

(r) “Retained jobs” means the number of full-time jobs at a facility of an authorized business maintained in this state on a specific date as that date and number of jobs is determined by the authority.

(s) “Rural business” means an eligible business located in a county with a population of 90,000 or less.

(t) “Subsidiary business” means a business that is directly or indirectly controlled or at least 80% owned by an authorized business.

(u) “Tourism attraction facility” means a cultural or historical site, a recreation or entertainment facility, an area of natural phenomena or scenic beauty, or an entertainment destination center as determined by the Michigan economic growth authority as follows:

(i) In making a determination, the Michigan economic growth authority shall consider all of the following:

(A) Whether the facility will actually attract tourists.

(B) Whether 50% or more of the persons using the facility reside outside a 100-mile radius.

(C) Whether 50% or more of the gross receipts are from admissions, food, or nonalcoholic drinks.

(D) Whether the facility offers a unique experience.

(ii) The Michigan economic growth authority shall not determine any of the following as a tourism attraction facility:

(A) Facilities, other than an entertainment destination center, that are primarily devoted to the retail sale of goods, a theme restaurant destination attraction, or a tourism attraction where the attraction is a secondary and subordinate component to the sale of goods.

(B) Recreational facilities that do not serve as a likely destination where individuals who are not residents of the state would remain overnight in commercial lodging at or near the facility.

(v) “Written agreement” means a written agreement made pursuant to section 8. A written agreement may address new jobs, qualified new jobs, full-time jobs, retained jobs, or any combination of new jobs, qualified new jobs, full-time jobs, or retained jobs.

207.808 Agreement for tax credit; determination; requirements; amount and duration of tax credits; factors; written agreement; criteria; limitation on new agreements; execution; repayment provision; conditions; agreement with eligible business not meeting criteria.

Sec. 8. (1) After receipt of an application, the authority may enter into an agreement with an eligible business for a tax credit under section 9 if the authority determines that all of the following are met:

(a) Except as provided in subsection (5), the eligible business creates 1 or more of the following as determined by the authority and provided with written agreement:

(i) A minimum of 50 qualified new jobs at the facility if expanding in this state.

(ii) A minimum of 50 qualified new jobs at the facility if locating in this state.

(iii) A minimum of 25 qualified new jobs at the facility if the facility is located in a neighborhood enterprise zone as determined under the neighborhood enterprise zone act, 1992 PA 147, MCL 207.771 to 207.786, is located in a renaissance zone under the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, or is located in a federally designated empowerment zone, rural enterprise community, or enterprise community.

(iv) A minimum of 5 qualified new jobs at the facility if the eligible business is a qualified high-technology business.

(v) A minimum of 5 qualified new jobs at the facility if the eligible business is a rural business.

(b) Except as provided in subsection (5), the eligible business agrees to maintain 1 or more of the following for each year that a credit is authorized under this act:

(i) A minimum of 50 qualified new jobs at the facility if expanding in this state.

(ii) A minimum of 50 qualified new jobs at the facility if locating in this state.

(iii) A minimum of 25 qualified new jobs at the facility if the facility is located in a neighborhood enterprise zone as determined under the neighborhood enterprise zone act, 1992 PA 147, MCL 207.771 to 207.786, is located in a renaissance zone under the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, or is located in a federally designated empowerment zone, rural enterprise community, or enterprise community.

(iv) If the eligible business is a qualified high-technology business, all of the following apply:

(A) A minimum of 5 qualified new jobs at the facility.

(B) A minimum of 25 qualified new jobs at the facility within 5 years after the date of the expansion or location as determined by the authority and a minimum of 25 qualified new jobs at the facility each year thereafter for which a credit is authorized under this act.

(v) If the eligible business is a rural business, all of the following apply:

(A) A minimum of 5 qualified new jobs at the facility.

(B) A minimum of 25 qualified new jobs at the facility within 5 years after the date of the expansion or location as determined by the authority.

(c) Except as provided in subsection (5) and as otherwise provided in this subdivision, in addition to the jobs specified in subdivision (b), the eligible business, if already located within this state, agrees to maintain a number of full-time jobs equal to or greater than the number of full-time jobs it maintained in this state prior to the expansion, as determined by the authority. After an eligible business has entered into a written agreement as provided in subsection (2), the authority may adjust the number of full-time jobs required to be maintained by the authorized business under this subdivision, in order to adjust for decreases in full-time jobs in the authorized business in this state due to the divestiture of operations, provided a single other person continues to maintain those full-time jobs in this state. The authority shall not approve a reduction in the number of full-time jobs to be maintained unless the authority has determined that it can monitor the maintenance of the full-time jobs in this state by the other person, and the authorized business agrees in writing that the continued maintenance of the full-time jobs in this state by the other person, as determined by the authority, is a condition of receiving tax credits under the written agreement. A full-time job maintained by another person under this subdivision, that otherwise meets the requirements of section 3(i), shall be considered a full-time job, notwithstanding the requirement that a full-time job be performed by an individual employed by an authorized business, or an employee leasing company or professional employer organization on behalf of an authorized business.

(d) Except as otherwise provided in this subdivision, the wage paid for each retained job and qualified new job is equal to or greater than 150% of the federal minimum wage. However, if the eligible business is a qualified high-wage activity, then the wage paid for each qualified new job is equal to or greater than 300% of the federal minimum wage. However, beginning on the effective date of the amendatory act that added this sentence, the authority may include the value of the health care benefit in determining the wage paid for each retained job or qualified new job for an eligible business under this act.

(e) The plans for the expansion, retention, or location are economically sound.

(f) Except for an eligible business described in subsection (5)(c), the eligible business has not begun construction of the facility.

(g) The expansion, retention, or location of the eligible business will benefit the people of this state by increasing opportunities for employment and by strengthening the economy of this state.

(h) The tax credits offered under this act are an incentive to expand, retain, or locate the eligible business in Michigan and address the competitive disadvantages with sites outside this state.

(i) A cost/benefit analysis reveals that authorizing the eligible business to receive tax credits under this act will result in an overall positive fiscal impact to the state.

(j) If the eligible business is a qualified high-technology business described in section 3(m)(i), the eligible business agrees that not less than 25% of the total operating expenses of the business will be maintained for research and development for the first 3 years of the written agreement.

(2) If the authority determines that the requirements of subsection (1), (5), (9), or (11) have been met, the authority shall determine the amount and duration of tax credits to be authorized under section 9, and shall enter into a written agreement as provided in this section. The duration of the tax credits shall not exceed 20 years or for an authorized business that is a distressed business, 3 years. In determining the amount and duration of tax credits authorized, the authority shall consider the following factors:

(a) The number of qualified new jobs to be created or retained jobs to be maintained.

(b) The average wage and health care benefit level of the qualified new jobs or retained jobs relative to the average wage and health care benefit paid by private entities in the county in which the facility is located.

(c) The total capital investment or new capital investment the eligible business will make.

(d) The cost differential to the business between expanding, locating, or retaining new jobs in Michigan and a site outside of Michigan.

(e) The potential impact of the expansion, retention, or location on the economy of Michigan.

(f) The cost of the credit under section 9, the staff, financial, or economic assistance provided by the local government unit, or local economic development corporation or similar entity, and the value of assistance otherwise provided by this state.

(g) Whether the expansion, retention, or location will occur in this state without the tax credits offered under this act.

(h) Whether the authorized business reuses or redevelops property that was previously used for an industrial or commercial purpose in locating the facility.

(3) A written agreement between an eligible business and the authority shall include, but need not be limited to, all of the following:

(a) A description of the business expansion, retention, or location that is the subject of the agreement.

(b) Conditions upon which the authorized business designation is made.

(c) A statement by the eligible business that a violation of the written agreement may result in the revocation of the designation as an authorized business and the loss or reduction of future credits under section 9.

(d) A statement by the eligible business that a misrepresentation in the application may result in the revocation of the designation as an authorized business and the refund of credits received under section 9.

(e) A method for measuring full-time jobs before and after an expansion, retention, or location of an authorized business in this state.

(f) A written certification from the eligible business regarding all of the following:

(i) The eligible business will follow a competitive bid process for the construction, rehabilitation, development, or renovation of the facility, and that this process will be open to all Michigan residents and firms. The eligible business may not discriminate against any contractor on the basis of its affiliation or nonaffiliation with any collective bargaining organization.

(ii) The eligible business will make a good faith effort to employ, if qualified, Michigan residents at the facility.

(iii) The eligible business will make a good faith effort to employ or contract with Michigan residents and firms to construct, rehabilitate, develop, or renovate the facility.

(iv) The eligible business is encouraged to make a good faith effort to utilize Michigan-based suppliers and vendors when purchasing goods and services.

(g) A condition that if the eligible business qualified under subsection (5)(b)(ii) and met the subsection (1)(e) requirement by filing a chapter 11 plan of reorganization, the plan must be confirmed by the bankruptcy court within 6 years of the date of the agreement or the agreement is rescinded.

(4) Upon execution of a written agreement as provided in this section, an eligible business is an authorized business.

(5) Through December 31, 2007, after receipt of an application, the authority may enter into a written agreement with an eligible business that meets 1 or more of the following criteria:

(a) Is located in this state on the date of the application, makes new capital investment of \$250,000,000.00 in this state, and maintains 500 retained jobs, as determined by the authority.

(b) Meets 1 or more of the following criteria:

(i) Relocates production of a product to this state after the date of the application, makes capital investment of \$500,000,000.00 in this state, and maintains 500 retained jobs, as determined by the authority.

(ii) Maintains 150 retained jobs at a facility, maintains 1,000 or more full-time jobs in this state, and makes new capital investment in this state.

(iii) Is located in this state on the date of the application, maintains at least 100 retained jobs at a single facility, and agrees to make new capital investment at that facility equal to the greater of \$100,000.00 per retained job maintained at that facility or \$10,000,000.00 to be completed or contracted for not later than December 31, 2007.

(iv) Maintains 300 retained jobs at a facility; the facility is at risk of being closed and if it were to close, the work would go to a location outside this state, as determined by the authority; new management or new ownership is proposed for the facility that is committed to improve the viability of the facility, unless otherwise provided in this subparagraph; and the tax credits offered under this act are necessary for the facility to maintain operations. The authority may not enter into a written agreement under this subparagraph after December 31, 2007. Of the written agreements entered into under this subparagraph, the authority may enter into 3 written agreements under this subparagraph that are excluded from the requirements of subsection (1)(e), (f), (h), and (i) if the authority considers it in the public interest and if the eligible business would have met the requirements of

subsection (1)(g), (h), and (k) within the immediately preceding 6 months from the signing of the written agreement for a tax credit. Of the 3 written agreements described in this subparagraph, the authority may also waive the requirement for new management if the existing management and labor make a commitment to improve the viability and productivity of the facility to better meet international competition as determined by the authority.

(v) Maintains 100 retained jobs at a facility; is a rural business, unless otherwise provided in this subparagraph; the facility is at risk of being closed and if it were to close, the work would go to a location outside this state, as determined by the authority; new management or new ownership is proposed for the facility that is committed to improve the viability of the facility; and the tax credits offered under this act are necessary for the facility to maintain operations. The authority may not enter into a written agreement under this subparagraph after December 31, 2007. Of the written agreements entered into under this subparagraph, the authority may enter into 3 written agreements under this subparagraph that are excluded from the requirements of subsection (1)(e), (f), and (h) if the authority considers it in the public interest and if the eligible business would have met the requirements of subsection (1)(g), (h), and (e) within the immediately preceding 6 months from the signing of the written agreement for a tax credit. Of the 3 written agreements described in this subparagraph, the authority may also waive the requirement that the business be a rural business if the business is located in a county with a population of 500,000 or more and 600,000 or less.

(vi) Maintains 175 retained jobs and makes new capital investment at a facility in a county with a population of not less than 7,500 but not greater than 8,000.

(vii) Is located in this state on the date of the application, maintains at least 675 retained jobs at a facility, agrees to create 400 new jobs, and agrees to make a new capital investment of at least \$45,000,000.00 to be completed or contracted for not later than December 31, 2007. Of the written agreements entered into under this subparagraph, the authority may enter into 1 written agreement under this subparagraph that is excluded from the requirements of subsection (1)(f) if the authority considers it in the public interest.

(viii) Is located in this state on the date of the application, makes new capital investment of \$250,000,000.00 or more in this state, and makes that capital investment at a facility located north of the 45th parallel.

(c) Is a distressed business.

(6) Each year, the authority shall not execute new written agreements that in total provide for more than 400 yearly credits over the terms of those agreements entered into that year for eligible businesses that are not qualified high-technology businesses, distressed businesses, rural businesses, or an eligible business described in subsection (11).

(7) The authority shall not execute more than 50 new written agreements each year for eligible businesses that are qualified high-technology businesses or rural business. Only 25 of the 50 written agreements for businesses that are qualified high-technology businesses or rural business may be executed each year for qualified rural businesses.

(8) The authority shall not execute more than 20 new written agreements each year for eligible businesses that are distressed businesses. The authority shall not execute more than 5 of the written agreements described in this subsection each year for distressed businesses that had 1,000 or more full-time jobs at a facility 4 years immediately preceding the application to the authority under this act. The authority shall not execute more than 5 new written agreements each year for eligible businesses described in subsection (11). The authority shall not execute more than 4 new written agreements each year for eligible businesses described in subsection (11) in local governmental units that have a population greater than 16,000.

(9) Beginning January 1, 2008, after receipt of an application, the authority may enter into a written agreement with an eligible business that does not meet the criteria described in subsection (1), if the eligible business meets all of the following:

(a) Agrees to retain not fewer than 50 jobs.

(b) Agrees to invest, through construction, acquisition, transfer, purchase, contract, or any other method as determined by the authority, at a facility equal to \$50,000.00 or more per retained job maintained at the facility.

(c) Certifies to the authority that, without the credits under this act and without the new capital investment, the facility is at risk of closing and the work and jobs would be removed to a location outside of this state.

(d) Certifies to the authority that the management or ownership is committed to improving the long-term viability of the facility in meeting the national and international competition facing the facility through better management techniques, best practices, including state of the art lean manufacturing practices, and market diversification.

(e) Certifies to the authority that it will make best efforts to keep jobs in Michigan when making plant location and closing decisions.

(f) Certifies to the authority that the workforce at the facility demonstrates its commitment to improving productivity and profitability at the facility through various means.

(10) Beginning on the effective date of the amendatory act that added this subsection, if the authority enters into a written agreement with an eligible business, the written agreement shall include a repayment provision of all or a portion of the credits received by the eligible business for a facility if the eligible business moves full-time jobs outside this state during the term of the written agreement and for a period of years after the term of the written agreement, as determined by the authority.

(11) Beginning January 1, 2008, after receipt of an application, the authority may enter into a written agreement with an eligible business that does not meet the criteria described in subsection (1), if the eligible business meets all of the following:

(a) Agrees to create or retain not fewer than 15 jobs.

(b) Agrees to occupy property that is a historic resource as that term is defined in section 435 of the Michigan business tax act, 2007 PA 36, MCL 208.1435, and that is located in a downtown district as defined in section 1 of 1975 PA 197, MCL 125.1651.

(c) The average wage paid for each retained job and full-time job is equal to or greater than 150% of the federal minimum wage.

This act is ordered to take immediate effect.

Approved August 4, 2008.

Filed with Secretary of State August 4, 2008.

[No. 258]

(SB 1351)

AN ACT 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,” (MCL 436.1101 to 436.2303) by adding section 526.

The People of the State of Michigan enact:

436.1526 Beer festival; issuance of special license; limitation; buying directly from licensed brewpub; “beer festival” defined.

Sec. 526. (1) The commission may issue a special license under this section to any organization conducting a beer festival. The application shall conform to the following:

(a) Be submitted by a nonprofit entity composed primarily of brewers, microbrewers, and brewpubs, as determined by the commission.

(b) Involve an event having for its primary purpose the showcasing of beer and its production.

(c) Be accompanied by a fee of \$25.00 per day of the event.

(2) The special license shall not allow more than 6 events per calendar year conforming to the requirements of subsection (1).

(3) A holder of a special license issued under this section may buy a quantity of beer, as determined appropriate under the circumstances by the commission, directly from any licensed brewpub for consumption only at the licensed event.

(4) As used in this section and section 413, “beer festival” means an event at which the various types and kinds of beer and the production of that beer are showcased to the general public and at which the general public can purchase and sample the beer being showcased for consumption on the licensed premises.

Conditional effective date.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1352 of the 94th Legislature is enacted into law.

This act is ordered to take immediate effect.

Approved August 4, 2008.

Filed with Secretary of State August 4, 2008.

Compiler’s note: Senate Bill No. 1352, referred to in enacting section 1, was filed with the Secretary of State August 4, 2008, and became 2008 PA 259, Imd. Eff. Aug. 4, 2008.

[No. 259]

(SB 1352)

AN ACT 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,” (MCL 436.1101 to 436.2303) by adding section 413.

The People of the State of Michigan enact:

436.1413 Participation in beer festival; direct sale by licensed brewpub to holder of special license.

Sec. 413. Notwithstanding any provision of this act or rule promulgated under this act, a licensed brewpub may directly sell to a holder of a special license issued under section 526, for the purpose of conducting a beer festival, a quantity of beer determined appropriate by the commission for the purpose of participating in a beer festival.

Conditional effective date.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1351 of the 94th Legislature is enacted into law.

This act is ordered to take immediate effect.

Approved August 4, 2008.

Filed with Secretary of State August 4, 2008.

Compiler's note: Senate Bill No. 1351, referred to in enacting section 1, was filed with the Secretary of State August 4, 2008, and became 2008 PA 258, Imd. Eff. Aug. 4, 2008.

[No. 260]

(SB 170)

AN ACT to provide for subsidy payments to certain guardians of minors; and to provide for duties and responsibilities of certain state departments and agencies.

The People of the State of Michigan enact:

722.871 Short title.

Sec. 1. This act shall be known and may be cited as the “subsidized guardianship assistance act”.

722.872 Definitions.

Sec. 2. As used in this act:

(a) “Child” means a person less than 18 years of age.

(b) “Department” means the department of human services.

(c) “Eligible child” means a child who meets the eligibility criteria set forth in section 3 for receiving subsidized guardianship assistance.

(d) “Guardian” means a person appointed by the court to act as a legal guardian for a child pursuant to section 19a or 19c of chapter XIIA of the probate code, MCL 712A.19a and 712A.19c.

(e) “Legal custodian” means an individual who is at least 18 years of age in whose care a child remains or is placed after a court makes a finding under section 13a of chapter XIIA of the probate code, MCL 712A.13a.

(f) “Probate code” means the probate code of 1939, 1939 PA 288, MCL 710.21 to 712A.32.

(g) “Relative” means an individual who is at least 18 years of age and related to the child by blood, marriage, or adoption, as grandparent, great-grandparent, great-great-grandparent, aunt or uncle, great-aunt or great-uncle, great-great-aunt or great-great-uncle, sibling, stepsibling, nephew or niece, first cousin or first cousin once removed, or the spouse of any of the above, even after the marriage has ended by death or divorce. The parent of a man who the court has found probable cause to believe is the putative father if there is no man with legally established rights to the child may be considered a relative under this act but this is not to be considered as a finding of paternity and does not confer legal standing on the putative father.

(h) “Subsidized guardianship assistance agreement” means an agreement regarding financial support for children who meet the qualifications for subsidized guardianship assistance as specified in this act or in the department’s administrative rules.

(i) “Title IV-E” refers to the federal assistance provided through the United States department of health and human services to reimburse states for foster care and adoption assistance payments.

722.873 Subsidized guardianship assistance; eligibility.

Sec. 3. A child is eligible to receive subsidized guardianship assistance if he or she is a ward of the court under section 2(b) of chapter XIIA of the probate code, MCL 712A.2, or is under the Michigan children’s institute jurisdiction, control, or supervision, and both of the following apply:

(a) A specific factor or condition, or a combination of factors and conditions, exists with respect to the child so that it is reasonable to conclude that the child cannot be placed with a guardian without providing subsidy payments under this act. The factors or conditions to be considered may include ethnic or family background, age, membership in a minority or sibling group, medical condition, physical, mental, or emotional disability, or length of time the child has been waiting for a permanent home.

(b) A reasonable but unsuccessful effort was made to place the child with an appropriate guardian without providing subsidy assistance under this act or a prospective placement is the only placement in the best interest of the child.

722.874 Subsidized guardianship assistance; payment to eligible guardian; criteria.

Sec. 4. A guardian who meets all of the following criteria may receive subsidized guardianship assistance on behalf of an eligible child:

(a) The guardian is the eligible child’s relative or legal custodian.

(b) The guardian is assessed and approved for subsidized guardianship assistance by the department.

(c) The eligible child resides with the guardian in the guardian’s residence.

722.875 Subsidized guardianship assistance; payment to eligible guardian; determination.

Sec. 5. (1) Subject to the provisions of this act, the department may pay subsidized guardianship assistance to an eligible guardian on behalf of an eligible child.

(2) The guardian shall apply for subsidized guardianship assistance under this act to the department.

(3) The department shall review the eligibility of the guardian and child for continuation of subsidized guardianship assistance annually. The guardian shall provide the eligibility information requested by the department or the court for purposes of the annual review.

(4) The department shall make a determination within 30 days after receipt of a request for subsidized guardianship assistance.

722.876 Subsidized guardianship assistance; prohibition; conditions; notice of termination.

Sec. 6. (1) The department shall not provide subsidized guardianship assistance after 1 of the following occurs:

(a) The child reaches 18 years of age or 19 years of age if he or she is still attending high school.

(b) The child is incarcerated in an adult correctional facility under a sentence and commitment order of a court of competent jurisdiction.

(c) The child is placed in a child caring institution as that term is defined in section 1 of 1973 PA 116, MCL 722.111, for a period of at least 90 days.

(d) The child is removed from the guardian's residence by court order.

(e) The death of the child.

(f) The child is adopted by the guardian or another individual under the Michigan adoption code, chapter X of the probate code, MCL 710.21 to 710.70, or the adoption laws of any other state or country.

(g) The guardianship is terminated by order of the court having jurisdiction in the guardianship proceeding.

(h) The child no longer resides in the guardian's residence.

(i) The guardian fails to submit to the department information required or requested by the department for the annual review required under section 5.

(j) The guardian no longer satisfies 1 or more of the criteria specified in section 4.

(k) The guardian has failed to comply with section 7.

(l) Upon the death of the guardian, if no new guardian is appointed by the court within 30 days after that death.

(m) The department determines that funds are no longer available to support continuation of subsidized guardianship assistance.

(2) The department shall send notice of termination of subsidized guardianship assistance under this section by mail to the guardian at the guardian's current or last known address and to the court with jurisdiction over the guardianship case. Notice mailed under this subsection shall include a statement of the department's reason for termination.

722.877 Public or private medical insurance or assistance; application and maintenance.

Sec. 7. The guardian shall apply for and maintain on behalf of the child any public or private medical insurance or assistance for which the child is eligible, including eligibility under applicable laws providing financial assistance for medical or health care expenses.

722.878 Collecting, assembling, and reporting data and information.

Sec. 8. (1) The department is responsible for collecting, assembling, and reporting all data and information required for reporting purposes.

(2) The guardian shall cooperate with the department and provide all information that the guardian possesses as requested by the department to facilitate compliance with this section.

722.879 Appeal of decision.

Sec. 9. An applicant for subsidized guardianship assistance under this act or a guardian or child who has received subsidized guardianship assistance under a subsidized guardianship assistance agreement may appeal a decision of the department denying the application, establishing or modifying the subsidized guardianship assistance, or terminating subsidized guardianship assistance according to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

722.880 Federal laws and regulations.

Sec. 10. If title IV-E eligibility is approved as a funding source for subsidized guardianship assistance, the department is subject to all federal laws and regulation requirements, including cooperation with the title IV-B program and assignment of child support.

722.881 Postpermanency services; eligibility.

Sec. 11. Families are eligible for postpermanency services in the same manner as adoptive families.

Conditional effective date.

Enacting section 1. This act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) Senate Bill No. 668.
- (b) Senate Bill No. 669.
- (c) Senate Bill No. 670.
- (d) Senate Bill No. 671.
- (e) Senate Bill No. 672.

This act is ordered to take immediate effect.

Approved August 4, 2008.

Filed with Secretary of State August 4, 2008.

Compiler's note: The bills referred to in enacting section 1 were enacted into law as follows:

Senate Bill No. 668 was filed with the Secretary of State July 11, 2008, and became 2008 PA 199, Imd. Eff. July 11, 2008.

Senate Bill No. 669 was filed with the Secretary of State July 11, 2008, and became 2008 PA 200, Imd. Eff. July 11, 2008.

Senate Bill No. 670 was filed with the Secretary of State July 11, 2008, and became 2008 PA 201, Imd. Eff. July 11, 2008.

Senate Bill No. 671 was filed with the Secretary of State July 11, 2008, and became 2008 PA 202, Imd. Eff. July 11, 2008.

Senate Bill No. 672 was filed with the Secretary of State July 11, 2008, and became 2008 PA 203, Imd. Eff. July 11, 2008.

[No. 261]

(HB 5816)

AN ACT to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2009;

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.

The People of the State of Michigan enact:

PART 1

LINE-ITEM APPROPRIATIONS

Appropriation; departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, the legislative branch, and certain other state purposes.

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the departments of attorney general, civil rights, information technology, management and budget, state, and treasury, the executive office, the legislative branch, and certain other state purposes, for the fiscal year ending September 30, 2009, from the funds indicated in this part. The following is a summary of the appropriations in this part:

TOTAL GENERAL GOVERNMENT

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	46.0	
Full-time equated classified positions.....	7,465.7	
GROSS APPROPRIATION		\$ 3,158,209,600
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		657,135,600
ADJUSTED GROSS APPROPRIATION		\$ 2,501,074,000
Federal revenues:		
Total federal revenues		118,833,200
Special revenue funds:		
Total local revenues.....		3,098,000
Total private revenues.....		1,265,700
Total other state restricted revenues		1,709,716,700
State general fund/general purpose		\$ 668,160,400

Department of attorney general.

Sec. 102. DEPARTMENT OF ATTORNEY GENERAL

(1) APPROPRIATION SUMMARY

Full-time equated unclassified positions	6.0	
Full-time equated classified positions.....	537.0	
GROSS APPROPRIATION		\$ 76,409,700
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		24,301,000
ADJUSTED GROSS APPROPRIATION		\$ 52,108,700
Federal revenues:		
Total federal revenues		8,050,800

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Special revenue funds:

Total local revenues.....	\$	0
Total private revenues.....		0
Total other state restricted revenues		11,927,600
State general fund/general purpose	\$	32,130,300

(2) ATTORNEY GENERAL OPERATIONS

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	537.0	
Attorney general.....	\$	124,900
Unclassified positions—5.0 FTE positions.....		476,300
Attorney general operations—500.0 FTE positions.....		70,036,500
Child support enforcement—25.0 FTE positions.....		2,955,200
Prosecuting attorneys coordinating council—12.0 FTE positions.....		1,996,900
Internal audit services.....		47,900
GROSS APPROPRIATION	\$	<u>75,637,700</u>

Appropriated from:

Interdepartmental grant revenues:

IDG from MDCH, health services.....	1,875,600
IDG from MDCH, WIC	70,300
IDG from MDE	289,400
IDG from MDEQ	1,748,200
IDG from MDHS	3,345,100
IDG from MDLEG, career education services.....	187,000
IDG from MDLEG, children’s protection registry	36,400
IDG from MDLEG, financial and insurance services	1,107,300
IDG from MDLEG, homeowners construction lien recovery.....	557,000
IDG from MDLEG, licensing and regulation fees.....	176,500
IDG from MDLEG, Michigan occupational safety and health	99,200
IDG from MDLEG, Michigan state housing development authority..	521,000
IDG from MDLEG, remonumentation fees	77,900
IDG from MDLEG, unemployment insurance agency.....	1,720,200
IDG from MDMB, risk management revolving fund	1,362,800
IDG from MDMVA.....	119,500
IDG from MDOC	479,100
IDG from MDOT, comprehensive transportation fund.....	159,800
IDG from MDOT, state aeronautics fund.....	157,700
IDG from MDOT, state trunkline fund.....	2,821,100
IDG from MDSP	708,400
IDG from MDSP, Michigan justice training fund	325,000
IDG from Michigan gaming control board	1,090,400
IDG from treasury	4,646,500
IDG from treasury, strategic fund.....	129,800
IDG from civil service commission.....	301,400
IDG from MDIT.....	188,400

Federal revenues:

DAG, state administrative match grant/food stamps	389,500
Federal funds.....	2,495,400
HHS, medical assistance, medigrant.....	652,300
HHS-OS, state Medicaid fraud control units.....	4,513,600

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Special revenue funds:	
Antitrust enforcement collections	\$ 653,100
Assigned claims assessments	120,600
Attorney general’s operations fund.....	883,900
Auto repair facilities fees	234,700
Franchise fees	300,600
Game and fish protection fund	917,800
Liquor purchase revolving fund.....	1,064,600
Manufactured housing fees	197,200
Merit award trust fund.....	408,600
Prisoner reimbursement.....	463,000
Prosecuting attorneys training fees	375,000
Public utility assessments	1,839,300
Real estate enforcement fund	552,600
Reinstatement fees.....	160,800
Retirement funds.....	758,200
Second injury fund	1,004,500
Self-insurers security fund.....	175,200
Silicosis and dust disease fund	536,200
State building authority revenue.....	98,700
State lottery fund	249,900
Utility consumers fund	562,400
Waterways fund	100,700
Worker’s compensation administrative revolving fund	270,000
State general fund/general purpose	\$ 31,358,300
(3) INFORMATION TECHNOLOGY	
Information technology services and projects.....	\$ 772,000
GROSS APPROPRIATION	\$ 772,000
Appropriated from:	
State general fund/general purpose	\$ 772,000

Department of civil rights.

Sec. 103. DEPARTMENT OF CIVIL RIGHTS

(1) APPROPRIATION SUMMARY

Full-time equated unclassified positions	5.0
Full-time equated classified positions	127.0
GROSS APPROPRIATION	\$ 14,475,300
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION	\$ 14,475,300
Federal revenues:	
Total federal revenues	2,057,300
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	0
Total other state restricted revenues	0
State general fund/general purpose	\$ 12,418,000

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(2) CIVIL RIGHTS OPERATIONS

Full-time equated unclassified positions	5.0	
Full-time equated classified positions	127.0	
Unclassified positions—5.0 FTE positions		\$ 264,700
Civil rights operations—127.0 FTE positions		13,281,700
Internal audit services		68,700
GROSS APPROPRIATION		\$ 13,615,100

Appropriated from:

Federal revenues:

EEOC, state and local antidiscrimination agency contracts		1,271,700
HUD, grant		770,600
State general fund/general purpose		\$ 11,572,800

(3) INFORMATION TECHNOLOGY

Information technology services and projects		\$ 860,200
GROSS APPROPRIATION		\$ 860,200

Appropriated from:

Federal revenues:

EEOC, state and local antidiscrimination agency contracts		15,000
State general fund/general purpose		\$ 845,200

Executive office.

Sec. 104. EXECUTIVE OFFICE

(1) APPROPRIATION SUMMARY

Full-time equated unclassified positions	10.0	
Full-time equated classified positions	74.2	
GROSS APPROPRIATION		\$ 5,317,300

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION		\$ 5,317,300

Federal revenues:

Total federal revenues		0
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Special revenue funds:

Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose		\$ 5,317,300

(2) EXECUTIVE OFFICE OPERATIONS

Full-time equated unclassified positions	10.0	
Full-time equated classified positions	74.2	
Governor		\$ 177,000
Lieutenant governor		123,900
Executive office—74.2 FTE positions		4,166,600
Unclassified positions—8.0 FTE positions		849,800
GROSS APPROPRIATION		\$ 5,317,300

Appropriated from:

State general fund/general purpose		\$ 5,317,300
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For Fiscal Year
Ending Sept. 30,
2009

Department of information technology.

Sec. 105. DEPARTMENT OF INFORMATION

TECHNOLOGY

(1) APPROPRIATION SUMMARY

Full-time equated unclassified positions	3.0	
Full-time equated classified positions	1,657.0	
GROSS APPROPRIATION		\$ 432,534,600
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		432,534,600
ADJUSTED GROSS APPROPRIATION		0
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose		\$ 0

(2) ADMINISTRATION

Full-time equated unclassified positions	3.0	
Full-time equated classified positions	1,657.0	
Unclassified positions—3.0 FTE positions.....		\$ 300,000
Enterprisewide services—69.0 FTE positions		22,710,200
Health and human services—720.5 FTE positions.....		246,521,700
Education services—36.0 FTE positions.....		3,756,700
Public protection—284.0 FTE positions		52,438,900
Resources services—160.0 FTE positions		17,373,900
Transportation services—99.5 FTE positions		28,174,000
General services—288.0 FTE positions.....		61,259,200
GROSS APPROPRIATION		\$ 432,534,600

Appropriated from:

Interdepartmental grant revenues:		
IDG from department of agriculture		1,525,000
IDG from department of attorney general		772,000
IDG from department of civil rights.....		860,200
IDG from civil service commission.....		4,289,200
IDG from department of community health.....		52,394,800
IDG from department of corrections		19,089,400
IDG from department of education.....		2,820,900
IDG from department of environmental quality.....		7,478,800
IDG from Michigan gaming control board.....		1,324,000
IDG from department of history, arts, and libraries.....		1,274,800
IDG from department of human services		152,592,200
IDG from department of labor and economic growth.....		42,853,200
IDG from bureau of state lottery		4,550,500
IDG from department of management and budget.....		28,471,700
IDG from department of military and veterans affairs.....		1,183,800
IDG from department of natural resources.....		8,872,100
IDG from department of state		24,541,000
IDG from department of state police.....		30,944,500

	For Fiscal Year Ending Sept. 30, 2009
IDG from department of transportation	\$ 28,496,200
IDG from department of treasury	18,200,300
State general fund/general purpose	\$ 0

Legislature.

Sec. 106. LEGISLATURE

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$ 114,504,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION	\$ 114,504,000
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	400,000
Total other state restricted revenues	1,109,800
State general fund/general purpose	\$ 112,994,200

(2) LEGISLATURE

Senate	\$ 29,126,400
Senate automated data processing	2,549,600
Senate fiscal agency	3,219,200
House of representatives	45,515,800
House automated data processing	2,024,900
House fiscal agency	3,219,200
GROSS APPROPRIATION	\$ 85,655,100
Appropriated from:	
State general fund/general purpose	\$ 85,655,100

(3) LEGISLATIVE COUNCIL

Legislative council	\$ 10,110,200
Legislative service bureau automated data processing.....	1,374,800
Worker's compensation	133,000
National association dues	148,900
Legislative corrections ombudsman	369,700
GROSS APPROPRIATION	\$ 12,136,600
Appropriated from:	
Special revenue funds:	
Private - gifts and bequests revenues	400,000
State general fund/general purpose	\$ 11,736,600

(4) LEGISLATIVE RETIREMENT SYSTEM

General nonretirement expenses	\$ 4,533,900
GROSS APPROPRIATION	\$ 4,533,900
Appropriated from:	
Special revenue funds:	
Court fees.....	1,109,800
State general fund/general purpose	\$ 3,424,100

(5) PROPERTY MANAGEMENT

Capitol building.....	\$ 2,552,800
Cora Anderson building.....	7,734,200

	For Fiscal Year Ending Sept. 30, 2009
Farnum building and other properties	\$ 1,891,400
GROSS APPROPRIATION	\$ 12,178,400
Appropriated from:	
State general fund/general purpose	\$ 12,178,400
 Legislative auditor general.	
Sec. 107. LEGISLATIVE AUDITOR GENERAL	
(1) APPROPRIATION SUMMARY	
GROSS APPROPRIATION	\$ 15,891,200
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	1,801,500
ADJUSTED GROSS APPROPRIATION	\$ 14,089,700
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	0
Total other state restricted revenues	1,539,900
State general fund/general purpose	\$ 12,549,800
(2) LEGISLATIVE AUDITOR GENERAL	
Unclassified positions.....	\$ 313,500
Field operations	15,577,700
GROSS APPROPRIATION	\$ 15,891,200
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDMB, civil service commission.....	107,900
IDG from MDLEG, liquor purchase revolving fund.....	11,300
IDG from MDOT, comprehensive transportation fund.....	25,200
IDG from MDOT, Michigan transportation fund	204,300
IDG from MDOT, state aeronautics fund.....	19,600
IDG from MDOT, state trunkline fund.....	474,600
IDG, single audit act	958,600
Special revenue funds:	
Cadillac local development finance authority	12,000
Clean Michigan initiative implementation bond fund	37,500
Commercial mobile radio system emergency telephone fund	37,500
Construction lien fund	7,200
Contract audit administration fees.....	52,700
Correctional industries revolving fund	31,300
Fee adequacy, air quality delegated authority.....	9,400
Game and fish protection fund	21,400
Legislative retirement system	18,700
Marine safety fund	1,900
Michigan economic development corporation	41,200
Michigan education trust fund.....	30,000
Michigan justice training commission fund.....	28,100
Michigan state fair revolving fund	33,000
Michigan state housing development authority fees.....	22,100

	For Fiscal Year Ending Sept. 30, 2009
Michigan strategic fund	\$ 87,500
Michigan tobacco settlement authority	75,000
Michigan veterans' trust fund	24,400
Motor transport revolving fund	4,700
Office services revolving fund	6,800
State disbursement unit, office of child support	25,000
State services fee fund	926,900
Waterways fund	5,600
State general fund/general purpose	\$ 12,549,800

Department of management and budget.

Sec. 108. DEPARTMENT OF MANAGEMENT AND

BUDGET

(1) APPROPRIATION SUMMARY

Full-time equated unclassified positions	7.0
Full-time equated classified positions	1,424.0
GROSS APPROPRIATION	\$ 551,059,700
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	167,603,800
ADJUSTED GROSS APPROPRIATION	\$ 383,455,900
Federal revenues:	
Total federal revenues	10,743,700
Special revenue funds:	
Total local revenues.....	1,992,900
Total private revenues.....	150,000
Total other state restricted revenues	77,694,100
State general fund/general purpose	\$ 292,875,200

(2) MANAGEMENT AND BUDGET SERVICES

Full-time equated unclassified positions	6.0
Full-time equated classified positions	674.5
Unclassified positions—6.0 FTE positions.....	\$ 636,500
Executive operations—10.5 FTE positions	1,489,600
Administrative services—56.5 FTE positions.....	5,293,700
Budget and financial management—164.5 FTE positions	16,786,400
Office of the state employer—23.0 FTE positions	2,793,300
Design and construction services—40.0 FTE positions.....	5,357,400
Business support services—84.0 FTE positions	8,429,700
Building operation services—250.0 FTE positions.....	89,004,600
Building occupancy charges, rent, and utilities.....	4,262,000
Internal audit services.....	989,100
Motor vehicle fleet—46.0 FTE positions.....	56,920,400
GROSS APPROPRIATION	\$ 191,962,700
Appropriated from:	
Interdepartmental grant revenues:	
IDG from building occupancy and parking charges	91,244,100
IDG from department of labor and economic growth.....	100,000
IDG from internal audit services.....	6,006,200
IDG from MDCH	434,300
IDG from MDHS	171,400

	For Fiscal Year Ending Sept. 30, 2009
IDG from MDOT, comprehensive transportation fund.....	\$ 49,200
IDG from MDOT, state aeronautics fund.....	31,200
IDG from MDOT, state trunkline fund.....	1,397,800
IDG from motor transport fund.....	56,920,400
IDG from user fees.....	5,325,200
Special revenue funds:	
Game and fish protection fund	225,500
Health management funds	1,735,600
Marine safety fund	21,300
Special revenue, internal service, and pension trust funds	9,424,700
State building authority revenue.....	620,600
State lottery fund	137,500
State services fee fund	89,400
Waterways fund	51,800
State general fund/general purpose	\$ 17,976,500
(3) STATEWIDE APPROPRIATIONS	
Professional development fund - AFSCME.....	\$ 25,000
Professional development fund - MPE, SEIU, scientific, and engineering unit	125,000
Professional development fund - MPE, SEIU, technical unit.....	50,000
Professional development fund - MSC.....	150,000
Professional development fund - NERE.....	50,000
GROSS APPROPRIATION	\$ 400,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from employer contributions	400,000
State general fund/general purpose	\$ 0
(4) SPECIAL PROGRAMS	
Full-time equated classified positions	176.0
Building occupancy charges - property management services for executive/legislative building occupancy	\$ 1,275,500
Retirement services—164.0 FTE positions	16,969,100
Office of children’s ombudsman—12.0 FTE positions.....	1,485,000
GROSS APPROPRIATION	\$ 19,729,600
Appropriated from:	
Special revenue funds:	
Deferred compensation.....	1,542,400
Pension trust funds	15,426,700
State general fund/general purpose	\$ 2,760,500
(5) STATE FAIR	
Full-time equated unclassified position	1.0
Full-time equated classified positions	9.0
Unclassified positions—1.0 FTE position.....	\$ 101,000
Michigan state fair operations—9.0 FTE positions.....	6,415,500
Michigan state fair information technology	88,800
GROSS APPROPRIATION	\$ 6,605,300
Appropriated from:	
Special revenue funds:	
State exposition and fairgrounds fund.....	6,605,300
State general fund/general purpose	\$ 0

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(6) INFORMATION TECHNOLOGY

Information technology services and projects.....	\$	28,382,900
GROSS APPROPRIATION	\$	28,382,900

Appropriated from:

Interdepartmental grant revenues:

IDG from building occupancy and parking charges	651,600
IDG from MDOT, comprehensive transportation fund.....	2,100
IDG from MDOT, state aeronautics fund.....	1,100
IDG from MDOT, state trunkline fund.....	47,500
IDG from user fees.....	186,800

Special revenue funds:

Deferred compensation.....	2,600
Game and fish protection fund	9,800
Health management funds	41,700
Marine safety fund	900
MAIN user charges.....	4,345,600
Pension trust funds	6,679,000
Special revenue, internal service, and pension trust funds	2,635,000
State building authority revenue.....	9,700
State lottery fund	4,600
Waterways fund	2,000
State general fund/general purpose	\$ 13,762,900

(7) STATE BUILDING AUTHORITY RENT

State building authority rent - state agencies	\$ 58,616,700
State building authority rent - department of corrections	46,867,700
State building authority rent - universities.....	106,280,900
State building authority rent - community colleges.....	20,056,800
GROSS APPROPRIATION	\$ 231,822,100

Appropriated from:

Special revenue funds:

State lottery fund	1,520,000
State general fund/general purpose	\$ 230,302,100

(8) CIVIL SERVICE COMMISSION

Full-time equated classified positions.....564.5

Agency services—118.5 FTE positions	\$ 13,264,400
Executive direction—25.0 FTE positions	7,937,700
Employee benefits—31.0 FTE positions	5,885,700
Audit and compliance—15.0 FTE positions.....	2,044,000
Internal audit services.....	121,500
Training.....	1,300,000
Human resources operations—375.0 FTE positions	35,313,700
Information technology services and projects.....	4,290,100
GROSS APPROPRIATION	\$ 70,157,100

Appropriated from:

Interdepartmental grant revenues:

IDG, training charges	1,300,000
IDG, special funds	1,334,900

Federal revenues:

Federal funds.....	6,000,900
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	For Fiscal Year Ending Sept. 30, 2009
Federal indirect funds	\$ 4,742,800
Special revenue funds:	
Local funds.....	1,992,900
Private funds.....	150,000
Freedom of information fees	1,100
State restricted funds	17,885,200
State sponsored group insurance.....	2,650,000
State sponsored group insurance, flexible spending accounts, and COBRA.....	6,026,100
State general fund/general purpose	\$ 28,073,200
(9) CAPITAL OUTLAY	
Major special maintenance, remodeling and addition for state agencies	\$ 2,000,000
GROSS APPROPRIATION	\$ 2,000,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG, building occupancy charges.....	2,000,000
Special revenue funds:	
State general fund/general purpose	\$ 0

Department of state.

Sec. 109. DEPARTMENT OF STATE

(1) APPROPRIATION SUMMARY

Full-time equated unclassified positions	6.0
Full-time equated classified positions	1,809.0
GROSS APPROPRIATION	\$ 214,876,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	20,000,000
ADJUSTED GROSS APPROPRIATION	\$ 194,876,400
Federal revenues:	
Total federal revenues	5,673,700
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	100
Total other state restricted revenues	162,673,800
State general fund/general purpose	\$ 26,528,800

(2) EXECUTIVE DIRECTION

Full-time equated unclassified positions	6.0
Full-time equated classified positions	30.0
Secretary of state	\$ 124,900
Unclassified positions—5.0 FTE positions.....	453,200
Operations—30.0 FTE positions	2,966,800
GROSS APPROPRIATION	\$ 3,544,900
Appropriated from:	
Special revenue funds:	
Auto repair facilities fees	60,500
Driver fees	137,600
Expedient service fees.....	57,100

	For Fiscal Year Ending Sept. 30, 2009
Parking ticket court fines.....	\$ 8,300
Personal identification card fees	13,400
Reinstatement fees - operator licenses.....	146,600
Transportation administration collection fund.....	2,069,100
Vehicle theft prevention fees.....	35,600
State general fund/general purpose	\$ 1,016,700
(3) DEPARTMENT SERVICES	
Full-time equated classified positions.....	157.0
Operations—150.0 FTE positions	\$ 23,480,800
Assigned claims assessments—7.0 FTE positions.....	893,700
GROSS APPROPRIATION	\$ 24,374,500
Appropriated from:	
Special revenue funds:	
Abandoned vehicle fees	468,600
Assigned claims assessments	893,700
Auto repair facilities fees.....	415,000
Child support clearance fees.....	34,300
Driver fees	430,100
Expedient service fees.....	253,600
Marine safety fund	76,200
Off-road vehicle title fees.....	7,800
Parking ticket court fines.....	52,700
Personal identification card fees	84,800
Reinstatement fees - operator licenses.....	549,200
Scrap tire fund	70,000
Snowmobile registration fee revenue	18,100
Transportation administration collection fund.....	19,138,400
Vehicle theft prevention fees.....	243,400
State general fund/general purpose	\$ 1,638,600
(4) REGULATORY SERVICES	
Full-time equated classified positions.....	211.0
Operations—209.0 FTE positions	\$ 21,872,900
County clerk education and training.....	100,000
Motorcycle safety education administration—2.0 FTE positions	362,400
Motorcycle safety education grants	1,430,000
Internal audit services.....	148,600
GROSS APPROPRIATION	\$ 23,913,900
Appropriated from:	
Special revenue funds:	
Auto repair facilities fees.....	4,144,800
Driver education provider and instructor fund.....	72,900
Driver fees	1,988,500
Expedient service fees.....	34,500
Motorcycle safety fund	1,792,400
Notary education and training fund.....	100,000
Notary fee fund.....	314,000
Parking ticket court fines.....	20,700
Personal identification card fees	49,500
Reinstatement fees - operator licenses.....	1,771,200

	For Fiscal Year Ending Sept. 30, 2009
Transportation administration collection fund.....	\$ 11,024,300
Vehicle theft prevention fees.....	1,330,900
State general fund/general purpose	\$ 1,270,200
(5) CUSTOMER DELIVERY SERVICES	
Full-time equated classified positions	1,375.0
Branch operations—931.0 FTE positions.....	\$ 75,217,000
Central operations—417.0 FTE positions	39,152,100
Commemorative license plates—24.0 FTE positions.....	2,147,300
Specialty license plates—3.0 FTE positions.....	1,922,000
Olympic center plate	75,700
Organ donor program	104,100
GROSS APPROPRIATION	\$ 118,618,200
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund	20,000,000
Federal revenues:	
Federal funds.....	1,460,000
Special revenue funds:	
Private funds	100
Abandoned vehicle fees	197,600
Auto repair facilities fees	93,100
Child support clearance fees.....	295,500
Driver fees	15,771,700
Expedient service fees.....	2,423,800
Marine safety fund	1,188,700
Michigan state police auto theft fund.....	118,900
Mobile home commission fees.....	476,000
Off-road vehicle title fees	127,500
Parking ticket court fines.....	1,490,500
Personal identification card fees	1,585,400
Reinstatement fees - operator licenses.....	1,188,300
Snowmobile registration fee revenue	348,100
Transportation administration collection fund.....	57,848,200
Vehicle theft prevention fees.....	209,500
Enhanced driver license and enhanced official state personal identification card fund.....	4,150,000
State general fund/general purpose	\$ 9,645,300
(6) ELECTION REGULATION	
Full-time equated classified positions	36.0
Election administration and services—36.0 FTE positions	\$ 4,732,400
Fees to local units.....	109,800
Help America vote act.....	4,417,000
GROSS APPROPRIATION	\$ 9,259,200
Appropriated from:	
Federal revenues:	
Federal funds - HAVA HHS.....	350,000
Federal funds - title II.....	3,863,700
State general fund/general purpose	\$ 5,045,500

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(7) DEPARTMENTWIDE APPROPRIATIONS

Building occupancy charges/rent	\$	10,242,700
Worker's compensation		382,000
GROSS APPROPRIATION	\$	<u>10,624,700</u>

Appropriated from:

Special revenue funds:

Auto repair facilities fees		137,700
Driver fees		454,600
Expedient service fees.....		26,300
Parking ticket court fines.....		455,100
Transportation administration collection fund.....		5,978,200
State general fund/general purpose	\$	3,572,800

(8) INFORMATION TECHNOLOGY

Information technology services and projects.....	\$	24,541,000
GROSS APPROPRIATION	\$	<u>24,541,000</u>

Appropriated from:

Special revenue funds:

Administrative order processing fees.....		11,100
Auto repair facilities fees		179,300
Child support clearance fees.....		16,200
Driver fees		1,348,900
Expedient service fees.....		960,800
Parking ticket court fines.....		82,600
Personal identification card fees		882,400
Reinstatement fees - operator licenses.....		472,500
Transportation administration collection fund.....		16,076,700
Vehicle theft prevention fees.....		170,800
State general fund/general purpose	\$	4,339,700

Department of treasury.

Sec. 110. DEPARTMENT OF TREASURY

(1) APPROPRIATION SUMMARY

Full-time equated unclassified positions	9.0
Full-time equated classified positions	1,837.5
GROSS APPROPRIATION	\$ 1,733,141,400

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental transfers....	10,894,700
ADJUSTED GROSS APPROPRIATION	\$ 1,722,246,700

Federal revenues:

Total federal revenues	92,307,700
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Special revenue funds:

Total local revenues.....	1,105,100
Total private revenues.....	715,600
Total other state restricted revenues	1,454,771,500
State general fund/general purpose	\$ 173,346,800

(2) EXECUTIVE DIRECTION

Full-time equated unclassified positions	9.0
Full-time equated classified positions	5.0
Unclassified positions—9.0 FTE positions.....	\$ 829,600

	For Fiscal Year Ending Sept. 30, 2009
Office of the director—5.0 FTE positions	\$ 819,300
GROSS APPROPRIATION	\$ 1,648,900
Appropriated from:	
Special revenue funds:	
State lottery fund	185,300
State services fee fund	210,500
State general fund/general purpose	\$ 1,253,100
(3) DEPARTMENTWIDE APPROPRIATIONS	
Travel	\$ 1,415,900
Rent and building occupancy charges - property management services	5,233,300
Worker's compensation insurance premium.....	287,000
GROSS APPROPRIATION	\$ 6,936,200
Appropriated from:	
Special revenue funds:	
Delinquent tax collection revenue	3,559,900
State general fund/general purpose	\$ 3,376,300
(4) LOCAL GOVERNMENT PROGRAMS	
Full-time equated classified positions	81.0
Supervision of the general property tax law—54.0 FTE positions...	\$ 10,969,200
Property tax assessor training—4.0 FTE positions.....	424,100
Local finance—23.0 FTE positions.....	2,444,300
Blackstone settlement.....	2,000,000
GROSS APPROPRIATION	\$ 15,837,600
Appropriated from:	
Special revenue funds:	
Local - assessor training fees	424,100
Local - audit charges.....	591,000
Local - equalization study charge-backs.....	40,000
Local - revenue from local government.....	50,000
Land reutilization fund	3,985,800
Municipal finance fees.....	480,200
State education tax collections	50,000
Delinquent tax collection revenue	400,200
State general fund/general purpose	\$ 9,816,300
(5) TAX PROGRAMS	
Full-time equated classified positions	756.0
Customer contact—137.0 FTE positions	\$ 11,508,700
Tax compliance—318.0 FTE positions	32,303,500
Tax and economic policy—78.0 FTE positions	8,377,600
Tax processing—151.0 FTE positions.....	13,928,000
Revenue enhancement program—34.0 FTE positions	4,749,200
Home heating assistance	2,559,800
Bottle bill implementation.....	250,000
Tobacco tax collection—10.0 FTE positions.....	349,700
Michigan business tax implementation—28.0 FTE positions.....	11,813,800
Property tax appeal program.....	500,000
GROSS APPROPRIATION	\$ 86,340,300

For Fiscal Year
Ending Sept. 30,
2009

Appropriated from:

Interdepartmental grant revenues:

IDG, data/collection services fees	\$	50,900
IDG from MDOT, Michigan transportation fund		6,795,900
IDG from MDOT, state aeronautics fund		68,000
Federal revenues:		
HHS-SSA, low-income energy assistance		2,559,800
Special revenue funds:		
Bottle deposit fund		250,000
Delinquent tax collection revenue		57,242,800
Tobacco tax collection and enforcement		349,700
Tobacco tax revenue		391,000
Waterways fund		79,700
State general fund/general purpose	\$	18,552,500

(6) BANKING AND MANAGEMENT SERVICES

Full-time equated classified positions		334.0
Program management—15.0 FTE positions	\$	1,620,300
Department services—13.0 FTE positions		1,198,000
Mail operations—28.0 FTE positions		1,999,300
Unclaimed property—21.0 FTE positions		3,501,900
Collections—200.0 FTE positions		19,888,800
Finance and accounting—17.0 FTE positions		1,100,700
Receipts processing—40.0 FTE positions		3,103,600
GROSS APPROPRIATION	\$	32,412,600

Appropriated from:

Interdepartmental grant revenues:

IDG, levy/warrant cost assessment fees		1,857,800
IDG, state agency collection fees		591,200
IDG from MDHS, title IV-D		619,800
IDG data/collection services fees		206,400

Special revenue funds:

Delinquent tax collection revenue		19,691,400
Escheats revenue		3,501,900
Justice system fund		644,500
Garnishment fees		535,900
Treasury fees		43,100
State general fund/general purpose	\$	4,720,600

(7) FINANCIAL PROGRAMS

Full-time equated classified positions		223.5
Investments—80.0 FTE positions	\$	16,151,300
Michigan merit award administration—6.0 FTE positions		1,453,000
Michigan education savings program		800,000
Common cash and debt management—22.5 FTE positions		1,242,000
Student financial assistance programs—113.0 FTE positions		35,742,200
Public-private partnership investment—2.0 FTE positions		1,450,000
GROSS APPROPRIATION	\$	56,838,500

Appropriated from:

Interdepartmental grant revenues:

IDG, fiscal agent service fees		169,400
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For Fiscal Year
Ending Sept. 30,
2009

Federal revenues:	
DED-OPSE, federal lenders allowance	\$ 10,460,100
DED-OPSE, higher education act of 1965, insured loans	23,304,100
Special revenue funds:	
Defined contribution administrative fee revenue	100,000
College work-study.....	46,700
Michigan merit award trust fund.....	2,679,700
Public-private partnership investment fund.....	1,450,000
Retirement funds.....	15,176,100
School bond fees.....	613,800
Treasury fees.....	1,038,600
State general fund/general purpose	\$ 1,800,000
(8) DEBT SERVICE	
Water pollution control bond and interest redemption	\$ 2,323,000
Quality of life bond	38,000,000
Clean Michigan initiative.....	26,400,000
Great Lakes water quality bond.....	16,400,000
GROSS APPROPRIATION	\$ 83,123,000
Appropriated from:	
Special revenue funds:	
Refined petroleum fund.....	15,514,500
State general fund/general purpose	\$ 67,608,500
(9) GRANTS	
Grants to counties in lieu of taxes.....	\$ 5,000
Convention facility development distribution	58,850,000
Senior citizen cooperative housing tax exemption program.....	16,816,500
Commercial mobile radio service payments	11,100,000
Health and safety fund grants	25,000,000
Renaissance zone reimbursement.....	3,800,000
GROSS APPROPRIATION	\$ 115,571,500
Appropriated from:	
Special revenue funds:	
Commercial mobile radio service fees.....	11,100,000
Convention facility development fund	58,850,000
Health and safety fund	25,000,000
State general fund/general purpose	\$ 20,621,500
(10) BUREAU OF STATE LOTTERY	
Full-time equated classified positions.....	171.0
Lottery operations—171.0 FTE positions.....	\$ 19,819,400
Promotion and advertising.....	18,622,000
Lottery information technology services and projects.....	4,550,500
Internal audit services.....	132,700
GROSS APPROPRIATION	\$ 43,124,600
Appropriated from:	
Special revenue funds:	
State lottery fund	43,124,600
State general fund/general purpose	\$ 0

For Fiscal Year
Ending Sept. 30,
2009

(11) CASINO GAMING

Full-time equated classified positions.....	114.0	
Michigan gaming control board.....		\$ 50,000
Casino gaming control administration—114.0 FTE positions		19,369,500
Casino gaming information technology services and projects.....		1,324,000
GROSS APPROPRIATION		\$ 20,743,500

Appropriated from:

Special revenue funds:

Casino gambling agreements.....		451,100
State services fee fund		20,292,400
State general fund/general purpose		\$ 0

(12) PAYMENTS IN LIEU OF TAXES

Commercial forest reserve.....		\$ 2,662,600
Purchased lands		4,450,000
Swamp and tax reverted lands		7,076,500
Administration		100
GROSS APPROPRIATION		\$ 14,189,200

Appropriated from:

Interdepartmental grant revenues:

IDG from department of natural resources.....		100
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Special revenue funds:

Game and fish protection fund		1,715,000
Michigan natural resources trust fund		500,000
Michigan state waterways fund		135,000
State general fund/general purpose		\$ 11,839,100

(13) MICHIGAN STRATEGIC FUND

Full-time equated classified positions.....	153.0	
Administration—22.0 FTE positions		\$ 2,555,100
Job creation services—125.0 FTE positions.....		17,069,000
Jobs for Michigan investment program - 21st century jobs fund.....		65,000,000
Michigan promotion program		5,717,500
Economic development job training grants		7,320,500
Community development block grants		53,000,000
Michigan film office—6.0 FTE positions		731,600
Business incubator program.....		1,250,000
GROSS APPROPRIATION		\$ 152,643,700

Appropriated from:

Interdepartmental grant revenues:

IDG-MDEQ, air quality fees.....		80,300
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Federal revenues:

HUD-CPD, community development block grants		\$ 55,438,800
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Special revenue funds:

Private - special project advances		715,600
Industry support fees		5,200
Jobs for Michigan investment fund - returns to fund.....		1,250,000
21st century jobs trust fund		65,000,000
Michigan film promotion fund		550,000
State general fund/general purpose		\$ 29,603,800

For Fiscal Year
Ending Sept. 30,
2009

(14) REVENUE SHARING

Constitutional state general revenue sharing grants	\$	675,992,000
Statutory state general revenue sharing grants		406,933,000
County revenue sharing payments.....		2,394,500
Special grants		212,000
GROSS APPROPRIATION	\$	1,085,531,500

Appropriated from:

Special revenue funds:

Sales tax		1,085,319,500
State general fund/general purpose	\$	212,000

(15) INFORMATION TECHNOLOGY

Treasury operations information technology services and projects..	\$	18,200,300
GROSS APPROPRIATION	\$	18,200,300

Appropriated from:

Interdepartmental grant revenues:

IDG from MDOT, Michigan transportation fund		454,900
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Federal revenues:

DED-OPSE, federal lenders allowance		544,900
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Special revenue funds:

Delinquent tax collection revenue		12,081,300
Michigan merit award trust fund.....		415,900
Retirement funds.....		660,200
Tobacco tax revenue.....		100,000
State general fund/general purpose	\$	3,943,100

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Total state spending; payments to local units of government.

Sec. 201. (1) 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 2008-2009 is \$2,377,877,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2008-2009 is \$1,236,499,900.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF STATE

Fees to local units.....	\$	109,800
Motorcycle safety grants.....		1,144,000
Subtotal	\$	1,253,800

DEPARTMENT OF TREASURY

Senior citizen cooperative housing tax exemption	\$	16,816,500
Grants to counties in lieu of taxes.....		5,000

Health and safety fund grants	\$	25,000,000
Property tax appeal program.....		500,000
Constitutional state general revenue sharing grants		675,992,000
Statutory state general revenue sharing grants		406,933,000
Convention facility development fund distribution		58,850,000
Commercial mobile radio service payments		10,100,000
Renaissance zone reimbursements.....		3,800,000
Special grants		212,000
County revenue sharing payments.....		2,394,500
Airport parking distribution pursuant to section 909.....		18,654,000
Economic development job training grants		1,800,000
Payments in lieu of taxes		14,189,100
Subtotal	\$	<u>1,235,246,100</u>
TOTAL GENERAL GOVERNMENT.....	\$	1,236,499,900

(2) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 2008-2009 is estimated at \$28,760,438,000.00 in the 2008-2009 appropriations acts and total state spending from state sources paid to local units of government for fiscal year 2008-2009 is estimated at \$16,262,672,800.00. The state-local proportion is estimated at 56.5% of total state spending from state resources.

(3) If payments to local units of government and state spending from state sources for fiscal year 2008-2009 are different than the amounts estimated in subsection (2), the state budget director shall report the payments to local units of government and state spending from state sources that were made for fiscal year 2008-2009 to the senate and house of representatives standing committees on appropriations within 30 days after the final book-closing for fiscal year 2008-2009.

Appropriations subject to MCL 18.1101 to 18.1594.

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.

Definitions.

Sec. 203. As used in this act:

- (a) "AFSCME" means American federation of state, county, and municipal employees.
- (b) "CDBG" means community development block grants.
- (c) "COBRA" means the consolidated omnibus budget reconciliation act of 1985, Public Law 99-272, 100 Stat. 82.
- (d) "CPI" means consumer price index.
- (e) "DAG" means the United States department of agriculture.
- (f) "DED-OPSE" means the United States department of education, office of postsecondary education.
- (g) "DOL-ETA" means the United States department of labor, employment and training administration.
- (h) "DOL-OSHA" means the United States department of labor, occupational safety and health administration.
- (i) "EEOC" means the United States equal employment opportunity commission.
- (j) "EPA" means the United States environmental protection agency.
- (k) "FTE" means full-time equated.
- (l) "Fund" means the Michigan strategic fund.

- (m) “GF/GP” means general fund/general purpose.
- (n) “HHS” means the United States department of health and human services.
- (o) “HHS-OS” means the HHS office of the secretary.
- (p) “HHS-SSA” means the HHS social security administration.
- (q) “HUD” means the United States department of housing and urban development.
- (r) “HUD-CPD” means the United States department of housing and urban development - community planning and development.
- (s) “IDG” means interdepartmental grant.
- (t) “JCOS” means the joint capital outlay subcommittee.
- (u) “MAIN” means the Michigan administrative information network.
- (v) “MCL” means the Michigan Compiled Laws.
- (w) “MDCH” means the Michigan department of community health.
- (x) “MDEQ” means the Michigan department of environmental quality.
- (y) “MDHS” means the Michigan department of human services.
- (z) “MDLEG” means the Michigan department of labor and economic growth.
- (aa) “MDMB” means the Michigan department of management and budget.
- (bb) “MDOT” means the Michigan department of transportation.
- (cc) “MDSP” means the Michigan department of state police.
- (dd) “MEDC” means the Michigan economic development corporation, which is the public body corporate created under section 28 of article VII of the state constitution of 1963 and the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by contractual interlocal agreement effective April 5, 1999, between local participating economic development corporations formed under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636, and the Michigan strategic fund.
- (ee) “MPE” means the Michigan public employees.
- (ff) “MSC” means managerial, supervisory and confidential.
- (gg) “NERE” means nonexclusively represented employees.
- (hh) “PA” means public act.
- (ii) “PACC” means the prosecuting attorneys coordinating council.
- (jj) “SEIU” means service employees international union.

Billing by civil service commission.

Sec. 204. The civil service commission shall bill 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.

Hiring freeze; exceptions.

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 attorney general and secretary of state may grant exceptions to the hiring freeze for their respective departments pursuant to the same criteria that the state budget director is able to grant exceptions under this subsection. 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, cause loss of revenue to the state, result in the inability of the state to receive federal funds, or 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.

Reporting requirements; use of Internet.

Sec. 208. The departments and agencies receiving appropriations in part 1 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.

Purchase of goods or services; preference.

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

Contracts to provide services or supplies; businesses in deprived and depressed communities.

Sec. 210. The director of each department receiving appropriations in part 1 shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Transfer of state general funds into countercyclical budget and economic stabilization fund.

Sec. 211. Pursuant to section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, which provides for a transfer of state general funds into the countercyclical budget and economic stabilization fund, there is appropriated into the countercyclical budget and economic stabilization fund the sum of \$0.00. The calculation required by section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, is determined as follows:

	2007	2008
Michigan personal income (millions)	\$352,376	\$358,324
less: transfer payments.....	59,619	62,958
Subtotal.....	\$292,757	\$295,366
Divided by: Detroit CPI for 12 months ending June 30..	1.986	2.030
Equals: Real adjusted Michigan personal income	\$147,914	\$145,523
Percentage change		-1.6%
Percentage change in excess of 2%		0.0%
Multiplied by: estimated GF/GP revenue in FY 2007-2008 (millions).....		9,164.1
Equals: countercyclical budget and economic stabilization fund calculation for the fiscal year ending September 30, 2009.....		-\$146.6

Retention of reports.

Sec. 212. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed.

Purchase of ownership interest in casino enterprise or gambling operation; use of funds prohibited.

Sec. 213. Funds appropriated in part 1 shall not be used by this state, a department, an agency, or an authority of this state to purchase an ownership interest in a casino enterprise or a gambling operation as those terms are defined in the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.201 to 432.226.

Information technology; payment of user fees.

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

Communication of employee with legislative member or staff.

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

Out-of-state travel; limitations; exceptions; report.

Sec. 216. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2009 shall be limited to situations in which 1 or more of the following conditions apply:

- (a) The travel is required by legal mandate or court order or for law enforcement purposes.
- (b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.
- (c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.
- (d) The travel is necessary to comply with federal requirements.
- (e) The travel is necessary to secure specialized training for staff that is not available within this state.
- (f) The travel is financed entirely by federal or nonstate funds.

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

(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 senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director. The report shall include the following information:

- (a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.

- (b) The destination of each travel occurrence.
- (c) The dates of each travel occurrence.
- (d) A brief statement of the reason for each travel occurrence.
- (e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.
- (f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Expenditure of general fund appropriations where federal funding available.

Sec. 217. General fund appropriations in this act shall not be expended for items in cases where federal funding is available for the same expenditures.

Implementation of public act; policy change; report; rule having economic impact on small businesses; definitions.

Sec. 221. (1) Each department shall report no later than April 1, 2009 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 a department to adopt a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(3) As used in this section:

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

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

Professional development conference or training seminar; out-of-state travel.

Sec. 224. The department shall not approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless a professional development conference or training seminar is funded by a federal or private funding source and requires more than 1 person from a department to attend, or the conference or training seminar includes multiple issues in which 1 employee from the department does not have expertise.

Legal services.

Sec. 226. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

DEPARTMENT OF ATTORNEY GENERAL**Contingency funds.**

Sec. 301. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,500,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this 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 \$1,500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this 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 \$100,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this 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 \$100,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Legal services; attorney general.

Sec. 302. (1) The attorney general shall perform all legal services, including representation before courts and administrative agencies rendering legal opinions and providing legal advice to a principal executive department or state agency. A principal executive department or state agency shall not employ or enter into a contract with any other person for services described in this section.

(2) The attorney general shall defend judges of all state courts if a claim is made or a civil action is commenced for injuries to persons or property caused by the judge through the performance of the judge's duties while acting within the scope of his or her authority as a judge.

(3) The attorney general shall perform the duties specified in 1846 RS 12, MCL 14.28 to 14.35, and 1919 PA 232, MCL 14.101 to 14.102, and as otherwise provided by law.

Biennial reports; sale by attorney general.

Sec. 303. The attorney general may sell copies of the biennial report in excess of the 350 copies that the attorney general may distribute on a gratis basis. Gratis copies shall not be provided to members of the legislature. Electronic copies of biennial reports shall be made available on the department of attorney general's website. The attorney general shall sell copies of the report at not less than the actual cost of the report and shall deposit the money received into the general fund.

State of Michigan state employee worker's disability compensation cases; legal representation by attorney general.

Sec. 304. The department of attorney general is responsible for the legal representation for state of Michigan state employee worker's disability compensation cases. The risk management revolving fund revenue appropriation in part 1 is to be satisfied by billings from the department of attorney general for the actual costs of legal representation, including salaries and support costs.

Prosecution of food stamp fraud cases; reimbursement.

Sec. 305. In addition to the funds appropriated in part 1, not more than \$400,000.00 shall be reimbursed per fiscal year for food stamp fraud cases heard by the third circuit court of

Wayne County that were initiated by the department of attorney general pursuant to the existing contract between the department of human services, the prosecuting attorneys association of Michigan, and the department of attorney general. The source of this funding is money earned by the department of attorney general under the agreement after the allowance for reimbursement to the department of attorney general for costs associated with the prosecution of food stamp fraud cases. It is recognized that the federal funds are earned by the department of attorney general for its documented progress on the prosecution of food stamp fraud cases according to the United States department of agriculture regulations and that, once earned by this state, the funds become state funds.

Lawsuit or settlement agreement against manufacturer of tobacco products; proceeds as state funds.

Sec. 306. Any proceeds from a lawsuit initiated by or settlement agreement entered into on behalf of this state against a manufacturer of tobacco products by the attorney general are state funds and are subject to appropriation as provided by law.

Antitrust, securities fraud, and consumer protection or class action enforcement cases; appropriation.

Sec. 307. In addition to the antitrust revenues in part 1, antitrust, securities fraud, consumer protection or class action enforcement revenues, or attorney fees recovered by the department, not to exceed \$250,000.00, are appropriated to the department for antitrust, securities fraud, and consumer protection or class action enforcement cases. Any unexpended funds from antitrust, securities fraud, or consumer protection or class action enforcement revenues at the end of the fiscal year, including antitrust funds in part 1, shall be carried forward for expenditure in the following fiscal year up to the maximum authorization of \$250,000.00.

Court judgments or settlements, attorney fees, and litigation expenses; expenditure of funds; carrying forward unexpended funds.

Sec. 308. (1) In addition to the funds appropriated in part 1, there is appropriated up to \$500,000.00 from litigation expense reimbursements awarded to the state.

(2) The funds may be expended for the payment of court judgments or settlements, attorney fees, and litigation expenses not including salaries and support costs, assessed against the office of the governor, the department of the attorney general, the governor, or the attorney general when acting in an official capacity as the named party in litigation against the state. The funds may also be expended for the payment of state costs incurred under section 16 of chapter X of the code of criminal procedure, 1927 PA 175, MCL 770.16.

(3) Unexpended funds at the end of the fiscal year may be carried forward for expenditure in the following year, up to a maximum authorization of \$500,000.00.

Activities related to state correctional facilities reimbursement act; representation of department of corrections and officers, employees, and agents; expenditures.

Sec. 309. From the prisoner reimbursement funds appropriated in part 1, the department may spend up to \$463,000.00 on activities related to the state correctional facilities reimbursement act, 1935 PA 253, MCL 800.401 to 800.406. In addition to the funds appropriated in part 1, if the department collects in excess of \$1,131,000.00 in gross annual prisoner reimbursement receipts provided to the general fund, the excess, up to a maximum of \$1,000,000.00, is appropriated to the department of attorney general and may be spent on the representation

Compiler's note: The shaded text was vetoed by the Governor, whose veto message appears in this volume under the heading "Vetoed."

of the department of corrections and its officers, employees, and agents, including, but not limited to, the defense of litigation against the state, its departments, officers, employees, or agents in civil actions filed by prisoners.

Child support enforcement activities; cooperative agreement.

Sec. 310. (1) For the purposes of providing title IV-D child support enforcement funding, the department of human services, as the state IV-D agency, shall maintain a cooperative agreement with the attorney general for federal IV-D funding to support the child support enforcement activities within the office of the attorney general.

(2) The attorney general or his or her designee shall, to the extent allowable under federal law, have access to any information used by the state to locate parents who fail to pay court-ordered child support.

Sec. 311. Funds collected by the department of attorney general under section 10b of the medicaid false claim act, 1977 PA 72, MCL 400.610b, are appropriated to the department of attorney general for the purpose for which they were received. Any unexpended funds at the end of the fiscal year shall be carried forward for expenditure in subsequent fiscal years.

Legal services to other state departments or agencies; receipt and expenditure of funds.

Sec. 312. The department of attorney general shall not receive and expend funds in addition to those authorized in part 1 for legal services provided specifically to other state departments or agencies except for costs for expert witnesses, court costs, or other nonsalary litigation expenses associated with a pending legal action.

DEPARTMENT OF CIVIL RIGHTS

Federal contingency funds.

Sec. 401. In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$2,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Receipt and expenditure of funds from private and local sources.

Sec. 402. (1) In addition to the appropriations contained in part 1, the department of civil rights may receive and expend funds from local or private sources for all of the following purposes:

- (a) Developing and presenting training for employers on equal employment opportunity law and procedures.
- (b) The publication and sale of civil rights related informational material.
- (c) The provision of copy material made available under freedom of information requests.
- (d) Other copy fees, subpoena fees, and witness fees.
- (e) Developing, presenting, and participating in mediation processes for certain civil rights cases.

(f) Workshops, seminars, and recognition or award programs consistent with the programmatic mission of the individual unit sponsoring or coordinating the programs.

(2) The department of civil rights shall annually report to the state budget director, the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies the amount of funds received and expended for purposes authorized under this section.

Contractual services with local units of government.

Sec. 403. The department of civil rights may contract with local units of government to review equal employment opportunity compliance of potential contractors and may charge for and expend amounts received from local units of government for the purpose of developing and providing these contractual services.

INFORMATION TECHNOLOGY

Sale of paid advertising on state website; acceptance of gifts, donations, contributions, bequests, and grants of money from public or private source; expenditures; report.

Sec. 573. (1) The department of information technology may sell and accept paid advertising for placement on any state website under its jurisdiction. The department shall review and approve the content of each advertisement. The department may refuse to accept advertising from any person or organization or require modification to advertisements based upon criteria determined by the department. Revenue received under this subsection shall be used for operating costs of the department and for future technology enhancements to state of Michigan e-government initiatives. Funds received under this subsection shall be limited to \$250,000.00. Any funds in excess of \$250,000.00 shall be deposited in the state general fund.

(2) The department of information technology may accept gifts, donations, contributions, bequests, and grants of money from any public or private source to assist with the underwriting or sponsorship of state web pages or services offered on those web pages. A private or public funding source may receive recognition in the web page. The department of information technology may reject any gift, donation, contribution, bequest, or grant.

(3) Funds accepted by the department of information technology under subsection (1) are appropriated and allotted when received and may be expended upon approval of the state budget director. The state budget office shall notify the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies within 10 days after the approval is given.

(4) By April 1, the department of information technology shall report to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies that a statement of the total revenue received from the sale of paid advertising accepted under this section and a statement of the total number of advertising transactions are available on the department's website.

Agreements to provide spatial information and technical services; receipt and expenditure of funds; report.

Sec. 574. The department of information technology may enter into agreements to supply spatial information and technical services to other principal executive departments, state agencies, local units of government, and other organizations. The department of information technology may receive and expend funds in addition to those authorized in part 1 for providing information and technical services, publications, maps, and other products. The

department of information technology may expend amounts received for salaries, supplies, and equipment necessary to provide informational products and technical services. Prior to December 1 of each year, the department shall provide a report to the senate and house of representatives standing committees on appropriations subcommittees on general government, detailing the sources of funding and expenditures made under this section.

Access to data contained within MAIN.

Sec. 575. The legislature shall have access to all historical and current data contained within MAIN pertaining to state departments. State departments shall have access to all historical and current data contained within MAIN.

“Information technology services” defined.

Sec. 576. When used in this act, “information technology services” means services involving all aspects of managing and processing information including, but not limited to, all of the following:

- (a) Application development and maintenance.
- (b) Desktop computer support and management.
- (c) Mainframe computer support and management.
- (d) Server support and management.
- (e) Local area network support and management.
- (f) Information technology contract, project, and procurement management.
- (g) Information technology planning and budget management.
- (h) Telecommunication services, security, infrastructure, and support.
- (i) Software and software licensing.

Michigan public safety communications system.

Sec. 577. (1) Funds appropriated in part 1 for the Michigan public safety communications system shall be expended upon approval of an expenditure plan by the state budget director.

(2) The department of information technology shall assess all subscribers of the Michigan public safety communications system reasonable access and maintenance fees.

(3) All money received by the department of information technology under this section shall be expended for the support and maintenance of the Michigan public safety communications system.

(4) The department of information technology shall provide a report to the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director on April 15 and on October 15, indicating the amount of revenue collected under this section and expended for support and maintenance of the Michigan public safety communications system for the immediately preceding 6-month period. Any deposits made under this section and unencumbered funds are restricted revenues and may be carried forward into succeeding fiscal years.

Report.

Sec. 578. The department of information technology shall submit a report for the immediately preceding fiscal year ending September 30 to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies by March 1. The report shall include the following:

(a) The total amount of funding appropriated for information technology services and projects, by funding source, for all principal executive departments and agencies.

(b) A listing of the expenditures made from the amounts received by the department of information technology, as reported in subdivision (a).

Information technology hardware and software; report on life-cycle.

Sec. 579. The department of information technology shall provide a report that analyzes and makes recommendations on the life-cycle of information technology hardware and software. The report shall be submitted to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies by March 1.

Business application modernization project.

Sec. 580. (1) From the funds appropriated in part 1 to general services, for the department of state, there is appropriated \$4,550,000.00 for the business application modernization project. Funds shall only be used for the development, implementation, and maintenance of the business application modernization project.

(2) The unexpended funds appropriated in part 1 for the business application modernization project are designated as work project appropriations and shall not lapse at the end of the fiscal year. Any unencumbered or unallotted funds shall be carried over into the succeeding fiscal year and shall continue to be available for expenditure until the project has been completed. The total cost is estimated at \$30,000,000.00, and the tentative completion date is September 30, 2010.

Information technology assets; assessment; benefits and economies of hardware and software consolidation; process and project improvements, and information sharing.

Sec. 581. From the funds appropriated in part 1, the department of information technology shall assess the state's information technology assets, including hardware, software, and networks to determine any benefits and economies that can be achieved through, but not limited to, hardware and software consolidation and standardization, process improvements, project management improvements, and increased standards-based information sharing between agencies.

Improvements to Michigan.gov; report.

Sec. 582. The department shall provide a report by December 1 of each fiscal year to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies detailing the improvements made to Michigan.gov.

Change orders and follow-on contracts; report.

Sec. 583. By December 31, the department shall provide a report that lists all change orders and follow-on contracts, greater than \$25,000.00, whether they are bid, exercise options or no-bid, and the amount of each change order or contract extension contract entered into by the department to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director.

Utilization of existing 2-1-1 capacities; report.

Sec. 584. The department of information technology shall determine how existing 2-1-1 capacities will be utilized by each state department with community resource information and referral service, including, but not limited to, toll-free help and information lines and comprehensive human service databases. The department of information technology shall report its findings in writing to the senate and house of representatives standing committees on appropriations by July 1, 2009. The report shall include a statement of how each

state department has utilized 2-1-1 in its coordination efforts, including any efficiencies, cost savings, and improved service provided to Michigan residents. The report shall also contain recommendations for maintaining a statewide 2-1-1 system.

Child support enforcement system; report on total amount of expenditures.

Sec. 585. The department shall provide a report that calculates the total amount of funds expended for the child support enforcement system to date from the inception of the program. The report shall contain information on the original start and completion dates for the project, the original cost to complete the project, and a listing of all revisions to project completion dates and costs. The report shall include the total amount of funds paid to the federal government for penalties. The report shall be submitted to the senate and house of representatives standing committees on government operations, the senate and house of representatives standing committees on appropriations subcommittees on general government, and the senate and house fiscal agencies by January 1.

Spending authorization and user fees; adjustment by state budget director; notification.

Sec. 586. (1) The state budget director, upon notification to the house and senate appropriations committees, may adjust spending authorization and user fees in the department of information technology budget in order to ensure that the appropriations for information technology in the department budget equal the appropriations for information technology in the budgets for all executive branch agencies.

(2) If during the course of the fiscal year a transfer or supplemental to or from the information technology line item within an agency budget is made under section 393 of the management and budget act, 1984 PA 431, MCL 18.1393, there is appropriated an equal amount of user fees in the department of information technology budget to accommodate an increase or decrease in spending authorization.

Antenna site management project; deposit of revenue; placement of antenna on site; compliance with local zoning codes and local unit of government processes.

Sec. 587. (1) Revenue collected from licenses issued under the antenna site management project shall be deposited into the antenna site management revolving fund created for this purpose in the department of information technology. The department may receive and expend money from the fund for costs associated with the antenna site management project, including the cost of a third-party site manager. Any excess revenue remaining in the fund at the close of the fiscal year shall be proportionately transferred to the appropriate state restricted funds as designated in statute or by constitution.

(2) An antenna shall not be placed on any site pursuant to this section without complying with the respective local zoning codes and local unit of government processes.

LEGISLATURE

Receipt, expenditure, and transfer of funds.

Sec. 600. The senate, the house of representatives, or an agency within the legislative branch may receive, expend, and transfer funds in addition to those authorized in part 1.

Expenditure or transfer of funds within legislative branch; approval of authorized agent.

Sec. 601. (1) Funds appropriated in part 1 to an entity within the legislative branch shall not be expended or transferred to another account without written approval of the authorized agent of the legislative entity. If the authorized agent of the legislative entity notifies the state budget director of its approval of an expenditure or transfer before the year-end book-closing date for that legislative entity, the state budget director shall immediately make the expenditure or transfer. The authorized legislative entity agency shall be designated by the speaker of the house of representatives for house entities, the senate majority leader for senate entities, and the legislative council for legislative council entities.

(2) Funds appropriated within the legislative branch, to a legislative council component, shall not be expended by any agency or other subgroup included in that component without the approval of the legislative council.

Utility costs; charging rent and assessing charges.

Sec. 602. The senate may charge rent and assess charges for utility costs. The amounts received for rent charges and utility assessments are appropriated to the senate for the renovation, operation, and maintenance of the Farnum building and other properties.

National association dues; payment.

Sec. 603. The appropriation contained in part 1 for national association dues is to be distributed by the legislative council. From the funding appropriated, \$51,000.00 shall be paid as annual dues to the national conference of commissioners on uniform state laws.

Legislative parking facilities.

Sec. 604. (1) The appropriation in part 1 to the legislative council includes funds to operate the legislative parking facilities in the capitol area. The legislative council shall establish rules regarding the operation of the legislative parking facilities.

(2) The legislative council shall collect a fee from state employees and the general public using certain legislative parking facilities. The revenues received from the parking fees shall be allocated by the legislative council.

Publication of Michigan manual; work project; carrying forward unexpended portion.

Sec. 605. The appropriation in part 1 to the legislative council for publication of the Michigan manual is a work project account. The unexpended portion remaining on September 30 shall not lapse and shall be carried forward into the subsequent fiscal year for use in paying the associated biennial costs of publication of the Michigan manual.

Building maintenance; purchase of equipment and services.

Sec. 606. The appropriations in part 1 to the legislative branch, for property management, shall be used to purchase equipment and services for building maintenance in order to ensure a safe and productive work environment. These funds are designated as work project appropriations and shall not lapse at the end of the fiscal year, and shall continue to be available for expenditure until the project has been completed. The total cost is estimated at \$500,000.00, and the tentative completion date is September 30, 2011.

Data processing and technology improvements; support and implementation.

Sec. 607. The appropriations in part 1 to the legislative branch, for automated data processing, shall be used to purchase equipment, software, and services in order to support and implement data processing requirements and technology improvements. These funds are

designated as work project appropriations and shall not lapse at the end of the fiscal year, and shall continue to be available for expenditure until the project has been completed. The total cost is estimated at \$500,000.00, and the tentative completion date is September 30, 2011.

Michigan capitol committee publications save the flags fund account.

Sec. 608. In addition to funds appropriated in part 1, the Michigan capitol committee publications save the flags fund account may accept contributions, gifts, bequests, devises, grants, and donations. Those funds that are not expended in the fiscal year ending September 30 shall not lapse at the close of the fiscal year, and shall be carried forward for expenditure in the following fiscal years.

Unmarried domestic partners; payment of health insurance benefits prohibited.

Sec. 610. The funds appropriated in part 1 shall not be used to pay for health insurance benefits for unmarried domestic partners of legislators or legislative employees.

LEGISLATIVE AUDITOR GENERAL

Judicial branch; audits.

Sec. 620. Pursuant to section 53 of article IV of the state constitution of 1963, the auditor general shall conduct audits of the judicial branch. The audits may include the supreme court and its administrative units, the court of appeals, and trial courts.

Audits; participation of certain accounting firms.

Sec. 621. (1) The auditor general shall take all reasonable steps to ensure that certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities participate in the audits of the books, accounts, and financial affairs of each principal executive department, branch, institution, agency, and office of this state.

(2) The auditor general shall strongly encourage firms with which the auditor general contracts to perform audits of the principal executive departments and state agencies to subcontract with certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities.

(3) The auditor general shall compile an annual report regarding the number of contracts entered into with certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities. The auditor general shall deliver the report to the state budget director and the senate and house of representatives standing committees on appropriations subcommittees on general government by November 1 of each year.

Auditor general and remaining unclassified positions; salaries.

Sec. 622. From the funds appropriated in part 1 to the legislative auditor general, the auditor general's salary and the salaries of the remaining 2.0 FTE unclassified positions shall be set by the speaker of the house of representatives, the senate majority leader, the house of representatives minority leader, and the senate minority leader.

Legislative request for audits; additional costs.

Sec. 623. Any audits, reviews, or investigations requested of the auditor general by the legislature or by legislative leadership, legislative committees, or individual legislators shall include an estimate of the additional costs involved and, when those costs exceed \$50,000.00, should provide supplemental funding. The auditor general shall determine whether to perform those activities in keeping with Audit Directive No. 29, which describes the office of the auditor general's policy on responding to legislative requests.

Information technology network; transition from executive to legislative branch network.

Sec. 624. From the funds appropriated in part 1, \$63,000.00 is appropriated to transition the office of the auditor general's information technology network from the executive branch network to the legislative branch network.

DEPARTMENT OF MANAGEMENT AND BUDGET**Contingency funds.**

Sec. 701. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$2,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this 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 \$3,000,000.00 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 \$50,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Transfers or auctions of state surplus, salvage, or scrap property; use of proceeds to offset certain costs.

Sec. 702. Proceeds in excess of necessary costs incurred in the conduct of transfers or auctions of state surplus, salvage, or scrap property made pursuant to section 267 of the management and budget act, 1984 PA 431, MCL 18.1267, are appropriated to the department of management and budget to offset costs incurred in the acquisition and distribution of federal surplus property.

Maintenance and operation services.

Sec. 704. (1) The department of management and budget may receive and expend funds in addition to those authorized by part 1 for maintenance and operation services provided specifically to other principal executive departments or state agencies, the legislative branch, the judicial branch, or private tenants, or provided in connection with facilities transferred to the operational jurisdiction of the department of management and budget.

(2) The department of management and budget may receive and expend funds in addition to those authorized by part 1 for real estate, architectural, design, and engineering services provided specifically to other principal executive departments or state agencies, the legislative branch, or the judicial branch.

(3) The department of management and budget may receive and expend funds in addition to those authorized in part 1 for mail pickup and delivery services provided specifically to other principal executive departments and state agencies, the legislative branch, or the judicial branch.

(4) The department of management and budget may receive and expend funds in addition to those authorized in part 1 for purchasing services provided specifically to other principal executive departments and state agencies, the legislative branch, or the judicial branch.

Financing sources; assessments against longevity and insurance appropriations; manner; deposits as restricted revenues; receipt and expenditure of funds in additional amounts.

Sec. 705. (1) The source of financing in part 1 for statewide appropriations shall be funded by assessments against longevity and insurance appropriations throughout state government in a manner prescribed by the department of management and budget. Funds shall be used as specified in joint labor/management agreements or through the coordinated compensation hearings process. Any deposits made under this subsection and any unencumbered funds are restricted revenues, may be carried over into the succeeding fiscal years, and are appropriated.

(2) In addition to the funds appropriated in part 1 for statewide appropriations, the department of management and budget may receive and expend funds in such additional amounts as may be specified in joint labor/management agreements or through the coordinated compensation hearings process in the same manner and subject to the same conditions as prescribed in subsection (1).

Financing from special revenue and internal service and pension trust funds or MAIN user charges.

Sec. 706. To the extent a specific appropriation is required for a detailed source of financing included in part 1 for the department of management and budget appropriations financed from special revenue and internal service and pension trust funds, or MAIN user charges, the specific amounts are appropriated within the special revenue internal service and pension trust funds in portions not to exceed the aggregate amount appropriated in part 1.

Donated annual leave and administrative leave bank transfer provisions.

Sec. 707. In addition to the funds appropriated in part 1 to the department of management and budget, the department may receive and expend funds from other principal executive departments and state agencies to implement donated annual leave and administrative leave bank transfer provisions as may be specified in joint labor/management agreements. The amounts may also be transferred to other principal executive departments and state agencies under the joint agreement and any amounts transferred under the joint agreement are authorized for receipt and expenditure by the receiving principal executive department or state agency. Any amounts received by the department of management and budget under this section and intended, under the joint labor/management agreements, to be available for use beyond the close of the fiscal year and any unencumbered funds may be carried over into the succeeding fiscal year.

Michigan administrative information network; financing source.

Sec. 708. The source of financing in part 1 for the Michigan administrative information network shall be funded by proportionate charges assessed against the respective state funds benefiting from this project in the amounts determined by the department.

Building occupancy charges and parking charges.

Sec. 709. (1) Deposits against the interdepartmental grant from building occupancy and parking charges appropriated in part 1 shall be collected, in part, from state agencies, the legislative branch, and the judicial branch based on estimated costs associated with maintenance and operation of buildings managed by the department of management and budget. To the extent excess revenues are collected due to estimates of building occupancy charges exceeding actual costs, the excess revenues may be carried forward into succeeding fiscal years for the purpose of returning funds to state agencies.

(2) Appropriations in part 1 to the department of management and budget, for management and budget services from building occupancy charges and parking charges, may be increased to return excess revenue collected to state agencies.

Computer software development, hardware acquisition, or quality assurance; increase or decrease of contract amounts; notification.

Sec. 710. The department of management and budget shall notify the chairpersons of the senate and house of representatives standing committees on appropriations and the chairpersons of the senate and house of representatives standing committees on appropriations subcommittees on general government on any revisions that increase or decrease current contracts by more than \$500,000.00 for computer software development, hardware acquisition, or quality assurance at least 14 days before the department of management and budget finalizes the revisions.

Invitation for bids and requests for proposals; maintenance of Internet website.

Sec. 711. The department of management and budget shall maintain an Internet website that contains notice of all invitations for bids and requests for proposals over \$50,000.00 issued by the department or by any state agency operating under delegated authority. The department shall not accept an invitation for bid or request for proposal in less than 14 days after the notice is made available on the Internet website, except in situations where it would be in the best interest of the state and documented by the department. In addition to the requirements of this section, the department may advertise the invitations for bids and requests for proposals in any manner the department determines appropriate, in order to give the greatest number of individuals and businesses the opportunity to make bids or requests for proposals.

Michigan Vietnam veterans memorial fund; receipt and expenditure of funds.

Sec. 712. The department of management and budget may receive and expend funds from the Vietnam veterans memorial monument fund as provided in the Michigan Vietnam veterans memorial act, 1988 PA 234, MCL 35.1051 to 35.1057. Funds are appropriated and allocated when received and may be expended upon receipt.

Michigan veterans' memorial park commission; receipt and expenditure of funds.

Sec. 713. The Michigan veterans' memorial park commission may receive and expend money from any source, public or private, including, but not limited to, gifts, grants, donations of money, and government appropriations, for the purposes described in Executive Order No. 2001-10. Funds are appropriated and allocated when received and may be expended upon receipt. Any deposits made under this section and unencumbered funds are restricted revenues and may be carried over into succeeding fiscal years.

Motor vehicle fleet.

Sec. 715. (1) Funds in part 1 for motor vehicle fleet are appropriated to the department of management and budget for administration and for the acquisition, lease, operation, maintenance, repair, replacement, and disposal of state motor vehicles.

(2) The appropriation in part 1 for motor vehicle fleet shall be funded by revenue from rates charged to principal executive departments and agencies for utilizing vehicle travel services provided by the department. Revenue in excess of the amount appropriated in part 1 from the motor transport fund and any unencumbered funds are restricted revenues and may be carried over into the succeeding fiscal year.

(3) It is the intent of the legislature that the department of management and budget have the authority to determine the appropriateness of vehicle assignment, to include year, make, model, size, and price of vehicle. The department may assign motor vehicles, permanently or temporarily, to state agencies and to institutions of higher education.

(4) Pursuant to the department of management and budget's authority under sections 213 and 215 of the management and budget act, 1984 PA 431, MCL 18.1213 and 18.1215, the department shall maintain a plan regarding the operation of the motor vehicle fleet. The plan shall include the number of vehicles assigned to, or authorized for use by, state departments and agencies, efforts to reduce vehicle expenditures, the number of cars in the motor vehicle fleet, the number of miles driven by fleet vehicles, and the number of gallons of fuel consumed by fleet vehicles. The plan shall include a calculation of the amount of state motor vehicle fuel taxes that would have been incurred by fleet vehicles if fleet vehicles were required by law to pay motor fuel taxes. The plan shall include a description of fleet garage operations, the goods sold and services provided by the fleet garage, the cost to operate the fleet garage, the number of fleet garage locations, and the number of employees assigned to each fleet garage. The plan may be adjusted during the fiscal year based on needs and cost savings to achieve the maximum value and efficiency from the state motor fleet. Within 60 days after the close of the fiscal year, the department shall provide a report to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies detailing the current plan and changes made to the plan during the fiscal year.

(5) The department of management and budget may charge state agencies for fuel cost increases that exceed \$2.27 per gallon of unleaded gasoline. The department shall notify state agencies, in writing or by electronic mail, at least 30 days before implementing additional charges for fuel cost increases. Revenues received from these charges are appropriated upon receipt.

Products manufactured or services offered by Michigan-based firms; preference.

Sec. 716. The department of management and budget shall adopt policies and procedures necessary for compliance by the department, other state departments and agencies, and state vendors and subcontractors, with the requirement under subsection (1) of section 261 of the management and budget act, 1984 PA 431, MCL 18.1261, to provide a purchasing preference for products manufactured or services offered by Michigan-based firms.

Supplier diversity program.

Sec. 716a. (1) From the funds appropriated in part 1 to the department of management and budget business support services line, there is appropriated \$400,000.00 for the supplier diversity program. Funding is to be used for up to 4.0 full-time equated positions within the department of management and budget or to contract with 1 or more private companies to implement a supplier diversity program that includes staff training, supplier identification, and supplier marketing intended to increase the number and types of vendors competing for state contracts.

(2) From the funds appropriated in part 1 to the department of management and budget business support services line, the department may expend an additional \$100,000.00 for other costs associated with the supplier diversity program.

Items needed by state departments or agencies; determination best interests of state.

Sec. 717. In determining whether the purchase, contracting for, providing of supplies, materials, services, insurance, utilities, third-party financing, equipment, printing, and other items needed by state departments or agencies is in the best interests of this state, and in making all discretionary decisions concerning the solicitation, award, amendment, cancellation, or appeal of state contracts, the department of management and budget shall consider all of the following:

(a) Whether a proposal by a vendor to provide services to this state using employees, contractors, subcontractors, or other individuals who are not citizens of the United States, legal resident aliens, or individuals with a valid visa would be detrimental to the state of Michigan, its residents, or the state's economy.

(b) Whether a proposal by a vendor to provide services to this state from a location outside of this state or the United States would be detrimental to the state of Michigan, its residents, or the state's economy.

(c) Whether a proposal by a vendor to provide goods to this state produced outside of this state or the United States would be detrimental to the state of Michigan, its residents, or the state's economy.

(d) Whether the acquisition of goods or services from a vendor that is an expatriated business entity located in a tax haven country or an affiliate of an expatriated business entity located in a tax haven country would be detrimental to the state of Michigan, its residents, or the state's economy. As used in this section, "expatriated business entity" means a corporation or an affiliate of the corporation incorporated in a tax haven country after September 11, 2001, but with the United States as the principal market for the public trading of the corporation's stock, as determined by the director of the department of management and budget. "Tax haven country" means each of the following: Barbados, Bermuda, British Virgin Islands, Cayman Islands, Commonwealth of the Bahamas, Cyprus, Gibraltar, Isle of Man, the Principality of Liechtenstein, the Principality of Monaco, and the Republic of the Seychelles.

(e) Whether the provision of services to this state at a location outside of this state or the United States would be detrimental to the privacy interests of Michigan residents, or risk the disclosure of personal information of Michigan residents, such as social security, financial, or medical data.

(f) Whether a proposal by a vendor to provide services to this state from a location outside of this state or the United States would constitute undue risk under a risk management policy, practice, or procedure adopted by the department of management and budget under section 204 of the management and budget act, 1984 PA 431, MCL 18.1204.

(g) Whether a proposal by a vendor to provide goods to this state produced outside of this state or the United States would constitute undue risk under a risk management policy, practice, or procedure adopted by the department of management and budget under section 204 of the management and budget act, 1984 PA 431, MCL 18.1204.

Information to be collected from vendors.

Sec. 718. The department of management and budget shall collect from vendors information necessary to comply with the requirements of this act, as determined by the department.

The department of management and budget may require vendors to provide any of the following:

(a) Information relating to the location of work performed under a state contract by the vendor and any subcontractors, employees, or other persons performing a state contract.

(b) Information regarding the corporate structure and location of corporate employees and activities of the vendor, its affiliates, or any subcontractors.

(c) Notice of the relocation of the vendor, employees of the vendor, subcontractors of the vendor, or other persons performing services under a state contract outside of the state of Michigan.

Location from which call or contact center services are provided; disclosure to inbound callers.

Sec. 719. The department of management and budget may require that any vendor or subcontractor providing call or contact center services to the state of Michigan disclose to inbound callers the location from which the call or contact center services are being provided.

Internal audit charges.

Sec. 720. The source of financing in part 1 for internal audit charges shall fund internal audit services provided by the office of the state budget within the department of management and budget. Internal audit charges shall be funded by assessments against state agencies in a manner prescribed by the department.

Michigan law enforcement officers memorial monument fund; receipt and expenditure of funds.

Sec. 721. In addition to the funds appropriated in part 1, the department of management and budget may receive and expend money from the Michigan law enforcement officers memorial monument fund as provided in the Michigan law enforcement officers memorial act, 2004 PA 177, MCL 28.781 to 28.787.

Ronald Wilson Reagan memorial monument fund; receipt and expenditure of funds.

Sec. 722. In addition to the funds appropriated in part 1, the department of management and budget may receive and expend money from the Ronald Wilson Reagan memorial monument fund as provided in the Ronald Wilson Reagan memorial monument fund commission act, 2004 PA 489, MCL 399.261 to 399.266.

Parcels of state-owned property; availability for sale; list.

Sec. 723. The department shall make available to the public a list of all parcels of real property owned by the state that are available for purchase. The list shall be posted on the Internet through the department's website.

Existing 2-1-1 capacities; utilization.

Sec. 724a. The department of management and budget shall assist the department of information technology in determining how existing 2-1-1 capacities will be utilized by each state department with community resource information and referral service, including, but not limited to, toll-free help and information lines and comprehensive human service databases.