

No. 85  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
95th Legislature  
REGULAR SESSION OF 2010

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House Chamber, Lansing, Wednesday, September 29, 2010.

10:00 a.m.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Agema—present	Durhal—present	Kurtz—present	Proos—present
Amash—present	Ebli—excused	Lahti—present	Roberts—present
Angerer—present	Elsenheimer—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Rogers—present
Barnett—present	Geiss—present	Lemmons—present	Schmidt, R.—present
Bauer—present	Genetski—present	Lindberg—present	Schmidt, W.—present
Bennett—present	Gonzales—present	Lipton—present	Schuitmaker—present
Bledsoe—present	Green—present	Liss—present	Scott, B.—present
Bolger—present	Gregory—present	Lori—present	Scott, P.—present
Booher—present	Griffin—present	Lund—present	Scripps—present
Brown, L.—present	Haase—present	Marleau—present	Segal—present
Brown, T.—present	Haines—present	Mayes—present	Sheltrown—present
Byrnes—present	Hammel—present	McDowell—excused	Slavens—present
Byrum—present	Hansen—present	McMillin—present	Slezak—present
Calley—present	Haugh—present	Meadows—present	Smith—present
Caul—present	Haveman—present	Meekhof—present	Spade—present
Clemente—present	Hildenbrand—present	Melton—present	Stamas—present
Constan—present	Horn—present	Meltzer—present	Stanley—present
Corriveau—present	Huckleberry—present	Miller—present	Switalski—present
Crawford—present	Jackson—present	Moss—present	Tlaib—present
Cushingberry—present	Johnson—present	Nathan—present	Tyler—present
Daley—present	Jones, Rick—present	Nerat—present	Valentine—present
Dean—present	Jones, Robert—present	Neumann—present	Walsh—present
Denby—present	Kandreas—present	Opsommer—present	Warren—present
DeShazor—present	Kennedy—present	Pavlov—present	Womack—present
Dillon—present	Knollenberg—present	Pearce—present	Young—present
Donigan—present	Kowall—present	Polidori—present	

e/d/s = entered during session

Rep. John Espinoza, from the 83rd District, offered the following invocation:

“Heavenly Father, we ask for Your guidance in doing Your work, both in this chamber and in our daily lives. We also ask that You protect those we have sent into harms way. Grant solace and comfort to those they have left behind, loved ones and friends. We ask for these things in Your Son’s name, Amen.”

Rep. Angerer moved that Reps. Ebli and McDowell be excused from today’s session.  
The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 610, entitled

A bill to create a lien against real property for unpaid commercial real estate broker’s commissions and services; and to provide remedies.

The bill was read a second time.

Rep. Johnson moved to amend the bill as follows:

1. Amend page 3, line 14, after “due.” by inserting “However, a claim of lien under this subsection shall be recorded within 60 days after the conveyance of the commercial real estate.”.
2. Amend page 3, line 19, after “time” by inserting “within 60 days”.
3. Amend page 4, line 1, after “recorded.” by inserting “A claim of lien under this subsection shall be recorded within 60 days after the signing of the existing lease.”.
4. Amend page 4, line 2, after “The” by inserting “extension or”.
5. Amend page 11, line 24, after “6” by striking out “shall” and inserting “may, in its discretion,”.
6. Amend page 11, following line 26, by inserting:

“(3) If the court determines that an action under section 6 was frivolous, the court may, in its discretion, award costs described in subsection (2) to the defendant.”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 610, entitled

A bill to create a lien against real property for unpaid commercial real estate broker’s commissions and services; and to provide remedies.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 437

Yeas—101

Agema	Elsenheimer	Kurtz	Roberts
Angerer	Espinoza	Lahti	Rocca
Ball	Geiss	LeBlanc	Rogers
Barnett	Genetski	Leland	Schmidt, R.
Bauer	Gonzales	Lemmons	Schmidt, W.
Bennett	Green	Lindberg	Schuitmaker
Bledsoe	Gregory	Lipton	Scott, B.

Bolger	Griffin	Liss	Scott, P.
Booher	Haase	Lori	Scripps
Brown, L.	Haines	Lund	Segal
Brown, T.	Hammel	Marleau	Sheltrown
Byrnes	Hansen	Mayes	Slavens
Byrum	Haugh	Meadows	Slezak
Calley	Haveman	Meekhof	Smith
Caul	Hildenbrand	Melton	Spade
Clemente	Horn	Meltzer	Stamas
Constan	Huckleberry	Miller	Stanley
Corriveau	Jackson	Moss	Switalski
Crawford	Johnson	Nathan	Tlaib
Cushingberry	Jones, Rick	Nerat	Tyler
Daley	Jones, Robert	Neumann	Valentine
Dean	Kandrevas	Opsommer	Walsh
DeShazor	Kennedy	Pavlov	Warren
Dillon	Knollenberg	Polidori	Womack
Donigan	Kowall	Proos	Young
Durhal			

### Nays—3

Amash	McMillin	Pearce
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In The Chair: Byrnes

The House agreed to the title of the bill.  
 Rep. Angerer moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.

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Rep. Denby, under Rule 31, made the following statement:  
 “Mr. Speaker and members of the House:  
 I did not vote on Roll Call No. 437 because of a possible conflict of interest.”

By unanimous consent the House returned to the order of  
**Reports of Select Committees**

### First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning  
**House Bill No. 5889, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2011; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2011; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**PART 1**

**LINE-ITEM APPROPRIATIONS**

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the state transportation department and certain state purposes designated in this act for the fiscal year ending September 30, 2011, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**STATE TRANSPORTATION DEPARTMENT**

**APPROPRIATION SUMMARY**

Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions .....	3,016.3	

<b>GROSS APPROPRIATION</b> .....		\$ 3,235,969,400
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Total interdepartmental grants and intradepartmental transfers .....		878,300
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<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 3,235,091,100
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Federal revenues:

DOT, federal transit act .....		61,285,000
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DOT-FHWA, highway research, planning, and construction.....		1,060,167,700
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DOT-FRA, local rail service assistance.....		100,000
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DOT-FRA, rail passenger/HSGT .....		3,000,000
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DOT, federal aviation administration .....		102,927,900
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Total federal revenues.....		1,227,480,600
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Special revenue funds:

Local revenues .....		56,496,000
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Total local and private revenues .....		56,496,000
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Blue Water Bridge fund.....		14,966,900
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Comprehensive transportation fund.....		237,120,000
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Economic development fund .....		42,145,100
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IRS debt service rebate .....		7,523,400
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Intercity bus equipment fund.....		2,000,000
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Local bridge fund .....		30,061,300
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Michigan transportation fund .....		943,331,000
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Other state restricted revenues .....		2,975,400
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Rail freight fund .....		2,000,000
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State aeronautics fund .....		16,551,900
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State trunkline fund .....		652,439,500
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Total other state restricted revenues .....		1,951,114,500
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State general fund/general purpose .....	\$	0
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**Sec. 102. DEBT SERVICE**

State trunkline .....	\$	198,853,000
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Economic development.....		9,173,400
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Local bridge fund .....		3,261,500
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Blue Water Bridge fund.....		2,216,400
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Airport safety and protection plan.....		3,456,000
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Comprehensive transportation .....		29,852,700
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<b>GROSS APPROPRIATION</b> .....	\$	246,813,000
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Appropriated from:

Federal revenues:

DOT-FHWA, highway research, planning, and construction.....		45,832,100
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Special revenue funds:

Blue Water Bridge fund.....		2,216,400
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Comprehensive transportation fund.....		29,852,700
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Economic development fund .....		9,173,400
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Local bridge fund .....		3,261,500
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IRS debt service rebate .....		7,523,400
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	For Fiscal Year Ending Sept. 30, 2011
State aeronautics fund .....	3,456,000
State trunkline fund .....	145,497,500
State general fund/general purpose .....	\$ 0
<b>Sec. 103. COLLECTION, ENFORCEMENT, AND OTHER AGENCY SUPPORT SERVICES</b>	
MTF grant to department of natural resources and environment .....	\$ 1,132,600
MTF grant to department of state for collection of revenue and fees .....	20,000,000
MTF grant to department of treasury .....	8,383,600
MTF grant to legislative auditor general .....	204,300
STF grant to department of attorney general .....	2,867,300
STF grant to civil service commission .....	5,697,000
STF grant to department of technology, management, and budget .....	1,218,600
STF grant to department of state police .....	10,203,200
STF grant to department of treasury .....	142,200
STF grant to legislative auditor general .....	474,600
SAF grant to department of attorney general .....	169,500
SAF grant to civil service commission .....	150,000
SAF grant to department of technology, management, and budget .....	32,800
SAF grant to department of treasury .....	76,100
SAF grant to legislative auditor general .....	19,600
CTF grant to department of attorney general .....	171,700
CTF grant to civil service commission .....	200,000
CTF grant to department of technology, management, and budget .....	37,400
CTF grant to department of treasury .....	6,500
CTF grant to legislative auditor general .....	25,200
GROSS APPROPRIATION .....	\$ 51,212,200
Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund .....	440,800
Michigan transportation fund .....	29,720,500
State aeronautics fund .....	448,000
State trunkline fund .....	20,602,900
State general fund/general purpose .....	
<b>Sec. 104. EXECUTIVE DIRECTION</b>	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	31.3
Unclassified salaries .....	\$ 602,800
Asset management council .....	1,626,400
Commission audit—31.3 FTE positions .....	3,433,000
GROSS APPROPRIATION .....	\$ 5,662,200
Appropriated from:	
Special revenue funds:	
Michigan transportation fund .....	1,626,400
State trunkline fund .....	4,035,800
State general fund/general purpose .....	\$ 0
<b>Sec. 105. BUSINESS SUPPORT</b>	
Full-time equated classified positions .....	58.0
Business support services—49.0 FTE positions .....	\$ 6,059,100
Economic development and enhancement programs—9.0 FTE positions .....	1,194,100
Property management .....	7,754,600
Worker's compensation .....	1,784,600
GROSS APPROPRIATION .....	\$ 16,792,400
Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund .....	1,304,700
Economic development fund .....	468,900

	For Fiscal Year Ending Sept. 30, 2011
Michigan transportation fund .....	201,700
State aeronautics fund .....	625,000
State trunkline fund .....	14,192,100
State general fund/general purpose .....	\$ 0
<b>Sec. 106. INFORMATION TECHNOLOGY</b>	
Information technology services and projects .....	\$ 27,831,000
GROSS APPROPRIATION .....	\$ 27,831,000
Appropriated from:	
Federal revenues:	
DOT-FHWA, highway research, planning, and construction.....	520,500
Special revenue funds:	
Blue Water Bridge fund.....	48,300
Comprehensive transportation fund.....	192,400
Economic development fund .....	37,200
Michigan transportation fund .....	254,200
State aeronautics fund .....	150,200
State trunkline fund .....	26,628,200
State general fund/general purpose .....	\$ 0
<b>Sec. 107. FINANCE, CONTRACTS, AND SUPPORT SERVICES</b>	
Full-time equated classified positions .....	250.5
Financial operations—87.0 FTE positions .....	\$ 8,825,900
Contract services—53.6 FTE positions .....	5,155,900
Department services—41.9 FTE positions .....	5,207,600
Performance excellence—13.0 FTE positions.....	1,501,000
Welcome center operations—55.0 FTE positions .....	3,931,100
GROSS APPROPRIATION .....	\$ 24,621,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG for accounting service center user charges .....	878,300
Special revenue funds:	
Michigan transportation fund .....	1,792,700
State trunkline fund .....	21,950,500
State general fund/general purpose .....	
<b>Sec. 108. TRANSPORTATION PLANNING</b>	
Full-time equated classified positions .....	176.0
Statewide planning services—124.0 FTE positions .....	\$ 14,467,400
Data collection services—52.0 FTE positions .....	6,414,200
Specialized planning services and local studies.....	16,504,800
Grants to regional planning councils.....	488,800
GROSS APPROPRIATION .....	\$ 37,875,200
Appropriated from:	
Federal revenues:	
DOT-FHWA, highway research, planning, and construction.....	22,000,000
Special revenue funds:	
Comprehensive transportation fund.....	960,300
Michigan transportation fund .....	6,304,500
State aeronautics fund .....	15,000
State trunkline fund .....	8,595,400
State general fund/general purpose .....	\$ 0
<b>Sec. 109. DESIGN AND ENGINEERING SERVICES</b>	
Full-time equated classified positions .....	1,492.8
Engineering services—800.1 FTE positions .....	\$ 66,021,300
Program services—680.7 FTE positions .....	40,074,000
Intelligent transportation systems operations—12.0 FTE positions.....	10,562,700
GROSS APPROPRIATION .....	\$ 116,658,000

For Fiscal Year  
Ending Sept. 30,  
2011

Appropriated from:	
Federal revenues:	
DOT-FHWA, highway research, planning, and construction.....	23,529,800
Special revenue funds:	
Michigan transportation fund .....	6,355,300
State trunkline fund .....	86,772,900
State general fund/general purpose .....	\$ 0
<b>Sec. 110. HIGHWAY MAINTENANCE</b>	
Full-time equated classified positions .....	836.7
State trunkline operations—836.7 FTE positions.....	\$ 274,663,900
GROSS APPROPRIATION .....	\$ 274,663,900
Appropriated from:	
Special revenue funds:	
State trunkline fund .....	274,663,900
State general fund/general purpose .....	\$ 0
<b>Sec. 111. ROAD AND BRIDGE PROGRAMS</b>	
State trunkline federal aid and road and bridge construction .....	\$ 796,226,200
Local federal aid and road and bridge construction.....	248,751,000
Grants to local programs .....	33,000,000
Rail grade crossing .....	3,000,000
Local bridge program .....	26,799,800
County road commissions .....	551,352,700
Cities and villages .....	307,403,800
GROSS APPROPRIATION .....	\$ 1,966,533,500
Appropriated from:	
Federal revenues:	
DOT-FHWA, highway research, planning, and construction.....	961,770,500
Special revenue funds:	
Local funds .....	30,000,000
Blue Water Bridge fund.....	7,107,300
Local bridge fund .....	26,799,800
Michigan transportation fund .....	894,756,500
State trunkline fund .....	46,099,400
State general fund/general purpose .....	\$ 0
<b>Sec. 112. BLUE WATER BRIDGE</b>	
Full-time equated classified positions .....	41.0
Blue Water Bridge operations—41.0 FTE positions .....	\$ 5,594,900
GROSS APPROPRIATION .....	\$ 5,594,900
Appropriated from:	
Special revenue funds:	
Blue Water Bridge fund.....	5,594,900
State general fund/general purpose .....	\$ 0
<b>Sec. 113. TRANSPORTATION ECONOMIC DEVELOPMENT</b>	
Forest roads .....	\$ 5,040,000
Rural county urban system.....	2,500,000
Target industries/economic redevelopment.....	7,212,700
Urban county congestion.....	8,356,400
Rural county primary.....	8,356,400
Nonprofit street railway.....	1,000,000
GROSS APPROPRIATION .....	\$ 32,465,500
Appropriated from:	
Special revenue funds:	
Economic development fund .....	32,465,500
State general fund/general purpose .....	\$ 0
<b>Sec. 114. AERONAUTICS AND FREIGHT SERVICES</b>	
Full-time equated classified positions .....	84.0
Airport improvement services—30.0 FTE positions .....	\$ 3,102,000



	For Fiscal Year Ending Sept. 30, 2011
Aviation services—26.0 FTE positions .....	4,418,600
Freight and safety services—28.0 FTE positions.....	3,709,200
Air service program.....	464,600
GROSS APPROPRIATION .....	\$ 11,694,400
Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund.....	1,604,800
Michigan transportation fund .....	2,104,400
State aeronautics fund .....	7,985,200
State general fund/general purpose .....	\$ 0
<b>Sec. 115. PUBLIC TRANSPORTATION SERVICES</b>	
Full-time equated classified positions .....	46.0
Passenger transportation services—46.0 FTE positions .....	\$ 5,827,600
GROSS APPROPRIATION .....	\$ 5,827,600
Appropriated from:	
Federal revenues:	
DOT, federal transit act .....	862,100
Special revenue funds:	
Comprehensive transportation fund.....	4,750,700
Michigan transportation fund .....	214,800
State general fund/general purpose .....	\$ 0
<b>Sec. 116. BUS TRANSIT DIVISION: STATUTORY OPERATING</b>	
Local bus operating .....	\$ 166,624,000
Nonurban operating/capital .....	22,787,900
GROSS APPROPRIATION .....	\$ 189,411,900
Appropriated from:	
Federal revenues:	
DOT, federal transit act .....	21,987,900
Special revenue funds:	
Comprehensive transportation fund.....	166,624,000
Local funds.....	800,000
State general fund/general purpose .....	\$ 0
<b>Sec. 117. INTERCITY PASSENGER AND FREIGHT</b>	
Freight property management.....	\$ 1,000,000
Detroit/Wayne County port authority .....	468,200
Intercity services.....	7,250,000
Rail passenger service .....	11,667,000
Freight preservation and development.....	3,364,200
Marine passenger service .....	400,000
Terminal development .....	150,000
GROSS APPROPRIATION .....	\$ 24,299,400
Appropriated from:	
Federal revenues:	
DOT, federal transit act .....	4,500,000
DOT-FRA, local rail service assistance.....	100,000
DOT-FRA, rail passenger/HSGT .....	3,000,000
Special revenue funds:	
Local funds.....	50,000
Comprehensive transportation fund.....	12,649,400
Intercity bus equipment fund.....	2,000,000
Rail freight fund.....	2,000,000
State general fund/general purpose .....	\$ 0
<b>Sec. 118. PUBLIC TRANSPORTATION DEVELOPMENT</b>	
Specialized services.....	\$ 7,443,800
Municipal credit program.....	2,000,000
Bus capital.....	41,300,000



	For Fiscal Year Ending Sept. 30, 2011
Van pooling .....	195,000
Service initiatives .....	1,400,000
Transit oriented development .....	100
Transportation to work .....	9,536,400
GROSS APPROPRIATION .....	\$ 61,875,300
Appropriated from:	
Federal revenues:	
DOT, federal transit act .....	33,935,000
Special revenue funds:	
Local funds .....	9,200,000
Economic development fund .....	100
Comprehensive transportation fund .....	18,740,200
State general fund/general purpose .....	\$ 0
<b>Sec. 119. CAPITAL OUTLAY</b>	
<b>(1) BUILDINGS AND FACILITIES</b>	
Port Huron replacement welcome center, inspection station, Blue Water Bridge administration and maintenance satellite facilities .....	\$ 9,889,600
Special maintenance, remodeling, and additions .....	3,001,500
GROSS APPROPRIATION .....	12,891,100
Appropriated from:	
Federal revenues:	
DOT-FHWA, highway research, planning, and construction .....	6,514,800
Special revenue funds:	
Other state restricted revenues .....	2,975,400
State trunkline fund .....	3,400,900
State general fund/general purpose .....	0
<b>(2) AIRPORT IMPROVEMENT PROGRAMS</b>	
Airport safety, protection and improvement program .....	\$ 123,246,400
GROSS APPROPRIATION .....	123,246,400
Appropriated from:	
Federal revenues:	
DOT, federal aviation administration .....	102,927,900
Special revenue funds:	
Local funds .....	16,446,000
State aeronautics fund .....	3,872,500
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 2010-2011 is \$1,951,114,500.00 and state spending from state resources to be paid to local units of government for fiscal year 2010-2011 is \$1,144,035,100.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF TRANSPORTATION

Grants to regional planning councils .....	\$ 488,800
Grants to local programs .....	33,000,000
Rail grade crossing .....	3,000,000
Local bridge program .....	26,799,800
Grants to county road commissions .....	551,352,700
Grants to cities and villages .....	307,403,800
Economic development fund .....	31,465,500
Air service program .....	464,400
Local bus operating .....	166,624,000
Bus capital .....	8,000,000
Detroit/Wayne County port authority .....	468,200
Marine passenger service .....	400,000

Terminal development .....	150,000
Specialized services.....	3,958,800
Municipal credit program.....	2,000,000
Service initiatives .....	50,000
Transportation to work .....	4,536,400
Airport safety, protection, and improvement program .....	3,872,500
Total payments to local units of government .....	\$ 1,144,035,100

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

Sec. 203. As used in this act:

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

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

Sec. 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 act 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 act 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 act 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 act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 207. 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. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.

Sec. 209. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference 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 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. The director shall encourage firms with which the department contracts to subcontract with certified businesses in deprived and depressed communities for services, supplies, or both.

Sec. 211. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports and records.

Sec. 259. 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. 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 submitted to the chairs and members of the house and senate appropriations committees, the 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. 261. A department or state agency shall not take disciplinary action against an employee for communicating with a member of the legislature or their staff.

Sec. 262. 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. 263. (1) The department shall report no later than April 1, 2011 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 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. 266. (1) On a quarterly basis, the department shall report on the number of FTEs in pay status by civil service classification to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies.

(2) From the funds appropriated in part 1, the department shall use an amount not to exceed \$10,000.00 to develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made. The department shall not be required to hire additional employees to comply with this section.

#### **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. The department and local road agencies that receive appropriations under this act 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.

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. 314. The department shall provide a report prepared by the department's internal auditor on the activities of the internal auditor for the previous fiscal year. The report shall be due on February 1 of each year and shall be submitted to the senate and house of representatives appropriations committees, the senate and house fiscal agencies, the director of the state budget office, and the auditor general. This report shall include a list of all of the following:

- (a) All work activities conducted by the internal auditor, including a listing of all audits, reviews, and investigations.
- (b) The time charged to each work activity, including time charged to each audit, review, or investigation.
- (c) A listing of which audits, reviews, and investigations have been completed and which audits, reviews, and investigations have had reports of the results issued.

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. 321. In evaluating and awarding enhancement grants, the department shall give preference to applicants which have adopted complete streets policies. In addition, the department shall give preference to enhancement grant applications which further complete streets policy objectives. The department shall report to the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies, on or before March 1, 2011, on the specific actions taken to comply with the intent of this section.

Sec. 322. Upon request of a university, the department shall work with representatives of state public universities to assist in the development and implementation of complete streets policies on university road and street systems.

Sec. 334. The department shall continue its program to increase the use of women- and minority-owned businesses in state and local road construction projects. This program shall comprise, at a minimum, outreach and education efforts to inform women- and minority-owned firms of department competitive bidding processes and requirements, and an assessment of the availability of surety for women- and minority-owned businesses. The department shall report by September 30 of each year to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies of its progress in complying with this section.

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. 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. 374. The department shall produce and distribute all employee newsletters electronically.

Sec. 375. The department is prohibited from reimbursing contractors or consultants for costs associated with ground-breaking ceremonies, receptions, open houses, or press conferences related to transportation projects funded, in whole or in part, by revenue appropriated in part 1.

Sec. 376. No later than March 1, 2011, the department shall report to the senate and house appropriations subcommittees on transportation on the status of the 17 projects that were initially deferred in the department's 5-year plan in 2003 and subsequently restored. It is the intent of the legislature that this be the final report on the status of these 17 projects.

Sec. 383. (1) The department shall prepare a quarterly 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.

(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 majority leader or the speaker of the house of representatives and only when the aircraft is already scheduled by state employees on related official state business.

(4) The department shall maintain a system for recovering the cost of operating department-owned aircraft through charges to aircraft users.

Sec. 384. (1) From the funds appropriated in part 1, the department may expend from October 1, 2010 through December 31, 2010 an amount not to exceed \$250,000.00 of state transportation revenue under any contract originally entered into before September 1, 2010 for the Detroit River International Crossing.

(2) From the funds appropriated in part 1, the department may expend from January 1, 2011 through May 31, 2011 \$500,000.00 of state transportation revenue under any contract originally entered into before September 1, 2010 for the Detroit River International Crossing.

(3) The department shall not commit the state to any new contract related to the Detroit River International Crossing, after September 1, 2010, unless the legislature has enacted specific enabling legislation to allow for the construction of the Detroit River International Crossing.

(4) Notwithstanding anything that may be to the contrary in subsection (1), on or before March 31, 2011, the department shall report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on department activities related to the Detroit River International Crossing.

(5) If the legislature enacts specific enabling legislation for the construction of the Detroit River International Crossing, subsections (1), (2), and (3) do not apply once the enabling legislation goes into effect.

Sec. 385. The department shall not use toll credits generated by a private tolled bridge crossing to finance, design, plan, construct, operate, or maintain any international bridge crossing within 5 miles of that privately tolled bridge.

Sec. 393. The department shall promote best practices for public transportation services in this state, including, but not limited to, the following:

(a) Transit vehicle rehabilitation to reduce life-cycle cost of public transportation through mid-life rehabilitation of transit buses.

(b) Coordination with the Michigan economic development corporation to promote transition of bus fleets hybrid transit vehicles with a view to promotion of fuel economy.

(c) Cooperation between entities using transit, including school districts, cities, townships, and counties with a view to promoting cost savings through joint purchasing of fuel and other procurements.

(d) Coordination of transportation dollars among state departments which provide transit-related services, including the department of human services and the department of community health. Priority should be given to use of public transportation services where available.

(e) Promotion of intelligent transportation services for buses that incorporate computer and navigation technology to make transit systems more efficient, including stoplight coordinating, vehicle tracking, data tracking, and computerized scheduling.

Sec. 394. (1) From the funds appropriated in part 1, the department shall conduct a study, in consultation with the county road association of Michigan and the Michigan municipal league, of the current statutory formulae for the distribution of state and federal revenue for surface transportation programs. The study shall include an analysis of alternative distribution strategies and a discussion of the extent to which current and alternative distribution formulae contribute to statewide transportation goals. The study shall include all of the following:

(a) A discussion of alternative distribution strategies for state and local road and street programs, including distribution methods based on vehicle miles traveled as compared to lane miles.

(b) A comparison of vehicle miles traveled to lane miles for the sampled geographical areas as well as comparisons to other states and an evaluation of best practices.

(c) A discussion of alternative methods of distributing state operating assistance for local bus transit programs, including an analysis of incentives for those agencies which demonstrate efficient use of resources and increasing ridership levels.

(d) An analysis of the fiscal impact of alternative strategies to individual transit and road agencies.

(2) The department shall deliver a report on the findings of the study by March 1, 2011 to the house and senate appropriations subcommittees on transportation, the house and senate transportation committees, the house and senate fiscal agencies, and the state budget director.

Sec. 395. It is the intent of the legislature that the department assume jurisdiction of county road C-56 between US-31 at Charlevoix and M-75 at Boyne City in Charlevoix County.

Sec. 398. The appropriation included in part 1 to a nonprofit street railway is pursuant to section 10e(22) of 1951 PA 51, MCL 247.660e. A nonprofit street railway receiving appropriations from part 1 shall submit a quarterly report to the department, including, but not limited to, the construction spending, operating cost, revenue, and ridership, for the preceding fiscal quarter no later than 60 days after the end of the quarter.

Sec. 399. The appropriation in section 118 for transit-oriented development is intended to provide matching funds for transit-oriented development projects, including, but not limited to, high-speed rail, commuter and light rail, or fixed-guideway projects.

#### **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. 502. The department of treasury shall perform audits and make investigations of the disposition of all state funds received by county road commissions or county boards of commissioners, as applicable, and cities and villages for transportation purposes to determine compliance with the terms and conditions of 1951 PA 51, MCL 247.651 to 247.675. County road commissions or county boards of commissioners, as applicable, and cities and villages shall make available to the department of treasury the pertinent records for the audit.

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 act 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 act, 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. 604. It is the intent of the legislature that the department shall place signs designed in compliance with the Michigan manual on uniform traffic control devices for streets and highways at each highway construction work zone subject to the jurisdiction of the department. The signs shall notify the operators of vehicles in a work zone of the increased fines and penalties provided for the protection and safety of construction workers and the public under section 601b of the Michigan vehicle code, 1949 PA 300, MCL 257.601b.

Sec. 607. It is the intent of the legislature that the Michigan department of transportation work to add a southbound entrance ramp at the interchange of I-75 at Corunna Road in the charter township of Flint.

Sec. 608. From the amounts appropriated in part 1 for forest roads from the transportation economic development fund, \$40,000.00 shall be used for the purpose of establishing 2 additional truck inspection stations. The department shall work directly with representatives of the timber industry to educate truck drivers on the use of the stations. The department shall report on the status of this program.

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. 615. It is the intent of the legislature that the department shall proceed with the construction of a full interchange at the intersection of M-48 and I-75 in Chippewa County. It is the intent of the legislature that the department develop design plans and award the construction contract for this project during the fiscal year ending September 30, 2011.

Sec. 654. It is the intent of the legislature that the Mackinac Bridge Authority work to protect the long-term viability of the Mackinac Bridge.

Sec. 656. It is the intent of the legislature that the department upgrade that section of M-49 from M-99 to US-12 to standards necessary for designation as a designated highway as provided under sections 717 and 718 of the Michigan vehicle code, 1949 PA 300, MCL 257.717 and 257.718, and for inclusion as a "green" special designated highway on the department's truck operator's map.

Sec. 658. It is the intent of the legislature that the department proceed with the reconstruction of the interchange at I-196 and Phoenix Road in South Haven.

Sec. 659. For pavement projects for which there are no Michigan actual historic project maintenance, repair, and resurfacing schedules and costs as recorded by the pavement management system, the department may use actual historical and comparable data for equivalent designs from states with similar climates, soil structures, and vehicle traffic.

Sec. 660. The legislature encourages the department to examine the use of alternative road surface materials, including recycled materials, and to develop criteria and specifications for its use in both department-managed and contracted projects.

Sec. 661. It is the intent of the legislature that the department complete engineering design work and right-of-way acquisitions for the proposed expressway project along US-127 from St. Johns in Clinton County to Ithaca in Gratiot County.

Sec. 662. It is the intent of the legislature that the department shall work with the Graafschap Fire Department and Laketown Township to develop a gated, limited access point along US-31 in Allegan County in order to improve emergency response times along this highway.

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 act were based, the department shall give priority to reinstating delayed and deferred projects.

Sec. 665. It is the intent of the legislature that from the funds appropriated in part 1, the department shall not purchase property in Watervliet Charter Township along Interstate 94 for the purpose of constructing a new rest area.

**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. 709. (1) The following bus routes are designated as an essential corridor in Michigan:

Between St. Ignace and Escanaba	US-2
Between Escanaba and Duluth	US-2 through Ironwood to the state line
Between Calumet and Escanaba	US-41
Between Escanaba and Milwaukee	US-41 through Menominee to the state line
Between St. Ignace and Sault Ste. Marie	I-75
Between Detroit and Chicago	I-94 from Detroit to the state line
Between Detroit and Muskegon	I-96
Between Grand Rapids, Holland, and Benton Harbor	I-196 to I-94
Between Muskegon and Grand Rapids	US-31, I-96
Between Detroit and Bay City	I-75
Between Bay City and Mount Pleasant	US-10, M-20
Between Jackson and Traverse City	US-127, US-27, I-75, Grayling, Gaylord, M-72 to Traverse City
Between Jackson and Indianapolis	I-69, I-94 to the state line through Albion, Marshall, and Coldwater
Between Houghton Lake and Cadillac	M-55 and M-66
Between Detroit and Toledo	I-75 to the state line
Between the Indiana state line and Traverse City	US-31 and I-196
Between Detroit and Port Huron	I-375 and I-94
Between Toledo and Bay City	US-23, I-75, and I-675, I-75
Between Bay City and Chicago	I-75, Flint, I-69, I-94, Battle Creek, I-94 to the state line
Between Flint and Lansing	I-69, M-21, Owosso, M-52, I-69
Between Bay City and St. Ignace	I-75, US-23
Between Grand Rapids and St. Ignace	US-131, Cadillac, M-115, Mesick, M-37 to Traverse City, US-31, Acme, M-72, Kalkaska, US-131, Boyne Falls, M-75, Walloon Lake, US-131, Petoskey, US-31, I-75, St. Ignace
Between Kalamazoo and Grand Rapids	US-131

(2) Any changes to the essential corridor list in subsection (1) shall be approved by the house and senate appropriations subcommittees on transportation.

(3) No entity shall receive operating assistance for a scheduled regular route service which is competing with another private or public carrier over the same route.

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 act, the department shall work with the rail carrier to identify ways in which reasonable transport of bicycles by passengers can be accommodated.

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.

Sec. 741. The department shall report by March 1, 2011 to the house of representatives and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget director on progress of operations on the Ann Arbor and NW Michigan railroad, particularly concerning any use of the track infrastructure for the purpose of supporting a passenger train speed of 59 miles per hour.

Sec. 743. The legislature encourages the department to include a hybrid-electric vehicle (HEV) option in all requests for proposal for vehicles up to and including Class 5 purchased by or through the department.

Sec. 745. From the funds appropriated in part 1 for comprehensive transportation fund debt service, up to \$13,200,000.00 shall be transferred to a restricted account in compliance with the internal revenue code of 1986, as required by comprehensive transportation refunding bonds series 2009.

#### **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 act 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 act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

(2) The state budget director may authorize that funds appropriated for lump-sum appropriations 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.

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2011; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

Lee Gonzales  
Richard LeBlanc  
Conferees for the House

Bill Hardiman  
Alan L. Cropsey  
Glenn Anderson  
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Angerer moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 438**

**Yeas—60**

Angerer	Donigan	Kennedy	Scott, B.
Barnett	Durhal	Lahti	Scripps
Bauer	Espinoza	LeBlanc	Segal
Bennett	Geiss	Leland	Sheltrown
Bledsoe	Gonzales	Lemmons	Slavens
Brown, L.	Gregory	Lindberg	Slezak
Brown, T.	Griffin	Lipton	Smith
Byrnes	Haase	Liss	Spade

Byrum	Hammel	Mayes	Stanley
Clemente	Haugh	Meadows	Switalski
Constan	Huckleberry	Melton	Tlaib
Corriveau	Jackson	Nerat	Valentine
Cushingberry	Johnson	Neumann	Warren
Dean	Jones, Robert	Polidori	Womack
Dillon	Kandrevas	Schmidt, R.	Young

#### Nays—45

Agema	Genetski	Lori	Pearce
Amash	Green	Lund	Proos
Ball	Haines	Marleau	Roberts
Bolger	Hansen	McMillin	Rocca
Booher	Haveman	Meekhof	Rogers
Calley	Hildenbrand	Meltzer	Schmidt, W.
Caul	Horn	Miller	Schuitmaker
Crawford	Jones, Rick	Moss	Scott, P.
Daley	Knollenberg	Nathan	Stamas
Denby	Kowall	Opsommer	Tyler
DeShazor	Kurtz	Pavlov	Walsh
Elsenheimer			

In The Chair: Byrnes

Rep. Agema, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

No Vote Explanation

HB 5889

I voted against House Bill 5889, the Department of Transportation budget agreement, because it allows MDOT to actually borrow \$40 million to fund an expected revenue shortfall in order to receive additional federal funding. This is outrageous when there are other revenue sources available and other areas of the budget that could be cut to make up the difference. The action lacks courage, and is essentially a short-term bond that leaves an even bigger transportation funding hole next year. This could be as much as \$130-140 million.

Along with short-term borrowing, the conference report also funds the \$84 million shortfall with a mix of administrative reductions, capital outlay project delays and fund shifts. At a time when Michigan faces such a deep structural deficit, this type of budgeting is the height of irresponsibility. This haphazard budget proposal will only make future attempts to balance the transportation budget much more challenging.

Largely because of this irresponsible plan to borrow our way out of a problem, I cannot vote in favor of this legislation as it is currently written.”

Rep. Knollenberg, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

No Vote Explanation

HB 5889

I voted against House Bill 5889, the Department of Transportation budget agreement, because it allows MDOT to actually borrow \$40 million to fund an expected revenue shortfall in order to receive additional federal funding. This is outrageous when there are other revenue sources available and other areas of the budget that could be cut to make up the difference. The action lacks courage, and is essentially a short-term bond that leaves an even bigger transportation funding hole next year. This could be as much as \$130-140 million.

Along with short-term borrowing, the conference report also funds the \$84 million shortfall with a mix of administrative reductions, capital outlay project delays and fund shifts. At a time when Michigan faces such a deep structural deficit, this type of budgeting is the height of irresponsibility. This haphazard budget proposal will only make future attempts to balance the transportation budget much more challenging.”



Rep. Ball, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted against House Bill 5889, the Department of Transportation budget agreement, because it allows MDOT to actually borrow \$40 million to fund an expected revenue shortfall in order to receive additional federal funding. This is outrageous when there are other revenue sources available and other areas of the budget that could be cut to make up the difference. The action lacks courage, and is essentially a short-term bond that leaves an even bigger transportation funding hole next year. This could be as much as \$130-140 million.

Along with short-term borrowing, the conference report also funds the \$84 million shortfall with a mix of administrative reductions, capital outlay project delays and fund shifts. At a time when Michigan faces such a deep structural deficit, this type of budgeting is the height of irresponsibility. This haphazard budget proposal will only make future attempts to balance the transportation budget much more challenging.

Largely because of this irresponsible plan to borrow our way out of a problem, I cannot vote in favor of this legislation as it is currently written.”

### Second Reading of Bills

#### House Bill No. 6242, entitled

A bill to create the Michigan new economy commission; to provide for its operation; to impose duties on certain state and local officials; to make recommendations and make certain reports; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on New Economy and Quality of Life,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Clemente moved to amend the bill as follows:

1. Amend page 2, following line 11, by inserting:

“(b) The chief executive officer of the Michigan economic development corporation or its successor, or his or her designee, as a nonvoting member.” and relettering the remaining subdivisions.

2. Amend page 4, line 25, after “compensation.” by striking out the balance of the subsection.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Clemente moved to substitute (H-2) the bill.

The motion did not prevail and the substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. McMillin moved to substitute (H-4) the bill.

The motion did not prevail and the substitute (H-4) was not adopted, a majority of the members serving not voting therefor.

Rep. Clemente moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 6242, entitled

A bill to create the Michigan new economy commission; to provide for its operation; to impose duties on certain state and local officials; to make recommendations and make certain reports; and to repeal acts and parts of acts.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 439

Yeas—65

Angerer  
Barnett

Espinoza  
Geiss

LeBlanc  
Leland

Schmidt, R.  
Scott, B.

Bauer	Gonzales	Lemmons	Scripps
Bennett	Gregory	Lindberg	Segal
Bledsoe	Griffin	Lipton	Sheltrown
Brown, L.	Haase	Liss	Slavens
Brown, T.	Hammel	Mayes	Slezak
Byrnes	Haugh	Meadows	Smith
Byrum	Huckleberry	Melton	Spade
Clemente	Jackson	Miller	Stanley
Constan	Johnson	Nathan	Switalski
Corriveau	Jones, Rick	Nerat	Tlaib
Cushingberry	Jones, Robert	Neumann	Valentine
Dean	Kandrevas	Polidori	Warren
Dillon	Kennedy	Roberts	Womack
Donigan	Lahti	Rocca	Young
Durhal			

#### Nays—40

Agema	DeShazor	Kowall	Pavlov
Amash	Elsenheimer	Kurtz	Pearce
Ball	Genetski	Lori	Proos
Bolger	Green	Lund	Rogers
Booher	Haines	Marleau	Schmidt, W.
Calley	Hansen	McMillin	Schuitmaker
Caul	Haveman	Meekhof	Scott, P.
Crawford	Hildenbrand	Meltzer	Stamas
Daley	Horn	Moss	Tyler
Denby	Knollenberg	Opsommer	Walsh

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

#### Reports of Select Committees

#### First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning

#### House Bill No. 5882, entitled

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to create



funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**PART 1**

**LINE-ITEM APPROPRIATIONS**

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of human services for the fiscal year ending September 30, 2011, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF HUMAN SERVICES**

**APPROPRIATION SUMMARY**

Full-time equated classified positions .....	11,863.5	
Full-time equated unclassified positions.....	6.0	
Total full-time equated positions .....	11,869.5	
<b>GROSS APPROPRIATION</b> .....		\$ 6,962,426,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		1,230,300
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 6,961,195,800
Federal revenues:		
Federal - FMAP stimulus .....		6,499,700
Federal - food assistance administration (ARRA) .....		9,495,200
Federal - supplemental nutrition assistance revenues (ARRA).....		566,785,600
Federal - emergency TANF contingency revenues (ARRA).....		189,737,300
Federal - transitional supportive housing revenues (ARRA).....		2,000,000
Federal - faith-based grant revenues (ARRA).....		250,000
Total other federal revenues .....		5,147,520,700
Special revenue funds:		
Total private revenues.....		14,483,500
Total local revenues.....		33,925,700
Total other state restricted revenues .....		60,433,500
State general fund/general purpose .....		\$ 930,064,600

**Sec. 102. EXECUTIVE OPERATIONS**

Total full-time equated positions .....	670.7	
Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions .....	664.7	
Unclassified salaries—6.0 FTE positions.....		\$ 647,900
Salaries and wages—276.7 FTE positions .....		17,399,100
Contractual services, supplies, and materials .....		10,190,300
Demonstration projects—9.0 FTE positions .....		14,537,000
Inspector general salaries and wages—136.0 FTE positions .....		7,808,000
Electronic benefit transfer EBT.....		13,009,000
Michigan community service commission—15.0 FTE positions .....		9,129,900
AFC, children’s welfare and day care licensure—228.0 FTE positions .....		24,566,000
State office of administrative hearings and rules .....		5,697,300
<b>GROSS APPROPRIATION</b> .....		\$ 102,984,500

Appropriated from:

Federal revenues:		
Federal - food assistance administration (ARRA) .....		7,985,700
Total other federal revenues .....		62,033,400
Special revenue funds:		
Total private revenues.....		8,205,300
Total local revenues.....		175,000
Total other state restricted revenues .....		25,000
State general fund/general purpose .....		\$ 24,560,100

**Sec. 103. CHILD SUPPORT ENFORCEMENT**

Full-time equated classified positions .....	198.7	
Child support enforcement operations—192.7 FTE positions .....		\$ 23,204,700
Legal support contracts .....		138,753,600
Child support incentive payments .....		32,409,600

	For Fiscal Year Ending Sept. 30, 2011
State disbursement unit—6.0 FTE positions .....	14,599,900
GROSS APPROPRIATION .....	\$ 208,967,800
Appropriated from:	
Federal revenues:	
Total federal revenues.....	193,477,100
Special revenue funds:	
Total local revenues.....	340,000
Total other state restricted revenues .....	770,000
State general fund/general purpose .....	\$ 14,380,700
<b>Sec. 104. COMMUNITY ACTION AND ECONOMIC OPPORTUNITY</b>	
Full-time equated classified positions .....	19.0
Bureau of community action and economic opportunity operations—19.0 FTE positions .....	\$ 2,197,400
Community services block grant .....	25,650,000
Weatherization assistance .....	27,400,000
GROSS APPROPRIATION .....	\$ 55,247,400
Appropriated from:	
Federal revenues:	
Total federal revenues.....	55,247,400
State general fund/general purpose .....	\$ 0
<b>Sec. 105. ADULT AND FAMILY SERVICES</b>	
Full-time equated classified positions .....	44.7
Executive direction and support—5.0 FTE positions.....	\$ 542,200
Guardian contract .....	600,000
Adult services policy and administration—6.0 FTE positions.....	651,300
Office of program policy—33.7 FTE positions.....	5,490,500
Employment and training support services .....	11,230,100
JET plus.....	8,500,000
Wage employment verification reporting .....	848,700
Urban and rural empowerment/enterprise zones .....	100
Nutrition education .....	30,000,000
Crisis prevention and elder law of Michigan food for the elderly project.....	225,000
GROSS APPROPRIATION .....	\$ 58,087,900
Appropriated from:	
Federal revenues:	
Federal - emergency TANF contingency revenues (ARRA) .....	13,323,000
Total other federal revenues .....	39,678,700
Special revenue funds:	
Total private revenues.....	25,000
State general fund/general purpose .....	\$ 5,061,200
<b>Sec. 106. CHILDREN'S SERVICES</b>	
Full-time equated classified positions .....	131.8
Salaries and wages—44.2 FTE positions .....	\$ 2,929,600
Contractual services, supplies, and materials .....	875,900
Interstate compact.....	231,600
Children's benefit fund donations .....	21,000
Families first.....	18,450,700
Strong families/safe children—3.0 FTE positions.....	16,580,600
Child protection and permanency—37.5 FTE positions .....	19,030,900
Zero to three .....	3,843,800
Family reunification program .....	3,977,100
Family preservation and prevention services administration—14.5 FTE positions .....	1,301,900
Children's trust fund administration—12.0 FTE positions.....	1,039,400
Children's trust fund grants .....	3,825,100
ECIC, early childhood investment corporation .....	14,623,000
Attorney general contract .....	3,559,000
Prosecuting attorney contracts.....	2,561,700

	For Fiscal Year Ending Sept. 30, 2011
Child protection—5.0 FTE positions.....	832,600
Domestic violence prevention and treatment—14.6 FTE positions .....	14,857,200
Rape prevention and services—0.5 FTE positions.....	3,300,000
Transitional supportive housing (ARRA).....	2,000,000
Child advocacy centers—0.5 FTE positions .....	1,000,000
Child care fund in-home care incentive program.....	5,000,000
<b>GROSS APPROPRIATION</b> .....	<b>\$ 119,841,100</b>
Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
Federal - transitional supportive housing revenues (ARRA).....	2,000,000
Total other federal revenues .....	105,812,200
Special revenue funds:	
Private - children's benefit fund donations.....	21,000
Compulsive gaming prevention fund.....	1,040,000
Sexual assault victims' prevention and treatment fund.....	1,000,000
Child advocacy centers fund .....	1,000,000
Children's trust fund.....	3,811,100
State general fund/general purpose .....	<b>\$ 5,156,800</b>
<b>Sec. 107. CHILDREN'S RIGHTS SETTLEMENT</b>	
Full-time equated classified positions .....	3,494.0
Children's services administration—49.0 FTE positions .....	<b>\$ 3,730,100</b>
Title IV-E compliance and accountability office—5.0 FTE positions.....	419,400
Child welfare institute—40.0 FTE positions.....	6,549,400
Child protective services workers—1,481.0 FTE positions .....	69,284,200
Direct care workers—958.0 FTE positions .....	52,463,000
Education planners—14.0 FTE positions .....	741,600
Permanency planning conference coordinators—55.0 FTE positions.....	2,313,600
Child welfare first line supervisors—519.0 FTE positions .....	27,577,400
Administrative support workers—241.0 FTE positions .....	12,348,500
Second line supervisors and technical staff—45.0 FTE positions .....	3,184,000
Permanency planning specialists—62.0 FTE positions.....	2,418,500
POS contract monitoring unit—10.0 FTE positions .....	579,200
Contractual services, supplies, and materials.....	5,601,100
Settlement monitor .....	1,625,800
Foster care payments.....	184,520,800
Foster care - children with serious emotional disturbance waiver .....	1,769,000
Guardianship assistance program .....	3,170,000
Child care fund.....	217,766,400
Child care fund administration—5.8 FTE positions.....	798,200
Adoption subsidies .....	230,785,200
Adoption support services—7.2 FTE positions.....	33,555,300
Youth in transition—2.0 FTE positions.....	14,192,800
<b>GROSS APPROPRIATION</b> .....	<b>\$ 875,393,500</b>
Appropriated from:	
Federal revenues:	
Federal - FMAP stimulus .....	6,261,400
Total other federal revenues .....	480,838,700
Special revenue funds:	
Private - collections .....	2,300,000
Local funds - county chargeback .....	19,247,100
State general fund/general purpose .....	<b>\$ 366,746,300</b>
<b>Sec. 108. JUVENILE JUSTICE SERVICES</b>	
Full-time equated classified positions .....	218.7
W.J. Maxey training school—83.0 FTE positions.....	<b>\$ 12,217,000</b>
Bay pines center—49.0 FTE positions.....	5,589,800

	For Fiscal Year Ending Sept. 30, 2011
Shawono center—48.0 FTE positions .....	5,403,500
County juvenile officers .....	3,904,300
Community support services—2.0 FTE positions .....	1,399,100
Juvenile justice administration and maintenance—31.7 FTE positions .....	4,390,200
W. J. Maxey memorial fund .....	45,000
Juvenile accountability incentive block grant—1.0 FTE positions .....	1,304,000
Committee on juvenile justice administration—4.0 FTE positions .....	538,700
Committee on juvenile justice grants .....	5,000,000
<b>GROSS APPROPRIATION</b> .....	<b>\$ 39,791,600</b>
Appropriated from:	
Federal revenues:	
Total federal revenues .....	9,154,300
Special revenue funds:	
Total private revenues .....	45,000
Local funds - state share education funds .....	1,526,200
Local funds - county chargeback .....	10,096,000
State general fund/general purpose .....	\$ 18,970,100
<b>Sec. 109. LOCAL OFFICE STAFF AND OPERATIONS</b>	
Full-time equated classified positions .....	6,317.5
Field staff, salaries and wages—6,023.5 FTE positions .....	\$ 320,880,500
Limited-term field staff, salaries and wages—100.0 FTE positions .....	2,755,100
Contractual services, supplies, and materials .....	12,818,800
Medical/psychiatric evaluations .....	6,831,900
Donated funds positions—158.0 FTE positions .....	12,854,900
Training and program support—24.0 FTE positions .....	3,344,200
Wayne County gifts and bequests .....	100,000
Volunteer services and reimbursement .....	1,036,100
Volunteer services and reimbursement (ARRA)—2.0 FTE positions .....	250,000
SSI advocates—10.0 FTE positions .....	1,238,500
<b>GROSS APPROPRIATION</b> .....	<b>\$ 362,110,000</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG from department of corrections .....	100,000
<b>ADJUSTED GROSS APPROPRIATION</b> .....	<b>\$ 362,010,000</b>
Federal revenues:	
Federal - faith-based grant revenues (ARRA) .....	250,000
Federal - food assistance administration (ARRA) .....	905,700
Total other federal revenues .....	221,530,000
Special revenue funds:	
Local funds .....	2,541,400
Private funds - donated funds .....	859,700
Private funds - Wayne County gifts .....	100,000
Private funds - hospital contributions .....	2,927,500
Supplemental security income recoveries .....	725,000
State general fund/general purpose .....	\$ 132,170,700
<b>Sec. 110. DISABILITY DETERMINATION SERVICES</b>	
Full-time equated classified positions .....	747.4
Disability determination operations—721.9 FTE positions .....	\$ 107,512,800
Medical consultation program—21.4 FTE positions .....	3,038,900
Retirement disability determination—4.1 FTE positions .....	836,800
<b>GROSS APPROPRIATION</b> .....	<b>\$ 111,388,500</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG from DTMB - office of retirement systems .....	1,130,300
<b>ADJUSTED GROSS APPROPRIATION</b> .....	<b>\$ 110,258,200</b>

	For Fiscal Year Ending Sept. 30, 2011
Federal revenues:	
Total federal revenues.....	107,378,600
State general fund/general purpose .....	\$ 2,879,600
<b>Sec. 111. CENTRAL SUPPORT ACCOUNTS</b>	
Rent .....	\$ 46,134,200
Occupancy charge.....	8,260,500
Travel.....	7,062,100
Equipment.....	227,300
Worker's compensation.....	3,525,900
Advisory commissions.....	17,900
Payroll taxes and fringe benefits .....	331,977,500
GROSS APPROPRIATION .....	\$ 397,205,400
Appropriated from:	
Federal revenues:	
Federal - FMAP stimulus .....	238,300
Federal - emergency TANF contingency revenues (ARRA) .....	4,068,400
Federal - food assistance administration (ARRA) .....	603,800
Total other federal revenues .....	241,901,400
State general fund/general purpose .....	\$ 150,393,500
<b>Sec. 112. PUBLIC ASSISTANCE</b>	
Full-time equated classified positions .....	27.0
Family independence program .....	\$ 428,835,100
State disability assistance payments.....	34,765,000
Food assistance program benefits.....	3,020,337,600
Food assistance program benefits (ARRA).....	566,785,600
State supplementation.....	58,069,300
State supplementation administration.....	2,601,000
Low-income home energy assistance program.....	116,451,600
Food bank funding.....	1,345,000
Homeless programs .....	11,646,700
Multicultural integration funding .....	1,815,500
Chaldean community foundation.....	100
Indigent burial .....	4,209,200
Emergency services local office allocations.....	21,615,500
Licensed and registered child development and care .....	100,716,200
Enrolled child development and care .....	81,397,100
Child care services grants and contracts .....	3,025,000
Day care technology, and oversight—20.0 FTE positions .....	2,075,400
Refugee assistance program—7.0 FTE positions.....	24,241,400
GROSS APPROPRIATION .....	\$ 4,479,932,300
Appropriated from:	
Federal revenues:	
Federal - emergency TANF contingency revenues (ARRA) .....	172,345,900
Federal supplemental nutrition assistance revenues (ARRA) .....	566,785,600
Total other federal revenues .....	3,521,901,600
Special revenue funds:	
Child support collections.....	27,445,800
Supplemental security income recoveries.....	16,606,600
Public assistance recoupment revenue.....	7,010,000
State general fund/general purpose .....	\$ 167,836,800
<b>Sec. 113. INFORMATION TECHNOLOGY</b>	
Information technology services and projects.....	\$ 105,898,100
Child support automation .....	45,578,000
GROSS APPROPRIATION .....	\$ 151,476,100
Appropriated from:	
Federal revenues:	
Total federal revenues.....	108,567,300

For Fiscal Year  
Ending Sept. 30,  
2011

Special revenue funds:	
Total other state restricted revenues .....	1,000,000
State general fund/general purpose .....	\$ 41,908,800

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 2010-2011 is \$990,498,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2010-2011 is \$102,301,900.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

**DEPARTMENT OF HUMAN SERVICES**

Child care fund.....	\$ 93,596,500
County juvenile officers .....	3,657,600
State disability assistance payments.....	2,286,600
Legal support contracts .....	2,025,000
Child support enforcement operations.....	583,200
Family independence program .....	153,000
<b>TOTAL.....</b>	<b>\$ 102,301,900</b>

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

Sec. 203. As used in this act:

- (a) "AFC" means adult foster care.
- (b) "ARRA" means the American recovery and reinvestment act of 2009, Public Law 111-5.
- (c) "CFSR" means child and family services review.
- (d) "Children's rights settlement agreement" means the settlement agreement entered in the case of Dwayne B. vs. Granholm, docket No. 2:06-cv-13548 in the United States district court for the eastern district of Michigan.
- (e) "Current fiscal year" means the fiscal year ending September 30, 2011.
- (f) "DCH" means the department of community health.
- (g) "Department" means the department of human services.
- (h) "Director" means the director of the department of human services.
- (i) "DTMB" means the department of technology, management, and budget.
- (j) "ECIC" means early childhood investment corporation.
- (k) "FMAP" means federal medical assistance percentage.
- (l) "FTE" means full-time equated.
- (m) "IDG" means interdepartmental grant.
- (n) "JET" means jobs, education, and training program.
- (o) "Previous fiscal year" means the fiscal year ending September 30, 2010.
- (p) "RSDI" means retirement survivors disability insurance.
- (q) "SSI" means supplemental security income.
- (r) "Temporary assistance for needy families" or "TANF" or "title IV-A" means part A of title IV of the social security act, 42 USC 601 to 604, 605 to 608, and 609 to 619.
- (s) "Title IV-D" means part D of title IV of the social security act, 42 USC 651 to 655 and 656 to 669b.
- (t) "Title IV-E" means part E of title IV of the social security act, 42 USC 670 to 673, 673b to 679, and 679b.
- (u) "VA" means veterans affairs.

Sec. 204. The civil service commission shall bill the department at the end of the first fiscal quarter for up to 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. 207. (1) Sanctions, suspensions, conditions for provisional license status, and other penalties shall not be more stringent for private service providers than for public entities performing equivalent or similar services.

(2) Neither the department nor private service providers or licensees shall be granted preferential treatment or considered automatically to be in compliance with administrative rules based on whether they have collective bargaining agreements with direct care workers. Private service providers or licensees without collective bargaining agreements shall not be subjected to additional requirements or conditions of licensure based on their lack of collective bargaining agreements.

Sec. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this act. This shall include transmission of reports via electronic mail, including a link to the Internet site, to the recipients



identified for each reporting requirement, or it may include placement of reports on the Internet or Intranet site. On an annual basis, the department shall provide a cumulative listing of the reports to the house and senate appropriations subcommittees and the house and senate fiscal agencies and policy offices.

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 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. 211. 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. 212. (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 or current year revenues that are in excess of the authorized amount.

(2) The department's ability to satisfy appropriation fund sources 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. The department shall submit a written report by February 1 of the current fiscal year to the chairpersons of the senate and house appropriations subcommittees on the department budget that identifies all reimbursements, refunds, adjustments, and settlements from prior years to be used to satisfy appropriation fund sources.

Sec. 213. (1) 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.

(2) The department shall report to the legislature during the senate and house budget hearings on the status of the food stamp error rate. The report shall include at least all of the following:

- (a) An update on federal sanctions and federal requirements for reinvestment due to the food stamp error rate.
- (b) Review of the status of training for employees who administer the food assistance program.
- (c) An outline of the past year's monthly status of worker to food stamp cases and monthly status of worker to food stamp applications.
- (d) Corrective action through policy, rules, and programming being taken to reduce the food stamp error rate.
- (e) Any other information regarding the food stamp error rate, including information pertaining to technology and computer applications used for the food assistance program.

Sec. 214. (1) By February 1 of the current fiscal year, the department shall submit a report to the chairpersons of the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget director on the details of allocations within program budgeting line items and within the salaries and wages line items in all appropriation units. The report shall include a listing, by account, dollar amount, and fund source, of salaries and wages; longevity and insurance; retirement; contractual services, supplies, and materials; equipment; travel; and grants within each program line item appropriated for the current fiscal year. With regard to federal appropriations, for each program line item funded by no more than 3 federal funding sources, the department shall provide estimates of the allocation of the appropriation for each specific federal funding source.

(2) On a bimonthly basis, the department shall report on the number of FTEs in pay status by type of staff. The department shall identify which FTEs are designated as limited-term staff.

Sec. 215. If a legislative objective of this act 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. 216. 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 or before March 1 of the current fiscal year a report on appropriated and supportable FTE positions within the executive budget proposal for the fiscal year beginning October 1, 2011. The report shall contain all of the following information for each individual line item contained in the executive budget proposal for the department budget:

- (a) The number of FTEs to be funded from the line item.



(b) The amount that is proposed to be allocated to salary and wage costs from the gross appropriation for the line item.

(c) The amount that is proposed to be allocated to salary and wage costs from the gross appropriation for the line item on which was based the increase in the executive budget proposal from the amount appropriated for the line item in the department budget for the current fiscal year, if different from the amount in subdivision (b).

(d) The portion of the amount described in subdivision (b) that is proposed to be taken from each funding source identified in the budget.

(e) The gross salary and wage expenditures for the line item during the previous fiscal year and the estimated salary and wage expenditures for the line item during the current fiscal year.

(f) The estimated number of FTE positions supportable by the amount described in subdivision (b).

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 department workers or the staff of private providers through the child welfare institute 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 chairs and members of the house and senate appropriations committees, the 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. 218. (1) By February 15 of the current fiscal year, the department shall prepare an annual report on the TANF federal block grant. The report shall include projected expenditures for the current fiscal year, an accounting of any previous year funds carried forward, and a summary of all interdepartmental or interagency agreements relating to the use of TANF funds. The report shall be forwarded to the state budget director and the house and senate appropriations subcommittees on the department budget and the house and senate fiscal agencies and policy offices.

(2) The state budget director shall give prior written notice to the members of the house and senate appropriations subcommittees for the department and to the house and senate fiscal agencies and policy offices of any proposed changes in utilization or distribution of TANF funding or the distribution of TANF maintenance of effort spending relative to the amounts reflected in the annual appropriations acts of all state agencies where TANF funding is appropriated. The written notice shall be given not less than 30 days before any changes being made in the funding allocations. This prior notice requirement also applies to new plans submitted in response to federal TANF reauthorization or replacement by an equivalent federal law.

(3) 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. 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 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. 223. The department shall make a determination of Medicaid eligibility not later than 60 days after all information to make the determination is received from the applicant when disability is an eligibility factor. For all other Medicaid applicants, the department shall make a determination of Medicaid eligibility not later than 45 days after all information to make the determination is received from the applicant.

Sec. 224. The department shall approve or deny a Medicaid application for a patient of a nursing home within 45 days after the receipt of the necessary information.

Sec. 225. Lease number 2773 located at 14000 Schoolcraft Avenue, Detroit, Michigan, shall be canceled effective November 30, 2010 at 11:59 p.m.

Sec. 259. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the DTMB for technology-related services and projects. Such user fees shall be subject to provisions of an interagency agreement between the department and agencies and the DTMB.

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. 273. (1) The department shall quarterly report to the senate and house standing committees with primary jurisdiction over matters relating to human services and the senate and house appropriations subcommittees on the department budget any policy changes made to implement the provisions of enacted legislation, including the annual appropriation for the department budget.

(2) The department shall provide to the senate and house appropriations subcommittees on the department budget and senate and house standing committees with primary jurisdiction over matters relating to human services, the senate and house fiscal agencies, and the senate and house policy offices by July 1 of the current fiscal year a cumulative list of all policy changes in child welfare services, child support, work first, work requirements, adult and child safety, local staff program responsibilities, and day care and the most recent regulatory plan submitted to the state office of administrative hearings and rules.

(3) 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.

(4) 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.

(5) 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. 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, 2011 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.

Sec. 278. (1) The department shall contract with 1 or more private consulting firms for revenue maximization services for all caseload services currently provided by the department.

(2) Contractors shall be reimbursed for revenue maximization services by allowing the contractors to retain a negotiated percentage of savings identified. The percentage of savings retained by a contractor shall not exceed 25%.

(3) The department shall provide a report to the senate and house appropriations subcommittees on the department budget, senate and house standing committees on human services matters, senate and house fiscal agencies and policy offices, and state budget director by April 1 of the current fiscal year on the waste, fraud, error, and abuse located through contracts authorized under subsection (1).

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. 280. The department shall submit a report to the house and senate appropriations subcommittees for the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget director by February 1 of the current fiscal year on the status of the department's information technology improvement initiatives. The report shall include details on the following:

(a) The amounts expended during the previous fiscal year and the first quarter of the current fiscal year by information technology project.

(b) The amounts of appropriations carried forward as work projects from previous fiscal years for information technology projects.

(c) A listing of the projects and activities undertaken during the previous fiscal year and during the first quarter of the current fiscal year.

(d) A narrative describing anticipated information technology needs for the department in future years.

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 act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$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 act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$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 act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$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 act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 287. (1) The department shall work collaboratively with the child death review board and court system to improve communication and coordination between entities on the review and examination of child death in Michigan.

(2) The department shall notify the children's ombudsman within 1 business day after a child dies if any of the following apply:

(a) The child died during an active child protective services investigation or an open child protective services case.

(b) The department received a prior child protective services complaint concerning the child's caretaker.

(c) The child's death may have resulted from child abuse or neglect.

Sec. 288. (1) The department shall not establish time limits on payments to providers for properly documented services purchased by the department.

(2) The department shall pay providers that meet the requirements of subsection (1) with state general fund/general purpose funds if federal funds cannot be used because of time restrictions on federal claims.

Sec. 289. The department shall pay a private child placing agency or child caring institution all verified and agreed to overdue payments for foster care and juvenile justice services provided to eligible youth under contract with the department.

Sec. 291. By November 1, 2010, 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 Michigan home based child care council (MHBCCC). The report shall include all money that the department has processed, distributed, and transferred to the MHBCCC that is related to union dues for any contract to which this state is not a party, all money sent to MHBCCC or any successor organization, and any payment that has been made to the grantee designated by the agency designation administrative 10-9909 as reported by the Michigan state administrative board. The report shall cover all money provided to the MHBCCC through September 30, 2010. Beginning on January 1, 2011, the department shall, within 30 days after

the end of each quarter, provide the same information required for the November 1, 2010 report for the quarter to the same recipients.

Sec. 292. By November 1, 2010, 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 regarding the child development and care program. The report shall include all of the following:

(a) Number of eligible child care providers by type receiving payment for child care services from the department on October 1, 2008.

(b) Number of eligible child care providers by type receiving payment for child care services from the department on October 1, 2010.

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. 295. (1) From the money appropriated in part 1 for information technology services and projects, the department shall allocate \$300,000.00 to modify the "Bridges" eligibility system to permit greater cooperation between the department of state police and department's office of inspector general in identifying individuals with criminal justice disqualifications for program eligibility inappropriately accessing benefits.

(2) The department shall ensure that the integration of the "Bridges" eligibility system into the law enforcement information network system is completed by July 1, 2011.

(3) By September 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees on the department budget and the senate and house fiscal agencies and policy offices on the number of individuals with criminal justice disqualifications inappropriately accessing benefits that were identified through the use of the "Bridges" and the law enforcement information network system.

Sec. 296. Not later than October 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 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. 297. The department shall, with assistance from the department of community health, provide a report to the senate and house appropriations subcommittees on the department budget, the senate and house committees with primary jurisdiction over matters of health policy, the senate and house fiscal agencies, and the senate and house policy offices describing money collected through Medicaid estate recovery efforts and proposed changes to section 112g of the social welfare act, 1939 PA 280, MCL 400.112g, that could increase collections through Medicaid estate recovery.

#### **EXECUTIVE OPERATIONS**

Sec. 305. From the money appropriated in part 1 for demonstration projects, the department shall allocate \$100,000.00 to support youthville Detroit.

Sec. 307. (1) Of 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 the program described in subsection (2), with the remaining 50% paid by local United Way organizations and other nonprofit organizations and foundations.

(2) Money distributed under subsection (1) shall be distributed to Michigan 2-1-1, a nonprofit corporation organized under the laws of this state that is exempt from federal income tax under section 501(c)(3) of the internal revenue code, 26 USC 501(c)(3), and whose mission is to coordinate and support a statewide 2-1-1 system. Michigan 2-1-1 shall use the money only to fulfill the Michigan 2-1-1 business plan adopted by Michigan 2-1-1 in January 2005.

(3) Michigan 2-1-1 shall report annually to the department and the house and senate standing committees with primary jurisdiction over matters relating to human services and telecommunications on 2-1-1 system performance, including, but not limited to, call volume by community health and human service needs and unmet needs identified through caller data and customer satisfaction metrics.

Sec. 308. From the money appropriated in part 1 for demonstration projects, \$200,000.00 shall be expended on a contract with the University of Detroit Mercy to provide legal services for disabled veterans who are seeking eligibility under federal disability programs, including federal supplemental security income. The contract shall fund a statewide effort by the university through use of its mobile office to deliver these legal services.

Sec. 310. The department shall furnish the senate and house fiscal agencies and policy offices, the state budget office, and all members of the house and senate appropriations committees with a summary of any evaluation reports and subsequent approvals or disapprovals of juvenile residential facilities operated by the department, as required by section 6 of 1973 PA 116, MCL 722.116. If no evaluations are conducted during the fiscal year, the department shall notify the fiscal agencies and all members of the appropriate subcommittees of the house and senate appropriations committees.

Sec. 311. (1) The department shall administer licensing and regulation of licensees with the following standards:

(a) The highest priority shall be given to licensing activities that present the highest risk to vulnerable children or adults receiving services of licensees.



- (b) Licensees shall be required to adhere to state law and departmental policy.
- (c) The department shall use performance standards and measures that are clearly explained to licensees or providers.
- (d) The department shall use goals of higher quality, greater efficiency, and wider availability of services.
- (e) The department shall provide clear and known opportunities for licensees and providers to raise questions or concerns about regulations and enforcement.
- (f) The department shall provide effective outlets for judges and court employees to communicate and receive attention to concerns or questions about licensed or regulated providers.

(2) The department shall use standards and measures similar to those in subsection (1) for services it provides or administers that are similar to those provided by licensees.

Sec. 313. From the money appropriated in part 1 for demonstration projects, the department shall allocate \$300,000.00 to support the conductive learning center.

#### **ADULT AND FAMILY SERVICES**

Sec. 415. (1) If money becomes available in part 1, the department may contract with independent contractors from various counties, including, but not limited to, faith-based and nonprofit 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 purpose of meeting TANF eligibility reporting requirements.

(5) Upon receipt of the promotion of responsible fatherhood funds 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. 416. (1) If money becomes available in part 1, the department may contract with independent contractors from various counties, including, but not limited to, faith-based and nonprofit 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 a marriage initiative program.

(2) The department may choose providers to work with counties that will work to support and strengthen marriages of those eligible under the TANF guidelines. The areas of work may include, but are not limited to, marital counseling, domestic violence counseling, family counseling, effective communication, and anger management as well as parenting skills to improve the family structure.

(3) A marriage initiative program established under this section may include, but is not limited to, 1 or more of the following: public advertising campaigns on the value of marriage and the skills needed to increase marital stability and health; education in high schools on the value of marriage, relationship 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. 418. From the funds appropriated in part 1 for employment and training support services, the department may expand the availability of individual development accounts (IDAs) with \$200,000.00 for allocation to qualified IDA programs established through the Michigan IDA partnership to serve TANF-eligible households in Michigan. The Michigan IDA partnership shall encourage each TANF-eligible household served to claim the federal and state earned income tax credit (EITC) and to incorporate all or part of any tax credit received in the household's IDA savings plan, and shall provide the household with information concerning available free tax assistance resources. In addition, the Michigan IDA

partnership and its program sites shall participate in community EITC coalitions established under the plan to increase the EITC participation of TANF families referenced in section 666. The same amount shall be appropriated annually to further expand IDA opportunities to low-income families to become more financially self-sufficient through financial education, saving, wise investment in home ownership, postsecondary education, small business development, or a combination of those programs.

Sec. 423. (1) From the money appropriated in part 1 for crisis prevention and senior food aid projects, the department shall allocate \$75,000.00 to support ongoing efforts in Barry County to provide programs to women or children, or both, facing crisis situations as a result of domestic violence or abuse.

(2) From the money appropriated in part 1 for crisis prevention and senior food aid projects, the department shall allocate not less than \$100,000.00 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.

(3) Of the funds appropriated in part 1 for crisis prevention and senior food aid projects, the department shall allocate \$25,000.00 for a food aid outreach project in Muskegon County and \$25,000.00 for a food aid outreach project in Kent County.

### **CHILDREN'S SERVICES**

Sec. 501. During the current fiscal year, 85% or more of children who have been in care for 1 year or longer while legally available for adoption or with an established goal of reunification with their families shall be permanently placed. During the annual budget presentation, the department shall report on the number of children supervised by the department and by private agencies who remain in foster care more than 12 and less than 24 months and those who remain in foster care 24 months or more.

Sec. 502. From the funds appropriated in part 1 for foster care, the department shall provide 50% reimbursement to Indian tribal governments for foster care expenditures for children who are under the jurisdiction of Indian tribal courts and who are not otherwise eligible for federal foster care cost sharing.

Sec. 503. The department shall continue adoption subsidy payments to families after the eighteenth birthday of an adoptee who meets the following criteria:

- (a) Has not yet graduated from high school or passed a high school equivalency examination.
- (b) Is making progress toward completing high school.
- (c) For a child adopted before the age of 16, has not yet reached his or her nineteenth birthday.
- (d) For a child adopted at or after the age of 16, has not yet reached his or her twentieth birthday.

Sec. 504. The department will ensure that children aged 14 years and older in foster care and youth transitioning from foster care to adulthood have access to the range of supportive services necessary to support their preparation for and successful transition to adulthood, including, but not limited to, independent living services eligible for federal reimbursement under the Chafee program, and shall maintain sufficient resources to deliver independent living services to all children in foster care custody of the department who qualify for them.

Sec. 505. (1) The department shall continue to implement a plan to provide client-centered results-oriented foster care programs.

(2) The department shall provide a quarterly report to the senate and house appropriations subcommittees on the department budget and the senate and house fiscal agencies and policy offices outlining this state's performance in meeting the mandated measures for placement stability, timeliness of reunification, permanency of reunification, and timeliness of adoptions and other measures mandated in the children's rights settlement agreement.

(3) As part of the quarterly report described in subsection (2), the department shall include the number of private agencies allowed to conduct their own staff training, including the number of private agency training staff, as allowed under section 585.

(4) By March 1, 2011, 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.

(5) By November 1, 2011, the department shall post on the department's website a list of all relevant departmental training materials available to private child placing agencies that are allowed to conduct their own training in accordance with section 585. The department shall also provide to private child placing agencies that are allowed to conduct their own training any updated training materials as they become available.

Sec. 506. (1) The department shall provide a report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices by February 1 of the current fiscal year detailing changes in program policy, outcome measurement, and training by the department and courts to meet the requirements of the fostering connections to success and increasing adoptions act of 2008, Public Law 110-351, 122 Stat. 3949.

(2) By February 1 of the current fiscal year, the department shall provide the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies, and the senate and house policy offices a report detailing recent department communication with the federal government related to the provision of foster care, juvenile justice, and adoption services. The report shall include information detailing federal recommendations made to the department and courts, any sanction or warning of possible future sanction assessed on this state by the federal government, the status of the performance improvement plan submitted to the federal government, and efforts by the department to increase federal financial support for children's services in this state.

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 state child abuse and neglect prevention board may initiate a joint project with another state agency to the extent that the project supports the programmatic goals of both the state child abuse and neglect prevention board and the state agency. The department may invoice the state agency for shared costs of a joint project in an amount authorized by the state agency, and the state child abuse and neglect prevention board may receive and expend funds for shared costs of a joint project in addition to those authorized by part 1.

(3) The department may collaborate with the state child abuse and neglect prevention board to develop recommendations on how to best incorporate child abuse prevention strategies and practices into suggested changes in state statute and department policy. The department shall provide any recommendations developed with the state child abuse and prevention board to the senate and house standing committees on human services and appropriations subcommittees on the department budget not later than March 1 of the current fiscal year.

(4) From the funds appropriated in part 1 for the children's trust fund, the department may utilize interest and investment revenue from the current fiscal year only for programs, administration, services, or all sanctioned by the child abuse and neglect prevention board.

(5) 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. 509. (1) From the funds appropriated in part 1, the department shall not expend funds to preserve or reunite a family, unless there is a court order requiring the preservation or reuniting of the family or the court denies the petition, if either of the following would result:

(a) A child would be living in the same household with a parent or other adult who has been convicted of criminal sexual conduct against a child.

(b) A child would be living in the same household with a parent or other adult against whom there is a substantiated charge of sexual abuse against a child.

(2) Notwithstanding subsection (1), this section shall not prohibit counseling or other services provided by the department, if the service is not directed toward influencing the child to remain in an abusive environment, justifying the actions of the abuser, or reuniting the family.

Sec. 510. The department shall not be required to put up for bids a contract with a service provider if the service provider is nationally accredited or is currently the only provider in the service area.

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 facilities during the previous fiscal year, the number of Michigan children residing in such facilities at the time of the report, the total cost and average per diem cost of these out-of-state placements to this state, and a list of each such placement arranged by the Michigan county of residence for each child.



Sec. 514. The department shall make a comprehensive report concerning children's protective services (CPS) to the legislature, including the senate and house policy offices and the state budget director, by January 1 of the current fiscal year, that shall include all of the following:

(a) Statistical information including, at a minimum, all of the following:

(i) The total number of reports of abuse or neglect investigated under the child protection law, 1975 PA 238, MCL 722.621 to 722.638, and 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.

(ii) Characteristics of perpetrators of abuse or neglect and the child victims, such as age, relationship, race, and ethnicity and whether the perpetrator exposed the child victim to drug activity, including the manufacture of illicit drugs, that exposed the child victim to substance abuse, a drug house, or methamphetamine.

(iii) The mandatory reporter category in which the individual who made the report fits, or other categorization if the individual is not within a group required to report under the child protection law, 1975 PA 238, MCL 722.621 to 722.638.

(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 termination of parental rights or foster placement for children who have been exposed to the production of illicit drugs in their dwelling place or a place frequented by the children.

(e) The department policy, or changes to the department policy, regarding children who have been exposed to the production or manufacture of methamphetamines.

Sec. 515. The department shall use performance-based models for all foster care services provided by the department and child placing agencies. The goal of these models shall be to ensure that foster care services are provided in a manner that increases the state's compliance with CFSR and children's rights settlement agreement goals. Not later than March 30 of the current fiscal year, the department shall provide an update to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies and policy offices, and the office of the state budget on benchmarks developed in conjunction with private providers for this performance model and county representatives from Genesee, Kent, Macomb, Oakland, and Wayne Counties, results the department or child placing agencies have achieved in improving permanency placements, and recommendations for further improvements for foster care services across the entire state.

Sec. 517. (1) From the money appropriated in part 1, the department is authorized to allocate money to multipurpose collaborative bodies. Priority for activities and services shall be given to at-risk children and families and cases classified by the department as category III or category IV under sections 8 and 8d of the child protection law, 1975 PA 238, MCL 722.628 and 722.628d.

(2) Funds appropriated in part 1 for zero to three may be used to fund community-based collaborative prevention services designed to do any of the following:

(a) Foster positive parenting skills especially for parents of children under 3 years of age.

(b) Improve parent/child interaction.

(c) Promote access to needed community services.

(d) Increase local capacity to serve families at risk.

(e) Improve school readiness.

(f) Support healthy family environments that discourage alcohol, tobacco, and other drug use.

(3) The department shall demonstrate that the planned services are part of the community's integrated comprehensive family support strategy endorsed by the community collaborative and, where there is a great start collaborative, demonstrate that the planned services are part of the community's great start strategic plan.

(4) Projects funded through the appropriation provided for in subsection (2) shall provide a 25% local match of which not more than 10% is in-kind goods or services unless the maximum percentage is waived by the department.

Sec. 523. (1) The department shall report on prevention programs for which money is appropriated in part 1 to the senate and house appropriations subcommittees on the department budget during the annual budget presentation. The report shall contain all of the following for each program:

(a) The average cost per recipient served.

(b) Measurable performance indicators.

(c) Desired outcomes or results and goals that can be measured on an annual basis, or desired results for a defined number of years.

(d) Monitored results.

(e) Innovations that may include savings or reductions in administrative costs.

(2) If money becomes available in part 1 for youth in transition, domestic violence prevention and treatment, and teenage parent counseling, the department is authorized to make allocations of TANF funds only to agencies that report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements.

(3) An agency that receives teenage parent counseling money shall provide at least 10% in matching funds, through any combination of local, state, or federal money or in-kind or other donations.

Sec. 532. (1) The department, in collaboration with representatives of private child and family agencies, shall revise and improve the annual licensing review process and the annual contract compliance review process for child placing agencies and child caring institutions. The improvement goals shall be safety and care for children. Improvements to the review process shall be directed toward alleviating administrative burdens so that agency resources may be focused on children. The revision shall include identification of duplicative staff activities and information sought from child placing agencies and child caring institutions in the annual review process. The department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies and policy offices, 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.

(3) The department shall develop a plan to license relatives of foster children as foster care providers to ensure consistent high standards of care for those foster children. The department shall report on the plan to the senate and house appropriations subcommittees with oversight over the department budget, the senate and house standing policy committees generally concerned with children's issues, the senate and house fiscal agencies and policy offices, and the state budget director as part of the reports required by section 582.

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.

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. 540. The department shall issue a request for proposals for treatment foster care services and/or group homes no later than January 1 of the current fiscal year. The request for proposals for treatment foster care shall be based on standards established by the legislatively established public/private specialized foster care subcommittee in 2005. Each nonprofit agency that has an existing foster care contract with the state of Michigan shall be eligible to respond to the request for proposals, with a goal that services be part of a continuum of services offered by the nonprofit agency.

Sec. 544. The department shall continue pilot projects with applications pending for accelerated residential treatment.

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 not be less than the administrative rate paid in fiscal year 2008-2009.

(3) The department shall calculate and report by December 1 of the current fiscal year to the house and senate appropriations subcommittees on the department budget on the cost of care, on a per diem basis, for foster care services delivered directly by the department.

Sec. 548. During the annual budget presentation to the house and senate appropriations subcommittees on the department budget, the department shall report on progress in implementing the recommendations of the task force that studied the disproportionate representation of African-American and other children of color in the child welfare and juvenile justice systems as required under former section 548 of the fiscal year 2005-2006 budget act for the department.

Sec. 556. 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.

Sec. 562. (1) The department shall allow a county to submit a claim for title IV-E foster care funding for a placement in a secure residential facility if the county can demonstrate that the reason for the secure placement is a diagnosed medical necessity and not protection of the public.

(2) The department shall submit a claim for title IV-E foster care funding for a placement in a secure residential facility if the county can demonstrate that the reason for the secure placement is a diagnosed medical necessity and not protection of the public.

Sec. 565. (1) From the funds appropriated in part 1 for federally funded family preservation programs, the department shall allocate \$1,600,000.00 to Wayne County to provide home-based programs as part of the county expansion of community-based services to serve the county's adjudicated delinquent and abused and neglected youth.

(2) Federal revenues shall be paid to Wayne County as reimbursement for actual costs incurred, consistent with established federal requirements.

(3) As a condition of receipt of federal funds pursuant to subsection (1), Wayne County shall provide the department with a plan for the use of allocated funds in a format to be specified by the department. The county shall also provide the department with all information required to demonstrate the appropriateness and allowability of expenditures and to meet federal financial and programmatic reporting requirements.

Sec. 566. (1) Subject to subsection (2), beginning October 1, 2008, preference shall be given in the provision of direct foster care services to public and private agencies that are nationally accredited.

(2) Beginning October 1, 2007, the department shall not enter into or maintain a contract with a for-profit child placing agency, or with a nonprofit child placing agency that uses a for-profit management group or contracts with a for-profit organization for its management, to provide direct foster care services unless the agency was licensed on or before August 1, 2007 and, if the agency is a nonprofit child placing agency that uses a for-profit management group or contracts with a for-profit organization for its management, the contract with the for-profit group or organization existed prior to August 1, 2007.

Sec. 568. (1) From the money appropriated in part 1 for child welfare improvements, the department may allow the private sector to compete for the money to achieve permanency placement for children in foster care and prioritize funding for children in foster care who have barriers to permanency placement.

(2) The department shall submit quarterly reports to the legislature that include all of the following information on the appropriation adjustments described in section 568(2) of 2007 PA 131 and those same appropriations adjustments in this act:

(a) The number of positions hired or paid from these appropriations, what their titles and responsibilities will be, what performance objectives and measurable outcomes they are required to satisfy, and what they are being paid in salaries, wages, and fringe benefits. If a community-based provider of adoption services assumes an adoption case that was previously handled by a public agency or worker, the time that the case was handled by the public agency or worker shall not be counted in a performance measure without the consent of the community-based provider.

(b) Information on any contracts for services that have been awarded and the performance objectives and measurable outcomes that are incorporated in the contracts and the successes or failures that are achieved as a result.

(c) Detailed information on any money spent for child welfare improvements and what measurable outcome is expected for the money being spent.

Sec. 570. (1) 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.

(2) The department shall report during the annual budget presentation to the senate and house appropriations subcommittees on the department budget the number of guardianship subsidies and recommendations for any modifications in the guardianship assistance program.

Sec. 571. The department shall maintain a title IV-E compliance and accountability office with the following goals and responsibilities:

(a) Study efforts in other states to determine best practices for title IV-E-related activities and measures to maximize the receipt of federal money for eligible cases.

(b) Coordinate compliance with federal regulations in order to receive title IV-E money.

(c) Provide necessary technical assistance to local units of government, including courts, to ensure proper handling of cases and paperwork in preparation for federal audits and reviews.

(d) Coordinate a program to provide private persons, groups, and corporations with incentives to make tax-deductible contributions intended to assist foster care families to overcome barriers to becoming licensed and eligible to receive title IV-E money.

(e) As part of the reports required by section 582, provide information to the house and senate appropriations subcommittees on the department budget on activities and progress toward meeting the responsibilities outlined above.

Sec. 573. From the money appropriated in part 1 for adoption support services, \$1,049,400.00 is allocated to support adoption contracts focusing on long-term permanent wards who have been wards for more than 1 year after termination of parental rights. Private agencies shall receive \$16,000.00 for each finalized placement under the program.

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. 575. (1) Of the money provided for the training of human services workers, particularly caseworkers, the department shall use appropriated money to begin cultural sensitivity training and awareness with the goal of effectively reducing the number of minority children inappropriately removed from their homes for neglect and placed in the foster care system when more appropriate action would include the provision of support services to the family.

(2) Of the money appropriated to the department for family preservation and prevention, more specific focus shall be placed on preserving and reunifying families.

(3) As a condition for receiving appropriated money, the department and the office of the friend of the court shall work in cooperation to provide support services to families of custodial parents who have been awarded child support from a parent who is incarcerated.

Sec. 577. From the money appropriated in part 1, the department may allow a community collaborative to use strong families safe children program funds for a prevention program that meets standards agreed upon between the community collaborative and county department offices in accordance with federal regulations regarding expenditure of strong families safe children program funds.

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 what services are to be provided to the child while under department supervision.

Sec. 580. The department and the department of community health shall initiate efforts to identify mental health programs and activities where the services of the 2 departments overlap, or are uncoordinated. The goal shall be to provide adequate and stable mental health services which address the need of the individual child without duplicative, confusing, or needlessly complex services. The department shall report on these coordination efforts with the department of community health during the annual budget presentations to the senate and house appropriations subcommittees with jurisdiction over the department budget.

Sec. 581. (1) The money appropriated in part 1 for adoption support services shall be used by the department to increase the rates paid to private adoption agencies for all categories of adoption placements and adoption finalizations to reflect the rate schedule below:

Reimbursement Category	Placement Rate	Finalization Rate	Total Payment
Basic: More than 12 months	\$3,405	\$2,270	\$5,675
Standard: 9-12 months, statewide	\$3,538	\$2,364	\$5,902
Enhanced: 8 months, statewide	\$5,771	\$3,846	\$9,617
Premium: 5 months, statewide	\$7,371	\$4,914	\$12,285
Residential	\$8,513	\$5,676	\$14,189



MARE	\$13,094	\$8,730	\$21,824
In-state Transfer			\$1,845
Interstate: Existing Services			\$1,844
Interstate: New Services			\$3,546

(2) The additional revenue shall be used by private adoption agencies to increase the number of adoption workers to a level sufficient to meet the 15:1 cases-to-worker ratio requirements for adoption workers within the children's rights settlement agreement.

Sec. 582. On the first working day of February and August, for the preceding 6 months, the department shall submit a comprehensive child welfare improvement report, compiling material required by each section of this act related to child welfare. This report will be provided to the senate and house appropriations subcommittees on the department budget, the senate and house standing committees on human services, the senate and house fiscal agencies, the senate and house policy offices, and the state budget director and will provide an overview of the status of all initiatives the department is required to carry out by this appropriation act and the impact of those initiatives on meeting the benchmarks established in the federal child and family service review process and the requirements established in the children's rights settlement agreement. The report may include information about other initiatives of the department and its service delivery partners which support improvements in safety, permanency, and well-being for the children and families served by Michigan's child welfare system.

Sec. 583. By February 1 of the current fiscal year, the department shall provide to the senate and house appropriations subcommittees on the department budget, the senate and house standing committees on families and human services, and the senate and house fiscal agencies and policy offices a report detailing the number of individuals participating as foster parents during the previous fiscal year who dropped out of the program. The report shall also provide explanatory data on the primary reasons that foster parents chose to leave the program.

Sec. 584. The department shall provide recommendations to the senate and house appropriations subcommittees on the department budget, the senate and house standing committees on families and human services, and the senate and house fiscal agencies and policy offices on changes to current state statutes that would ensure more effective communication between caseworkers and courts administering foster care cases.

Sec. 585. The department shall allow private nationally accredited foster care and adoption agencies to conduct their own staff training, based on current department policies and procedures, provided that the agency trainer and training materials are accredited by the department and that the agency documents to the department that the training was provided. The department shall provide access to any training materials requested by the private agencies to facilitate this training.

Sec. 586. (1) The department shall request a modification of the staffing requirement imposed by the children's rights settlement agreement. The modification would permit the department to ensure that 95% of purchase of service monitors will have a caseload of no more than 90 cases in the current fiscal year.

(2) The department shall evaluate the effectiveness of the purchase of service monitoring function to do all of the following:

(a) Eliminate tasks that are duplicative in nature.

(b) Establish standards for the duties of all purchase of services workers, including responsibilities to attend review hearings, frequency of conducting visits with children and families, and other county-by-county differences that currently exist.

(c) Review and approve case practice decisions in a timely manner to avoid delays in providing services to families and achieving permanency.

Sec. 587. (1) The appropriation in part 1 for the child care fund in-home care incentive program shall be used to encourage counties to increase the number of children in the child welfare and juvenile justice systems receiving in-home care services as opposed to out-of-home placements. Funds shall cover the costs of in-home care services that are eligible for temporary assistance for needy families funding. To receive reimbursement under the program, a county shall document that expenditures for in-home care services for the current fiscal year exceeded those of the previous fiscal year. Each county shall receive reimbursement from the department in an amount equal to 75% of the documented increase in in-home care expenditures. However, if the amount of eligible expenditures claimed by all counties exceeds the appropriation in part 1, each county will receive a prorated share of its documented increase in in-home care expenditures. Each county shall provide for the remaining 25% of costs from its child care fund.

(2) To participate in the child care fund in-home care incentive program, a county shall submit to the department by December 15 of each year, in a manner determined by the department, a report outlining its proposed budget for the incentive program for the current fiscal year and an overview of measures to be used to monitor outcomes for youth receiving services under the program. The department must approve a final report by the following February 15 for the county to be eligible for program reimbursement.

Sec. 588. (1) Concurrent with public release, the department shall transmit all reports from the court-appointed settlement monitor, including, but not limited to, the needs assessment and period outcome reporting, to the state budget office, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies, without revision.



(2) The department shall report monthly to the state budget office, the senate and house appropriations subcommittees on the department budget, and the senate and house fiscal agencies, on the number of children enrolled in the guardianship assistance and foster care - children with serious emotional disturbance waiver programs.

Sec. 589. From the money appropriated in part 1 to facilitate the transfer of foster care cases currently under department supervision from department supervision to private child placing agency supervision, the department shall not transfer any foster care cases that require a county contribution to the private agency administrative rate.

#### **PUBLIC ASSISTANCE**

Sec. 601. (1) The department may terminate a vendor payment for shelter upon written notice from the appropriate local unit of government that a recipient's rental unit is not in compliance with applicable local housing codes or when the landlord is delinquent on property tax payments. A landlord shall be considered to be in compliance with local housing codes when the department receives from the landlord a signed statement stating that the rental unit is in compliance with local housing codes and that statement is not contradicted by the recipient and the local housing authority. The department shall terminate vendor payments if a taxing authority notifies the department that taxes are delinquent.

(2) 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 vending has been requested meets applicable local housing codes. Vending 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.

(3) In order to participate in the rent vending programs of the department, a landlord shall cooperate in weatherization and conservation efforts directed by the department or by an energy provider participating in an agreement with the department when the landlord's property has been identified as needing services.

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.

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 as defined in subdivision (a), (b), (e), or (f) above.

(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 to applicants 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. 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.

Sec. 611. A provider of indigent burial services may collect additional payment from relatives or other persons on behalf of the deceased if the total additional payment does not exceed \$4,000.00.

Sec. 612. 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.

Sec. 613. (1) From the money appropriated in part 1 for indigent burial, the maximum allowable reimbursement limit for indigent burials shall be \$700.00, which shall be distributed as follows:

- (a) \$455.00 to the funeral director.
- (b) \$145.00 to the cemetery or crematorium.
- (c) \$100.00 to the provider of the vault.

(2) From the money appropriated in part 1 for indigent burial, the department may work with funeral directors to establish a regional or statewide pilot program that would include the following elements:

(a) The project shall provide funding only for the direct cremation of bodies of indigent persons that are not claimed by a person who has the right to control the disposition of the body.

(b) The payment to a funeral director for these services shall be \$800.00 plus mileage reimbursement for transportation costs at the standard rate established by the department of technology, management, and budget for travel reimbursement for nonstate vehicles and the cost of the cremation permit.

(c) The department may deviate from the payment limits established in subsection (1) in making payments under the program.

(d) The department shall forward a copy of the program to the senate and house of representatives appropriations subcommittees with jurisdiction over the department budget.

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.

Sec. 617. In operating the family independence program with funds appropriated in part 1, the department shall not approve as a minor parent's adult supervised household a living arrangement in which the minor parent lives with his or her partner as the supervising adult.

Sec. 618. The department may only reduce, terminate, or suspend assistance provided under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, without prior notice in 1 or more of the following situations:

- (a) The only eligible recipient has died.

- (b) A recipient member of a program group or family independence assistance group has died.
- (c) A recipient child is removed from his or her family home by court action.
- (d) A recipient requests in writing that his or her assistance be reduced, terminated, or suspended.
- (e) A recipient has been approved to receive assistance in another state.
- (f) A change in either state or federal law that requires automatic grant adjustments for classes of recipients.
- (g) The only eligible recipient in the household has been incarcerated.
- (h) A recipient is no longer a Michigan resident.
- (i) A recipient is closed on 1 case to be activated on another.
- (j) Federal payments (other than RSDI, railroad retirement, or VA) to the group have begun or increased.
- (k) A recipient is disqualified for intentional program violation.
- (l) When the department's negative action is upheld in an administrative hearing.

Sec. 619. The department shall exempt from the denial of title IV-A assistance and food assistance benefits, contained in 21 USC 862a, any individual who has been convicted of a felony that included the possession, use, or distribution of a controlled substance, after August 22, 1996, provided that the individual is not in violation of his or her probation or parole requirements. Benefits shall be provided to such individuals as follows:

- (a) A third-party payee or vendor shall be required for any cash benefits provided.
- (b) An authorized representative shall be required for food assistance receipt.

Sec. 621. Funds appropriated in part 1 may be used to support multicultural integration and support services. The department shall distribute all of the funds described in this section based on assessed community needs.

Sec. 631. The department shall maintain policies and procedures to achieve all of the following:

(a) The identification of individuals on entry into the system who have a history of domestic violence, while maintaining the confidentiality of that information.

(b) Referral of persons so identified to counseling and supportive services.

(c) In accordance with a determination of good cause, the waiving of certain requirements of family independence programs where compliance with those requirements would make it more difficult for the individual to escape domestic violence or would unfairly penalize individuals who have been victims of domestic violence or who are at risk of further domestic violence.

Sec. 635. Within 24 hours of receiving all information necessary to process an application for payments for child development and care, the department shall determine whether the child care provider to whom the payments, if approved, would be made, is listed on the child abuse and neglect central registry. If the provider is listed on the central registry, the department shall immediately send written notice denying the applicant's request for child development and care payments.

Sec. 643. As a condition of receipt of federal TANF funds, homeless shelters and human services agencies shall collaborate with the department to obtain necessary TANF eligibility information on families as soon as possible after admitting a 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. 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. 657. (1) The department shall allocate \$3,000,000.00 for the operation of a statewide before- and after-school program targeted to children in kindergarten through ninth grade. To be eligible to be part of the statewide program, a program must serve geographic areas near school buildings that do not meet federal no child left behind annual yearly progress (AYP) requirements and be included in the AYP plans of the affected school districts as a means to improve outcomes and serve children living in households with income below 200% of the federal poverty guidelines as established by the United States department of health and human services.

(2) The department shall require an applicant for before- and after-school funding under this section to demonstrate how its program would facilitate extensive involvement with the parents of children served by the program and to show how other programming being offered on the site would enhance the before- and after-school funding. Priority for funding shall be given to programs that can demonstrate effectiveness in these areas.

(3) The department shall evaluate each before- and after-school program that is part of the statewide program with special emphasis on the academic accomplishments and attendance records of program participants.

Sec. 659. The department may provide staff support to the Kent school services network to assist in addressing the multiple needs of children and families at community schools. The department may also participate in the expansion of this program in Kent County as well as other areas of the state that may use the Kent school services network program as a model.

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. 665. The department shall partner with the department of transportation and may partner with other entities to use TANF and other sources of available funding to support public transportation needs of TANF-eligible individuals. This partnership shall place a priority on transportation needs for employment or seeking employment or medical or health-related transportation.

Sec. 666. The department shall continue efforts to increase the participation of eligible family independence program recipients in the federal and state earned income tax credit.

Sec. 669. (1) The department shall distribute cash and food assistance to recipients electronically by using debit or purchasing cards.

(2) The department shall allocate up to \$12,751,000.00 for the annual clothing allowance. The allowance shall be granted to all eligible children as defined by the department.

(3) The department shall take steps to inform family independence program recipients eligible for the allowance under subsection (2) that the money is to be used for clothing for eligible children.

Sec. 671. Not later than January 1, 2011, the department shall impose a sanctions policy for criminal or fraudulent behavior for the child development and care program.

Sec. 672. (1) The department 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 electronic benefit transfer 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. 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.

Sec. 674. (1) The department shall continue administrative efforts to reduce waste, fraud, and abuse within the child development and care program. Beginning December 31 of the current fiscal year, the department shall report annually to the senate and house appropriations subcommittees for the department budget, the senate and house fiscal agencies and policy offices, and the state budget director on the estimated impact of efforts to reduce inappropriate payments through the child development and care program.

(2) The department may contract with a private entity to utilize information technology or other methods of management and oversight of child development and care payments to ensure that payments made through the child development and care program are accurate and appropriate.

Sec. 675. (1) The department shall establish a 1-time basic training requirement for all enrolled child development and care aides and relative care providers. All enrolled providers will be required to complete the basic training requirement in order to be eligible for state child development and care reimbursement payments.

(2) The department shall ensure that additional annual training beyond the basic training requirement is available for enrolled providers and shall make enhanced reimbursement payments to enrolled providers who complete at least 10 hours of optional annual training as outlined in subsection (3).

(3) From the money appropriated in part 1 for licensed and registered child development and care and enrolled child development and care, the department shall make payments to child care providers in accordance with the provisions of this subsection. The maximum hourly rates paid to child care providers shall vary depending upon provider type and the age of the child in care as outlined below:

(a) For children up to 2-1/2 years old, the maximum hourly rate, including the infant and toddler incentive, shall be as follows:

(i) For child care centers, \$3.75.

(ii) For family child care homes and group child care homes, \$2.90.

(iii) For enrolled providers who complete 10 hours of annual training, \$2.20.

(iv) For enrolled providers who do not complete 10 hours of annual training, \$1.85.



(b) For children over the age of 2-1/2 years, the maximum hourly rate shall be as follows:

(i) For child care centers, \$2.50.

(ii) For family child care homes and group child care homes, \$2.40.

(iii) For enrolled providers who complete 10 hours of annual training, \$1.85.

(iv) For enrolled providers who do not complete 10 hours of annual training, \$1.60.

(4) The department shall establish policies and rules for determining eligibility for the enhanced reimbursement payments to enrolled providers who complete 10 hours of annual training and shall ensure that the policies and rules are communicated to all enrolled providers that receive state reimbursement payments.

Sec. 676. (1) The department shall collaborate with the state board of education to extend the duration of the Michigan after-school partnership and oversee its efforts to implement the policy recommendations and strategic next steps identified in the Michigan after-school initiative's report of December 15, 2003.

(2) From the funds appropriated in part 1, \$25,000.00 shall be used to support the Michigan after-school partnership and to leverage other private and public funding to engage the public and private sectors in building and sustaining high-quality out-of-school-time programs and resources. The co-chairs shall name a fiduciary agent and may authorize the fiduciary to expend funds and hire people to accomplish the work of the Michigan after-school partnership.

(3) Each year, on or before December 31, the Michigan after-school partnership shall report its progress in reaching the recommendations set forth in the Michigan after-school initiative's report to the senate and house committees on appropriations, the senate and house fiscal agencies and policy offices, and the state budget director.

Sec. 677. The department shall establish a state goal for the percentage of family independence program (FIP) cases involved in employment activities. The percentage established shall not be less than 50%. On a quarterly basis, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget director on the current percentage of FIP cases involved in JET employment activities and an estimate of the current percentage of FIP cases that meet federal work participation requirements. If the FIP case percentage is below the goal for more than 2 consecutive quarters, the department shall develop a plan to increase the percentage of FIP cases involved in employment-related activities. The department shall deliver the plan during the next annual budget presentation to the senate and house appropriations subcommittees on the department budget.

Sec. 678. (1) The department shall provide the house and senate appropriations subcommittees on the department budget with an annual report on the activities of the early childhood investment corporation (ECIC). The report is due by February 15 of each year and shall contain at least the following information:

(a) Detail of the amounts of grants awarded.

(b) The grant recipients.

(c) The activities funded by each grant.

(d) An analysis of each grant recipient's success in addressing the development of a comprehensive system of early childhood services and supports.

(2) All ECIC contracts for comprehensive systems planning shall be bid out through a statewide request-for-proposal process.

Sec. 679. If money becomes available, the department shall provide \$250,000.00 to the boys and girls club of Michigan from the child care services grants and contracts line in part 1.

Sec. 682. The department shall notify the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the house and senate policy staffs by February 1 of the current fiscal year regarding the JET program savings for the previous fiscal year and the details on the proposed use of that money.

Sec. 683. (1) From the money appropriated in part 1 for SSI advocacy, \$300,000.00 shall be paid to the Michigan state bar foundation for SSI advocacy services provided by the legal services association of Michigan for cases which had been referred prior to October 1, 2011, but which are not yet settled, completed, or resolved. The department shall develop a payment system for these cases which allows the legal services association of Michigan to retain prepayments authorized under this section and other payments under section 44 of the social welfare act, 1939 PA 280, MCL 400.44.

(2) Beginning October 1, 2010, the department may refer cases needing additional SSI legal assistance to the legal services association of Michigan. The referral shall notify the client that legal assistance provided by the legal services association of Michigan may be eligible to receive as a fee a portion of the client's SSI lump-sum payment from the social security administration as authorized by section 44 of the social welfare act, 1939 PA 280, MCL 400.44.

(3) Any department client of state disability assistance or family independence program services who desires or needs additional SSI legal assistance beyond what can be provided by the department shall be given a copy of a notice that includes the name and contract information for the geographically appropriate legal services program for the area of his or her residence. The notice shall include a statement that this legal assistance may be paid in part by a lump-sum SSI payment from the social security administration as authorized by section 44 of the social welfare act, 1939 PA 280, MCL 400.44.

(4) The department shall work with the legal services association of Michigan to develop a process by which clients who already have legal representation are identified as not referred to the legal services association of Michigan.



(5) The department shall work with the legal services association of Michigan to develop a streamlined process by which medical and legal records necessary for the legal representation can be more readily shared.

Sec. 685. (1) Not later than March 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees with jurisdiction over the department budget, and to the senate and house appropriations subcommittees with jurisdiction over the department of community health budget, on the number of recipients that applied for Medicaid coverage, the number of recipients that were approved for Medicaid coverage, and the number of recipients that were denied Medicaid coverage. The report shall describe these statistics comparing the current and previous fiscal years and summarize department programs to assist persons in applying for Medicaid.

(2) Not later than March 1 of the current fiscal year, the department shall report to the senate and house appropriations subcommittees with jurisdiction over the department budget, and to the senate and house subcommittees with jurisdiction over the department of community health budget, on the number of applicants for home help services. The department shall give a summary report on the number of approved applications, denied applications, pending applications, and the number of applications in which the applicant was eligible for nursing home services.

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 explore changes in program policies to ensure that caseworkers confirm the address provided by any individual seeking family independence program benefits or state disability assistance benefits.

(3) The department shall explore changes in program policy that would ensure that individuals with property assets assessed at a value higher than \$500,000.00 would not be able to access assistance through department-administered programs.

(4) The department shall modify program policy to ensure that caseworkers request 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. 688. The department in conjunction with Michigan works! shall examine and report on the incidence of reported barriers among families terminated from the family independence program because of noncompliance with work-related requirements. The report shall be submitted 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 director by April 1 of the current fiscal year.

Sec. 691. The department shall not distribute public assistance or subsidies to the parent or parents of school-age children if that parent or those parents have not signed a parent, student, teacher compact outlining the role of each party in the educational success of the student as required by the federal no child left behind act of 2001, Public Law 107-110.

Sec. 695. The funds appropriated in part 1 for food assistance program benefits (ARRA) that are financed by federal funds designated as ARRA funding represent federal funds associated with the American recovery and reinvestment act of 2009, Public Law 111-5. These federal funds are temporary in nature.

Sec. 696. From the money appropriated in part 1, the department shall allocate \$100.00 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. 705. (1) The department, in conjunction with private juvenile justice residential programs, shall develop a methodology for measuring goals, objectives, and performance standards for the delivery of juvenile justice residential programs based on national standards and best practices. The department will provide a unified data collection mechanism to ensure consistent reporting of aggregate case information from the courts. These goals, objectives, and performance standards shall apply to both public and private delivery of juvenile justice residential programs, and data shall be collected from both private and public juvenile justice residential programs that can be used to evaluate performance achievements, including, but not limited to, the following:

- (a) Admission and release data and other information related to demographics of population served.
- (b) Program descriptions and information related to treatment, educational services, and conditions of confinement.
- (c) Program outcomes including recidivism rates for youth served by the facility.
- (d) Trends in census and population demographics.
- (e) Staff and resident safety.
- (f) Facility profile.

(2) The department during the annual budget presentation shall outline the progress of the development of the goals, objectives, and performance standards, as well as the information collected through the implementation of the performance measurement program. The presentation shall include all of the following:

(a) Actual cost and actual days of care by facility for the most recently completed fiscal year. This report shall also include the actual number of youth served as well as demographic information.

(b) Actual cost per day per youth by facility for the most recently completed fiscal year.

(c) An analysis of the variance between the estimated cost and days of care assumed in the original appropriation and the figures in subdivisions (a) and (b).

(d) Both the number of authorized FTE positions for each facility and the number of actual on-board FTE positions for the most recently completed fiscal year.

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 February 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 December 15 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 December 15 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 February 15 of the current fiscal year.

Sec. 717. (1) If funds become available, the department shall contract with a state university to conduct a behavioral health study of juvenile justice facilities operated or contracted for by the state. The study shall utilize diagnostic clinical interviews with and records reviews for a representative random sample of juvenile justice system detainees to develop a report on each of the following:

(a) The proportion of juvenile justice detainees with a primary diagnosis of emotional disorder, the percentage of those detainees considered to currently require mental health treatment, and the proportion of those detainees currently receiving mental health services, including a description and breakdown, encompassing, at a minimum, the categories of inpatient, residential, and outpatient care, of the type of mental health services provided to those detainees.

(b) The proportion of juvenile justice detainees with a primary diagnosis of addiction disorder, the percentage of those detainees considered to currently require substance abuse treatment, and the proportion of those detainees currently receiving substance abuse services, including a description and breakdown, encompassing, at a minimum, the categories of residential and outpatient care, of the type of substance abuse 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. These data shall be broken down according to each of these 3 respective categories.

(g) Data indicating whether juvenile justice detainees have previously received services managed by a community mental health program or substance abuse coordinating agency. These data shall be broken down according to the respective categories of detainees with a primary diagnosis of emotional disorder, a primary diagnosis of addiction disorder, and a dual diagnosis of emotional disorder and addiction disorder.

(2) The report referenced under subsection (1) would be provided not later than June 30 of the current fiscal year to the senate and house appropriations subcommittees on human services, the senate and house fiscal agencies and policy offices, and the state budget director.

Sec. 719. The department shall notify the legislature at least 30 days before closing or making any change in the status, including the licensed bed capacity and operating bed capacity, of a state juvenile justice facility.

Sec. 720. (1) The department shall implement the recommendations on a methodology for measuring goals, objectives, and performance standards developed in conjunction with private providers of juvenile justice residential programs required in section 705 of 2004 PA 344.

(2) The department shall allocate money to public and private providers of juvenile justice services based on their ability to demonstrate results in all of the following:

- (a) Lower recidivism rates.
- (b) Higher school completion rates or GED completion rates.
- (c) Shorter average stays in a residential facility.
- (d) Lower average actual cost per resident.
- (e) Availability of appropriate services to residents.

(3) The department shall comply with section 115o of the social welfare act, 1939 PA 280, MCL 400.115o, regarding placement of juvenile offenders, and shall refer to that statutory requirement in making referral recommendations to courts for secure residential programs.

Sec. 721. The department shall report to the house and senate appropriations subcommittees on the department budget by October 1 of the current fiscal year on the placement of juvenile offenders who need services in community-based or privately operated facilities.

Sec. 723. A private provider of juvenile services may receive funding for both secure and nonsecure services if the provider has appropriate services for each security level and adequate measures to physically separate residents of each security level.

Sec. 726. (1) Beginning October 1, 2007, from the money appropriated in part 1 for foster care payments and child care fund, the department shall not enter into or maintain a contract with a for-profit provider of residential services for juvenile justice and abused or neglected youth, or with a nonprofit provider of residential services for juvenile justice and abused or neglected youth that uses a for-profit management group or contracts with a for-profit organization for its management, unless the provider was licensed on or before August 1, 2007 and, if the provider is a nonprofit provider of residential services for juvenile justice and abused or neglected youth that uses a for-profit management group or contracts with a for-profit organization for its management, the contract between the provider and the for-profit group or organization existed prior to August 1, 2007.

(2) A provider of residential services for juvenile justice and abused or neglected youth shall not receive a daily rate less than \$137.00.

#### **LOCAL OFFICE SERVICES**

Sec. 750. (1) The department shall maintain out-stationed eligibility specialists in community-based organizations, nursing homes, and hospitals unless a community-based organization, nursing home, or hospital requests that the program be discontinued at its facility.

(2) The department shall continue to develop and expand opportunities for applicants for department assistance or services to apply for the assistance or services over the Internet.

Sec. 751. (1) From the funds appropriated in part 1, the department may implement school-based family resource centers based on the following guidelines:

(a) The center is supported by the local school district.

(b) The programs and information provided at the center do not conflict with sections 1169, 1507, and 1507b of the revised school code, 1976 PA 451, MCL 380.1169, 380.1507, and 380.1507b.

(c) Notwithstanding subdivision (b), the center shall provide information regarding crisis pregnancy centers or adoption service providers in the area.

(2) The department shall notify the senate and house subcommittees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget office of family resource center expansion efforts and shall provide all of the following at the beginning of the selection process or no later than 5 days after eligible schools receive opportunity notification:

(a) A list of eligible schools.

(b) The selection criteria to be used.

(c) The projected number to be opened.

(d) The financial implications for expansion, including funding sources.

Sec. 752. If sufficient funding becomes available from local sources, the department shall support the operation of 2 additional family resource centers in Genesee County, 3 additional family resource centers in Kent County, and 1 additional family resource center in Ingham County.

Sec. 753. The department shall implement the recommendations of the 2004 public private partnership initiative's training committee to define, design, and implement a train-the-trainer program to certify private agency staff to deliver child welfare staff training, explore the use of e-learning technologies, and include consumers in the design and implementation of training. The intent of the legislature is to reduce training and travel costs for both the department and the private agencies. The department shall report no later than December 1 of the current fiscal year on each specific policy change made to implement enacted legislation and the plans to implement the recommendations, including timelines, to

the senate and house appropriations subcommittees on the department budget, the senate and house standing committees on human services matters, the senate and house fiscal agencies and policy offices, and the state budget director.

Sec. 754. From the money appropriated in part 1, the department shall provide \$850,000.00 to contract with a vendor for a customer service resource center. The customer service resource center shall be operational by April 1, 2011 and will assist in screening calls to county offices in order to allow caseworkers to devote more time to eligibility determination and case management activities. Staff duties at the customer service resource center shall include answering routine inquiries from clients and applicants and providing application assistance.

Sec. 755. From the money appropriated in part 1 within the field staff, salaries and wages line item for 200 limited-term eligibility full-time employees, the department shall inform all employees hired with these funds that their employment is temporary and should not be considered permanent. Any temporary employee hired may be given preference by the department for hiring if a suitable full-time permanent position becomes available within the department.

Sec. 756. The money appropriated in part 1 for limited-term field staff, salaries and wages shall only be expended to support the addition of 50 new limited-term eligibility specialist positions to be hired on or after January 1, 2011 and another 50 new limited-term eligibility specialist positions to be hired on or after April 1, 2011. However, no expenditures shall be made from this authorization until after the department has a signed contract with a vendor to establish a customer service resource center as required under section 754, and no expenditures shall be made from this authorization for the 50 limited-term eligibility specialist positions to be hired on or after April 1, 2011 until a customer service resource center as required under section 754 is operational.

Sec. 757. (1) The department shall collect data from each county office to evaluate whether the department efficiently and accurately meets the needs of public assistance applicants who have language barriers.

(2) Based on the data collected under subsection (1), the department shall review the current number of interpreter contracts to determine whether the current level of interpreter services is sufficient and whether the allocation of qualified interpreters across county offices is appropriate. The department shall create an assignment system for bilingual caseworkers that ensures placement of bilingual caseworkers in offices where the need is the greatest based on the number of bilingual client cases.

#### **DISABILITY DETERMINATION SERVICES**

Sec. 801. The department disability determination services in agreement with the DTMB office of retirement systems will develop the medical information and make recommendations for medical disability retirement for state employees, state police, judges, and schoolteachers.

#### **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. 902. (1) The department shall continue its work to fix and improve the child support computer system using the funding carried forward from prior fiscal years.

(2) The department shall consult with the department of treasury and any outside consultant with collections expertise under contract with the department of treasury to develop a plan to maximize the collection of child support and child support arrearage settlement for the purposes of this section.

(3) The department, through the child support leadership group, shall provide semiannual reports to the legislature concerning money expended and improvements made as a result of this section.

Sec. 903. The department may facilitate with the department of community health a program under which the departments independently or jointly contract with local friend of the court offices to update and maintain the child support statewide database with health insurance information in cases in which the court has ordered a party to the case to maintain health insurance coverage for the minor child or children involved in the case and to assist in the recovery of money paid by the state for health care costs that are otherwise recoverable from a party to the case. The program shall be in addition to a program or programs under existing contract between either or both of the departments with a private entity on September 1 of the current fiscal year. The program shall be entirely funded with state and federal funds from money first recovered or through costs that are avoided by charging the insurance coverage for minor children from state programs to private insurance.



Sec. 907. The office of child support in cooperation with the state court administrative office shall establish a pilot program to examine the effectiveness of contracting with a public or private collection agency as authorized under section 10 of the office of child support act, 1971 PA 174, MCL 400.240. The pilot program shall be implemented during the current fiscal year. Any restricted revenue collected pursuant to this section shall not be expended until the department and representatives from counties and the friends of the court meet and agree upon recommendations for use of the revenue. The revenue is subject to appropriation by the legislature.

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 the current fiscal year exceed its fiscal year 2004-2005 retained child support collections, excluding tax offset and financial institution data match collections in both the current year and fiscal year 2004-2005, shall receive its proportional share of the 75% excess.

(3) Payments to counties participating in projects pursuant to section 907 shall be reduced by the amount paid to the vendor. This authorization adjustment shall be made upon notification of the chairs of the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the state budget director.

Sec. 910. (1) If title IV-D-related child support collections are escheated, the state budget director is authorized to adjust the sources of financing for the funds appropriated in part 1 for legal support contracts to reduce federal authorization by 66% of the escheated amount and increase general fund/general purpose authorization by the same amount. This budget adjustment is required to offset the loss of federal revenue due to the escheated amount being counted as title IV-D program income in accordance with federal regulations at 45 CFR 304.50.

(2) The department shall notify the chairs of the house and senate appropriations subcommittees on the department budget and the house and senate fiscal agencies within 15 days of the authorization adjustment in subsection (1).

#### **COMMUNITY ACTION AND ECONOMIC OPPORTUNITY**

Sec. 1101. Not later than September 30 of each year, the department shall submit for public hearing to the chairpersons of the house and senate appropriations subcommittees dealing with appropriations for the department budget the proposed use and distribution plan for community services block grant funds appropriated in part 1 for the succeeding fiscal year.

Sec. 1102. The department shall develop a plan based on recommendations from the department of civil rights and from Native American organizations to assure that the community services block grant funds are equitably distributed. The plan must be developed by October 31 of the current fiscal year, and the plan shall be delivered to the appropriations subcommittees on the department budget in the senate and house, the senate and house fiscal agencies, and the state budget director.

Sec. 1104. The department shall award up to \$500,000.00 in competitive grants to organizations based on their education and outreach with the earned income tax credit (EITC). Organizations shall be given preference based on their emphasis on clients who have never filed for the EITC, clients with children, and clients for whom receipt of the EITC will make it easier for them to move off public assistance.

Sec. 1105. The department shall report quarterly 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, May 1, August 1, and November 1 of each fiscal year on the number of homes weatherized through the appropriations in section 104 during the preceding quarter of the calendar year.

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

Dudley Spade  
George Cushingberry, Jr.  
Conferees for the House

Bill Hardiman  
Roger Kahn  
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Angerer moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:



**Roll Call No. 440****Yeas—63**

Angerer	Durhal	LeBlanc	Scott, B.
Barnett	Espinoza	Leland	Scripps
Bauer	Geiss	Lemmons	Segal
Bennett	Gonzales	Lindberg	Sheltrown
Bledsoe	Gregory	Lipton	Slavens
Brown, L.	Griffin	Liss	Slezak
Brown, T.	Haase	Mayes	Smith
Byrnes	Hammel	Meadows	Spade
Byrum	Haugh	Melton	Stanley
Clemente	Huckleberry	Miller	Switalski
Constan	Jackson	Nathan	Tlaib
Corriveau	Johnson	Nerat	Valentine
Cushingberry	Jones, Robert	Neumann	Warren
Dean	Kandrevas	Polidori	Womack
Dillon	Kennedy	Roberts	Young
Donigan	Lahti	Schmidt, R.	

**Nays—42**

Agema	Elsenheimer	Kurtz	Pearce
Amash	Genetski	Lori	Proos
Ball	Green	Lund	Rocca
Bolger	Haines	Marleau	Rogers
Booher	Hansen	McMillin	Schmidt, W.
Calley	Haveman	Meekhof	Schuitmaker
Caul	Hildenbrand	Meltzer	Scott, P.
Crawford	Horn	Moss	Stamas
Daley	Jones, Rick	Opsommer	Tyler
Denby	Knollenberg	Pavlov	Walsh
DeShazor	Kowall		

In The Chair: Byrnes

Reps. Agema and Knollenberg, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

No Vote Explanation

HB 5882

I voted against House Bill 5882, the Department of Human Services budget agreement, because it increases spending by more than \$1 billion at a time when the state faces a massive budget deficit. While I understand that more Michigan residents need assistance during tough economic times, there was no attempt to make long-term fundamental budget reforms in this massive budget.

In particular, there was no effort to protect against Bridge Card fraud. Bridge Cards, which are meant to help struggling residents and families pay for essential items, are being used by some to pay for alcohol, tobacco, lottery tickets and casino gambling, according to reports. This must stop. Also, there were no attempts to make sure illegal immigrants are not currently receiving state assistance. Taxpayer-funded assistance must only be provided for legal residents, not those who are in our state illegally.

Because this irresponsible spending plan will do nothing to fix our state’s structural deficit, I cannot vote in favor of this legislation as it is currently written.”

Rep. Ball, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted against House Bill 5882, the Department of Human Services budget agreement, because it increases spending by more than \$1 billion at a time when the state faces a massive budget deficit. While I understand that more Michigan residents need assistance during tough economic times, there was no attempt to make long-term fundamental budget reforms in this massive budget.

In particular, there was no effort to protect against Bridge Card fraud. Bridge Cards, which are meant to help struggling residents and families pay for essential items, are being used by some to pay for alcohol, tobacco, lottery tickets and casino gambling, according to reports. This must stop. Also, there were no attempts to make sure illegal immigrants are not currently receiving state assistance. Taxpayer-funded assistance must only be provided for legal residents, not those who are in our state illegally.

Because this irresponsible spending plan will do nothing to fix our state’s structural deficit, I cannot vote in favor of this legislation as it is currently written.”

### Second Reading of Bills

#### House Bill No. 6022, entitled

A bill to amend 1978 PA 472, entitled “An act to regulate political activity; to regulate lobbyists, lobbyist agents, and lobbying activities; to require registration of lobbyists and lobbyist agents; to require the filing of reports; to prescribe the powers and duties of the department of state; to prescribe penalties; and to repeal certain acts and parts of acts,” (MCL 4.411 to 4.431) by adding section 11a.

The bill was read a second time.

Rep. McMillin moved to amend the bill as follows:

1. Amend page 1, line 4, after “**CONTRIBUTION**” by inserting a comma and “**OR PROMISE TO MAKE A CONTRIBUTION IN EXCHANGE FOR A VOTE,**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. McMillin moved to amend the bill as follows:

1. Amend page 1, line 6, after “**STATE**” by striking out the balance of the subsection and inserting a comma and “**INCLUDING THE GOVERNOR’S RESIDENCE.**”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. McMillin moved to amend the bill as follows:

1. Amend page 1, line 6, after “**STATE**” by striking out the balance of the subsection and inserting a period.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Scripps moved to amend the bill as follows:

1. Amend page 1, following line 7, by inserting:

“(2) **SUBSECTION (1) DOES NOT APPLY TO A CONTRIBUTION DELIVERED IN ANY OF THE FOLLOWING:**

(A) **A FACILITY OWNED OR LEASED BY, OR ON BEHALF OF, THE STATE OR A PUBLIC BODY IF THAT FACILITY IS PRIMARILY USED AS A FAMILY DWELLING AND IS NOT USED TO CONDUCT A FUND-RAISING EVENT.**

(B) **A FACILITY OWNED OR LEASED BY, OR ON BEHALF OF, THE STATE OR A PUBLIC BODY IF ANY CANDIDATE HAS AN EQUAL OPPORTUNITY TO USE THE FACILITY.**” and renumbering the remaining subsections.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Paul Scott moved to substitute (H-2) the bill.

The motion did not prevail and the substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Haase moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Opsommer moved that Rep. Green be excused temporarily from today's session.  
The motion prevailed.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**House Bill No. 6022, entitled**

A bill to amend 1978 PA 472, entitled "An act to regulate political activity; to regulate lobbyists, lobbyist agents, and lobbying activities; to require registration of lobbyists and lobbyist agents; to require the filing of reports; to prescribe the powers and duties of the department of state; to prescribe penalties; and to repeal certain acts and parts of acts," (MCL 4.411 to 4.431) by adding section 11a.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 441**

**Yeas—104**

Agema	Donigan	Kurtz	Proos
Amash	Durhal	Lahti	Roberts
Angerer	Elsenheimer	LeBlanc	Rocca
Ball	Espinoza	Leland	Rogers
Barnett	Geiss	Lemmons	Schmidt, R.
Bauer	Genetski	Lindberg	Schmidt, W.
Bennett	Gonzales	Lipton	Schuitmaker
Bledsoe	Gregory	Liss	Scott, B.
Bolger	Griffin	Lori	Scott, P.
Booher	Haase	Lund	Scripps
Brown, L.	Haines	Marleau	Segal
Brown, T.	Hammel	Mayes	Sheltrown
Byrnes	Hansen	McMillin	Slavens
Byrum	Haugh	Meadows	Slezak
Calley	Haveman	Meekhof	Smith
Caul	Hildenbrand	Melton	Spade
Clemente	Horn	Meltzer	Stamas
Constan	Huckleberry	Miller	Stanley
Corriveau	Jackson	Moss	Switalski
Crawford	Johnson	Nathan	Tlaib
Cushingberry	Jones, Rick	Nerat	Tyler
Daley	Jones, Robert	Neumann	Valentine
Dean	Kandrevas	Opsommer	Walsh
Denby	Kennedy	Pavlov	Warren
DeShazor	Knollenberg	Pearce	Womack
Dillon	Kowall	Polidori	Young

**Nays—0**

In The Chair: Byrnes

The House agreed to the title of the bill.  
Rep. Angerer moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of  
**Messages from the Senate**

**House Bill No. 5409, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies, for the judicial branch, and for the legislative branch, for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The Senate has substituted (S-7) the bill.

The Senate has passed the bill as substituted (S-7), ordered that it be given immediate effect and amended the title to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the legislative branch, the judicial branch, and community colleges for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

The Senate requested the return of

**House Bill No. 5409, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies, for the judicial branch, and for the legislative branch, for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

Rep. Angerer moved that the request of the Senate be granted.

The motion prevailed.

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Rep. Angerer moved that Rep. Meadows be excused temporarily from today's session.

The motion prevailed.

**House Bill No. 4538, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34a (MCL 791.234a), as added by 2009 PA 107.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Angerer moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 442**

**Yeas—104**

Agema	Donigan	Kowall	Proos
Amash	Durhal	Kurtz	Roberts
Angerer	Elsenheimer	Lahti	Rocca
Ball	Espinoza	LeBlanc	Rogers
Barnett	Geiss	Leland	Schmidt, R.
Bauer	Genetski	Lemmons	Schmidt, W.
Bennett	Gonzales	Lindberg	Schuitmaker
Bledsoe	Green	Lipton	Scott, B.
Bolger	Gregory	Liss	Scott, P.

Booher	Griffin	Lori	Scripps
Brown, L.	Haase	Lund	Segal
Brown, T.	Haines	Marleau	Sheltrown
Byrnes	Hammel	Mayes	Slavens
Byrum	Hansen	McMillin	Slezak
Calley	Haugh	Meekhof	Smith
Caul	Haveman	Melton	Spade
Clemente	Hildenbrand	Meltzer	Stamas
Constan	Horn	Miller	Stanley
Corriveau	Huckleberry	Moss	Switalski
Crawford	Jackson	Nathan	Tlaib
Cushingberry	Johnson	Nerat	Tyler
Daley	Jones, Rick	Neumann	Valentine
Dean	Jones, Robert	Opsommer	Walsh
Denby	Kandreas	Pavlov	Warren
DeShazor	Kennedy	Pearce	Womack
Dillon	Knollenberg	Polidori	Young

### Nays—0

In The Chair: Byrnes

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

#### House Bill No. 4860, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 20j, 20k, 22b, 32d, 74, and 101 (MCL 388.1611, 388.1620j, 388.1620k, 388.1622b, 388.1632d, 388.1674, and 388.1701), sections 11, 22b, 32d, 74, and 101 as amended by 2009 PA 121, section 20j as amended by 2008 PA 561, and section 20k as added by 2003 PA 158, and by adding section 20l.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 11, 11j, 22e, 24c, 26a, 39a, 81, 94a, 102, 104, and 166b (MCL 388.1611, 388.1611j, 388.1622e, 388.1624c, 388.1626a, 388.1639a, 388.1681, 388.1694a, 388.1702, 388.1704, and 388.1766b), sections 11, 11j, 22e, 24c, 26a, 39a, 81, 94a, 104, and 166b as amended by 2010 PA 110 and section 102 as amended by 2000 PA 297, and by adding sections 92 and 93.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Angerer moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

Rep. Angerer moved that consideration of the bill be postponed temporarily.

The motion prevailed.

#### House Bill No. 5872, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 11 (MCL 388.1611), as amended by 2010 PA 110, and by adding section 11p.

The Senate has substituted (S-5) the bill.



The Senate has passed the bill as substituted (S-5), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” (MCL 388.1601 to 388.1772) by adding section 11p.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Angerer moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-5) made to the bill by the Senate,

The substitute (S-5) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 443****Yeas—104**

Agema	Donigan	Kowall	Polidori
Amash	Durhal	Kurtz	Proos
Angerer	Elsenheimer	Lahti	Roberts
Ball	Espinoza	LeBlanc	Rocca
Barnett	Geiss	Leland	Rogers
Bauer	Genetski	Lemmons	Schmidt, R.
Bennett	Gonzales	Lindberg	Schmidt, W.
Bledsoe	Green	Lipton	Schuitmaker
Bolger	Gregory	Liss	Scott, B.
Booher	Griffin	Lori	Scott, P.
Brown, L.	Haase	Lund	Scripps
Brown, T.	Haines	Marleau	Segal
Byrnes	Hammel	Mayes	Sheltrown
Byrum	Hansen	McMillin	Slavens
Calley	Haugh	Meadows	Slezak
Caul	Haveman	Meekhof	Smith
Clemente	Hildenbrand	Melton	Spade
Constan	Horn	Meltzer	Stamas
Corriveau	Huckleberry	Miller	Stanley
Crawford	Jackson	Moss	Switalski
Cushingberry	Johnson	Nathan	Tlaib
Daley	Jones, Rick	Nerat	Tyler
Dean	Jones, Robert	Neumann	Valentine
Denby	Kandrevas	Opsommer	Walsh
DeShazor	Kennedy	Pavlov	Warren
Dillon	Knollenberg	Pearce	Womack

**Nays—1**

Young

In The Chair: Byrnes

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Angerer moved that Reps. Clemente and Dillon be excused temporarily from today's session.  
The motion prevailed.

The House returned to the consideration of

**House Bill No. 4860, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 20j, 20k, 22b, 32d, 74, and 101 (MCL 388.1611, 388.1620j, 388.1620k, 388.1622b, 388.1632d, 388.1674, and 388.1701), sections 11, 22b, 32d, 74, and 101 as amended by 2009 PA 121, section 20j as amended by 2008 PA 561, and section 20k as added by 2003 PA 158, and by adding section 20l.

(The bill was considered earlier today, see today's Journal, p. 1740.)

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 444**

**Yeas—68**

Angerer	Espinoza	Leland	Schuitmaker
Ball	Geiss	Lemmons	Scott, B.
Bauer	Gonzales	Lindberg	Scripps
Bennett	Gregory	Liss	Segal
Bledsoe	Griffin	Marleau	Sheltrown
Bolger	Haase	Mayer	Slavens
Booher	Hammel	Meadows	Slezak
Brown, T.	Hansen	Melton	Spade
Byrnes	Haugh	Miller	Stamas
Byrum	Huckleberry	Nathan	Stanley
Caul	Jackson	Nerat	Switalski
Constan	Johnson	Neumann	Tlaib
Corriveau	Jones, Robert	Polidori	Valentine
Cushingberry	Kandrevas	Roberts	Walsh
Dean	Kennedy	Rocca	Warren
Donigan	Lahti	Schmidt, R.	Womack
Durhal	LeBlanc	Schmidt, W.	Young

**Nays—35**

Agema	Elsenheimer	Kowall	Opsommer
Amash	Genetski	Kurtz	Pavlov
Barnett	Green	Lipton	Pearce
Brown, L.	Haines	Lori	Proos
Calley	Haveman	Lund	Rogers
Crawford	Hildenbrand	McMillin	Scott, P.
Daley	Horn	Meekhof	Smith
Denby	Jones, Rick	Meltzer	Tyler
DeShazor	Knollenberg	Moss	

In The Chair: Byrnes

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker laid before the House

**House Bill No. 5599, entitled**

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending section 408 (MCL 484.1408), as amended by 2008 PA 48.

(The bill was received from the Senate on September 22, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 23, see House Journal No. 82, p. 1546.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

Rep. Denby moved to amend the Senate substitute (S-1) as follows:

1. Amend page 4, line 14, after “SYSTEM.” by inserting “ANY MONEY REMAINING IN THE FUND ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION THAT WAS TRANSFERRED FROM THE CMRS EMERGENCY TELEPHONE FUND SHALL BE DISTRIBUTED TO CMRS CUSTOMERS IN THIS STATE ON A PRO RATA BASIS.”.

The question being on the adoption of the amendment offered by Rep. Denby,

Rep. Denby demanded the yeas and nays.

The demand was not supported.

The question being on the adoption of the amendment offered by Rep. Denby,

The amendment was not adopted, a majority of the members serving not voting therefor.

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 445

#### Yeas—64

Angerer	Dillon	Kennedy	Roberts
Barnett	Donigan	Lahti	Schmidt, R.
Bauer	Durhal	LeBlanc	Scott, B.
Bennett	Espinoza	Leland	Scripps
Bledsoe	Geiss	Lemmons	Segal
Brown, L.	Gonzales	Lindberg	Sheltrown
Brown, T.	Gregory	Lipton	Slavens
Byrnes	Griffin	Liss	Slezak
Byrum	Haase	Mayes	Smith
Caul	Hammel	Meadows	Spade
Clemente	Haugh	Melton	Stanley
Constan	Huckleberry	Miller	Switalski
Corriveau	Jackson	Nathan	Tlaib
Crawford	Johnson	Nerat	Valentine
Cushingberry	Jones, Robert	Neumann	Warren
Dean	Kandrevas	Polidori	Womack

#### Nays—41

Agema	Green	Lori	Proos
Amash	Haines	Lund	Rocca
Ball	Hansen	Marleau	Rogers
Bolger	Haveman	McMillin	Schmidt, W.
Booher	Hildenbrand	Meekhof	Schuitmaker
Calley	Horn	Meltzer	Scott, P.
Daley	Jones, Rick	Moss	Stamas
Denby	Knollenberg	Opsommer	Tyler
DeShazor	Kowall	Pavlov	Walsh
Elsenheimer	Kurtz	Pearce	Young
Genetski			

In The Chair: Byrnes

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

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Rep. Knollenberg, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted against House Bill 5599 because raiding the E-911 Fund is a tired accounting gimmick that will do absolutely nothing to help the state out of its structural deficit. The proposal not only puts off the tough decisions that must be made to strengthen Michigan, it takes money that belongs back in people’s pockets.

The E-911 Fund was established to help wireless telephone providers create the infrastructure needed to help locate customers if they call 911. The infrastructure is now complete, but the fund still exists.

The state must control its spending, not continue to use budget gimmicks and one-time fixes. House Republicans will continue to push for real budget reform in Lansing because someone has to stand up for Michigan taxpayers.

Because of these issues, I cannot vote in favor of the legislation as currently written.”

---

Rep. Spade moved that Rep. Gonzales be excused temporarily from today’s session.

The motion prevailed.

#### **House Bill No. 6007, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 525 and 537 (MCL 436.1525 and 436.1537), as amended by 2008 PA 218, and by adding section 545.

The Senate has substituted (S-11) the bill.

The Senate has passed the bill as substituted (S-11), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending sections 109, 111, 113, 113a, 205, 307, 513, 525, 537, 543, 603, 609, 1025, 1027, 1111, 1113, 1114, and 1115 (MCL 436.1109, 436.1111, 436.1113, 436.1113a, 436.1205, 436.1307, 436.1513, 436.1525, 436.1537, 436.1543, 436.1603, 436.1609, 436.2025, 436.2027, 436.2111, 436.2113, 436.2114, and 436.2115), sections 111, 525, 537, and 1027 as amended by 2008 PA 218, sections 113 and 543 as amended and section 113a as added by 2005 PA 269, section 205 as amended by 2001 PA 274, section 513 as amended by 2009 PA 48, section 603 as amended by 2009 PA 2, section 1025 as amended by 2008 PA 11, and section 1113 as amended and section 1114 as added by 2004 PA 134, and by adding sections 545 and 546.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Angerer moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-11) made to the bill by the Senate,

The substitute (S-11) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 446**

#### **Yeas—73**

Angerer  
Barnett

Espinoza  
Geiss

Leland  
Lemmons

Rogers  
Schmidt, R.

Bauer	Gregory	Lindberg	Schuitmaker
Bolger	Griffin	Lipton	Scott, P.
Brown, L.	Haase	Liss	Scripps
Brown, T.	Haines	Lund	Segal
Byrnes	Hammel	Marleau	Slavens
Byrum	Hansen	Mayes	Slezak
Caul	Haugh	Meadows	Smith
Clemente	Horn	Melton	Spade
Constan	Jackson	Meltzer	Stamas
Corriveau	Johnson	Moss	Stanley
Crawford	Jones, Robert	Nathan	Switalski
Cushingberry	Kandrevas	Nerat	Tyler
Dean	Kennedy	Neumann	Valentine
Denby	Knollenberg	Polidori	Walsh
Dillon	Kowall	Proos	Warren
Donigan	LeBlanc	Rocca	Young
Durhal			

### Nays—30

Agema	DeShazor	Lahti	Pearce
Amash	Elsenheimer	Lori	Roberts
Ball	Genetski	McMillin	Schmidt, W.
Bennett	Green	Meekhof	Scott, B.
Bledsoe	Haveman	Miller	Sheltrown
Booher	Hildenbrand	Opsommer	Tlaib
Calley	Jones, Rick	Pavlov	Womack
Daley	Kurtz		

In The Chair: Byrnes

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

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Rep. Huckleberry, under Rule 31, made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 446 because of a possible conflict of interest.”

---

Rep. Opsommer moved that Rep. Wayne Schmidt be excused temporarily from today’s session.

The motion prevailed.

The Senate re-returned

### House Bill No. 5409, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies, for the judicial branch, and for the legislative branch, for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

Rep. Angerer moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the substitute (S-7) made to the bill by the Senate,



Rep. Neumann moved to amend the Senate substitute (S-7) as follows:

1. Amend page 18, following line 5, by inserting:

“Sec. 702. From any unreserved general fund/general purpose balance that exists prior to book closing for the state fiscal year ending September 30, 2010, an amount of up to \$9,000,000.00 shall be appropriated for the Michigan promotion program.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

The question being on concurring in the substitute (S-7) made to the bill by the Senate,

The substitute (S-7) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 447**

**Yeas—77**

Angerer	Durhal	Leland	Schuitmaker
Barnett	Espinoza	Lemmons	Scott, B.
Bauer	Geiss	Lindberg	Scripps
Bennett	Green	Lipton	Segal
Bledsoe	Gregory	Liss	Sheltrown
Booher	Griffin	Lori	Slavens
Brown, L.	Haase	Mayes	Slezak
Brown, T.	Haines	Meadows	Smith
Byrnes	Hammel	Melton	Spade
Byrum	Hansen	Miller	Stamas
Calley	Haugh	Moss	Stanley
Caul	Huckleberry	Nathan	Switalski
Clemente	Jackson	Nerat	Tlaib
Constan	Johnson	Neumann	Tyler
Corriveau	Jones, Robert	Polidori	Valentine
Cushingberry	Kandrevas	Proos	Walsh
Dean	Kennedy	Roberts	Warren
DeShazor	Lahti	Rocca	Womack
Dillon	LeBlanc	Schmidt, R.	Young
Donigan			

**Nays—26**

Agema	Elsenheimer	Kowall	Meltzer
Amash	Genetski	Kurtz	Opsommer
Ball	Haveman	Lund	Pavlov
Bolger	Hildenbrand	Marleau	Pearce
Crawford	Horn	McMillin	Rogers
Daley	Jones, Rick	Meekhof	Scott, P.
Denby	Knollenberg		

In The Chair: Byrnes

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Angerer moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Angerer moved that when the House adjourns today it stand adjourned until Wednesday, October 6, at 10:00 a.m.

The motion prevailed.

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, September 29:

**Senate Bill Nos. 1512 1513 1514 1515 1516 1517 1518 1519 1520 1521 1522 1523 1524 1525  
1527**

The Clerk announced that the following Senate bills had been received on Wednesday, September 29:

**Senate Bill Nos. 403 1233 1236 1283 1302 1455 1484 1485 1487**

### Reports of Select Committees

#### House Bill No. 5880, entitled

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

(For text of conference report, see House Journal No. 84, p. 1613.)

The Senate has adopted the report of the Committee of Conference.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

#### House Bill No. 5882, entitled

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

(For text of conference report, see today's Journal, p. 1706.)

The Senate has adopted the report of the Committee of Conference and ordered that the bill be given immediate effect.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

#### House Bill No. 5889, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2011; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

(For text of conference report, see today's Journal, p. 1687.)

The Senate has adopted the report of the Committee of Conference.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**Reports of Standing Committees****COMMITTEE ATTENDANCE REPORT**

The following report, submitted by Rep. Cushingberry, Chair, of the Committee on Appropriations, was received and read:

Meeting held on: Wednesday, September 29, 2010

Present: Reps. Cushingberry, Hammel, Bauer, Terry Brown, Dean, Durhal, Espinoza, Gonzales, Gregory, Jackson, Lahti, LeBlanc, Smith, Spade, Moss, Agema, Booher, Caul, Genetski, Green, Hildenbrand, Lori, Proos and Rogers

Absent: Reps. Bennett, McDowell, Miller, Switalski, Tlaib, Haines and Schuitmaker

**Messages from the Senate****House Bill No. 5779, entitled**

A bill to authorize the state administrative board to convey certain parcels of state-owned property in Isabella county; to prescribe conditions for the conveyances; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyances.

The Senate has passed the bill and ordered that it be given immediate effect.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 6461, entitled**

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 10 (MCL 207.630), as amended by 2009 PA 156.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**Senate Bill No. 403, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 273.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Tax Policy.

**Senate Bill No. 1177, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 317.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

**Senate Bill No. 1233, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 2 (MCL 125.2652), as amended by 2007 PA 204.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Intergovernmental and Regional Affairs.

**Senate Bill No. 1236, entitled**

A bill to amend 1978 PA 255, entitled "Commercial redevelopment act," by amending sections 3 and 4 (MCL 207.653 and 207.654), as amended by 2008 PA 227.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Intergovernmental and Regional Affairs.

**Senate Bill No. 1283, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17015 (MCL 333.17015), as amended by 2006 PA 77.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Judiciary.

**Senate Bill No. 1302, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 48 (MCL 400.48), as amended by 1996 PA 423.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

**Senate Bill No. 1327, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 7 (MCL 125.1657), as amended by 2008 PA 226.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Intergovernmental and Regional Affairs.

**Senate Bill No. 1331, entitled**

A bill to amend 2008 PA 33, entitled "Michigan planning enabling act," by amending sections 3 and 7 (MCL 125.3803 and 125.3807).

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Intergovernmental and Regional Affairs.

**Senate Bill No. 1332, entitled**

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending sections 102 and 203 (MCL 125.3102 and 125.3203), section 102 as amended by 2008 PA 12.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Intergovernmental and Regional Affairs.

**Senate Bill No. 1455, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending sections 102, 103, 206, 211, 302, 304, 308, 401, 403, 404, 406, 501, 502, 503, 505, 506, 507, 510, 514, 515, 604, 702, 801, 804, and 805 (MCL 450.4102, 450.4103, 450.4206, 450.4211, 450.4302, 450.4304, 450.4308, 450.4401, 450.4403, 450.4404, 450.4406, 450.4501, 450.4502, 450.4503, 450.4505, 450.4506, 450.4507, 450.4510, 450.4514, 450.4515, 450.4604, 450.4702, 450.4801, 450.4804, and 450.4805), section 102 as amended by 2008 PA 566, sections 103, 304, 403, 406, 501, 502, 503, 506, 515, 801, and 804 as amended by 2002 PA 686, section 206 as amended by 2008 PA 567, and sections 302, 308, 401, 404, and 702 as amended by 1997 PA 52, and by adding sections 216, 409, 708, and 709; and to repeal acts and parts of acts.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Commerce.

**Senate Bill No. 1464, entitled**

A bill to amend 1941 PA 359, entitled "An act for controlling and eradicating certain noxious weeds within the state; to permit townships, villages, and cities to have a lien for expenses incurred in controlling and eradicating such weeds; to permit officials of counties and municipalities to appoint commissioners of noxious weeds; to define the powers, duties, and compensation of commissioners; to provide for sanctions; and to repeal certain acts and parts of acts," by amending section 2 (MCL 247.62).

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Intergovernmental and Regional Affairs.

**Senate Bill No. 1484, entitled**

A bill to amend 1968 PA 15, entitled "Correctional industries act," by amending sections 4 and 7 (MCL 800.324 and 800.327), as amended by 1996 PA 537.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

**Senate Bill No. 1485, entitled**

A bill to amend 1968 PA 15, entitled "Correctional industries act," by amending section 6 (MCL 800.326), as amended by 2007 PA 102.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

**Senate Bill No. 1486, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13101, 13102, 13104, 13105, 13106, 13107, 13108, 13109, 13110, and 13111 (MCL 333.13101, 333.13102, 333.13104, 333.13105, 333.13106, 333.13107, 333.13108, 333.13109, 333.13110, and 333.13111), sections 13101 and 13102 as amended and sections 13104, 13105, 13106, 13107, 13108, 13109, 13110, and 13111 as added by 2007 PA 149, and by adding sections 13105a and 13112; and to repeal acts and parts of acts.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Health Policy.

**Senate Bill No. 1487, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 13 (MCL 125.2663), as amended by 2007 PA 202.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

**Senate Bill No. 1491, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 29 (MCL 791.229), as amended by 1998 PA 512.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Judiciary.

**Senate Bill No. 1492, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14 of chapter XI (MCL 771.14), as amended by 2000 PA 279.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Judiciary.

**Senate Bill No. 1502, entitled**

A bill to amend 2008 PA 295, entitled "Clean, renewable, and efficient energy act," by amending section 93 (MCL 460.1093).

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

**Senate Concurrent Resolution No. 29.**

A concurrent resolution to support first responder and first receiver personal preparedness planning priorities in state law and local policies.

Whereas, According to the National Preparedness Guidelines adopted by the United States Department of Homeland Security, uniformed emergency responders constitute less than 1 percent of the total U.S. population. The expectation among citizens for first responder support outweighs their ability by a large margin; and

Whereas, First responders serve as role models to our citizens, who respect them as a reliable component of our national security system and for their commitment to protect citizens and critical infrastructure; and



Whereas, The American Red Cross warns that only 7 percent of Americans have taken the necessary steps to prepare for disasters, which could mean that as many as 93 percent of uniformed emergency responders remain unprepared with a preset individual preparedness plan; and

Whereas, Research on disaster preparation and recovery resiliency in human development concluded that “in the event of a flu pandemic, bio-terrorism, a natural disaster, or any other large-scale catastrophe, the best surveillance, equipment, communication systems, antiviral supplies, military, and emergency services in the world will not be effective without equal attention to the issues posed by human behavior under conditions of life-threatening danger to children and families”; and

Whereas, A critical lesson from Hurricane Katrina is that first responder personnel cannot function at best efficiency if they are worried about their own families. The role of law enforcement, fire, EMS, and other front-line personnel is highly stressful. In situations where these local responders are uncertain about the welfare and even survival of their families, that stress level is sometimes raised to the breaking point. During Katrina, this point was tragically made when several officers left their duty assignments to check on and evacuate their families. Such conduct, while not to be condoned, is certainly predictable when first responders and first receivers do not have a preset plan that provides for their families’ security and recovery; and

Whereas, Policies that support individual preparedness are needed to close the human resiliency gap facing emergency first responders and first receivers. This conclusion was recognized by the federal government to ensure the availability of the executive branch in an emergency under Federal Continuity Directive No. 1, as established by the United States Department of Homeland Security. Federal Continuity Directive No. 1 calls for using the federal executive branch plans and procedures to “provide guidance to all staff in developing family support plans which will increase personal and family preparedness throughout the organization and support employee availability during a continuity event”; and

Whereas, The National Preparedness Guidelines of 2007 seek to incorporate lessons learned from past disasters into national preparedness priorities. Governments at all levels should adopt and modify policies and budgets to aid in prioritizing the importance and follow-through of individual preparedness planning, which includes basic components such as identifying hazards and emergencies common to the geographic location; developing a family emergency and communication plan that includes preset sheltering plans for individuals and pets; assembling enough disaster supply kits so one is available wherever an individual is; identifying and documenting community warning systems and evacuation routes; learning what to do for specific hazards common to the geographic location; collecting and securing vital records critical to recovery; and practicing and putting in place a mechanism to update and maintain a plan; and

Whereas, It must be state policy to support public awareness and action through the proposed Personal Preparedness Standards Act and to support, encourage, and fund state and local continuity programs to incorporate personal preparedness measures for identified first responder and first receiver personnel to more fully ensure their ability to individually and collectively respond to a continuity disaster event. Funding priorities for personal preparedness planning for all first responder and first receiver personnel should receive the highest priority and be acknowledged as the basic foundation of emergency management planning; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we support first responder and first receiver personal preparedness planning priorities in state law and local policies; and be it further

Resolved, That copies of this resolution be transmitted to local government officials and private entities that employ first responders and first receivers.

The Senate has adopted the concurrent resolution.

Reps. Ball, Barnett, Terry Brown, Constan, Crawford, Espinoza, Horn, Kurtz, LeBlanc, Liss, Lori, Mayes, Neumann, Proos, Sheltroun, Slavens and Tyler were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Military and Veterans Affairs and Homeland Security.

### Introduction of Bills

Reps. Elsenheimer, Liss, Wayne Schmidt, Knollenberg, Moss and Kowall introduced

**House Bill No. 6494, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7333a (MCL 333.7333a), as added by 2001 PA 231.

The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Genetski, Moss, Rick Jones and Meltzer introduced

**House Bill No. 6495, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 14k.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Haveman, Young, McMillin, Daley, Slezak, Bolger, Roy Schmidt, Walsh, Wayne Schmidt, Agema, Amash, Hansen, Huckleberry, Proos, Meekhof, Kurtz, Meltzer, Denby and Espinoza introduced

**House Bill No. 6496, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding section 27c.

The bill was read a first time by its title and referred to the Committee on Labor.

Reps. Nathan, Meadows, Slavens, Johnson, Jackson, Durhal, Cushingberry, Melton, Corriveau, Constan, Lipton and Rick Jones introduced

**House Bill No. 6497, entitled**

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending section 105 (MCL 38.2105), as amended by 2008 PA 514.

The bill was read a first time by its title and referred to the Committee on Government Operations.

Rep. Neumann introduced

**House Bill No. 6498, entitled**

A bill to amend 1929 PA 16, entitled "An act to regulate the business of carrying or transporting, buying, selling or dealing in crude oil or petroleum or its products, through pipe lines; to authorize the use of public highways and the condemnation of private property; to regulate the purchase and storage of crude oil or petroleum; to provide for the control and regulation of all corporations, associations and persons engaged in such business, by the Michigan public utilities commission; to define the powers and duties of the commission in relation thereto; and to prescribe penalties for violations of the provisions hereof," (MCL 483.1 to 483.11) by adding section 3a.

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Rep. Kennedy introduced

**House Bill No. 6499, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3106 (MCL 324.3106).

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Rep. McDowell introduced

**House Bill No. 6500, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61806.

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Rep. Valentine introduced

**House Bill No. 6501, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 618.

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Rep. Scripps introduced

**House Bill No. 6502, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61805.

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Rep. Roberts introduced

**House Bill No. 6503, entitled**

A bill to amend 1929 PA 16, entitled "An act to regulate the business of carrying or transporting, buying, selling or dealing in crude oil or petroleum or its products, through pipe lines; to authorize the use of public highways and the condemnation of private property; to regulate the purchase and storage of crude oil or petroleum; to provide for the

control and regulation of all corporations, associations and persons engaged in such business, by the Michigan public utilities commission; to define the powers and duties of the commission in relation thereto; and to prescribe penalties for violations of the provisions hereof,” (MCL 483.1 to 483.11) by adding section 3b.

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Rep. Roberts introduced

**House Bill No. 6504, entitled**

A bill to amend 1929 PA 16, entitled “An act to regulate the business of carrying or transporting, buying, selling or dealing in crude oil or petroleum or its products, through pipe lines; to authorize the use of public highways and the condemnation of private property; to regulate the purchase and storage of crude oil or petroleum; to provide for the control and regulation of all corporations, associations and persons engaged in such business, by the Michigan public utilities commission; to define the powers and duties of the commission in relation thereto; and to prescribe penalties for violations of the provisions hereof,” by amending sections 2a, 2b, and 3 (MCL 483.2a, 483.2b, and 483.3), sections 2a and 2b as added by 1997 PA 125.

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Rep. Warren introduced

**House Bill No. 6505, entitled**

A bill to amend 1929 PA 16, entitled “An act to regulate the business of carrying or transporting, buying, selling or dealing in crude oil or petroleum or its products, through pipe lines; to authorize the use of public highways and the condemnation of private property; to regulate the purchase and storage of crude oil or petroleum; to provide for the control and regulation of all corporations, associations and persons engaged in such business, by the Michigan public utilities commission; to define the powers and duties of the commission in relation thereto; and to prescribe penalties for violations of the provisions hereof,” (MCL 483.1 to 483.11) by amending the title and by adding section 3c.

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Rep. Segal introduced

**House Bill No. 6506, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding sections 61803 and 61804.

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Rep. Segal introduced

**House Bill No. 6507, entitled**

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 261 (MCL 18.1261), as amended by 2008 PA 133.

The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Reps. Neumann, Polidori, Valentine, Mayes, Haase, Liss and Haugh introduced

**House Bill No. 6508, entitled**

A bill to amend 1941 PA 207, entitled “Fire prevention code,” (MCL 29.1 to 29.33) by adding section 3f.

The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Reps. McMillin, Agema, Lund, Stamas, Walsh and Knollenberg introduced

**House Bill No. 6509, entitled**

A bill to amend 1964 PA 154, entitled “Minimum wage law of 1964,” by amending section 4a (MCL 408.384a), as amended by 1997 PA 2.

The bill was read a first time by its title and referred to the Committee on Labor.

Reps. Nathan, Rick Jones, Warren, Tlaib, Slavens, Lisa Brown, Kandreas, Haugh, Melton, Cushingberry, Bettie Scott, Young, Geiss, Stanley, Smith, Dean, Ebli, Johnson and Womack introduced

**House Bill No. 6510, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 218 (MCL 750.218), as amended by 2004 PA 154.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Nathan, Rick Jones, Warren, Tlaib, Slavens, Lisa Brown, Kandrevas, Haugh, Melton, Cushingberry, Bettie Scott, Young, Geiss, Stanley, Smith, Dean, Ebli, Johnson and Womack introduced

**House Bill No. 6511, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16l of chapter XVII (MCL 777.16l), as amended by 2005 PA 171.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Cushingberry introduced

**House Bill No. 6512, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 19k.

The bill was read a first time by its title and referred to the Committee on Government Operations.

Reps. Rick Jones, Warren, Nathan, Haugh, Meltzer and Dean introduced

**House Bill No. 6513, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2005 PA 35.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Rick Jones, Meadows and Dean introduced

**House Bill No. 6514, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2559 (MCL 600.2559), as amended by 2003 PA 243.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Griffin, Nerat, Scripps, Kandrevas and Lahti introduced

**House Bill No. 6515, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 278.

The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Griffin, Nerat, Scripps, Kandrevas and Lahti introduced

**House Bill No. 6516, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 468.

The bill was read a first time by its title and referred to the Committee on Health Policy.

Rep. Lipton introduced

**House Bill No. 6517, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2946a (MCL 600.2946a), as added by 1995 PA 249.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Tlaib, Lipton, Huckleberry, Kandrevas, Geiss, Nathan, Slavens, Haase, Roberts, Switalski, Young, Gregory, Bettie Scott, Durhal, Liss, Miller, Cushingberry, Leland, Dean, Johnson and Womack introduced

**House Bill No. 6518, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 219d.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Tlaib, Lipton, Huckleberry, Kandrevas, Geiss, Nathan, Slavens, Haase, Roberts, Switalski, Young, Gregory, Bettie Scott, Durhal, Liss, Miller, Cushingberry, Leland, Dean, Johnson and Womack introduced

**House Bill No. 6519, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16l of chapter XVII (MCL 777.16l), as amended by 2005 PA 171.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Warren, Tlaib, Rick Jones, Geiss, Smith and Nathan introduced

**House Bill No. 6520, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 248 and 249 (MCL 750.248 and 750.249), as amended by 2008 PA 378, and by adding sections 248b and 249b.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Warren, Tlaib, Rick Jones, Geiss, Smith and Nathan introduced

**House Bill No. 6521, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16n of chapter XVII (MCL 777.16n), as amended by 2002 PA 321.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Sheltroun introduced

**House Bill No. 6522, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 2 (MCL 207.552), as amended by 2009 PA 209.

The bill was read a first time by its title and referred to the Committee on Energy and Technology.

Rep. Tlaib introduced

**House Bill No. 6523, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 321 (MCL 600.321), as amended by 2007 PA 64.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Reps. Schuitmaker and Meekhof introduced

**House Bill No. 6524, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5501 (MCL 700.5501).

The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Byrnes introduced

**House Bill No. 6525, entitled**

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 5 (MCL 480.15), as amended by 2006 PA 595.

The bill was read a first time by its title and referred to the Committee on Transportation.

Rep. Clemente introduced

**House Bill No. 6526, entitled**

A bill to amend 2006 PA 317, entitled "An act to create certain centers in the Michigan strategic fund; to impose certain duties and responsibilities on those centers and on certain state employees and public employees; and to repeal acts and parts of acts," (MCL 125.1971 to 125.1972) by repealing enacting section 1.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Reps. Bauer, Wayne Schmidt, Tlaib and Hansen introduced

**House Bill No. 6527, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 293, 294, 295, 296, and 297 (MCL 18.1293, 18.1294, 18.1295, 18.1296, and 18.1297).

The bill was read a first time by its title and referred to the Committee on Commerce.



Reps. Lund, Polidori and Lori introduced

**House Bill No. 6528, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 303a (MCL 750.303a), as added by 1996 PA 539.

The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Reps. Ball, Neumann and Polidori introduced

**House Bill No. 6529, entitled**

A bill to require certain disclosures by certain regulated financial institutions to joint account holders; to provide for the powers and duties of certain state governmental officers and entities; and to provide remedies.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security, and Retirement.

Reps. Neumann, Polidori, Terry Brown, Mayes and Sheltroun introduced

**House Bill No. 6530, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2950 and 2950a (MCL 600.2950 and 600.2950a), section 2950 as amended by 2001 PA 200 and section 2950a as amended by 2010 PA 19, and by adding section 2950n.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Roberts, Young, Miller, Donigan and Meadows introduced

**House Bill No. 6531, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 627, 628, and 629 (MCL 257.627, 257.628, and 257.629), as amended by 2006 PA 85.

The bill was read a first time by its title and referred to the Committee on Transportation.

Rep. Haase introduced

**House Bill No. 6532, entitled**

A bill to authorize interstate mutual aid for certain emergency responses; to provide for the recognition of certain credentials of emergency responders from other states; and to provide for certain civil immunity.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

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Rep. Green moved that the House adjourn.

The motion prevailed, the time being 6:50 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 6, at 10:00 a.m.

RICHARD J. BROWN  
Clerk of the House of Representatives