory board, county veterans counselors, and
2 representatives from the Michigan veterans trust fund to identify,
3 implement, and evaluate steps to do all the following:
4 (a) Maximize the coordination between all organizations that
5 assist veterans and identify areas of redundancy in services to
6 consolidate.
7 (b) Increase the percentage of veterans in this state who
8 become aware of their eligibility for service-connected disability
9 or pension benefits from the United States department of veterans
10 affairs.
11 (c) Improve national standing with regard to veterans affairs
12 benefits granted per veteran.
13 (d) Expand training opportunities for veteran service
14 organization service officers.
15 (e) Increase the percentage of veterans in this state who
16 become aware of their eligibility for enrollment in the veterans
17 affairs health care system.
18 (f) Publicize the availability, benefit, and value of burial
19 in the Fort Custer and Great Lakes national cemeteries.
20 Sec. 402. (1) The Michigan veterans' trust fund board together
21 with the department shall provide emergency grants for disbursement
22 from the Michigan veterans' trust fund.
23 (2) The Michigan veterans' trust fund board together with the
24 department shall maintain the staffing and resources necessary to
25 provide outreach to veterans who may need and qualify for veterans
26 trust fund emergency grants.
27 (3) The Michigan veterans' trust fund board shall work to

increase the percentage of grant applications that are approved and received by eligible families by 5% over those approved and received by eligible families in fiscal year 2009-2010.

Sec. 403. (1) The department shall provide grants for disbursement from the military family relief fund.

(2) The department shall maintain the staffing and resources necessary to provide outreach to the Michigan families of active members of the armed forces.

(3) The department shall work to increase the percentage of military family relief grant applications that are approved and received by eligible families by 5% over those approved and received by eligible families in fiscal year 2009-2010.

Sec. 404. (1) The department shall provide training support for county veterans counselors.

(2) The department shall provide resources necessary to provide county veterans counselors with training to ensure quality services to veterans.

(3) The department shall work with counties towards the goal of having at least 1 county veterans counselor in every county in this state.

(4) The Michigan veterans' affairs directorate administration and the Michigan veterans' trust fund administration shall take steps to assist the county veterans counselors of this state to obtain training necessary for the execution of their duties.

Sec. 405. (1) The department shall maintain the Michigan youth challenge academy to provide values, skills, education, and self-discipline instruction for at-risk youth.

(2) The department shall maintain the staffing and resources necessary to recruit and train a starting class size of 144 cadets.

(3) The department shall provide food services for cadets enrolled in the Michigan youth challenge academy which shall include 3 balanced meals a day in accordance with current dietary guidelines for Americans and the daily food guide of the United States department of agriculture.

(4) The department shall ensure that at least 65% of the cadets who enroll in the Michigan youth challenge academy meet the requirement for graduation from the academy.

(5) The department shall ensure that at least 65% of the cadets who enroll in Michigan youth challenge academy take the general educational development exam and that at least 70% of those taking the exam earn a passing grade.

(6) The department shall ensure that less than 3% of cadets who enroll in the Michigan youth challenge academy enter the correctional system within 5 years of graduation from the academy.

(7) The department shall take steps to recruit candidates to the challenge program from economically disadvantaged areas, including those with low-income and high-unemployment backgrounds.

(8) The department shall partner with the department of human services to identify youth who may be eligible for the challenge program from those youth served by department of human series programs. These eligible youth shall be given priority for enrollment in the program.

(9) The funds appropriated in this article for private donations to the Michigan youth challenge program shall be

1 considered state restricted revenue, and unexpended funds remaining
2 at the close of the fiscal year shall not lapse to the general fund
3 but shall be carried forward to the subsequent fiscal year.

4 **HOMES**

5 Sec. 501. (1) The department shall provide compassionate,
6 quality interdisciplinary care at the state's Grand Rapids and D.J.
7 Jacobetti veterans' homes so that members can achieve their highest
8 potential of wellness, independence, self-worth, and dignity.
9 (2) The department shall provide resources necessary to
10 provide adequate nursing care services to veterans in accordance
11 with federal standards, including the following:
12 (a) A licensed maximum capacity of skilled nursing beds of 618
13 at the Grand Rapids veterans' home.
14 (b) A licensed maximum capacity of domiciliary beds of 140 at
15 the Grand Rapids veterans' home.
16 (c) A licensed maximum capacity of skilled nursing beds of 182
17 at the D.J. Jacobetti veterans' home.
18 (d) A licensed maximum capacity of domiciliary beds of 59 at
19 the D.J. Jacobetti veterans' home.
20 (3) The Grand Rapids and D.J. Jacobetti veterans' homes shall
21 ensure that their medical staffing is in accordance with United
22 States department of veterans administration standards.
23 (4) The Grand Rapids and D.J. Jacobetti veterans' homes shall
24 ensure that transportation is assured for each resident for every
25 medical appointment outside the veterans' home.
26 (5) The Grand Rapids and D.J. Jacobetti veterans' homes shall

ensure that each member resident receives daily laundry service.

(6) The Grand Rapids and D.J. Jacobetti veterans' homes shall ensure that maintenance and custodial services are provided for each home in accordance with applicable local, state, and federal standards.

(7) The Grand Rapids and D.J. Jacobetti veterans' homes shall ensure that each resident receives a medical and care assessment including a dietary plan upon admission to the home, with meals and snacks provided in accordance with the plan and the United States department of veterans administration rule 325.20803.

(8) The money appropriated in this article for the boards of managers may be expended for facility improvements, the purchase and repair of equipment and furnishings, member services, and other purposes that benefit the Grand Rapids and D.J. Jacobetti veterans' homes.

(9) Appropriations in this article for the Grand Rapids and D.J. Jacobetti veterans' homes shall not be used for any purpose other than for veterans and veterans' families.

(10) The department shall, prior to altering the spending plan by the board of managers of post and posthumous funds, report to the appropriate senate and house appropriations subcommittees 30 days prior to that action and shall indicate the rationale for that decision.

(11) Any contractor providing competency evaluated nursing assistants (CENA) to the Grand Rapids and D.J. Jacobetti veterans' homes shall ensure that each CENA has at least 8 hours of training on information provided by the veterans' home.

(12) Any contractor providing competency evaluated nursing assistants to the Grand Rapids and D.J. Jacobetti veterans' homes shall ensure that each CENA has at least 1 eight-hour shift of shadowing at the veterans' home.

(13) Any contractor providing competency evaluated nursing assistants to the Grand Rapids and D.J. Jacobetti veterans' homes shall ensure that each CENA is competent in the basic skills needed to perform his or her assigned duties at the veterans' home.

(14) Any contractor providing competency evaluated nursing assistants to the Grand Rapids and D.J. Jacobetti veteran's homes shall ensure that each CENA has at least 1 year of experience in long-term care.

(15) The Grand Rapids and D.J. Jacobetti veterans' homes shall provide each CENA at least 12 hours of in-service training once that individual has been assigned to the veterans' home.

(16) The Grand Rapids and D.J. Jacobetti veterans' homes shall ensure that care services are provided to each resident of the veterans' homes in accordance with standards set by the United States department of veterans' affairs.

CAPITAL OUTLAY

Sec. 601. (1) The director shall allocate lump-sum appropriations made in this article consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major

special maintenance, energy conservation, and demolition.

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

Sec. 602. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2013 for the line items listed in part 1. The fiscal year 2012-2013 appropriations are anticipated to be the same as those for fiscal year 2011-2012, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2012 consensus revenue estimating conference.

1 ARTICLE XIV
2 DEPARTMENT OF NATURAL RESOURCES
3 PART 1
4 LINE-ITEM APPROPRIATIONS
5 Sec. 101. Subject to the conditions set forth in this article,
6 the amounts listed in this part are appropriated for the department
7 of natural resources for the fiscal year ending September 30, 2012,
8 from the funds indicated in this part. The following is a summary
9 of the appropriations in this part:
10 **DEPARTMENT OF NATURAL RESOURCES**
11 APPROPRIATION SUMMARY
12 Full-time equated unclassified positions..... 6.0
13 Full-time equated classified positions..... 2,173.4
14 GROSS APPROPRIATION..... $ 330,195,800
15 Interdepartmental grant revenues:
16 Total interdepartmental grants and intradepartmental
17 transfers 1,935,000
18 ADJUSTED GROSS APPROPRIATION..... $ 328,260,800
19 Federal revenues:
20 Total federal revenues..... 69,319,800
21 Special revenue funds:
22 Total private revenues..... 2,842,400
23 Total other state restricted revenues..... 242,267,400
24 State general fund/general purpose..... $ 13,831,200
25 FUND SOURCE SUMMARY

1	Full-time equated unclassified positions..... 6.0	
2	Full-time equated classified positions..... 2,173.4	
3	GROSS APPROPRIATION.....	$ 330,195,800
4	Interdepartmental grant revenues:	
5	IDG, land acquisition services to work orders.....	415,800
6	IDG, MacMullan conference center revenue.....	1,519,200
7	Total interdepartmental grants and intradepartmental	
8	transfers	1,935,000
9	ADJUSTED GROSS APPROPRIATION.....	$ 328,260,800
10	Federal revenues:	
11	Federal funds.....	69,319,800
12	Total federal revenues.....	69,319,800
13	Special revenue funds:	
14	Private funds.....	2,842,400
15	Total private revenues.....	2,842,400
16	Aircraft fees.....	284,800
17	Cervidae licensing and inspection fees.....	124,100
18	Clean Michigan initiative fund.....	26,800
19	Commercial forest fund.....	59,400
20	Forest development fund.....	34,829,300
21	Forest land user charges.....	656,600
22	Forest recreation account.....	2,147,000
23	Game and fish protection fund.....	63,371,400
24	Game and fish protection fund - deer habitat reserve .	2,682,100
25	Game and fish protection fund - fisheries settlement .	937,600
26	Game and fish protection fund - turkey permit fees ...	1,530,800
27	Game and fish protection fund - waterfowl fees	117,100

Game and fish - wildlife resource protection fund....	1,147,600
Game and fish protection fund - youth hunting and fishing education and outreach fund.....	54,600
History fees fund.....	373,900
Land exchange facilitation fund.....	5,882,700
Local public recreation facilities fund.....	857,000
Mackinac Island state park fund.....	1,746,800
Mackinac Island state park operation fund.....	182,600
Marine safety fund.....	3,914,500
Michigan heritage publications fund.....	51,100
Michigan natural resources trust fund.....	979,000
Michigan state parks endowment fund.....	25,772,300
Michigan state waterways fund.....	23,617,700
Michigan trailways fund.....	30,900
Museum operations fund.....	549,000
Nongame wildlife fund.....	744,700
Off-road vehicle safety education fund.....	311,700
Off-road vehicle trail improvement fund.....	3,959,200
Park improvement fund.....	45,859,700
Permanent snowmobile trail easement fund.....	700,000
Public use and replacement deed fees.....	49,900
Recreation improvement account.....	1,510,300
Recreation passport fees.....	5,264,300
Snowmobile registration fee revenue.....	1,754,100
Snowmobile trail improvement fund.....	10,135,700
Sportsmen against hunger fund.....	51,100
Total other state restricted revenues.....	242,267,400

1 State general fund/general purpose	$	13,831,200
2 **Sec. 102. EXECUTIVE OPERATIONS**		
3 Full-time equated unclassified positions..... 6.0		
4 Full-time equated classified positions..... 10.0		
5 Natural resources commission	$	79,500
6 Unclassified salaries--6.0 FTE positions		315,500
7 Executive direction and citizen advisory		
8 councils--10.0 FTE positions		1,700,600
9 GROSS APPROPRIATION	$	2,095,600
10 Appropriated from:		
11 Special revenue funds:		
12 Forest development fund		307,000
13 Forest land user charges		5,800
14 Forest recreation account		9,800
15 Game and fish protection fund		772,700
16 Game and fish protection fund - deer habitat reserve		24,100
17 Game and fish protection fund - turkey permit fees		9,100
18 Game and fish protection fund - waterfowl fees		700
19 Game and fish protection fund - wildlife resource		
20 protection fund		9,100
21 Land exchange facilitation fund		16,200
22 Marine safety fund		17,700
23 Michigan natural resources trust fund		1,000
24 Michigan state parks endowment fund		147,100
25 Michigan state waterways fund		133,800
26 Nongame wildlife fund		3,200
27 Off-road vehicle trail improvement fund		35,300

1 Park improvement fund..... 328,600
2 Recreation improvement account..... 2,800
3 Snowmobile registration fee revenue..... 6,100
4 Snowmobile trail improvement fund..... 19,200
5 State general fund/general purpose..... $ 246,300
6 **Sec. 103. GREAT LAKES RESTORATION INITIATIVE**
7 Great Lakes restoration initiative..... $ 10,000,000
8 GROSS APPROPRIATION..... $ 10,000,000
9 Appropriated from:
10 Federal revenues:
11 Federal funds..... 10,000,000
12 State general fund/general purpose..... $ 0
13 **Sec. 104. DEPARTMENT SUPPORT SERVICES**
14 Full-time equated classified positions..... 126.2
15 Central support services--119.2 FTE positions..... $ 15,012,500
16 Accounting service center..... 1,348,500
17 Science and policy--7.0 FTE positions..... 703,700
18 Building occupancy charges..... 3,115,400
19 Rent - privately owned property..... 488,400
20 Gifts and bequests..... 500,000
21 GROSS APPROPRIATION..... $ 21,168,500
22 Appropriated from:
23 Interdepartmental grant revenues:
24 IDG, land acquisition services to work orders..... 415,800
25 Federal revenues:
26 Federal funds..... 214,900
27 Special revenue funds:

1 Private funds..... 500,000
2 Clean Michigan initiative fund..... 26,800
3 Forest development fund..... 2,784,300
4 Forest land user charges..... 22,700
5 Forest recreation account..... 47,100
6 Game and fish protection fund..... 4,531,500
7 Game and fish protection fund - deer habitat reserve . 291,800
8 Game and fish protection fund - turkey permit fees ... 126,700
9 Game and fish protection fund - waterfowl fees 2,100
10 Game and fish protection fund - wildlife resource
11 protection fund 36,700
12 Land exchange facilitation fund..... 5,704,200
13 Marine safety fund..... 365,400
14 Michigan natural resources trust fund..... 958,000
15 Michigan state parks endowment fund..... 539,800
16 Michigan state waterways fund..... 564,400
17 Nongame wildlife fund..... 19,600
18 Off-road vehicle trail improvement fund..... 25,100
19 Park improvement fund..... 1,331,200
20 Public use and replacement deed fees..... 49,900
21 Recreation improvement account..... 23,700
22 Snowmobile registration fee revenue..... 44,700
23 Snowmobile trail improvement fund..... 195,400
24 State general fund/general purpose..... $ 2,346,700
25 **Sec. 105. COMMUNICATION AND CUSTOMER SERVICES**
26 Full-time equated classified positions..... 129.3
27 Marketing, education and technology--78.3 FTE

1	positions	$ 13,368,200
2	Historical administration and services--36.0 FTE	
3	positions	3,958,200
4	Archives--8.0 FTE positions	800,100
5	Museum stores--6.0 FTE positions	549,000
6	Special programs (Mann house)--1.0 FTE positions	113,300
7	GROSS APPROPRIATION	$ 18,788,800
8	Appropriated from:	
9	Federal revenues:	
10	Federal funds	2,072,200
11	Special revenue funds:	
12	Private funds	650,100
13	Forest development fund	122,600
14	Forest recreation account	15,400
15	Game and fish protection fund	8,261,900
16	Game and fish protection fund - youth hunting and	
17	fishing education and outreach fund	49,800
18	History fees fund	373,900
19	Land exchange facilitation fund	42,600
20	Marine safety fund	32,800
21	Michigan heritage publications fund	51,100
22	Michigan state parks endowment fund	82,600
23	Michigan state waterways fund	136,100
24	Museum operations fund	549,000
25	Nongame wildlife fund	11,300
26	Off-road vehicle safety education fund	54,100
27	Off-road vehicle trail improvement fund	20,400

1	Park improvement fund.....	2,406,400
2	Recreation passport fees.....	21,900
3	Snowmobile registration fee revenue.....	65,100
4	Snowmobile trail improvement fund.....	42,100
5	Sportsmen against hunger fund.....	51,100
6	State general fund/general purpose..... $	3,676,300
7	**Sec. 106. WILDLIFE MANAGEMENT**	
8	Full-time equated classified positions..... 206.0	
9	Wildlife management--197.0 FTE positions..... $	28,619,900
10	Natural resources heritage--9.0 FTE positions.....	1,178,000
11	State game and wildlife area maintenance.....	750,000
12	GROSS APPROPRIATION..... $	30,547,900
13	Appropriated from:	
14	Federal revenues:	
15	Federal funds.....	14,971,100
16	Special revenue funds:	
17	Private funds.....	168,700
18	Cervidae licensing and inspection fees.....	76,000
19	Forest development fund.....	69,400
20	Game and fish protection fund.....	9,435,800
21	Game and fish protection fund - deer habitat reserve.	2,167,800
22	Game and fish protection fund - turkey permit fees...	1,323,900
23	Game and fish protection fund - waterfowl fees.....	106,200
24	Nongame wildlife fund.....	662,600
25	State general fund/general purpose..... $	1,566,400
26	**Sec. 107. FISHERIES MANAGEMENT**	
27	Full-time equated classified positions..... 232.0	

1	Aquatic resource mitigation--2.0 FTE positions	$ 937,600
2	Fish production--60.0 FTE positions	8,892,400
3	Fisheries resource management--170.0 FTE positions ...	19,882,700
4	Cormorant population mitigation program	100,000
5	GROSS APPROPRIATION	$ 29,812,700
6	Appropriated from:	
7	Federal revenues:	
8	Federal funds	11,459,600
9	Special revenue funds:	
10	Private funds	120,400
11	Game and fish protection fund	17,295,100
12	Game and fish protection fund - fisheries settlement .	937,600
13	State general fund/general purpose	$ 0
14	**Sec. 108. LAW ENFORCEMENT**	
15	Full-time equated classified positions..... 228.0	
16	General law enforcement--228.0 FTE positions	$ 29,118,700
17	GROSS APPROPRIATION	$ 29,118,700
18	Appropriated from:	
19	Federal revenues:	
20	Federal funds	5,338,900
21	Special revenue funds:	
22	Cervidae licensing and inspection fees	48,100
23	Forest recreation account	65,200
24	Game and fish protection fund	17,804,100
25	Game and fish protection fund - wildlife resource	
26	protection fund	1,050,200
27	Marine safety fund	1,433,600

1	Off-road vehicle safety education fund.....	87,400
2	Off-road vehicle trail improvement fund.....	1,065,100
3	Park improvement fund.....	65,200
4	Snowmobile registration fee revenue.....	908,700
5	State general fund/general purpose..... $	1,252,200
6	**Sec. 109. RECREATION DIVISION**	
7	Full-time equated classified positions..... 809.9	
8	MacMullan conference center--15.0 FTE positions..... $	1,519,200
9	Recreational boating--163.5 FTE positions.....	15,905,000
10	State parks--631.4 FTE positions.....	52,705,700
11	State parks improvement revenue bonds - debt service.	1,153,700
12	GROSS APPROPRIATION..... $	71,283,600
13	Appropriated from:	
14	Interdepartmental grant revenues:	
15	IDG, MacMullan conference center revenue.....	1,519,200
16	Federal revenues:	
17	Federal funds.....	125,900
18	Special revenue funds:	
19	Private funds.....	380,900
20	Michigan state parks endowment fund.....	12,486,000
21	Michigan state waterways fund.....	15,905,000
22	Off-road vehicle trail improvement fund.....	210,700
23	Park improvement fund.....	40,413,500
24	Recreation passport fees.....	242,400
25	State general fund/general purpose..... $	0
26	**Sec. 110. MACKINAC ISLAND STATE PARK COMMISSION**	
27	Full-time equated classified positions..... 37.0	

1	Historical facilities system--15.0 FTE positions	$ 1,746,800
2	Mackinac Island state park operations--22.0 FTE	
3	positions	182,600
4	GROSS APPROPRIATION.....	$ 1,929,400
5	Appropriated from:	
6	Special revenue funds:	
7	Mackinac Island state park fund.....	1,746,800
8	Mackinac Island state park operation fund.....	182,600
9	State general fund/general purpose.....	$ 0
10	**Sec. 111. FOREST MANAGEMENT DIVISION**	
11	Full-time equated classified positions..... 395.0	
12	Adopt-a-forest program.....	$ 25,000
13	Cooperative resource programs--12.0 FTE positions	1,134,700
14	Forest management and timber market	
15	development--177.0 FTE positions.....	23,520,500
16	Forest fire equipment.....	431,500
17	Wildfire protection--122.0 FTE positions	12,474,800
18	Forest management initiatives--10.0 FTE positions	844,800
19	Forest recreation--48.0 FTE positions	5,338,900
20	Minerals management--26.0 FTE positions	3,056,100
21	GROSS APPROPRIATION.....	$ 46,826,300
22	Appropriated from:	
23	Federal revenues:	
24	Federal funds.....	3,053,900
25	Special revenue funds:	
26	Private funds.....	922,300
27	Aircraft fees.....	284,800

1	Commercial forest fund	54,600
2	Forest development fund	29,037,100
3	Forest land user charges	577,700
4	Forest recreation account	1,855,900
5	Game and fish protection fund	1,829,700
6	Michigan state parks endowment fund	2,278,000
7	Michigan state waterways fund	470,200
8	Michigan trailways fund	30,900
9	Off-road vehicle safety education fund	6,600
10	Off-road vehicle trail improvement fund	638,100
11	Recreation improvement account	356,600
12	Snowmobile registration fee revenue	15,600
13	Snowmobile trail improvement fund	1,759,500
14	State general fund/general purpose	$ 3,654,800
15	**Sec. 112. GRANTS**	
16	Federal - clean vessel act grants	$ 400,000
17	Federal - forest stewardship grants	3,125,000
18	Federal - land and water conservation fund payments	2,566,900
19	Federal - rural community fire protection	300,000
20	Federal - urban forestry grants	3,024,000
21	Grants to communities - federal oil, gas, and timber	
22	payments	3,450,000
23	National recreational trails	3,900,000
24	Game and nongame wildlife fund grants	10,000
25	Grant to counties - marine safety	3,647,400
26	Off-road vehicle safety training grants	150,000
27	Off-road vehicle trail improvement grants	1,953,500

1	Recreation improvement fund grants	1,100,000
2	Recreation passport local grants	857,000
3	Snowmobile law enforcement grants	673,000
4	Snowmobile local grants program	8,004,000
5	Trail easements	700,000
6	Deer habitat improvement partnership initiative	50,000
7	GROSS APPROPRIATION	$ 33,910,800
8	Appropriated from:	
9	Federal revenues:	
10	Federal funds	18,333,300
11	Special revenue funds:	
12	Private funds	100,000
13	Game and fish protection fund - deer habitat reserve	50,000
14	Local public recreation facilities fund	857,000
15	Marine safety fund	1,980,000
16	Nongame wildlife fund	10,000
17	Off-road vehicle safety education fund	150,000
18	Off-road vehicle trail improvement fund	1,953,500
19	Permanent snowmobile trail easement fund	700,000
20	Recreation improvement account	1,100,000
21	Snowmobile registration fee revenue	673,000
22	Snowmobile trail improvement fund	8,004,000
23	State general fund/general purpose	$ 0
24	**Sec. 113. INFORMATION TECHNOLOGY**	
25	Information technology services and projects	$ 9,633,500
26	GROSS APPROPRIATION	$ 9,633,500
27	Appropriated from:	

1 Special revenue funds:

2 Commercial forest fund		4,800
3 Forest development fund		1,708,900
4 Forest land user charges		50,400
5 Forest recreation account		53,600
6 Game and fish protection fund		3,440,600
7 Game and fish protection fund - deer habitat reserve		148,400
8 Game and fish protection fund - turkey permit fees		71,100
9 Game and fish protection fund - waterfowl fees		8,100
10 Game and fish protection fund - wildlife resource 11 protection fund		51,600
12 Game and fish protection fund - youth hunting and 13 fishing education and outreach fund		4,800
14 Land exchange facilitation fund		119,700
15 Marine safety fund		85,000
16 Michigan natural resources trust fund		20,000
17 Michigan state parks endowment fund		738,800
18 Michigan state waterways fund		478,200
19 Nongame wildlife fund		38,000
20 Off-road vehicle safety education fund		13,600
21 Off-road vehicle trail improvement fund		11,000
22 Park improvement fund		1,314,800
23 Recreation improvement account		27,200
24 Snowmobile registration fee revenue		40,900
25 Snowmobile trail improvement fund		115,500
26 State general fund/general purpose	$	1,088,500

27 **Sec. 114. CAPITAL OUTLAY**

1 **(a) STATE PARK AND FOREST AREA IMPROVEMENTS**

2 State parks repair and maintenance	$	14,500,000
3 Forest roads, bridges, and facilities		900,000
4 GROSS APPROPRIATION	$	15,400,000
5 Appropriated from:		
6 Special revenue funds:		
7 Forest development fund		800,000
8 Forest recreation account		100,000
9 Michigan state parks endowment fund		9,500,000
10 Recreation passport fees		5,000,000
11 State general fund/general purpose	$	0

12 **(b) WATERWAYS BOATING PROGRAM**

13 Infrastructure improvements - local projects	$	480,000
14 Infrastructure improvements - state projects		1,950,000
15 Field initiatives - routine maintenance, paving, 16 small-scale projects at state facilities		600,000
17 Land acquisition - acquire land for future boating 18 access site development		400,000
19 Boating program, state boating access projects:		
20 South Higgins Lake, Roscommon County, new entrance, 21 launch ramp, maneuver area, parking and traffic 22 flow improvements (total authorized cost 23 $1,000,000; federal share $750,000, state share 24 $250,000)		1,000,000
25 Cass Lake, Oakland County, parking improvements, 26 maneuver area, launch ramp/road traffic flow 27 improvements (total authorized cost $2,000,000;		

1 federal share $1,500,000; state share $500,000).....		2,000,000
2 Boating program, harbors and docks, state facilities:		
3 East Tawas, Iosco County, harbor renovation, dock		
4 replacements, dredging, fueling station, new		
5 electrical/utilities, phase I (total authorized		
6 cost $1,000,000; state share $1,000,000).....		1,000,000
7 Fayette, Delta County, replace and expand existing		
8 dock, phase I (total authorized cost $400,000;		
9 federal share $300,000, state share $100,000).....		400,000
10 Boating program, harbors and docks, local facilities:		
11 Cedarville, Mackinac County, dredging, steel sheet		
12 piling, parking improvements, launch ramps, docks,		
13 updated electrical/utilities, service building		
14 (total authorized cost $2,040,000; state share		
15 $1,020,000; local share $1,020,000).....		1,020,000
16 Manistique, Schoolcraft County, marina improvements,		
17 new docks, new service building, phase I (total		
18 authorized cost $1,660,000; state share $830,000;		
19 local share $830,000)		830,000
20 GROSS APPROPRIATION.....	$	9,680,000
21 Appropriated from:		
22 Federal revenues:		
23 Federal funds.....		3,750,000
24 Special revenue funds:		
25 Michigan state waterways fund.....		5,930,000
26 State general fund/general purpose.....	$	0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2011-2012 is $256,098,600.00 and state spending from state resources to be paid to local units of government for fiscal year 2011-2012 is $6,550,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF NATURAL RESOURCES

GRANTS

Grants to counties - marine safety	$	1,980,000
Off-road vehicle safety training grants		150,000
Off-road vehicle trail improvement grants		450,000
Recreation improvement fund grants		110,000
Recreation passport local grants		857,000
Snowmobile law enforcement grants		673,000

CAPITAL OUTLAY

Waterways boating program	$	2,330,000
TOTAL	$	6,550,000

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

Sec. 203. As used in this article:

(a) "Commission" means the natural resources commission.

(b) "Department" means the department of natural resources.

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

(d) "IDG" means interdepartmental grant.

(e) "IDT" means intradepartmental transfer.

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

Sec. 205. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this article. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

Sec. 206. Appropriations of state restricted game and fish protection funds have been made in the following amounts to the following departments and agencies in their respective appropriation acts:

Legislative auditor general	$	22,000
Attorney general		797,100
Department of technology, management, and budget		408,500
Department of treasury		1,201,500

Sec. 207. Pursuant to section 43703(3) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43703, there is appropriated from the game and fish protection trust fund to the game and fish protection account of the Michigan

conservation and recreation legacy fund, $6,000,000.00 for the fiscal year ending September 30, 2012.

Sec. 208. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of technology, management, and budget for technology-related services and projects. The user fees shall be subject to provisions of an interagency agreement between the department and agencies and the department of technology, management, and budget.

Sec. 210. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 211. The director of the department shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 212. The department shall not take disciplinary action

against an employee for communicating with a member of the legislature or his or her staff.

Sec. 214. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 215. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $3,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

(4) In addition to the funds appropriated in part 1, there is

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

Sec. 216. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 217. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 220. Not later than November 15, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies.

Sec. 222. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on natural resources, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2011 and September 30, 2012.

Sec. 223. Before January 31, 2012, the department, in cooperation with the Michigan state waterways commission, shall provide to the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies a list of projects completed by the commission in fiscal year 2010-2011, including the county and municipality in which each project is located.

Sec. 233. On a quarterly basis, the department shall report on the number of FTEs in pay status by civil service classification to the senate and house appropriations subcommittees on natural resources and environment and the senate and house fiscal agencies.

Sec. 234. (1) The department shall maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and

payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

(2) The department may develop and operate its own website to provide this information or may reference the state's central transparency website as the source for this information.

Sec. 235. The department shall not expend more than $10,000.00 from the appropriations in part 1 to implement the requirements of section 234.

EXECUTIVE OPERATIONS AND DEPARTMENT SUPPORT

Sec. 301. The department may charge the appropriations contained in part 1, including all special maintenance and capital projects appropriated for the fiscal year ending September 30, 2012, for engineering services provided, a standard percentage fee to recover actual costs. The department may use the revenue derived to support the engineering services charges provided for in part 1.

Sec. 302. The department may charge land acquisition projects appropriated for the fiscal year ending September 30, 2012, and for prior fiscal years, a standard percentage fee to recover actual costs, and may use the revenue derived to support the land acquisition service charges provided for in part 1.

Sec. 303. As appropriated in part 1, the department may charge both application fees and transaction fees related to the exchange or sale of state-owned land or rights in land authorized by part 21 of the natural resources and environmental protection act, 1994 PA

451, MCL 324.2101 to 324.2162. The fees shall be set by the director of the department at a rate which allows the department to recover its costs for providing these services.

Sec. 304. For the purposes of administering the museum store as provided in section 7a of 1913 PA 271, MCL 399.7a, the department is exempt from section 261 of the management and budget act, 1984 PA 431, MCL 18.1261.

Sec. 305. As appropriated in part 1, proceeds in excess of costs incurred in the conduct of auctions, sales, or transfers of artifacts no longer considered suitable for the collections of the state historical museum may be expended upon receipt for additional material for the collection. The department shall notify the chairpersons, vice chairpersons, and minority vice chairpersons of the senate and house appropriations subcommittees on natural resources 1 week prior to any auctions or sales. Any unexpended funds may be carried forward into the next succeeding fiscal year.

Sec. 306. As appropriated in part 1, funds collected by the department for historical markers; document reproduction and services; conferences, admissions, workshops, and training classes; and the use of specialized equipment, facilities, exhibits, collections, and software shall be used for expenses necessary to provide the required services. The department may charge fees for the aforementioned services, including admission fees. It is the intent of the legislature that if sufficient revenues are available, as a condition of the expenditure of revenue from admission fees to the Michigan historical museum, admission to the museum shall be free for children under 18 years of age. The

department may accept voluntary admissions contributions of $2.00 for children under 18 years of age. Any unexpended funds may be carried forward into the next succeeding fiscal year.

Sec. 308. By October 21, 2011, the department shall submit to the senate and house appropriations subcommittees on natural resources a report on all land transactions approved by the commission in the fiscal year ending September 30, 2011. For each land transaction, the report shall include the size of the parcel, the county and municipality in which the parcel is located, the dollar amount of the transaction, the fund source affected by the transaction, and whether the transaction is by purchase, public auction, transfer, exchange, or conveyance.

Sec. 309. By January 1, 2012, the department shall produce a report identifying active oil and gas leases entered into before July 1995 which are larger than 160 acres in size and where the acreage held in a producing unit is less than or equal to 1/4 of the total lease acreage.

WILDLIFE DIVISION

Sec. 402. It is the intent of the legislature that, from the funds appropriated in part 1, the department shall reimburse the department of agriculture and rural development for costs incurred for indemnification payments for livestock losses caused by wolves, coyotes, or cougars under the animal industry act, 1988 PA 466, MCL 287.701 to 287.746.

FISHERIES DIVISION

Sec. 501. (1) From the appropriation in part 1 for aquatic resource mitigation, not more than $758,000.00 shall be allocated for grants to watershed councils, resource development councils, soil conservation districts, local governmental units, and other nonprofit organizations for stream habitat stabilization and soil erosion control.

(2) The fisheries division in the department shall develop priority and cost estimates for all projects recommended for grants under subsection (1).

Sec. 502. As a condition of expenditure of fisheries management appropriations under part 1, the department of natural resources shall not impede the certification process for water control structures on Michigan waterways. The department of natural resources shall fund from funds appropriated in part 1 all non-water-quality studies or requirements that the department requests of either of the following:

(a) The department of environmental quality as a condition for issuance of a certification under the federal water pollution control act, 33 USC 1341.

(b) The federal energy regulatory commission as a condition of licensing under the federal power act, 16 USC 791a to 825r.

RECREATION DIVISION

Sec. 601. Pursuant to section 1902(2) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1902, there is appropriated from the Michigan natural resources trust fund to the Michigan state parks endowment fund an amount not to exceed

$10,000,000.00 for the fiscal year ending September 30, 2012.

Sec. 602. The department shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies if it intends to reduce operations or reduce recreation opportunities in any state park or recreation area.

FOREST MANAGEMENT DIVISION

Sec. 701. In addition to the funds appropriated in part 1, $350,000.00 is appropriated to the department to cover costs related to any declared emergency involving the collapse of any abandoned mine shaft located on state land. This appropriation shall not be expended unless the state budget director recommends the expenditure and the department notifies the house and senate committees on appropriations.

Sec. 702. Of the funds appropriated in part 1, the department shall, subject to the forest certification process, prescribe treatment on 79,000 acres, prepare appropriate treatment for not less than 67,500 acres at the current average rate of 12.5 to 15 cords per acre, and offer those cords for sale in 2012, provided that the department shall take into consideration the impact of timber harvesting on wildlife habitat and recreation uses. The department shall, subject to the forest certification process, increase marking or treatment of hardwood timber for sale and harvest by 10% over 2011 levels. In addition, the department shall take into consideration silvicultural analysis and report annually to the legislature on plans and efforts to address factors limiting management of timber. The department shall increase the number of

prepared acres if it appears that regional market demand requires increased volumes of harvested timber. The department shall provide quarterly reports on the number of acres treated, pursuant to this section, to the senate and house appropriations subcommittees on natural resources and the standing committees of the senate and house of representatives with primary responsibility for natural resources issues. The department shall complete and deliver these reports no later than 45 days after the end of the fiscal quarter.

Sec. 703. In addition to the money appropriated in this article, the department may receive and expend money from federal sources for the purpose of providing response to wildfires as required by a compact with the federal government. If additional expenditure authorization is required, the department shall notify the state budget office that expenditure under this section is required. The department shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies of the expenditures under this section by November 1, 2012.

Sec. 704. The department shall continue to work cooperatively with horseback riding interests to maximize riding opportunities in the state.

Sec. 705. The department shall spend amounts appropriated in part 1 for forest-related activities to employ or contract for sufficient foresters to mark timber, pursuant to section 702.

Sec. 706. It is the intent of the legislature that forest campgrounds proposed for closure by the department will be open and accessible to the general public.

1 Sec. 707. The department shall complete the development of a
2 strategic plan to incorporate selected state forest campgrounds
3 into the state park system as mini-state parks in order to qualify
4 them for funding under section 2045 of the natural resources and
5 environmental protection act, 1994 PA 451, MCL 324.2045, from state
6 recreation passport revenue. Both currently open and closed
7 campgrounds shall be included in the strategic plan. To fully
8 develop this program and to test its viability throughout the
9 state, the department shall finish designing and implementing a
10 pilot program that includes 6 forest campgrounds selected on a
11 broad geographical basis from those forest campgrounds closed by
12 Executive Order No. 2009-22. In making the selection for the pilot
13 program, the department shall select 3 forest campgrounds from the
14 Upper Peninsula and 3 from the Lower Peninsula. The department
15 shall report to the house and senate appropriations subcommittees
16 on natural resources and the house and senate fiscal agencies by
17 October 31, 2011 on the design of the pilot program, the status of
18 the plan's implementation, and any additional state forest
19 campground closures that are planned for fiscal year 2011-2012 or
20 have occurred since the issuance of Executive Order No. 2009-22.
21 Sec. 710. The department shall provide a report on the
22 wildfire protection use of department aircraft to the house and
23 senate appropriations subcommittees on natural resources and the
24 house and senate fiscal agencies by December 1, 2011. The report
25 shall include the following information for the preceding fiscal
26 year: how many airplanes the department owns, how much the
27 airplanes cost annually, which DNR divisions used the aircraft

throughout the year, how many wildfires occurred in which the aircraft were used to help provide detection, surveillance, or suppression support, and how many flight hours were logged for the fleet in that year.

LAW ENFORCEMENT

Sec. 801. The appropriation in part 1 for snowmobile law enforcement grants shall be used by the department to provide grants to county law enforcement agencies to enforce part 821 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82101 to 324.82160, including rules promulgated under that part and ordinances enacted pursuant to that part. The department shall consider the number of enforcement hours and the number of miles of snowmobile trails in each county in allocating these grants. Any funds not distributed to counties revert back to the snowmobile registration fee subaccount created under section 82111 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82111. Counties shall provide semiannual reports to the department on the use of grant money received under this section.

Sec. 802. The department shall provide a report on the marine safety grant program to the senate and house appropriations subcommittees on natural resources and the senate and house fiscal agencies by December 1, 2011. The report shall include the following information for the preceding year: the total amount of revenue received for watercraft registrations, the amount deposited into the marine safety fund, and the expenditures made from the

marine safety fund, including the amounts expended for department administration, other state agencies, the law enforcement division, and grants to counties. The report shall also include the distribution methodology used by the department to distribute the marine safety grants and a list of the grants and the amounts awarded by county.

GRANTS

Sec. 901. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 for grants to communities - federal oil, gas, and timber payments and that do not require additional state matching funds are appropriated for the purposes intended. By November 30, 2011, the department shall report to the senate and house appropriations subcommittees on natural resources, the senate and house fiscal agencies, and the state budget director on all amounts appropriated under this section during the fiscal year ending September 30, 2011.

Sec. 902. Subject to part 811 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81101 to 324.81150, from the funds appropriated in part 1 for off-road vehicle trail improvements grants, not less than $980,000.00 shall be spent on the development of new trails in accordance with the off-road vehicle trail expansion plan submitted to the legislature pursuant to section 807 of article 14 of 2005 PA 154.

CAPITAL OUTLAY

Sec. 1001. The appropriation made in this article for the harbors and docks program is for the purpose of participating with the federal government and assisting local units of government, public colleges and universities, or other governmental entities in this state with the construction and improvement of recreational boating facilities within this state. Subject to the approval of the state administrative board, this money shall be allocated by the department to the federal government, or to the governmental entities involved in the particular projects. An allocation shall not exceed the state portion as listed with each project description. The department shall take the steps necessary to match federal money available for the construction and improvement of recreational boating facilities within the state, and to meet requirements of the federal government.

Sec. 1002. (1) The director of the department shall allocate lump-sum appropriations to the department made in this article consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

(2) The state budget director may authorize that funds appropriated for lump-sum appropriations shall be available for no more than 3 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which

it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 1003. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

Sec. 1004. Upon receiving notification that necessary permits have been obtained, the department shall fund a capital outlay project to construct a breakwall at the Grand Marais harbor according to a plan to be prepared by Burt Township. The project has an estimated completion cost of $7,000,000.00 and an estimated completion date of September 30, 2015.

ONE-TIME BASIS ONLY

Sec. 1101. For the state fiscal year ending September 30, 2012, there is appropriated from general fund/general purpose revenue, on a 1-time basis only, $4,000,000.00 for the Grand Marais harbor capital outlay project provided for in section 1004.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2013 for the line items listed in part 1. The fiscal year 2012-2013

appropriations are anticipated to be the same as those for fiscal year 2011-2012, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2012 consensus revenue estimating conference.

ARTICLE XVI

DEPARTMENT OF STATE POLICE

PART 1

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

Sec. 101. Subject to the conditions set forth in this article, the amounts listed in this part for the department of state police are appropriated for the fiscal year ending September 30, 2012, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF STATE POLICE

APPROPRIATION SUMMARY

Full-time equated unclassified positions..... 2.0

Full-time equated classified positions..... 2,751.0

GROSS APPROPRIATION..... $ 524,282,700

Total interdepartmental grants and intradepartmental transfers 23,546,200

Schedule of interdepartmental grant revenue sources:

IDG, training academy charges..... 2,505,200

1 IDG-MDOC, contract 167,100
2 IDG-MDOS 332,000
3 IDG-MDOT, state trunkline fund..... 10,586,900
4 IDG-MDTR, casino gaming fees 5,190,800
5 IDG-MDTR, emergency telephone fund
6 coordinator 585,800
7 IDG-MDTR, emergency telephone fund
8 operations 628,900
9 IDT, auto theft funds 633,400
10 IDT, Michigan justice training fund..... 1,450,000
11 IDT, truck safety fund 1,466,100
12 ADJUSTED GROSS APPROPRIATION ..... $ 500,736,500
13 Total federal revenues 106,051,600
14 Schedule of federal revenue sources:
15 DHS 56,202,400
16 DOJ 15,950,000
17 DOJ interest bearing 8,136,500
18 DOT 24,133,800
19 Federal investigations-reimbursed
20 services 1,034,600
21 Federal narcotics investigation revenues..... 594,300
22 Total local revenues..... 6,456,700
23 Schedule of local revenue sources:
24 Local-AFIS fees 78,100
25 Local-LEIN fees 1,173,100
26 Local-MPSCS subscriber & maintenance fees.. 1,713,100
27 Local-reimbursed services 1,962,800

1 Local-school bus revenue 1,529,600
2 Total private revenues..... 216,100
3 Schedule of private revenue sources:
4 Private donations 216,100
5 Total state restricted revenues..... 123,336,100
6 Schedule of restricted revenue sources:
7 Auto theft prevention fund 6,704,500
8 Commercial mobile radio service fees..... 7,000,000
9 CJIC service fees 16,370,400
10 Concealed weapons enforcement fee..... 100,000
11 Drunk driving prevention & training fund... 1,299,700
12 Forensic science reimbursement fees..... 1,352,700
13 Forfeiture funds 75,000
14 Hazardous materials training center fees... 1,281,200
15 Highway safety fund 11,814,000
16 Licensing fees 9,100
17 Michigan justice training fund..... 8,188,400
18 Michigan merit award trust fund..... 682,000
19 Motor carrier fees 3,865,900
20 Narcotics investigation revenue..... 989,200
21 Nuclear plant emergency planning
22 reimbursement 2,065,700
23 Precision driving track fees 287,500
24 Reimbursement services 1,195,800
25 Rental of department aircraft..... 53,300
26 Secondary road patrol & training fund..... 15,100,500
27 Sex offenders registration fund..... 283,200

1 State forensic laboratory fund..... 1,852,900
2 State police service fees 2,087,100
3 State services fee fund 10,254,100
4 Tobacco tax revenue 3,000,000
5 Traffic crash revenue 315,800
6 Traffic law enforcement and safety fund... 24,094,400
7 Trooper school recruitment fund..... 1,100
8 Truck driver safety fund 3,012,600
9 State general fund/general purpose..... $ 264,676,000
10 **Sec. 102. EXECUTIVE DIRECTION**
11 Full-time equated unclassified positions..... 2.0
12 Full-time equated classified positions..... 38.5
13 Executive direction..... $ 5,083,700
14 GROSS APPROPRIATION..... $ 5,083,700
15 Appropriated from:
16 Interdepartmental grant revenues..... 31,300
17 State restricted revenues..... 483,600
18 State general fund/general purpose..... $ 4,568,800
19 Schedule of programs:
20 Unclassified positions 261,100
21 Executive direction 2,602,400
22 Special operations and events..... 2,220,200
23 **Sec. 103. SCIENCE, TECHNOLOGY, AND TRAINING BUREAU**
24 Full-time equated classified positions..... 459.5
25 Science, technology, and training bureau..... $ 100,304,700
26 GROSS APPROPRIATION..... $ 100,304,700
27 Appropriated from:

1 Interdepartmental grant revenues 5,458,300
2 Federal revenues 9,332,800
3 Local revenues 2,913,000
4 State restricted revenues 45,379,700
5 State general fund/general purpose ..... $ 37,220,900
6 Schedule of programs:
7 Criminal justice information center
8 division 11,355,700
9 Criminal records improvement 2,249,500
10 Traffic safety 1,922,900
11 Laboratory operations 28,960,100
12 DNA analysis program 7,982,800
13 Standards and training/justice training
14 grants 8,970,400
15 Concealed weapons enforcement training..... 100,000
16 Training only to local units 587,900
17 Public safety officers benefit program..... 149,600
18 Training administration 4,813,300
19 Information technology services and
20 projects 18,701,700
21 Michigan public safety communications
22 system 13,060,800
23 In-service training-law enforcement
24 distribution 450,000
25 In-service training-competitive..... 1,000,000
26 **Sec. 104. FIELD SERVICES BUREAU**
27 Full-time equated classified positions..... 1,999.0

1 Field services bureau..... $ 270,391,600

2 GROSS APPROPRIATION..... $ 270,391,600

3 Appropriated from:

4 Interdepartmental grant revenues..... 16,680,500

5 Federal revenues..... 18,354,300

6 Local revenues..... 3,484,400

7 Private revenues..... 216,100

8 State restricted revenues..... 47,139,400

9 State general fund/general purpose..... $ 184,516,900

10 Schedule of programs:

11 Narcotics investigation funds..... 265,100

12 Uniform services 44,974,600

13 Capitol security 659,200

14 At-post troopers 129,238,300

15 Reimbursed services 2,087,100

16 Operational support 7,297,100

17 Aviation program 1,529,700

18 Criminal investigations 34,574,500

19 Federal antidrug initiatives 10,861,900

20 Reimbursed services, materials, and

21 equipment 2,997,400

22 Auto theft prevention 1,041,700

23 Casino gaming oversight 5,028,200

24 Fire investigations 1,811,800

25 Parole absconder sweeps 12,200

26 Motor carrier enforcement 11,019,900

27 Truck safety enforcement team operations... 1,434,300

1 Safety inspections 6,803,500
2 School bus inspections 1,521,600
3 Safety projects 1,802,100
4 Traffic services 5,431,400
5 **Sec. 105. SUPPORT SERVICES**
6 Full-time equated classified positions..... 254.0
7 Support services..... $ 148,502,700
8 GROSS APPROPRIATION..... $ 148,502,700
9 Appropriated from:
10 Interdepartmental grant revenues..... 1,376,100
11 Federal revenues..... 78,364,500
12 Local revenues..... 59,300
13 State restricted revenues..... 30,333,400
14 State general fund/general purpose..... $ 38,369,400
15 Schedule of programs:
16 Auto theft prevention program..... 6,694,100
17 Special maintenance and utilities..... 402,800
18 Rent and building occupancy charges..... 8,363,200
19 Worker's compensation 3,266,300
20 Fleet leasing 12,980,700
21 Management services 12,476,200
22 Budget and financial services..... 1,746,000
23 Office of justice program grants..... 8,497,100
24 Accounting service center 1,031,100
25 State program planning and administration.. 1,094,100
26 Secondary road patrol program..... 14,041,600
27 Truck safety program 3,011,000

Federal highway traffic safety coordination 12,585,500

Emergency management planning and administration 5,701,200

Grants to local government 2,482,100

FEMA program assistance 4,930,200

Nuclear power plant emergency planning..... 2,030,000

Hazardous materials programs 47,169,400

Interdepartmental grant to legislature..... 100

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2011-2012 is $388,012,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2011-2012 is $19,006,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF STATE POLICE

Science, technology, and training bureau..... $ 4,541,000

Schedule of programs:

Justice training grants..... 4,375,100

Training only to local units..... 165,900

1	Support services.....	14,465,000
2	Schedule of programs:	
3	Secondary road patrol.....	13,901,200
4	Management services.....	563,800
5	TOTAL..... $	19,006,000

6 Sec. 202. The appropriations authorized under this article are
7 subject to the management and budget act, 1984 PA 431, MCL 18.1101
8 to 18.1594.
9 Sec. 203. As used in this article:
10 (a) "AFIS" means the automated fingerprint identification
11 system.
12 (b) "Department" means the department of state police.
13 (c) "DHS" means the United States department of homeland
14 security.
15 (d) "DNA" means deoxyribonucleic acid.
16 (e) "DOJ" means the United State department of justice.
17 (f) "DOT" means the United States department of
18 transportation.
19 (g) "DTMB" means the department of technology, management, and
20 budget.
21 (h) "FEMA" means the federal emergency management agency.
22 (i) "IDG" means interdepartmental grant.
23 (j) "IDT" means intradepartmental transfer.
24 (k) "LEIN" means the law enforcement information network.
25 (*l*) "MCOLES" means Michigan commission on law enforcement
26 standards.
27 (m) "MDCH" means the Michigan department of community health.

(n) "MDOC" means the Michigan department of corrections.

(o) "MDOS" means the Michigan department of state.

(p) "MDOT" means the Michigan department of transportation.

(q) "MDTR" means the Michigan department of treasury.

(r) "MPSCS" means Michigan public safety communications system.

(s) "Work project" means, except as used in section 211, a group of activities featuring a fixed duration, budget, and scope that is expected to cause a measurable change in the delivery, efficiency, or effectiveness of 1 or more operations.

Sec. 204. The following shall constitute the appropriations from part 1 for interdepartmental grant funds received by the department from sources outside the department: $2,505,200.00 from training academy charges; $167,100.00 from the department of corrections contract; $332,000.00 from the department of state; $10,586,900.00 from the department of transportation — state trunkline funds; $5,190,800.00 from casino gaming fees; $585,800.00 from the department of treasury — emergency telephone fund coordinator; and $628,900.00 from the department of treasury — emergency telephone fund operations.

Sec. 205. (1) The following shall constitute the appropriations from part 1 for interdepartmental grant funds made from the department to other departments: $1,095,900.00 to the department of environmental quality--radiological emergency preparedness; $139,000.00 to the department of attorney general--justice training competitive grant; $300,000.00 to the judiciary--justice training competitive grant; $322,300.00 to the department

of attorney general--operations; $900,000.00 to the department of military and veterans affairs--homeland security grant; $18,701,700.00 to DTMB--information technology services and projects; and $13,060,800.00 to DTMB--Michigan public safety communications systems.

(2) Based on the availability of federal funding and the demonstrated need as indicated by applications submitted to the state court administrative office, the department shall provide $1,800,000.00 in Byrne justice assistance grant program funding to the judiciary by interdepartmental grant.

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $10,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $3,500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

PA 431, MCL 18.1393.

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

Sec. 207. (1) The department shall maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment, date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

(2) The department may develop and operate its own website to provide this information or may reference the state's central transparency website as the source for this information.

Sec. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this article. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

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

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

Sec. 211. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 212. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state

guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

Sec. 213. (1) Due to the current budgetary problems in this state, out-of-state travel for this fiscal year ending September 30, 2012 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the senate and house of representatives standing committees on appropriations.

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

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

Sec. 216. (1) Notwithstanding any other provision of this article, the schedule of programs in part 1 lists programs which may, but are not required to be, funded under this article, with the following exceptions:

(a) Standard & training/justice training grants.

(b) Casino gaming oversight.

(c) Commercial mobile radio service fees.

(2) Notwithstanding any other provisions of this article, the schedule of revenue sources in part 1 may or may not be received from the funding entities listed.

(3) The secondary road patrol funding is not subject to funding flexibility and shall be funded in accordance with section 629e of the Michigan vehicle code, 1949 PA 300, of MCL 257.629e.

(4) Any funding required by statute is not subject to funding flexibility and shall be funded in accordance with that statute.

Sec. 217. The department shall improve its budgetary efficiency pertaining to the delivery of core services delineated

in section 221 by doing all of the following:

(a) Prioritizing personnel over buildings in budgetary efficiency considerations.

(b) Pursuing the physical or virtual consolidation of support service functions such as information technology, human resources, and accounting as a means of improving standardization and efficiency.

(c) Seeking expenditure reductions whenever possible through the streamlining of existing service delivery activities.

(d) Identifying efficiencies that can be gained via the reduction or elimination of programs, policies, and practices which have outlived their usefulness.

Sec. 218. (1) Any unused general fund/general purpose funds for this fiscal year created through efficiencies and identified by the department as potential lapsed funds shall be designated as the department incentive pool balance, provided that all the requirements of this part have been achieved.

(2) Any funds associated with any supplemental general fund/general purpose fund requests for this fiscal year shall be debited against this fiscal year's department incentive pool balance if it does not meet 1 or more of the following criteria:

(a) The supplemental funds pertain to the addition of a new core service.

(b) The supplemental funds pertain to the expansion of existing service capacity beyond current fiscal year expectations.

(3) At the end of this fiscal year, if the incentive pool balance is positive, the department incentive pool balance shall be

allocated as follows:

(a) Ten percent of the unused funds shall be allocated as work project funds to be used in a manner that provides direct benefit to department employees or their families within 12 months of the end of this fiscal year.

(b) Forty percent of the unused funds shall be allocated as work project funds to be used at the discretion of the department for projects designed to improve service delivery.

(c) Fifty percent of the unused funds shall be lapsed to the general fund/general purpose fund.

Sec. 219. (1) The department shall be available to meet on a quarterly basis before the appropriate senate and house appropriations subcommittees.

(2) The department shall provide all information necessary to validate that the requirements of this part have been achieved.

(3) The department shall provide a corrective action plan within 30 days of a quarterly report under this section for any requirements of this part that have not been achieved. The department shall provide a monthly status of correction action plans.

(4) The department shall provide a summary of fund shifts, that have been approved by the state budget office, that have occurred between items listed in the schedule of programs mentioned in part 1 on a quarterly basis to the senate and house appropriations subcommittees.

(5) The department shall provide the following data to the appropriate senate and house appropriations subcommittees:

(a) A list of major work projects, including the status of each project.

(b) The department's financial status, featuring a report of budgeted versus actual expenditures by part 1 line item including a year-end projection of budget requirements. If projected department budget requirements exceed the allocated budget, the report shall include a plan to reduce overall expenses while still satisfying specified service level requirements.

(c) Forensic laboratory system staffing levels and vacancies and backlogs in all disciplines.

Sec. 220. The department shall provide the following data to the appropriate senate and house appropriations subcommittees on an annual basis:

(a) Bridge card enforcement as described section 306(4) of this part.

(b) As it pertains to inspections conducted by the traffic safety division, all of the following:

(*i*) The number of buses and vehicles inspected by the department.

(*ii*) The number of buses and vehicles passing and failing inspection.

(*iii*) The estimated number of buses and vehicles not inspected.

(c) A report on the status of assessments collected and authorized under section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, for the purpose of supporting the secondary road patrol grant program. The report shall contain updated information on collection levels, revised projected grant allotments to

counties for the year, a comparison of projected collections and grant distribution levels with the funds appropriated in part 1 for the secondary road patrol program, and the extent collection levels have exceeded or failed to meet appropriated levels for the current fiscal year or expenditure levels from the previous fiscal year.

(d) A report regarding the department's activities related to casino gaming oversight. The report shall contain the following:

(*i*) The amount of money received and expended.

(*ii*) The nature and structure of the casino gaming oversight unit.

(*iii*) The positions and classifications of employees assigned.

(*iv*) The number of full-time and part-time employees and the aggregate number of FTEs.

(*v*) The duties and responsibilities of the assigned employees.

Sec. 221. The appropriations in part 1 are for the core services, support services, and work projects of the department, including, but not limited to, the following core services: traffic safety and enforcement, complaint and criminal investigations, fire investigation, sex offender registry and enforcement, specialty teams, regional communication centers, civil disorder response – mobilization, capitol security, hazardous materials response training, intelligence gathering and dissemination, state emergency operations center, criminal history system, fingerprint and background checks, the law enforcement information network, forensics, training and recruiting, public awareness campaigns, establishing and monitoring law enforcement standards, and grants administration.

Sec. 222. The department shall notify the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies not less than 90 days before recommending to close or consolidate any state police posts. The notification shall include a local and state impact study of the proposed post closure or consolidation.

Sec. 223. At least 60 days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate senate and house fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate senate and house appropriations subcommittees and the senate and house fiscal agencies within 30 months.

Sec. 224. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 225. (1) It is the intent of the legislature that the department shall not provide any subsidy for contractual services it provides.

(2) When the department provides contractual services to a local unit of government, the department shall be reimbursed for all costs incurred in providing the services, including, but not limited to, retirement and overtime costs.

(3) The department shall define service cost models for those

1 services requiring reimbursement.

2 (4) Contractual services provided to an entity other than a
3 local unit of government may be provided by department personnel,
4 but only on an overtime basis outside the normal work schedule of
5 the personnel.

6 (5) This section does not apply to state agencies.

7 Sec. 226. The department shall strive to inspect its worksites
8 annually to ensure internal control and quality of service.

9 Sec. 227. The department shall define interoperability
10 standards to ensure effective communication between state, local,
11 regional, and federal agencies under public safety scenarios. The
12 department shall monitor compliance with these interoperability
13 standards by the agencies and notify the legislature and pertinent
14 agency management of noncompliance within 30 days of this
15 determination.

16 Sec. 228. Not later than November 15, the department shall
17 prepare and transmit a report that provides for estimates of the
18 total general fund/general purpose appropriations lapses at the
19 close of the fiscal year. This report shall summarize the projected
20 year-end general fund/general purpose appropriations lapses by
21 major departmental program or program areas. The report shall be
22 transmitted to the office of the state budget, the chairperson of
23 the senate and house standing committees on appropriations, and the
24 senate and house fiscal agencies.

25 Sec. 229. Within 14 days after the release of the executive
26 budget recommendation, the department shall provide the state
27 budget director, the senate and house appropriations chairs, the

1 senate and house appropriations subcommittees on state police and
2 military and veterans affairs, respectively, and the senate and
3 house fiscal agencies with an annual report on estimated state
4 restricted fund balances, state restricted fund projected revenues,
5 and state restricted fund expenditures for the fiscal years ending
6 September 30, 2011 and September 30, 2012.
7 Sec. 230. The department may pursue entering into an agreement
8 with Calhoun County to build a new facility in that county which
9 would serve as the new state police post for region 4 of district
10 5, as identified by the department.
11 Sec. 231. The department, in keeping with its role as the
12 general law enforcement agency of the state and as the law
13 enforcement agency of last resort for communities that are either
14 without local law enforcement resources or are seriously
15 underserved by local law enforcement resources, shall provide
16 general law enforcement assistance to those communities until
17 adequate law enforcement services can be provided to those
18 communities by other means.
19 Sec. 232. The department shall serve as an active liaison
20 between the department of technology, management, and budget and
21 local public safety agencies to facilitate the use of the MPSCS
22 towers by those local public safety agencies that have an interest
23 in using the towers as a part of their communication system.

24 **SCIENCE, TECHNOLOGY, AND TRAINING BUREAU**

25 Sec. 301. (1) The department shall provide forensic testing
26 services to aid in criminal investigations.

(2) The department shall maintain the staffing and resources necessary to provide forensic evidence with an average turnaround time of 82 days assuming an annual caseload volume commensurate with that received in fiscal year 2009-2010.

(3) The department shall define and implement improved methods with the intent of reaching an average 55-day turnaround for forensic evidence.

(4) If changes are made to the department's protocol for retaining and purging DNA analysis samples and records, the department shall post a copy of the protocol changes on the department's website.

Sec. 302. (1) The department shall develop and deliver professional, innovative, and quality training that supports the enforcement and public safety efforts of the criminal justice community.

(2) The department shall maintain the staffing and resources necessary to provide educational opportunities for personal and professional growth to a minimum of 10,000 state and local law enforcement employees and other public safety partners.

(3) The department shall maintain the staffing and resources necessary to provide educational opportunities for personal and professional growth to a minimum of 3,000 community members.

(4) The department shall define and implement methods with a goal of reducing the cost of training services delivery by 20%. These methods may include the pursuit of technology to reach students throughout the state utilizing distance learning.

(5) The department shall place emphasis on recruiting MCOLES-

1 certified police officers for the trooper recruit school. Emphasis
2 shall be given in the hiring process to those officers who are on
3 layoff and possess valid MCOLES certification. Any emphasis given
4 in the recruiting and selection process shall be consistent with
5 the department's hiring standards and in accordance with civil
6 service rules.
7 (6) The department shall develop and provide a service
8 delivery cost model for its training activities.
9 Sec. 303. (1) MCOLES shall establish standards for the
10 selection, employment, training, education, licensing, and
11 revocation of all law enforcement officers.
12 (2) MCOLES shall maintain the staffing and resources necessary
13 to provide the basic law enforcement training curriculum for 20
14 academy programs statewide.
15 (3) MCOLES shall maintain a minimum 98% passing rate from the
16 MCOLES licensing exam without lowering academic standards to
17 achieve this rate.
18 Sec. 304. (1) The department shall maintain a criminal history
19 system and the state accident data collection system in the support
20 of public safety and law enforcement communities in this state.
21 (2) The department shall maintain the staffing and resources
22 necessary to adhere to 1925 PA 289, MCL 28.241 to 28.248.
23 (3) The department shall improve the accuracy, timeliness, and
24 completeness of criminal history information through outreach
25 targeted to criminal justice agencies.
26 (4) The department shall maintain the state accident data
27 collection system and make this information available to the public

at a reasonable cost. For bulk access to the accident records in which the vehicle identification number has been collected and computerized, the department shall make those records available to the pubic at cost, provided that the name and address have been excluded.

Sec. 305. (1) The department shall provide fingerprint and background check services in support of public safety and law enforcement communities in this state.

(2) The department shall maintain the staffing and resources necessary to process fingerprint and background check services commensurate with fiscal year 2009-2010.

(3) The department shall maintain resources and educational outreach for the electronic submission of fingerprint information from local law enforcement agencies and maintain at least a 97% submission rate.

(4) The department shall define and maintain a cost model pertaining to providing fingerprint check services and provide for the following:

(a) Fingerprint service fees shall be commensurate with the actual costs of delivering this service.

(b) The department shall pursue means of reducing the expenses associated with delivering this service.

Sec. 306. (1) The department shall maintain the law enforcement information network in support of public safety and law enforcement communities in this state.

(2) The department shall maintain the staffing and resources necessary to adhere to the C.J.I.S. policy council act, 1974 PA

163, MCL 28.211 to 28.215.

(3) The department shall audit criminal justice agencies as required by federal guidelines.

(4) The department shall work cooperatively with the department of human services to coordinate the functions of the state police LEIN system and the department of human services bridges case management system to provide obtainable data that will allow authorized users of the bridges case management system to identify those persons who may be ineligible to receive certain assistance services due to their law enforcement status.

(5) The department shall implement procedures by which all probation information is placed on the LEIN system and provide for the following:

(a) The LEIN system shall include information on each probationer, including any probation conditions placed on a probationer and the name of the probation officer assigned to the probationer. The LEIN system shall also include any nonstandard probation terms.

(b) If the department determines that amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are required to include all probation information on the LEIN system, the department shall deliver to members of the senate and house appropriations subcommittees on state police and military and veterans affairs amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, that, in the department's view, are necessary to accomplish this goal. These proposed amendments shall be delivered to subcommittee members not later than December 1,

2011.

(6) The appropriations in part 1 do not contain any funding from LEIN user fees for services rendered in fiscal year 2011-2012. If the department chooses to propose such a fee for fiscal year 2011-2012, the department shall do each of the following:

(a) Notify the senate and house appropriations subcommittees on state police and military and veterans affairs no less than 90 days prior to establishing the fee.

(b) Define and maintain a cost model pertaining to the provision of LEIN administration services. LEIN service fees shall be commensurate with the actual costs of delivering this service. The department shall pursue means of reducing the expenses associated with delivering this service.

FIELD SERVICES BUREAU

Sec. 401. (1) The department shall oversee traffic safety and enforcement in this state.

(2) The department shall maintain the staffing and resources necessary to make traffic contacts per patrol hours commensurate with the service level and contact areas exhibited in fiscal year 2010-2011. There shall be no degradation of road patrol services to any region of this state.

(3) The department shall maintain the staffing and resources necessary to continually work to enhance traffic safety throughout the state.

(4) The department shall maintain the staffing and resources necessary to annually inspect at least 75,000 commercial vehicles.

(5) Department enlisted personnel who are employed to enforce traffic laws as provided in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, shall not be prohibited from responding to crimes in progress or other emergency situations and are responsible for protecting every citizen of this state from harm.

Sec. 402. (1) The department shall identify and apprehend criminals through criminal investigations in this state.

(2) The department shall maintain the staffing and resources necessary to devote a comparable number of hours investigating crimes as those performed in fiscal year 2009-2010.

(3) The department shall maintain the staffing and resources necessary to annually meet or exceed a case clearance rate of 56%.

(4) The department shall work with the department of community health, the Michigan health and hospital association, the Michigan state medical society, and the Michigan nurses association to ensure that the recommendations included in the "Standard Recommended Procedure for the Emergency Treatment of Sexual Assault Victims" are followed in the collection of evidence.

(5) The department shall provide protection to this state, its economy, welfare, and vital state-sponsored programs through the prevention and suppression of organized smuggling of untaxed tobacco products in the state, through enforcement of the tobacco products tax act, 1993 PA 327, MCL 205.421 to 205.436, and other laws pertaining to combating criminal activity in this state, by maintaining a tobacco tax enforcement unit. The appropriations in part 1 include funding from the potential receipt of $3,000,000.00

in tobacco tax revenue. If these funds become available for expenditure by the department, the department shall utilize them only for costs associated with an increased effort to enforce tobacco tax laws, including the deployment of additional tobacco tax enforcement personnel.

Sec. 403. (1) The department shall provide fire investigation services to citizens of this state through investigative assistance to local law enforcement agencies.

(2) The department shall maintain the staffing and resources necessary to maintain readiness to respond appropriately to at least the number of requests for service which occurred in fiscal year 2009-2010.

(3) The fire investigation unit shall be available for call out statewide 100% of the time.

Sec. 404. (1) The department shall oversee the sex offender registry and its enforcement in this state.

(2) The department shall maintain the staff and resources necessary to enforce the provision of the sex offenders registration act, 1994 PA 295, MCL 28.721 to 28.736.

(3) The department shall maintain the staffing and resources necessary to perform activities to maintain a 93% compliance rate for reporting by registered sex offenders.

Sec. 405. (1) The department shall provide specialty services to citizens of this state in accordance with all applicable state and federal laws and regulations.

(2) The department shall maintain the staffing and resources necessary to provide training to maintain readiness to respond

appropriately to at least the number of requests for specialty services which occurred in fiscal year 2009-2010.

(3) The canine unit shall be available for call out statewide 100% of the time.

(4) The bomb squad unit shall be available for call out statewide 100% of the time.

(5) The emergency support teams shall be available for call out statewide 100% of the time.

(6) The underwater recovery unit shall be available for call out statewide 100% of the time.

(7) Aviation services shall be available for call out statewide 100% of the time, unless prohibited by weather or unexpected mechanical breakdowns.

(8) Money privately donated to the department is appropriated under part 1 to be used for the purposes designated by the donor of the money. Money privately donated to the department's canine unit shall be used to purchase equipment and other items to enhance the operation of the canine unit.

Sec. 406. (1) The department shall operate and maintain regional communication centers.

(2) The department shall maintain staffing and resources necessary to provide communication to Michigan state police law enforcement through the regional communication centers by maintaining 47,000 radio contacts per dispatcher.

(3) The department shall improve its budgetary and operational efficiency by consolidating at least 1 regional communication center.

Sec. 407. (1) The department shall provide security services at the state capitol building.

(2) The department shall maintain the staff and resources necessary to respond to emergencies at the house office building, Farnum building, capitol parking lot, Townsend parking ramp, and Roosevelt parking ramp.

(3) The department shall pursue federal grants to improve the security at the capitol building.

(4) The department may develop a phased approach for improving security at the capitol building.

Sec. 408. (1) The department shall respond to civil disorders and natural disasters.

(2) The department shall, at a minimum, maintain readiness including training and equipment to respond to civil disorders and natural disasters commensurate with the capabilities of fiscal year 2009-2010.

Sec. 409. The department shall develop a law enforcement delivery of service model in conjunction with each state police post area in the state. In the development of this model, the department shall consider local and county law enforcement capabilities to ensure the efficient delivery of services.

SUPPORT SERVICES

Sec. 501. (1) The department shall operate the Michigan intelligence operation center as the state's federally recognized fusion center.

(2) The department shall ensure public safety through the

emergency management and homeland security division by providing public and private sector partners with timely and accurate information and regarding critical information key resources threats as reported to or discovered by the Michigan intelligence operations center and increase public awareness on how to report suspicious activity through website or telephone communications.

(3) The department shall seek to increase the number of public and private sector contacts which receive vital homeland security information and intelligence in order to enhance the safety and security for citizens of this state.

Sec. 502. (1) The department shall provide hazardous materials response training.

(2) The department shall maintain the staffing and resources necessary to serve approximately 110 local emergency management preparedness programs and 88 local emergency planning committees in this state.

(3) The department shall conduct a minimum of 3 training sessions to enhance safe response in the event of natural or manmade incidents, emergencies, or disasters.

(4) The department's emergency management division shall make every effort to ensure both of the following:

(a) That homeland security grants offered by the federal government and channeled through the department are allocated to first responder entities in the highest percentage possible.

(b) That homeland security grants awarded to the city of Detroit shall not be used to supplant city general funds designated to support first responder operations.

Sec. 503. (1) The department shall operate and maintain the state's emergency operations center and provide command and control in support of emergency response services.

(2) The department shall maintain readiness, including training and equipment to respond to civil disorders and natural disasters.

(3) The department shall relocate the state's emergency operations center from its present site at Collins Road to another suitable facility.

(4) The state director of emergency management may expend money appropriated under this article to call upon any agency or department of the state or any resource of the state to protect life or property or to provide for the health or safety of the population in any area of the state in which the governor proclaims a state of emergency or state of disaster under 1945 PA 302, MCL 10.31 to 10.33, or under the emergency management act, 1976 PA 390, MCL 30.401 to 30.421. The state director of emergency management may expend the amounts the director considers necessary to accomplish these purposes. The director shall submit to the state budget director as soon as possible a complete report of all actions taken under the authority of this section. The report shall contain, as a separate item, a statement of all money expended that is not reimbursable from federal money. The state budget director shall review the expenditures and submit recommendations to the legislature in regard to any possible need for a supplemental appropriation.

(5) In addition to the money appropriated in this article, the

department may receive and expend money from local, private, federal, or state sources for the purpose of providing emergency management training to local or private interests and for the purpose of supporting emergency preparedness, response, recovery, and mitigation activity. If additional expenditure authorization in the Michigan administrative information network is approved by the state budget office under this section, the department and the state budget office shall notify the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies within 10 days after the approval. The notification shall include the amount and source and the additional authorization, the date of its approval, and the projected use of funds to be expended under the authorization.

Sec. 504. (1) The department shall conduct public awareness campaigns regarding various public safety issues.

(2) The department shall provide resources and technical assistance to train child passenger safety technicians to promote public education and awareness to parents.

(3) Based on available grants, the department shall attempt to identify a trained child passenger safety technician in each county in this state.

Sec. 505. (1) The department shall administer various public safety grants to state, local, and private entities within this state.

(2) The department shall comply with all federal and state guidelines pertaining to grant distributions.

(3) The department shall seek new grant funding to support public safety.

ONE-TIME BASIS ONLY

Sec. 1001. For the state fiscal year ending September 30, 2012, there is appropriated from general fund/general purpose revenue, on a 1-time basis only, $800,000.00 for department costs associated with providing traffic control services for the Michigan international speedway.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2013 for the line items listed in part 1. The fiscal year 2012-2013 appropriations are anticipated to be the same as those for fiscal year 2011-2012, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2012 consensus revenue estimating conference.

ARTICLE XVII

STATE TRANSPORTATION DEPARTMENT

PART 1

LINE-ITEM APPROPRIATIONS

FOR FISCAL YEAR 2011-2012

Sec. 101. Subject to the conditions set forth in this article, the amounts listed in this part are appropriated for the state transportation department and certain state purposes designated in this article for the fiscal year ending September 30, 2012, from the funds indicated in this part. The following is a summary of the appropriations in this part:

STATE TRANSPORTATION DEPARTMENT

APPROPRIATION SUMMARY

Full-time equated unclassified positions..... 6.0	
Full-time equated classified positions..... 3,043.3	
GROSS APPROPRIATION.....	$ 3,327,770,700
Total interdepartmental grants and intradepartmental transfers	3,451,500
ADJUSTED GROSS APPROPRIATION.....	$ 3,324,319,200
Federal revenues:	
DOT, federal transit administration.....	61,985,000
DOT-FHWA, highway research, planning, and construction	1,082,019,600
DOT-FRA, local rail service assistance.....	100,000
DOT-FRA, rail passenger/HSGT.....	3,000,000
DOT, federal aviation administration.....	94,090,600
Total federal revenues.....	1,241,195,200
Special revenue funds:	
Local revenues.....	53,968,500

1	Total local and private revenues.....	53,968,500
2	Blue Water Bridge fund.....	16,980,700
3	Comprehensive transportation fund.....	239,494,100
4	Economic development fund.....	41,819,000
5	IRS debt service rebate.....	7,523,500
6	Intercity bus equipment fund.....	200,000
7	Local bridge fund.....	30,514,300
8	Michigan transportation fund.....	974,103,300
9	Rail freight fund.....	2,000,000
10	State aeronautics fund.....	14,537,700
11	State trunkline fund.....	701,982,900
12	Total other state restricted revenues.....	2,029,155,500
13	State general fund/general purpose.....	$ 0
14	**Sec. 102. DEBT SERVICE**	
15	State trunkline.....	$ 247,449,700
16	Economic development.....	9,174,600
17	Local bridge fund.....	3,261,800
18	Blue Water Bridge fund.....	4,115,000
19	Airport safety and protection plan.....	3,473,500
20	Comprehensive transportation.....	19,998,800
21	GROSS APPROPRIATION.....	$ 287,473,400
22	Appropriated from:	
23	Federal revenues:	
24	DOT-FHWA, highway research, planning, and construction	53,434,300
25	Special revenue funds:	
26	Blue Water Bridge fund.....	4,115,000
27	Comprehensive transportation fund.....	19,998,800

1 Economic development fund..... 9,174,600
2 Local bridge fund..... 3,261,800
3 IRS debt service rebate..... 7,523,500
4 State aeronautics fund..... 3,473,500
5 State trunkline fund..... 186,491,900
6 State general fund/general purpose..... $ 0
7 **Sec. 103. COLLECTION, ENFORCEMENT, AND OTHER AGENCY**
8 **SUPPORT SERVICES**
9 MTF grant to department of natural resources and
10 environment ..... $ 1,165,900
11 MTF grant to department of state for collection of
12 revenue and fees 20,000,000
13 MTF grant to department of treasury..... 8,379,000
14 MTF grant to legislative auditor general..... 204,300
15 STF grant to department of attorney general..... 2,817,500
16 STF grant to civil service commission..... 5,697,000
17 STF grant to department of technology, management, and
18 budget 1,388,000
19 STF grant to department of state police..... 10,586,900
20 STF grant to department of treasury..... 131,600
21 STF grant to legislative auditor general..... 474,600
22 SAF grant to department of attorney general..... 165,900
23 SAF grant to civil service commission..... 150,000
24 SAF grant to department of technology, management, and
25 budget 40,100
26 SAF grant to department of treasury..... 74,500
27 SAF grant to legislative auditor general..... 19,600

1	CTF grant to department of attorney general.....	177,200
2	CTF grant to civil service commission.....	200,000
3	CTF grant to department of technology, management, and	
4	budget	44,000
5	CTF grant to department of treasury.....	7,600
6	CTF grant to legislative auditor general.....	25,200
7	GROSS APPROPRIATION..... $	51,748,900
8	Appropriated from:	
9	Special revenue funds:	
10	Comprehensive transportation fund.....	454,000
11	Michigan transportation fund.....	29,749,200
12	State aeronautics fund.....	450,100
13	State trunkline fund.....	21,095,600
14	State general fund/general purpose..... $	0
15	**Sec. 104. EXECUTIVE DIRECTION**	
16	Full-time equated unclassified positions..... 6.0	
17	Full-time equated classified positions..... 31.3	
18	Unclassified salaries..... $	602,800
19	Asset management council.....	1,626,400
20	Commission audit--31.3 FTE positions.....	2,971,800
21	GROSS APPROPRIATION..... $	5,201,000
22	Appropriated from:	
23	Special revenue funds:	
24	Michigan transportation fund.....	1,626,400
25	State trunkline fund.....	3,574,600
26	State general fund/general purpose..... $	0
27	**Sec. 105. BUSINESS SUPPORT**	

1	Full-time equated classified positions..... 58.0	
2	Business support services--49.0 FTE positions.....	$ 6,215,900
3	Economic development and enhancement programs--9.0 FTE	
4	positions	1,219,800
5	Property management.....	7,915,000
6	Worker's compensation.....	1,760,600
7	GROSS APPROPRIATION.....	$ 17,111,300
8	Appropriated from:	
9	Special revenue funds:	
10	Comprehensive transportation fund.....	1,590,300
11	Economic development fund.....	381,000
12	Michigan transportation fund.....	213,700
13	State aeronautics fund.....	603,900
14	State trunkline fund.....	14,322,400
15	State general fund/general purpose.....	$ 0
16	**Sec. 106. INFORMATION TECHNOLOGY**	
17	Information technology services and projects.....	$ 28,335,000
18	GROSS APPROPRIATION.....	$ 28,335,000
19	Appropriated from:	
20	Federal revenues:	
21	DOT-FHWA, highway research, planning, and construction	520,500
22	Special revenue funds:	
23	Blue Water Bridge fund.....	48,400
24	Comprehensive transportation fund.....	195,900
25	Economic development fund.....	37,200
26	Michigan transportation fund.....	258,800
27	State aeronautics fund.....	152,900

1 State trunkline fund..... 27,121,300
2 State general fund/general purpose..... $ 0
3 **Sec. 107. FINANCE, CONTRACTS, AND SUPPORT SERVICES**
4 Full-time equated classified positions..... 277.5
5 Financial operations--114.0 FTE positions..... $ 10,874,500
6 Contract services--53.6 FTE positions..... 4,853,600
7 Department services--41.9 FTE positions..... 5,098,500
8 Performance excellence--13.0 FTE positions..... 1,427,400
9 Welcome center operations--55.0 FTE positions..... 3,959,400
10 GROSS APPROPRIATION..... $ 26,213,400
11 Appropriated from:
12 Interdepartmental grant revenues:
13 IDG for accounting service center user charges..... 3,451,500
14 Special revenue funds:
15 Michigan transportation fund..... 1,976,900
16 State trunkline fund..... 20,785,000
17 State general fund/general purpose..... $ 0
18 **Sec. 108. TRANSPORTATION PLANNING**
19 Full-time equated classified positions..... 176.0
20 Statewide planning services--124.0 FTE positions..... $ 14,533,700
21 Data collection services--52.0 FTE positions..... 6,887,700
22 Specialized planning services and local studies..... 16,504,800
23 Grants to regional planning councils..... 488,800
24 GROSS APPROPRIATION..... $ 38,415,000
25 Appropriated from:
26 Federal revenues:
27 DOT-FHWA, highway research, planning, and construction 22,000,000

1 Special revenue funds:
2 Comprehensive transportation fund..... 960,300
3 Michigan transportation fund..... 6,304,500
4 State aeronautics fund..... 15,000
5 State trunkline fund..... 9,135,200
6 State general fund/general purpose..... $ 0
7 **Sec. 109. DESIGN AND ENGINEERING SERVICES**
8 Full-time equated classified positions..... 1,491.8
9 Engineering services--799.1 FTE positions..... $ 66,623,300
10 Program services--680.7 FTE positions..... 39,482,700
11 Intelligent transportation systems operations--12.0
12 FTE positions 10,579,200
13 GROSS APPROPRIATION..... $ 116,685,200
14 Appropriated from:
15 Federal revenues:
16 DOT-FHWA, highway research, planning, and construction 23,529,800
17 Special revenue funds:
18 Michigan transportation fund..... 6,828,400
19 State trunkline fund..... 86,327,000
20 State general fund/general purpose..... $ 0
21 **Sec. 110. HIGHWAY MAINTENANCE**
22 Full-time equated classified positions..... 837.7
23 State trunkline operations--837.7 FTE positions..... $ 267,017,700
24 GROSS APPROPRIATION..... $ 267,017,700
25 Appropriated from:
26 Special revenue funds:
27 State trunkline fund..... 267,017,700

1 State general fund/general purpose ..... $ 0

2 **Sec. 111. ROAD AND BRIDGE PROGRAMS**

3 State trunkline federal aid and road and bridge

4 construction ..... $ 842,310,000

5 Local federal aid and road and bridge construction ... 240,443,000

6 Grants to local programs 33,000,000

7 Rail grade crossing 3,000,000

8 Local bridge program 27,252,500

9 County road commissions 570,598,400

10 Cities and villages 318,134,200

11 GROSS APPROPRIATION ..... $ 2,034,738,100

12 Appropriated from:

13 Federal revenues:

14 DOT-FHWA, highway research, planning, and construction 982,535,000

15 Special revenue funds:

16 Local funds 30,000,000

17 Blue Water Bridge fund 7,107,300

18 Local bridge fund 27,252,500

19 Michigan transportation fund 924,732,600

20 State trunkline fund 63,110,700

21 State general fund/general purpose ..... $ 0

22 **Sec. 112. BLUE WATER BRIDGE**

23 Full-time equated classified positions 41.0

24 Blue Water Bridge operations--41.0 FTE positions ..... $ 5,710,000

25 GROSS APPROPRIATION ..... $ 5,710,000

26 Appropriated from:

27 Special revenue funds:

1 Blue Water Bridge fund..... 5,710,000

2 State general fund/general purpose..... $ 0

3 **Sec. 113. TRANSPORTATION ECONOMIC DEVELOPMENT**

4 Forest roads..... $ 5,000,000

5 Rural county urban system..... 2,500,000

6 Target industries/economic redevelopment..... 8,113,200

7 Urban county congestion..... 8,306,500

8 Rural county primary..... 8,306,500

9 GROSS APPROPRIATION..... $ 32,226,200

10 Appropriated from:

11 Special revenue funds:

12 Economic development fund..... 32,226,200

13 State general fund/general purpose..... $ 0

14 **Sec. 114. AERONAUTICS AND FREIGHT SERVICES**

15 Full-time equated classified positions..... 84.0

16 Airport improvement services--30.0 FTE positions..... $ 3,021,900

17 Aviation services--26.0 FTE positions..... 4,193,900

18 Freight and safety services--28.0 FTE positions..... 3,853,900

19 Air service program..... 100,000

20 GROSS APPROPRIATION..... $ 11,169,700

21 Appropriated from:

22 Special revenue funds:

23 Comprehensive transportation fund..... 1,667,400

24 Michigan transportation fund..... 2,186,500

25 State aeronautics fund..... 7,315,800

26 State general fund/general purpose..... $ 0

27 **Sec. 115. PUBLIC TRANSPORTATION SERVICES**

1 Full-time equated classified positions..... 46.0
2 Passenger transportation services--46.0 FTE positions $ 6,093,400
3 GROSS APPROPRIATION..... $ 6,093,400
4 Appropriated from:
5 Federal revenues:
6 DOT, federal transit administration..... 862,100
7 Special revenue funds:
8 Comprehensive transportation fund..... 5,005,000
9 Michigan transportation fund..... 226,300
10 State general fund/general purpose..... $ 0
11 **Sec. 116. BUS TRANSIT DIVISION: STATUTORY OPERATING**
12 Local bus operating..... $ 166,624,000
13 Nonurban operating/capital..... 22,787,900
14 GROSS APPROPRIATION..... $ 189,411,900
15 Appropriated from:
16 Federal revenues:
17 DOT, federal transit administration..... 21,987,900
18 Special revenue funds:
19 Comprehensive transportation fund..... 166,624,000
20 Local funds..... 800,000
21 State general fund/general purpose..... $ 0
22 **Sec. 117. INTERCITY PASSENGER AND FREIGHT**
23 Freight property management..... $ 1,000,000
24 Detroit/Wayne County port authority..... 468,200
25 Intercity services..... 6,100,000
26 Rail passenger service..... 11,667,000
27 Freight preservation and development..... 5,100,000

1	Marine passenger service	400,000
2	Terminal development	461,000
3	GROSS APPROPRIATION	$ 25,196,200
4	Appropriated from:	
5	Federal revenues:	
6	DOT, federal transit administration	4,500,000
7	DOT-FRA, local rail service assistance	100,000
8	DOT-FRA, rail passenger/HSGT	3,000,000
9	Special revenue funds:	
10	Local funds	50,000
11	Comprehensive transportation fund	15,346,200
12	Intercity bus equipment fund	200,000
13	Rail freight fund	2,000,000
14	State general fund/general purpose	$ 0
15	**Sec. 118. PUBLIC TRANSPORTATION DEVELOPMENT**	
16	Specialized services	$ 8,913,800
17	Municipal credit program	2,000,000
18	Transit capital	50,048,400
19	Van pooling	195,000
20	Service initiatives	1,415,000
21	Transportation to work	9,700,000
22	GROSS APPROPRIATION	$ 72,272,200
23	Appropriated from:	
24	Federal revenues:	
25	DOT, federal transit administration	34,635,000
26	Special revenue funds:	
27	Local funds	9,985,000

1 Comprehensive transportation fund.....		27,652,200
2 State general fund/general purpose.....	$	0
3 **Sec. 119. CAPITAL OUTLAY**		
4 **(1) BUILDINGS AND FACILITIES**		
5 Special maintenance, remodeling, and additions.....	$	3,001,500
6 GROSS APPROPRIATION.....		3,001,500
7 Appropriated from:		
8 State trunkline fund.....		3,001,500
9 State general fund/general purpose.....	$	0
10 **(2) AIRPORT IMPROVEMENT PROGRAMS**		
11 Airport safety, protection, and improvement program..	$	109,750,600
12 GROSS APPROPRIATION.....		109,750,600
13 Appropriated from:		
14 Federal revenues:		
15 DOT, federal aviation administration.....		94,090,600
16 Special revenue funds:		
17 Local funds.....		13,133,500
18 State aeronautics fund.....		2,526,500
19 State general fund/general purpose.....	$	0

20 PART 2

21 PROVISIONS CONCERNING APPROPRIATIONS

22 FOR FISCAL YEAR 2011-2012

23 **GENERAL SECTIONS**

24 Sec. 201. Pursuant to section 30 of article IX of the state

25 constitution of 1963, total state spending from state resources

1 under part 1 for fiscal year 2011-2012 is $2,029,155,500.00 and
2 state spending from state resources to be paid to local units of
3 government for fiscal year 2011-2012 is $1,182,737,000.00. The
4 itemized statement below identifies appropriations from which
5 spending to units of local government will occur:
6 DEPARTMENT OF TRANSPORTATION

7	Grants to regional planning councils	$ 488,800
8	Grants to local programs	33,000,000
9	Rail grade crossing	3,000,000
10	Local bridge program	27,252,500
11	Grants to county road commissions	570,598,400
12	Grants to cities and villages	318,134,200
13	Economic development fund	32,226,200
14	Air service program	100,000
15	Local bus operating	166,624,000
16	Detroit/Wayne County port authority	468,200
17	Marine passenger service	400,000
18	Terminal development	461,000
19	Specialized services	3,943,800
20	Municipal credit program	2,000,000
21	Transit capital	16,748,400
22	Service initiatives	65,000
23	Transportation to work	4,700,000
24	Airport safety, protection, and improvement	
25	program	2,526,500
26	Total payments to local units of government	$ 1,182,737,000

27 Sec. 202. The appropriations authorized under this article are

subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this article:

(a) "AASHTO" means the American association of state highway and transportation officials.

(b) "ASTM" means the American society for testing and materials.

(c) "CTF" means comprehensive transportation fund.

(d) "Department" means the department of transportation.

(e) "DOT" means the United States department of transportation.

(f) "DOT-FHWA" means DOT, federal highway administration.

(g) "DOT-FRA" means DOT, federal railroad administration.

(h) "DOT-FRA, rail passenger/HSGT" means DOT, federal railroad administration, high-speed ground transportation.

(i) "EDF" means economic development fund.

(j) "FTE" means full-time equated.

(k) "IRS" means the internal revenue service.

(*l*) "MTF" means Michigan transportation fund.

(m) "RIF" means recreation improvement fund.

(n) "SAF" means state aeronautics fund.

(o) "STF" means state trunkline fund.

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

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $200,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed $40,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

Sec. 207. (1) The department shall maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

(a) Fiscal year-to-date expenditures by category.

(b) Fiscal year-to-date expenditures by appropriation unit.

(c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.

(d) The number of active department employees by job classification.

(e) Job specifications and wage rates.

(2) The department may develop and operate its own website to provide this information or may reference the state's central transparency website as the source for this information.

Sec. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this article. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.

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

Sec. 211. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of technology, management, and budget. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 212. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.

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

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

Sec. 216. When beginning any effort to privatize, the department shall submit a complete project plan to the house of representatives and senate appropriations subcommittees on transportation, the state budget office, and the house and senate fiscal agencies. The plan shall include the rationale for

privatization, including a cost-benefit analysis if appropriate. The evaluation shall be completed and submitted to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies. As used in this section, "privatize" or "privatization" means the transfer of state highway maintenance or activities currently performed by department forces, or by boards of county road commissioners, county boards of commissioners, or local units of government under contract with the department, to private contractors.

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

Sec. 229. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on transportation, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2011 and September 30, 2012.

Sec. 260. (1) Due to the current budgetary problems in this state, out-of-state travel shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the house and senate appropriations committees.

(3) Not later than January 1 of each year, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be

1 submitted to the chairs and members of the house and senate
2 appropriations committees, the fiscal agencies, and the state
3 budget director. The report shall include the following
4 information:
5 (a) The name of each person receiving reimbursement for travel
6 outside this state or whose travel costs were paid by this state.
7 (b) The destination of each travel occurrence.
8 (c) The dates of each travel occurrence.
9 (d) A brief statement of the reason for each travel
10 occurrence.
11 (e) The transportation and related costs of each travel
12 occurrence, including the proportion funded with state general
13 fund/general purpose revenues, the proportion funded with state
14 restricted revenues, the proportion funded with federal revenues,
15 and the proportion funded with other revenues.
16 (f) A total of all out-of-state travel funded for the
17 immediately preceding fiscal year.
18 Sec. 262. Funds appropriated in part 1 shall not be used by a
19 principal executive department, state agency, or authority to hire
20 a person to provide legal services that are the responsibility of
21 the attorney general. This prohibition does not apply to legal
22 services for bonding activities and for those activities that the
23 attorney general authorizes.
24 Sec. 263. (1) The department shall report no later than April
25 1, 2012 on each specific policy change made to implement a public
26 act affecting the department that took effect during the prior
27 calendar year to the house and senate appropriations subcommittees

on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.

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

(3) As used in this section:

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

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

Sec. 270. In order to reduce costs and maintain quality, it is the intent of the legislature that, excluding the fleet of motor vehicles for the department of state police, the department will prioritize the utilization of remanufactured parts as the primary means of maintenance and repair for the state of Michigan's fleet of motor vehicles.

DEPARTMENTAL SECTIONS

Sec. 301. (1) The department may establish a fee schedule and collect fees sufficient to cover the costs to issue the permits that the department is authorized by law to issue upon request, unless otherwise stipulated by law. All permit fees are

nonrefundable application fees and shall be credited to the appropriate fund to recover the direct and indirect costs of receiving, reviewing, and processing the requests.

(2) A bridge authority shall hold 3 public hearings on an increase in any toll charged by the authority at least 30 days before the toll change will become effective. Two of the hearings shall be held within 5 miles of the bridge over which the bridge authority has jurisdiction. One hearing shall be held in Lansing. Public hearings held under this section shall be conducted in accordance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, and shall be conducted so as to provide a reasonable opportunity for public comment, including both spoken and written comments.

Sec. 303. On request, the department shall provide to a legislator, in writing, a report on the amount of money to be received by each city and village and the county road commission of each county, that is included in whole or in part within the legislator's legislative district.

Sec. 304. If, as a requirement of bidding on a highway project, the department requires a contractor to submit financial or proprietary documentation as to how the bid was calculated, that bid documentation shall be kept confidential and shall not be disclosed other than to a department representative without the contractor's written consent. The department may disclose the bid documentation if necessary to address or defend a claim by a contractor.

Sec. 305. The department shall permit space on public

passenger transportation properties to be occupied by public or private tenants on a competitive market rate basis. The department shall require that revenue from the tenants be placed in an account to be used to pay the costs to maintain and improve the property.

Sec. 306. (1) The amounts appropriated in section 103 to support tax and fee collection, law enforcement, and other program services provided to the department and to transportation funds by other state departments shall be expended from transportation funds pursuant to annual contracts between the department and those other state departments. The contracts shall be executed prior to the expenditure or obligation of those funds. The contracts shall provide, but are not limited to, the following data applicable to each state department:

(a) Estimated costs to be recovered from transportation funds.

(b) Description of services provided to the department and/or transportation funds and financed with transportation funds.

(c) Detailed cost allocation methods appropriate to the type of services being provided and the activities financed with transportation funds.

(2) Not later than 2 months after publication of the state of Michigan comprehensive annual financial report, each state department receiving funding pursuant to an interdepartment contract with the department shall submit a written report to the department, the state budget director, and the house and senate fiscal agencies stating by spending authorization account the amount of estimated funds contracted with the department, the amount of funds expended, the amount of funds returned to the

transportation funds, and any unreimbursed transportation-related costs incurred but not billed to transportation funds. A copy of the report shall be submitted to the auditor general, and the report shall be subject to audit by the auditor general as provided in subsection (3).

(3) In addition to the requirements of subsection (2), the state treasurer shall develop a cost allocation plan to identify the actual costs of work based on time and effort performed by the department of treasury for state-restricted transportation funds. The cost allocation plan shall specifically identify the costs of collecting constitutionally restricted motor fuel taxes. The cost allocation plan shall be submitted to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, the auditor general, and the state budget director by November 1. The cost allocation plan shall be subject to audit by the auditor general.

(4) Biennially, in each even-numbered fiscal year, the auditor general shall conduct an audit of charges to transportation funds by state departments for the 2 preceding fiscal years. The audit shall include both charges governed by interdepartmental contracts as well as miscellaneous charges from other state departments not governed by contracts. The auditor general shall prepare a detailed report, with recommendations and conclusions, including a summary of charges and related services to transportation funds by department, the appropriateness of those charges, the cost allocation methodologies used in determining the level of funding,

and any unreimbursed transportation-related costs, if any. The report shall be provided to the senate and house of representatives committees on appropriations, the senate and house fiscal agencies, and the state budget director 9 months after publication of the state of Michigan comprehensive annual financial report.

Sec. 307. Before March 1 of each year, the department will provide to the legislature, the state budget office, and the house and senate fiscal agencies its rolling 5-year plan listing by county or by county road commission all highway construction projects for the fiscal year and all expected projects for the ensuing fiscal years.

Sec. 308. (1) The department and local road agencies that receive appropriations under this article shall pursue compliance with contract specifications for construction and maintenance of state highways and local roads and streets. Work shall not be accepted and paid for until it complies with contract requirements. Contractors with unsatisfactory performance ratings shall be restricted from future bidding through the prequalification process established by the department or a local road agency. The department, county road commissions, and cities and villages shall report to the house of representatives and senate appropriations subcommittees on transportation, the senate and house fiscal agencies, and the state budget director on their respective activities under this section.

(2) A contractor's prequalification rating shall not be reduced or restricted until all administrative appeals have been completed. The department can take immediate action regarding a

contractor's prequalification rating for public safety reasons or to prevent fraud and malfeasance of public funds.

Sec. 309. The department shall continue its efforts to reduce administrative costs and provide the maximum funding possible for construction projects.

Sec. 310. The department shall provide in a timely manner copies of the agenda and approved minutes of monthly transportation commission meetings to the members of the house and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget director.

Sec. 312. At the close of the fiscal year, any unencumbered and unexpended balance in the state trunkline fund shall remain in the state trunkline fund and shall carry forward and is appropriated for federal aid road and bridge programs for projects contained in the annual state transportation program.

Sec. 313. (1) From funds appropriated in part 1, the department may increase a state infrastructure bank program and grant or loan funds in accordance with regulations of the state infrastructure bank program of the United States department of transportation. The state infrastructure bank is to be administered by the department for the purpose of providing a revolving, self-sustaining resource for financing transportation infrastructure projects.

(2) In addition to funds provided in subsection (1), money received by the state as federal grants, repayment of state infrastructure bank loans, or other reimbursement or revenue received by the state as a result of projects funded by the program

and interest earned on that money shall be deposited in the revolving state infrastructure bank fund and shall be available for transportation infrastructure projects. At the close of the fiscal year, any unencumbered funds remaining in the state infrastructure bank fund shall remain in the fund and be carried forward into the succeeding fiscal year.

Sec. 319. The department shall post signs at each rest area to identify the agency or contractor responsible for maintenance of the rest area. The signs shall include a department telephone number and shall indicate that unsafe or unclean conditions at the rest area may be reported to that telephone number.

Sec. 353. The department shall review its contractor payment process and ensure that all prime contractors are paid promptly. The department shall ensure that prime contractors are in compliance with special provision 109.10 regarding the prompt payment of subcontractors.

Sec. 354. On or before March 1, 2012, the department shall solicit and evaluate proposals for services related to the audit of vendor and contract payments and the recovery of overpayments and duplicate payments. The department shall report to the house and senate committees on appropriations and the house and senate fiscal agencies on the results of the proposal solicitation and results of the subsequent payment audits.

Sec. 357. When presented with complete local federal aid project submittals, the department shall complete all necessary reviews and inspections required to let local federal aid projects within 120 days of receipt. The department shall implement a system

for monitoring the local federal aid project review process.

Sec. 375. The department is prohibited from reimbursing contractors or consultants for costs associated with groundbreaking ceremonies, receptions, open houses, or press conferences related to transportation projects funded, in whole or in part, by revenue appropriated in part 1.

Sec. 382. The department and the state budget office shall provide for an independent study of the state government needs for a state aircraft fleet. The department and the state budget office shall review the findings of that study and the costs associated with the current fleet or other arrangements for air travel. The department and the state budget office shall report the findings to the legislature no later than March 30, 2012, and shall consider those findings in any decision to sell airplanes.

Sec. 383. (1) The department shall prepare an annual report on all travel by executive branch employees, and others including local public officials, university employees, and other public employees on department-owned aircraft. The report shall include, by department, the name of the traveler, the travel origination location, the travel destination location, type of aircraft, and the total estimated costs associated with the air travel.

(2) The report shall be submitted to the senate and house appropriations subcommittees on transportation and the house and senate fiscal agencies no later than July 1.

(3) From the funds appropriated in part 1, the department is prohibited from transporting legislators or legislative staff on state-owned aircraft without prior approval from the senate

1 majority leader or the speaker of the house of representatives and
2 only when the aircraft is already scheduled by state employees on
3 related official state business.
4 (4) The department shall maintain a system for recovering the
5 cost of operating department-owned aircraft through charges to
6 aircraft users.
7 Sec. 384. (1) The department shall not expend any state
8 transportation revenue for construction planning or construction of
9 the Detroit River International Crossing or a renamed successor. In
10 addition, except as provided in subsection (3), the department
11 shall not commit the state to any new contract related to the
12 construction planning or construction of the Detroit River
13 International Crossing or a renamed successor unless the
14 legislature has enacted specific enabling legislation to allow for
15 the construction of the Detroit River International Crossing or a
16 renamed successor.
17 (2) On or before March 31, 2012, the department shall report
18 to the state budget director, the house and senate appropriations
19 subcommittees on transportation, and the house and senate fiscal
20 agencies on department activities related to the Detroit River
21 International Crossing or a renamed successor.
22 (3) If the legislature enacts specific enabling legislation for
23 the construction of the Detroit River International Crossing or a
24 renamed successor, subsection (1) does not apply once the enabling
25 legislation goes into effect.
26 Sec. 385. (1) The department shall use all available toll
27 credits, as provided by private toll facilities in this state and

1 certified by the federal highway administration, to match available
2 federal aid highway funds.
3 (2) The department shall not use toll credits generated by a
4 private tolled bridge crossing to finance, design, plan, construct,
5 operate, or maintain any international bridge crossing within 5
6 miles of that privately tolled bridge.
7 Sec. 393. The department shall promote best practices for
8 public transportation services in this state, including, but not
9 limited to, the following:
10 (a) Transit vehicle rehabilitation to reduce life-cycle cost
11 of public transportation through mid-life rehabilitation of transit
12 buses.
13 (b) Cooperation between entities using transit, including
14 school districts, cities, townships, and counties with a view to
15 promoting cost savings through joint purchasing of fuel and other
16 procurements.
17 (c) Coordination of transportation dollars among state
18 departments which provide transit-related services, including the
19 department of human services and the department of community
20 health. Priority should be given to use of public transportation
21 services where available.
22 (d) Promotion of intelligent transportation services for buses
23 that incorporate computer and navigation technology to make
24 transit systems more efficient, including stoplight coordinating,
25 vehicle tracking, data tracking, and computerized scheduling.
26 Sec. 398. For the fiscal year ending September 30, 2012, the
27 appropriation to a street railway pursuant to section 10e(22) of

1951 PA 51, MCL 247.660e, is $0.

FEDERAL

Sec. 401. Within 30 days of receiving the applicable fiscal year authorization from the federal government to commit transportation funds, the department shall notify local agency representatives, the senate and house of representatives appropriations transportation subcommittees, the senate and house fiscal agencies, and the state budget director regarding the amount of federal aid for categorical allocations to state and local agency programs not specifically allocated in either federal or state law.

Sec. 402. A portion of the federal DOT-FHWA highway research, planning, and construction funds made available to the state shall be allocated to transportation programs administered by local jurisdictions in accordance with section 10o of 1951 PA 51, MCL 247.660o. A local road agency, with respect to a project approved for federal aid funding in a state transportation improvement program, may enter into a voluntary buyout agreement with the department or with another local road agency to exchange the federal aid with state restricted transportation funds as agreed to by the respective parties. The state restricted transportation funds received in exchange for federal aid funds shall be used for the same purpose as the federal aid funds were originally intended.

MICHIGAN TRANSPORTATION FUND

Sec. 501. The money received under the motor carrier act, 1933

PA 254, MCL 475.1 to 479.43, and not appropriated to the department of energy, labor, and economic growth or the department of state police is deposited in the Michigan transportation fund.

Sec. 503. (1) The funds appropriated in part 1 for the economic development and local bridge programs shall not lapse at the end of the fiscal year but shall carry forward each fiscal year for the purposes for which appropriated in accordance with 1987 PA 231, MCL 247.901 to 247.913, and section 10(5) of 1951 PA 51, MCL 247.660.

(2) Interest earned in the department of transportation economic development fund and local bridge fund shall remain in the respective funds and shall be allocated to the respective programs based on actual interest earned at the end of each fiscal year.

(3) In addition to the funds appropriated in part 1, the department of transportation economic development fund and local bridge fund may receive federal, local, or private funds or restricted source funds such as interest earnings. These funds are appropriated for projects that are consistent with the purposes of the respective funds.

(4) None of the funds statutorily dedicated to the transportation economic development fund and local bridge fund shall be diverted to other projects.

Sec. 504. Funds from the Michigan transportation fund (MTF) shall be distributed to the comprehensive transportation fund (CTF), the economic development fund (EDF), the recreation improvement fund (RIF), and the state trunkline fund (STF), in accordance with this article and part 711 of the natural resources

and environmental protection act, 1994 PA 451, MCL 324.71101 to 324.71108, and may only be used as specified in this article, 1951 PA 51, MCL 247.651 to 247.675, and part 711 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.71101 to 324.71108.

STATE TRUNKLINE FUND

Sec. 601. The department shall work with the road construction industry and engineering consulting community to develop performance and road construction warranties for construction contracts. The development of warranties shall include warranties on materials, workmanship, performance criteria, and design/build projects. The department will report by September 30 of each calendar year to the house of representatives and senate appropriations subcommittees on transportation, the state budget director, and the house and senate fiscal agencies on the status of efforts to develop performance and road construction warranties.

Sec. 602. If the department uses manufactured pipe for road construction drainage, the department shall require that pipe used under certain load-bearing conditions beneath the roadway meets the standards established by the American society for testing and materials (ASTM) or American association of state highway and transportation officials (AASHTO). The department may also use the mandrel test for manufactured pipe 60 days after installation and provide a summary of the results of these inspections to the house of representatives and senate appropriations subcommittees on transportation and house and senate fiscal agencies.

Sec. 603. The department shall use traffic congestion as 1 of the criteria in determining the priorities for designating which roads shall be remediated in its 5-year road plan, which must be submitted on or before March 1 of each year. Criteria for evaluating traffic congestion shall include, but not be limited to, coordination with local, county, and regional planning, improvement in traffic operations, improvement in physical roadway conditions, accident reduction, and coordination with area public transportation planning.

Sec. 610. It is the intent of the legislature that the department have as a priority the removal of dead deer and other large animal remains from the traveled portion and shoulder of state highways. The department, and counties that perform state highway maintenance under contract, shall remove animal remains, wherever practicable, away from the traveled portion and shoulder of state highways.

Sec. 612. The department shall establish guidelines governing incentives and disincentives provided under contracts for state trunkline projects. The guidelines shall include specific financial information concerning incentives and disincentives. On or before January 1 of each year, the department shall prepare a report for the immediately preceding fiscal year regarding contract incentives and disincentives. This report shall include a list, by project, of the contractors that received contract incentives and/or disincentives, the amount of the incentives and/or disincentives, and the number of days that each project was completed either ahead or past the contracted completion date. This report shall be

provided to the senate and house appropriations subcommittees on transportation, the senate and house standing committees on transportation, and the senate and house fiscal agencies.

Sec. 660. (1) The legislature encourages the department to examine the use of alternative road surface materials, including recycled materials, and to develop criteria and specifications for their use in both department-managed and contracted projects.

(2) The department shall evaluate the use of a bituminous mix which incorporates crumb rubber from scrap tires.

Sec. 664. It is the intent of the legislature that if actual state-restricted revenue deposited to the Michigan transportation fund exceeds the revenue estimates upon which the appropriations in part 1 of this article were based, the department shall give priority to reinstating delayed and deferred projects.

COMPREHENSIVE TRANSPORTATION FUND

Sec. 701. Money that is received by the state as a lease payment for state-owned intercity bus equipment is not money to be deposited in the comprehensive transportation fund under section 10b of 1951 PA 51, MCL 247.660b, but is money that is deposited in an intercity bus equipment fund for appropriation for the purchase and repair of intercity bus equipment. Proceeds received by the state from the sale of intercity bus equipment are deposited in an intercity bus equipment fund for appropriation for the purchase and repair of intercity bus equipment. Security deposits from the lease of state-owned intercity bus equipment not returned to the lessee of the equipment under terms of the lease agreement are deposited

in an intercity bus equipment fund for appropriation for the repair of intercity bus equipment. At the close of the fiscal year, any funds remaining in the intercity bus equipment fund shall remain in the fund and be carried forward into the succeeding fiscal year.

Sec. 702. Money that is received by the state as repayment for loans made for rail or water freight capital projects, and as a result of the sale of property or equipment used or projected to be used for rail or water freight projects shall be deposited in the fund created by section 17 of the state transportation preservation act of 1976, 1976 PA 295, MCL 474.67. At the close of the fiscal year, any funds remaining in the rail freight fund shall remain in the fund and be carried forward into the succeeding fiscal year.

Sec. 703. After receiving notification from a railroad company pursuant to section 8 of the state transportation preservation act of 1976, 1976 PA 295, MCL 474.58, the department shall immediately notify the house of representatives and senate appropriations subcommittees on transportation and the state budget office that the railroad company has filed with the appropriate governmental agencies for abandonment of a line.

Sec. 706. The Detroit/Wayne County port authority shall issue a complete operations assessment and a financial disclosure statement. The operations assessment shall include operational goals for the next 5 years and recommendations to improve land acquisition and development efficiency. The report shall be completed and submitted to the house of representatives and senate appropriations subcommittees on transportation, the state budget director, and the house and senate fiscal agencies by February 15

of each fiscal year for the prior fiscal year.

Sec. 708. If funds appropriated in part 1 are used to provide state-owned or state-leased buses to private intercity bus carriers, the department shall charge not less than $1,000.00 per bus per year for their use.

Sec. 711. (1) From the funds appropriated in part 1 from the comprehensive transportation fund for rail passenger service, the department shall negotiate with a rail carrier to provide rail service between Grand Rapids and Chicago and between Port Huron and Chicago, consistent with the other provisions of this section.

(2) The rail carrier shall, as a condition to receiving a state operating subsidy, maintain a system to monitor, collect, and resolve customer complaints and shall make the information available to the department, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies.

(3) Future state support for the service between Grand Rapids and Chicago and Port Huron and Chicago is dependent on the department's ability to provide a plan and a contract for services that increase ridership and revenue, reduce operating costs, and improve on-time performance.

(4) No state subsidy shall be provided from the funds appropriated in part 1 if the chosen rail carrier is Amtrak and Amtrak discontinued service or any portion of the service between Port Huron and Chicago or Grand Rapids and Chicago during the preceding fiscal year, unless the discontinuance of service was for track maintenance or was caused by acts of God.

(5) For rail passenger service supported in any part through capital or operating assistance from funds appropriated in this article, the department shall work with the rail carrier to identify ways in which reasonable transport of bicycles by passengers can be accommodated.

(6) The department shall report to the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies, not later than July 1, 2012, on the status of capital grants related to rail passenger service in Michigan. The report shall identify, and describe the status of, capital improvement projects related to higher train speeds, reduced travel time, station renovations, and other service improvements. The report shall also identify actual or anticipated costs of these projects, funding sources, and anticipated costs and funding sources required to maintain the improvements.

Sec. 714. The department, in cooperation with local transit agencies, shall work to ensure that demand-response services are provided throughout Michigan. The department shall continue to work with local units of government to address the unmet transit needs in Michigan.

Sec. 731. The department shall charge public transit agencies and intercity bus carriers equal rates per square foot for leasing space in state-owned intermodal facilities.

Sec. 734. (1) The department shall ensure that all public transit agencies provide the highest quality public transit service by moving people in a cost-effective, safe, and user-friendly manner that maintains and attracts residents and businesses.

(2) Public transit agencies receiving funds under part 1 shall do all of the following:

(a) Provide efficient, cost-effective, safe, well-maintained, reliable, customer-driven transportation services.

(b) Provide a quality work environment that has and fulfills employee performance, productivity, and development standards.

(c) Identify and capture all available funding or create cost-effective programs to eliminate debt and have a balanced budget.

(d) Maintain sufficient local and community funding.

(e) Support business development by providing transportation to areas of employment and commerce, emerging or established businesses, and health care facilities.

Sec. 740. The department shall report by March 1 of each year to the house of representatives and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget director the encumbered and unencumbered balances of the comprehensive transportation fund.

AERONAUTICS FUND

Sec. 801. Except as otherwise provided in section 903 for capital outlay, at the close of the fiscal year, any unobligated and unexpended balance in the state aeronautics fund created in the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.1 to 259.208, shall lapse to the state aeronautics fund and be appropriated by the legislature in the immediately succeeding fiscal year.

CAPITAL OUTLAY

Sec. 901. (1) From federal-state-local project appropriations contained in part 1 for the purpose of assisting political entities and subdivisions of this state in the construction and improvement of publicly used airports and landing fields within this state, the state transportation department may permit the award of contracts on behalf of units of local government for the authorized locations not to exceed the indicated amounts, of which the state allocated portion shall not exceed the amount appropriated in part 1.

(2) Political entities and subdivisions shall provide not less than 2.5% of the cost of any project under this section, unless a total nonfederal share greater than 5% is otherwise specified in federal law. State money shall not be allocated until local money is allocated. State money for any 1 project shall not exceed 1/3 of the total appropriation in part 1 from state funds for airport improvement programs.

(3) The Michigan aeronautics commission may take those steps necessary to match federal money available for airport construction and improvement within this state and to meet the matching requirements of the federal government. Whether acting alone or jointly with another political subdivision or public agency or with this state, a political subdivision or public agency of this state shall not submit to any agency of the federal government a project application for airport planning or development unless it is authorized in this article and the project application is approved by the governing body of each political subdivision or public agency making the application and by the Michigan aeronautics

commission.

Sec. 902. Before the end of each fiscal year, the state transportation department shall report to the house and senate appropriations subcommittees on transportation the status of airport improvement projects funded in part 1 with the estimated dollars allocated for each project. If there has to be a delay in reporting, the state transportation department shall notify the house and senate appropriations subcommittees on transportation in writing of the date the report will be received.

Sec. 903. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

Sec. 904. (1) The director shall allocate lump-sum appropriations made in this article consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

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

budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

ONE-TIME BASIS ONLY

Sec. 1001. For the state fiscal year ending September 30, 2012, there is appropriated from general fund/general purpose revenue, on a 1-time basis only, $500,000.00 for the following purpose:

Maintenance of 2 swing bridges..... $ 500,000

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

FOR FISCAL YEAR 2012-2013

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2013 for the line items listed in part 1. The fiscal year 2012-2013 appropriations are anticipated to be the same as those for fiscal year 2011-2012, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2012 consensus revenue estimating conference.