

Act No. 140
Public Acts of 2009
Approved by the Governor
November 6, 2009
Filed with the Secretary of State
November 6, 2009
EFFECTIVE DATE: November 6, 2009

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2009**

Introduced by Rep. Cushingberry

ENROLLED HOUSE BILL No. 4311

AN ACT to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009 and the fiscal year ending September 30, 2010; and to provide for the expenditure of the appropriations.

The People of the State of Michigan enact:

PART 1

LINE-ITEM APPROPRIATIONS
FOR FISCAL YEAR 2008-2009

Sec. 101. There is appropriated for the various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2009, from the following funds:

APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$	13,600,000
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION	\$	13,600,000
Total federal revenues		287,700,000
Total local revenues.....		0
Total private revenues.....		0
Total other state restricted revenues		3,600,000
State general fund/general purpose	\$	(277,700,000)

Sec. 102. DEPARTMENT OF CORRECTIONS

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$	9,800,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION	\$	9,800,000
Federal revenues:		
Total federal revenues (ARRA).....		189,600,000
Special revenue funds:		
Total local revenues.....		0
Total private revenues.....		0
Total other state restricted revenues		(200,000)
State general fund/general purpose	\$	(179,600,000)

(2) FIELD OPERATIONS ADMINISTRATION	
Field operations	\$ 0
Field operations (ARRA).....	0
GROSS APPROPRIATION	\$ 0
Appropriated from:	
Federal revenues:	
Government services fund (ARRA).....	73,300,000
Special revenue funds:	
Parole and probation oversight fees	(2,000,000)
Tether program, participant contributions	(3,000,000)
State general fund/general purpose	\$ (68,300,000)
(3) CORRECTIONAL FACILITIES ADMINISTRATION	
Prisoner store operations.....	\$ 4,800,000
Prison food service (ARRA).....	0
Transportation (ARRA).....	0
GROSS APPROPRIATION	\$ 4,800,000
Appropriated from:	
Federal revenues:	
Government services fund (ARRA).....	33,100,000
Special revenue funds:	
Resident stores	4,800,000
State general fund/general purpose	\$ (33,100,000)
(4) CONSENT DECREES	
DOJ, psychiatric plan - MDCH mental health services (ARRA)	\$ 0
GROSS APPROPRIATION	\$ 0
Appropriated from:	
Federal revenues:	
Government services fund (ARRA).....	16,800,000
State general fund/general purpose	\$ (16,800,000)
(5) NORTHERN REGION CORRECTIONAL FACILITIES	
Chippewa Correctional Facility - Kincheloe.....	\$ (100)
Northern region support and services.....	100
Standish Maximum Correctional Facility - Standish (ARRA).....	0
GROSS APPROPRIATION	\$ 0
Appropriated from:	
Federal revenues:	
Government services fund (ARRA).....	12,200,000
State general fund/general purpose	\$ (12,200,000)
(6) HEALTH CARE	
Hospital and specialty care services	\$ 5,000,000
Northern region clinical complexes (ARRA).....	0
Southeastern region clinical complexes (ARRA).....	0
Southwestern region clinical complexes (ARRA).....	0
GROSS APPROPRIATION	\$ 5,000,000
Appropriated from:	
Federal revenues:	
Government services fund (ARRA).....	54,200,000
State general fund/general purpose	\$ (49,200,000)
Sec. 103. DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH	
(1) APPROPRIATION SUMMARY	
GROSS APPROPRIATION	\$ 3,800,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION	\$ 3,800,000
Federal revenues:	
Total federal revenues	0

Special revenue funds:	
Total local revenues	\$ 0
Total private revenues	0
Total other state restricted revenues	3,800,000
State general fund/general purpose	\$ 0
(2) MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY	
Housing and rental assistance program	\$ 3,800,000
GROSS APPROPRIATION	\$ 3,800,000
Appropriated from:	
Special revenue funds:	
Michigan state housing development authority fees and charges	3,800,000
State general fund/general purpose	\$ 0

Sec. 104. HIGHER EDUCATION

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$ 0
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION	\$ 0
Federal revenues:	
Total federal revenues	170,466,500
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	(72,489,600)
State general fund/general purpose	\$ (97,976,900)

(2) GRANTS AND FINANCIAL AID

State competitive scholarships	\$ 0
Tuition grants	0
Nursing scholarship and grant programs.....	0
Michigan promise grant program	0
Tuition incentive program	0
GROSS APPROPRIATION	\$ 0
Appropriated from:	
Federal revenues:	
Higher education act of 1965, title IV, 20 USC.....	(2,641,200)
Temporary assistance for needy families	173,107,700
Special revenue funds:	
Michigan merit award trust fund.....	(72,489,600)
State general fund/general purpose	\$ (97,976,900)

Sec. 105. DEPARTMENT OF HUMAN SERVICES

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$ 0
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION	\$ 0
Federal revenues:	
Total federal revenues	(170,466,500)
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	72,489,600
State general fund/general purpose	\$ 97,976,900

(2) PUBLIC ASSISTANCE

Family independence program.....	\$ 0
GROSS APPROPRIATION	\$ 0

Appropriated from:	
Federal revenues:	
Total federal revenues	\$ (60,000,000)
Special revenue funds:	
Michigan merit award trust fund.....	60,000,000
State general fund/general purpose	\$ 0
(3) LOCAL OFFICE STAFF AND OPERATIONS	
Field staff, salaries and wages	\$ 0
GROSS APPROPRIATION	\$ 0
Appropriated from:	
Federal revenues:	
Total federal revenues	(77,358,800)
Special revenue funds:	
Michigan merit award trust fund.....	12,489,600
State general fund/general purpose	\$ 64,869,200
(4) CENTRAL SUPPORT ACCOUNTS	
Payroll taxes and fringe benefits.....	\$ 0
GROSS APPROPRIATION	\$ 0
Appropriated from:	
Federal revenues:	
Total federal revenues	(33,107,700)
State general fund/general purpose	\$ 33,107,700
 Sec. 106. DEPARTMENT OF STATE POLICE	
(1) APPROPRIATION SUMMARY	
GROSS APPROPRIATION	\$ 0
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION	\$ 0
Federal revenues:	
Total federal revenues (ARRA).....	98,100,000
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	0
Total other state restricted revenues	0
State general fund/general purpose	\$ (98,100,000)
(2) FORENSIC SCIENCES	
Laboratory services (ARRA).....	\$ 0
GROSS APPROPRIATION	\$ 0
Appropriated from:	
Federal revenues:	
Government services fund (ARRA).....	8,100,000
State general fund/general purpose	\$ (8,100,000)
(3) POST UNIFORM SERVICES	
Uniform services (ARRA)	\$ 0
At-post troopers (ARRA)	0
GROSS APPROPRIATION	\$ 0
Appropriated from:	
Federal revenues:	
Government services fund (ARRA).....	76,300,000
State general fund/general purpose	\$ (76,300,000)
(4) SPECIAL INVESTIGATIONS	
Criminal investigations (ARRA)	\$ 0
GROSS APPROPRIATION	\$ 0
Appropriated from:	
Federal revenues:	
Government services fund (ARRA).....	13,700,000
State general fund/general purpose	\$ (13,700,000)

PART 1A
 LINE-ITEM APPROPRIATIONS
 FOR FISCAL YEAR 2009-2010

Sec. 151. There is appropriated for the various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2010, from the following funds:

APPROPRIATION SUMMARY

Full-time equated classified positions.....	20.0	
GROSS APPROPRIATION	\$	12,613,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION	\$	12,613,000
Total federal revenues		1,279,600
Total local revenues.....		0
Total private revenues.....		0
Total other state restricted revenues		11,333,400
State general fund/general purpose	\$	0

Sec. 152. DEPARTMENT OF AGRICULTURE

(1) APPROPRIATION SUMMARY

Full-time equated classified positions.....	19.0	
GROSS APPROPRIATION	\$	7,088,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION	\$	7,088,000
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues.....		0
Total private revenues.....		0
Total other state restricted revenues		7,088,000
State general fund/general purpose	\$	0

(2) EXECUTIVE

Full-time equated classified positions.....	5.0	
Producer security/grain dealers—5.0 FTE positions.....	\$	238,500
GROSS APPROPRIATION	\$	238,500
Appropriated from:		
Special revenue funds:		
Industry support funds.....		75,000
Licensing and inspection fees.....		163,500
State general fund/general purpose	\$	0

(3) FAIRS AND EXPOSITIONS

Full-time equated classified positions.....	4.0	
Fairs and racing—4.0 FTE positions	\$	496,500
Purses and supplements - fairs/licensed tracks		1,019,100
Licensed tracks - light horse racing.....		56,800
Standardbred breeders' awards.....		416,700
Standardbred purses and supplements - licensed tracks		769,400
Standardbred sire stakes		348,300
Standardbred training and stabling		15,500
Thoroughbred owners' awards.....		53,300
Thoroughbred program		1,032,000
Thoroughbred sire stakes		356,900
Distribution of outstanding winning tickets		500,000
GROSS APPROPRIATION	\$	5,064,500
Appropriated from:		
Special revenue funds:		
Agriculture equine industry development fund.....		5,064,500
State general fund/general purpose	\$	0

(4) OFFICE OF RACING COMMISSIONER

Full-time equated classified positions.....	10.0	
Office of racing commissioner—10.0 FTE positions.....		\$ 1,785,000
GROSS APPROPRIATION		\$ 1,785,000
Appropriated from:		
Special revenue funds:		
Agricultural equine industry development fund.....		1,785,000
State general fund/general purpose		\$ 0

Sec. 153. DEPARTMENT OF COMMUNITY HEALTH

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION		\$ 2,025,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION		\$ 2,025,000
Federal revenues:		
Total federal revenues		1,279,600
Special revenue funds:		
Total local revenues.....		0
Total private revenues.....		0
Total other state restricted revenues		745,400
State general fund/general purpose		\$ 0

(2) HEALTH POLICY, REGULATION, AND PROFESSIONS

Primary care services		\$ 2,025,000
GROSS APPROPRIATION		\$ 2,025,000
Appropriated from:		
Federal revenues:		
Total other federal revenues.....		1,279,600
State general fund/general purpose		\$ 745,400

(3) MEDICAL SERVICES

Health plan services.....		\$ 0
GROSS APPROPRIATION		\$ 0
Appropriated from:		
Special revenue funds:		
Total other state restricted revenues		745,400
State general fund/general purpose		\$ (745,400)

Sec. 154. DEPARTMENT OF ENVIRONMENTAL QUALITY

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION		\$ 2,000,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION		\$ 2,000,000
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues.....		0
Total private revenues.....		0
Total other state restricted revenues		2,000,000
State general fund/general purpose		\$ 0

(2) LAND AND WATER MANAGEMENT

Land and water interface positions—30.0 FTE positions.....		\$ 3,845,400
Wetlands protection—(30.0) FTE positions.....		(1,845,400)
GROSS APPROPRIATION		\$ 2,000,000
Appropriated from:		
Special revenue funds:		
Environmental protection fund.....		2,000,000
State general fund/general purpose		\$ 0

Sec. 155. DEPARTMENT OF TREASURY

(1) APPROPRIATION SUMMARY

Full-time equated classified positions.....	1.0	
GROSS APPROPRIATION		\$ 1,500,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION		\$ 1,500,000
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues.....		0
Total private revenues.....		0
Total other state restricted revenues		1,500,000
State general fund/general purpose		\$ 0

(2) TAX PROGRAMS

Full-time equated classified positions.....	1.0	
Bottle bill implementation—1.0 FTE position		\$ 1,500,000
GROSS APPROPRIATION		\$ 1,500,000
Appropriated from:		
Special revenue funds:		
Beverage container redemption antifraud fund.....		1,500,000
State general fund/general purpose		\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2008-2009

GENERAL SECTIONS

Sec. 201. In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending from state resources in this appropriation act for the fiscal year ending September 30, 2009 is \$(274,100,000.00) and state appropriations paid to local units of government are \$0.

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

DEPARTMENT OF STATE

Sec. 301. (1) Unexpended and unencumbered amounts of funds remaining in accounts appropriated in section 401 of 2005 PA 109, for implementing the help America vote act of 2002, 42 USC 15301 to 15545, for the secretary of state shall be reappropriated for the fiscal year ending September 30, 2009 for the same purposes as the original appropriation.

(2) The funds shall remain available for expenditure to implement provisions of the help America vote act of 2002, 42 USC 15301 to 15545, section 37 of the Michigan election law, 1954 PA 116, MCL 168.37, and other election reforms. Consistent with the help America vote act of 2002, 42 USC 15301 to 15545, the unexpended funds reappropriated into the help America vote act line item are considered work project appropriations and any unencumbered or unallotted funds are carried over into succeeding fiscal years. 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 project is to implement provisions of the help America vote act of 2002, 42 USC 15301 to 15545, section 37 of the Michigan election law, 1954 PA 116, MCL 168.37, and other election reforms.

(b) These projects will be accomplished by state employees, by contracts with private vendors, or by grants to local units of government.

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

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

PART 2A
PROVISIONS CONCERNING APPROPRIATIONS
FOR FISCAL YEAR 2009-2010

GENERAL SECTIONS

Sec. 1201. In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending from state resources in this appropriation act for the fiscal year ending September 30, 2010 is \$11,333,400.00 and state appropriations paid to local units of government are \$0.

Sec. 1202. The appropriations made and expenditures authorized under this act and the departments, commissions, boards, offices, and programs for which appropriations are made under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

DEPARTMENT OF AGRICULTURE

Sec. 1301. Within 60 days of the close of each fiscal quarter, the department shall report to the state budget director, the senate and house appropriations subcommittees on agriculture, and the senate and house fiscal agencies on the agriculture equine industry development fund established in section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431.320. The report shall do all of the following:

(a) Identify actual revenue through the preceding fiscal quarter and projected revenue and fund balance through the end of the fiscal year.

(b) Identify simulcast racing revenue generated by each licensed track, revenue from license fees, revenue generated from the casino wagering tax, and revenue from other sources.

(c) Identify the spending targets or budgeted amounts from the fund by line item for the fiscal year and compare the spending targets to the appropriated amounts for each line item.

Sec. 1302. From the amount appropriated in part 1A for purses and supplements - fairs/licensed tracks, \$140,000.00 is to be used for state purse supplements at state licensed pari-mutuel tracks for races composed only of Michigan-bred horses segregated into a 4-year-old colt trot division, a 4-year-old filly trot division, a 4-year-old colt pace division, and a 4-year-old filly pace division.

Sec. 1303. Included in the appropriation made in part 1A for the thoroughbred program is \$15,000.00 for the Michigan united thoroughbred breeders and owners association to conduct a thoroughbred yearling show. The Michigan united thoroughbred breeders and owners association shall submit to the department an itemized list of expenses showing that the expenses of the yearling show were paid.

Sec. 1304. From the funds appropriated in part 1A for thoroughbred owners' awards, awards shall be distributed pursuant to section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431.320.

Sec. 1305. Of the amount appropriated in part 1A for purses and supplements - fairs/licensed tracks, a sufficient amount is appropriated to provide for overnight purse supplements pursuant to the horse racing law of 1995, 1995 PA 279, MCL 431.301 to 431.336.

Sec. 1306. The funds appropriated in part 1A for distribution of outstanding winning tickets are not available for expenditure until they are deposited in the Michigan agriculture equine industry development fund pursuant to section 2 of 1951 PA 90, MCL 431.252. These funds shall be expended in accordance with section 2 of 1951 PA 90, MCL 431.252. The department shall provide notice to the senate and house appropriations subcommittees on agriculture at least 10 days before the funds are expended. This notice shall include the amount that each program receives from the outstanding winning ticket revenue deposited in the Michigan agriculture equine industry development fund.

Sec. 1307. In the event there is no live thoroughbred race meet in 2009 or 2010, all purse money and program money appropriated for the thoroughbred industry in fiscal year 2008-2009 and fiscal year 2009-2010 shall be held in escrow for a period not to exceed 18 months, or until a thoroughbred race meet license is applied for and granted by the office of racing commissioner. In the event there is no thoroughbred race meet in 2009 or 2010, the purse pool distribution order to be issued by the office of racing commissioner in 2010 that delineates distribution between the thoroughbred race meet that has been held at Great Lakes downs and the joint thoroughbred/quarterhorse meet held in Mt. Pleasant shall be the same distribution formula as issued in 2009, with the thoroughbred portion being held in escrow.

Sec. 1308. The office of racing commissioner shall provide each certified horsemen's organization a minimum of 30 days notice before submitting a request for rule-making with the state office of administrative hearings and rules. The notice shall include all information as is required by the request for rule-making with the state office of administrative hearings and rules.

DEPARTMENT OF ENVIRONMENTAL QUALITY

LAND AND WATER MANAGEMENT

Sec. 1401. Effective October 1, 2009, surplus funds not to exceed \$3,000,000.00 in the cleanup and redevelopment trust fund are hereby appropriated to the environmental protection fund.

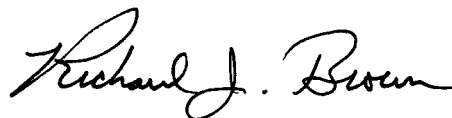
Sec. 1402. Effective October 1, 2009, surplus funds not to exceed \$3,000,000.00 in the community pollution prevention fund are hereby appropriated to the environmental protection fund.

DEPARTMENT OF TREASURY

Sec. 1501. Effective October 1, 2009, surplus funds not to exceed \$1,500,000.00 from the cleanup and redevelopment trust fund are hereby appropriated to the beverage container redemption antifraud fund, created in the beverage container redemption antifraud act, 2008 PA 388, MCL 445.631 to 445.643.

Sec. 1502. From the funds appropriated in part 1A in the line item for bottle bill implementation, \$1,500,000.00 shall be used for the purposes described in the beverage container redemption antifraud act, 2008 PA 388, MCL 445.631 to 445.643.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor