

No. 69  
STATE OF MICHIGAN  
**Journal of the Senate**  
94th Legislature  
REGULAR SESSION OF 2008

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Senate Chamber, Lansing, Thursday, July 24, 2008.

10:00 a.m.

The Senate was called to order by the Assistant President pro tempore, Senator Alan Sanborn.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Allen—present  
Anderson—present  
Barcia—present  
Basham—excused  
Birkholz—present  
Bishop—present  
Brater—excused  
Brown—present  
Cassis—present  
Cherry—present  
Clark-Coleman—present  
Clarke—present  
Cropsey—present

Garcia—excused  
George—excused  
Gilbert—present  
Gleason—present  
Hardiman—present  
Hunter—present  
Jacobs—excused  
Jansen—present  
Jelinek—present  
Kahn—present  
Kuipers—present  
McManus—present  
Olshove—present

Pappageorge—present  
Patterson—present  
Prusi—excused  
Richardville—present  
Sanborn—present  
Schauer—present  
Scott—present  
Stamas—present  
Switalski—present  
Thomas—excused  
Van Woerkom—present  
Whitmer—present

Pastor Clare Huyck of Pompeii North Star/Perrinton/Middleton United Methodist Churches of Gratiot County offered the following invocation:

Holy God, as we begin another day in service to You, I pray for Your help and guidance for these the honorable servants of the great state of Michigan. I ask You to give them the wisdom and the foresight to carry out the duties they have been charged with. I pray for Your blessing upon each of them, their families, and everyone here this morning.

Lord, we must ask for Your angels of protection and mercy for our troops wherever they find themselves this morning, especially those who are in harm's way.

We give You all honor and glory for all You have done for us and will do if we just ask. I pray in the holy name of Jesus. Amen.

The Assistant President pro tempore, Senator Sanborn, led the members of the Senate in recital of the *Pledge of Allegiance*.

### Motions and Communications

Senator Anderson moved that Senator Hunter be temporarily excused from today's session.  
The motion prevailed.

Senator Anderson moved that Senators Thomas, Prusi, Jacobs, Brater and Basham be excused from today's session.  
The motion prevailed.

Senator Kuipers entered the Senate Chamber.

### Recess

Senator Cropsey moved that the Senate recess subject to the call of the Chair.  
The motion prevailed, the time being 10:06 a.m.

11:25 a.m.

The Senate was called to order by the President pro tempore, Senator Richardville.

During the recess, Senators Birkholz, Schauer, Pappageorge, Hunter and McManus entered the Senate Chamber.

Senator Cropsey moved that Senators George and Garcia be excused from today's session.  
The motion prevailed.

The following communication was received and read:  
Office of the Auditor General

July 22, 2008

Enclosed is a copy of the following audit report:  
Performance audit of the Suitability of Child Development and Care Program Providers, Department of Human Services.

Sincerely,  
Thomas H. McTavish, C.P.A.  
Auditor General

The audit report was referred to the Committee on Government Operations and Reform.

The following communication was received:  
Department of State

### Administrative Rules Notice of Filing

July 7, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of

Administrative Hearings and Rules filed at 1:40 p.m. this date, administrative rule (08-07-01) for the Department of Labor and Economic Growth, Director's Office, entitled "Part 511. Temporary Labor Camps."

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,  
Terri Lynn Land  
Secretary of State  
Robin Houston, Office Supervisor  
Office of the Great Seal

The communication was referred to the Secretary for record.

The Secretary announced that the following official bills were printed on Monday, June 30, and are available at the legislative website:

**Senate Bill Nos. 1432 1433 1434 1435 1436 1437 1438 1439 1440**

The Secretary announced that the following official bills and joint resolution were printed on Thursday, July 17, and are available at the legislative website:

**House Bill Nos. 6306 6307 6308 6309 6310 6311 6312 6313 6314**  
**House Joint Resolution EEE**

The Secretary announced that the following official bills were printed on Friday, July 18, and are available at the legislative website:

**Senate Bill Nos. 1441 1442**

By unanimous consent the Senate proceeded to the order of

#### **Messages from the House**

Senators Cherry, Stamas and Richardville asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Cherry's statement is as follows:

I would like to take a moment to introduce to all of you one of my interns, Miss Andrea Plewes, who is leaving us after working in our office this summer. Andrea is from my district and attended Grand Blanc High School and now attends the University of Toledo in Toledo, Ohio. She has been on the Dean's List four out of five semesters there and is the goalkeeper on the women's soccer team. She is studying to be a paralegal.

I know that my office has really enjoyed having Andrea in the office. I don't know how much she has enjoyed it because she has been out and about doing just about everything there is to do as an aide in my office. She has been an asset, and she has been a great pleasure to be around. Please join me in thanking Andrea for her dedication to the Senate and to wish her well in all of her future endeavors.

Senator Stamas' statement is as follows:

Colleagues, I have a gentleman with me who has done an outstanding job in my office working on behalf of citizens from around the state of Michigan. I have been fortunate to have Paul Mayo working with me over the last three years. He has done an outstanding job on legislative issues and helping constituents. Paul is from the Grand Rapids area, an undergraduate from Michigan State University, and now is finishing up at Cooley Law School.

He married his lovely wife Jenny last month, and they are moving to Portland, Oregon. His last day in the office will be August 8, and I am sad to see him go. I am happy for him and Jenny as they begin their new life together. I would just ask you to please join me in thanking Paul and wishing him the best for his future endeavors.

Senator Richardville's first statement is as follows:

I have Brad Bergmooser from my office who has been here since I was elected. He recently passed the bar exam and is now an attorney here in Michigan. He is a graduate of the Law School of the University of Toledo. Brad and his lovely wife Kim will be moving to Chicago and leaving both my office and the state of Michigan.

Brad, we would like to thank you and congratulate you for your efforts here. We wish you the best in Chicago, and we know you, like so many others, will return to the great state of Michigan and make our place your home. We wish you all the best, Brad. Congratulations.

Senator Richardville's second statement is as follows:

I think all of you know Patrick Yockey, the photographer who is always a diligent worker around the Capitol, and I believe this Saturday Patrick will be taking a new bride as well. We wanted to take a minute to at least congratulate you and wish you and Stacie Rae a great life together beginning this Saturday. Congratulations.

The House of Representatives requested the return of

**Senate Bill No. 852, entitled**

A bill to amend 2000 PA 489, entitled "An act to create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties," by amending section 7 (MCL 12.257), as amended by 2007 PA 50.

Pursuant to a previous order, the bill was returned to the House as requested on July 23, 2008.

The House of Representatives requested the return of

**Senate Bill No. 1270, entitled**

A bill to amend 1995 PA 24, entitled "An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers," by amending section 6 (MCL 207.806), as amended by 2007 PA 150.

Pursuant to a previous order, the bill was returned to the House as requested on July 23, 2008.

**Senate Bill No. 1107, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), as amended by 2007 PA 137.

(For Conference Report, see Senate Journal No. 68, p. 1659.)

The House of Representatives has adopted the report of the Committee of Conference.

Pursuant to a previous order, the bill was referred to the Secretary for enrollment printing and presentation to the Governor on July 23, 2008.

**House Bill No. 5524, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending sections 6a, 10, 10a, 10b, 10d, 10g, 10p, 10r, 10x, and 10y (MCL 460.6a, 460.10, 460.10a, 460.10b, 460.10d, 460.10g, 460.10p, 460.10r, 460.10x, and 460.10y), section 6a as amended by 1992 PA 37, sections 10, 10b, 10p, 10r, 10x, and 10y as added by 2000 PA 141, section 10a as amended by 2004 PA 88, section 10d as amended by 2002 PA 609, and section 10g as amended by 2001 PA 48, and by adding sections 4a, 6q, 6r, 10dd, and 11.

The House of Representatives has nonconcurred in the Senate substitute (S-7) and appointed Reps. Accavitti, Gillard and Nofs as conferees.

The message was referred to the Secretary for record.

**Senate Bill No. 852, entitled**

A bill to amend 2000 PA 489, entitled "An act to create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials," by amending section 7 (MCL 12.257), as amended by 2007 PA 50.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to amend 2000 PA 489, entitled "An act to create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials," by amending section 7 (MCL 12.257), as amended by 2008 PA 99.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 520**

**Yeas—31**

Allen	Clark-Coleman	Jelinek	Sanborn
Anderson	Clarke	Kahn	Schauer
Barcia	Cropsey	Kuipers	Scott
Birkholz	Gilbert	McManus	Stamas
Bishop	Gleason	Olshove	Switalski
Brown	Hardiman	Pappageorge	Van Woerkom
Cassis	Hunter	Patterson	Whitmer
Cherry	Jansen	Richardville	

**Nays—0**

**Excused—7**

Basham	Garcia	Jacobs	Thomas
Brater	George	Prusi	

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title as amended.

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

**Senate Bill No. 1270, entitled**

A bill to amend 1995 PA 24, entitled "An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers," by amending section 6 (MCL 207.806), as amended by 2007 PA 150.

The House of Representatives has substituted (H-1) the bill.

The House of Representatives has passed the bill as substituted (H-1) and amended the title to read as follows:

A bill to amend 1995 PA 24, entitled "An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers," by amending section 6 (MCL 207.806), as amended by 2008 PA 110.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 521****Yeas—28**

Allen	Clark-Coleman	Jelinek	Sanborn
Anderson	Clarke	Kahn	Schauer
Barcia	Cropsey	Kuipers	Scott
Birkholz	Gleason	McManus	Stamas
Bishop	Hardiman	Olshove	Switalski
Brown	Hunter	Pappageorge	Van Woerkom
Cherry	Jansen	Richardville	Whitmer

**Nays—3**

Cassis	Gilbert	Patterson
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**Excused—7**

Basham	Garcia	Jacobs	Thomas
Brater	George	Prusi	

**Not Voting—0**

In The Chair: Richardville

The Senate agreed to the title as amended.

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

Senator Kahn asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Kahn's statement is as follows:

This bill with its technical changes is the remaining bill in concluding the issues regarding Hemlock Semiconductor and the incentives that will allow us to compete for over a billion dollars worth of construction jobs, hundreds of permanent jobs, and the diversification of our economy into solar and polysilicon arenas.

I, too, urge its passage.

**Senate Bill No. 1367, entitled**

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 3 and 8 (MCL 207.803 and 207.808), section 3 as amended by 2008 PA 108 and section 8 as amended by 2008 PA 110.

The House of Representatives has substituted (H-1) the bill.

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

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was concurred in, a majority of the members serving voting therefor, as follows:

**Roll Call No. 522****Yeas—30**

Allen	Clarke	Kahn	Sanborn
Anderson	Cropsey	Kuipers	Schauer
Barcia	Gilbert	McManus	Scott
Birkholz	Gleason	Olshove	Stamas
Bishop	Hardiman	Pappageorge	Switalski
Brown	Hunter	Patterson	Van Woerkom
Cherry	Jansen	Richardville	Whitmer
Clark-Coleman	Jelinek		

**Nays—1**

Cassis

**Excused—7**

Basham	Garcia	Jacobs	Thomas
Brater	George	Prusi	

**Not Voting—0**

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,  
 The recommendation was concurred in, 2/3 of the members serving voting therefor.  
 The Senate agreed to the full title.  
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 1352, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 413.

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

The question being on concurring in the committee recommendation to give the bill immediate effect,  
 The recommendation was concurred in, 2/3 of the members serving voting therefor.  
 The Senate agreed to the full title.  
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

**Senate Bill No. 1351, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 526.

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

The question being on concurring in the committee recommendation to give the bill immediate effect,  
 The recommendation was concurred in, 2/3 of the members serving voting therefor.  
 The Senate agreed to the full title.  
 The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

Senator Olshove moved that Senators Whitmer and Cherry be excused from the balance of today’s session. The motion prevailed.

**Senate Bill No. 170, entitled**

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

The House of Representatives has passed the bill and ordered that the bill be given immediate effect.

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

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

**Senate Bill No. 213, entitled**

A bill to require providers of retail electric service to establish a renewable energy program; to prescribe the powers and duties of certain state agencies and officials; to authorize the creation and implementation of wind energy resource zones; to ensure transmission infrastructure to deliver wind energy; to provide for expedited transmission line siting authority; to provide incentives for establishing wind generation facilities; to provide for condemnation authority; and to provide for sanctions.

The House of Representatives has substituted (H-2) the bill.

The House of Representatives has passed the bill as substituted (H-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to require providers of retail electric service to establish a renewable energy program; to prescribe the powers and duties of certain state agencies and officials; to establish an energy efficiency program in this state for electric and natural gas utilities; to promote load management; and to provide for sanctions.

Pending the order that, under rule 3.202, the bill be laid over one day,

Senator Cropsey moved that the rule be suspended.

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

The question being on concurring in the substitute made to the bill by the House,

The substitute was not concurred in, a majority of the members serving not voting therefor, as follows:

**Roll Call No. 523**

**Yeas—10**

Anderson	Clarke	Olshove	Scott
Barcia	Gleason	Schauer	Switalski
Clark-Coleman	Hunter		

**Nays—18**

Allen	Cropsey	Kahn	Richardville
Birkholz	Gilbert	Kuipers	Sanborn
Bishop	Hardiman	McManus	Stamas
Brown	Jansen	Pappageorge	Van Woerkom
Cassis	Jelinek		

**Excused—9**

Basham	Garcia	Jacobs	Thomas
Brater	George	Prusi	Whitmer
Cherry			



**Not Voting—1**

Patterson

In The Chair: Richardville

By unanimous consent the Senate proceeded to the order of  
**Conference Reports**

Senator Cropsey moved that joint rule 9 be suspended to permit immediate consideration of the conference report relative to the following bill:

**House Bill No. 5816**

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

**House Bill No. 5816, entitled**

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, 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 House of Representatives has adopted the report of the Committee of Conference and ordered that the bill be given immediate effect.

The Conference Report was read as follows:

**FIRST CONFERENCE REPORT**

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

**House Bill No. 5816, entitled**

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, 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.

Recommends:

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

A bill 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**

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, civil service, 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	
<b>GROSS APPROPRIATION .....</b>	<b>\$</b>	<b>3,158,209,600</b>
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		657,135,600
<b>ADJUSTED GROSS APPROPRIATION .....</b>	<b>\$</b>	<b>2,501,074,000</b>
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

**Sec. 102. DEPARTMENT OF ATTORNEY GENERAL**

**(1) APPROPRIATION SUMMARY**

Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions .....	537.0	
<b>GROSS APPROPRIATION .....</b>	<b>\$</b>	<b>76,409,700</b>
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		24,301,000
<b>ADJUSTED GROSS APPROPRIATION .....</b>	<b>\$</b>	<b>52,108,700</b>
Federal revenues:		
Total federal revenues.....		8,050,800
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
<b>GROSS APPROPRIATION .....</b>	<b>\$</b>	<b>75,637,700</b>

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

	For Fiscal Year Ending Sept. 30, 2009
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, medigant .....	652,300
HHS-OS, state Medicaid fraud control units .....	4,513,600
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
<b>(3) INFORMATION TECHNOLOGY</b>	
Information technology services and projects .....	\$ 772,000
GROSS APPROPRIATION .....	\$ 772,000
Appropriated from:	
State general fund/general purpose .....	\$ 772,000
<b>Sec. 103. DEPARTMENT OF CIVIL RIGHTS</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
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

	For Fiscal Year Ending Sept. 30, 2009
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
<b>(2) CIVIL RIGHTS OPERATIONS</b>	
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
<b>GROSS APPROPRIATION</b> .....	<u>\$ 13,615,100</u>
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
<b>(3) INFORMATION TECHNOLOGY</b>	
Information technology services and projects.....	\$ 860,200
<b>GROSS APPROPRIATION</b> .....	<u>\$ 860,200</u>
Appropriated from:	
Federal revenues:	
EEOC, state and local antidiscrimination agency contracts.....	15,000
State general fund/general purpose.....	\$ 845,200
<b>Sec. 104. EXECUTIVE OFFICE</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
Full-time equated unclassified positions..... 10.0	
Full-time equated classified positions..... 74.2	
<b>GROSS APPROPRIATION</b> .....	\$ 5,317,300
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
<b>ADJUSTED GROSS APPROPRIATION</b> .....	\$ 5,317,300
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.....	\$ 5,317,300
<b>(2) EXECUTIVE OFFICE OPERATIONS</b>	
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
<b>GROSS APPROPRIATION</b> .....	<u>\$ 5,317,300</u>
Appropriated from:	
State general fund/general purpose.....	\$ 5,317,300
<b>Sec. 105. DEPARTMENT OF INFORMATION TECHNOLOGY</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
Full-time equated unclassified positions..... 3.0	
Full-time equated classified positions..... 1,657.0	
<b>GROSS APPROPRIATION</b> .....	\$ 432,534,600

	For Fiscal Year Ending Sept. 30, 2009
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
<b>(2) ADMINISTRATION</b>	
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
IDG from department of transportation.....	28,496,200
IDG from department of treasury.....	18,200,300
State general fund/general purpose .....	\$ 0
<b>Sec. 106. LEGISLATURE</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
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

	For Fiscal Year Ending Sept. 30, 2009
<b>(2) LEGISLATURE</b>	
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
<b>(3) LEGISLATIVE COUNCIL</b>	
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
<b>(4) LEGISLATIVE RETIREMENT SYSTEM</b>	
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
<b>(5) PROPERTY MANAGEMENT</b>	
Capitol building.....	\$ 2,552,800
Cora Anderson building .....	7,734,200
Farnum building and other properties .....	1,891,400
GROSS APPROPRIATION .....	\$ 12,178,400
Appropriated from:	
State general fund/general purpose .....	\$ 12,178,400
<b>Sec. 107. LEGISLATIVE AUDITOR GENERAL</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
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
<b>(2) LEGISLATIVE AUDITOR GENERAL</b>	
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

	For Fiscal Year Ending Sept. 30, 2009
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
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

**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

	For Fiscal Year Ending Sept. 30, 2009
Building occupancy charges, rent, and utilities.....	\$ 4,262,000
Internal audit services.....	989,100
Motor vehicle fleet—46.0 FTE positions .....	56,920,400
<b>GROSS APPROPRIATION</b> .....	<b>\$ 191,962,700</b>
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
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
<b>(3) STATEWIDE APPROPRIATIONS</b>	
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
<b>GROSS APPROPRIATION</b> .....	<b>\$ 400,000</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG from employer contributions .....	400,000
State general fund/general purpose .....	\$ 0
<b>(4) SPECIAL PROGRAMS</b>	
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
<b>GROSS APPROPRIATION</b> .....	<b>\$ 19,729,600</b>
Appropriated from:	
Special revenue funds:	
Deferred compensation.....	1,542,400
Pension trust funds .....	15,426,700
State general fund/general purpose .....	\$ 2,760,500
<b>(5) STATE FAIR</b>	
Full-time equated unclassified positions.....	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
<b>GROSS APPROPRIATION</b> .....	<b>\$ 6,605,300</b>



	For Fiscal Year Ending Sept. 30, 2009
Appropriated from:	
Special revenue funds:	
State exposition and fairgrounds fund.....	\$ 6,605,300
State general fund/general purpose .....	\$ 0
<b>(6) INFORMATION TECHNOLOGY</b>	
Information technology services and projects .....	\$ 28,382,900
<b>GROSS APPROPRIATION</b> .....	<b>\$ 28,382,900</b>
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
<b>(7) STATE BUILDING AUTHORITY RENT</b>	
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
<b>GROSS APPROPRIATION</b> .....	<b>\$ 231,822,100</b>
Appropriated from:	
Special revenue funds:	
State lottery fund.....	1,520,000
State general fund/general purpose .....	\$ 230,302,100
<b>(8) CIVIL SERVICE COMMISSION</b>	
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
<b>GROSS APPROPRIATION</b> .....	<b>\$ 70,157,100</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG, training charges .....	1,300,000
IDG, special funds.....	1,334,900
Federal revenues:	
Federal funds.....	6,000,900
Federal indirect funds.....	4,742,800
Special revenue funds:	
Local funds .....	1,992,900
Private funds.....	150,000

	For Fiscal Year Ending Sept. 30, 2009
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
<b>(9) CAPITAL OUTLAY</b>	
Major special maintenance, remodeling and addition for state agencies .....	\$ 2,000,000
<b>GROSS APPROPRIATION</b> .....	<u>\$ 2,000,000</u>
Appropriated from:	
Interdepartmental grant revenues:	
IDG, building occupancy charges.....	2,000,000
Special revenue funds:	
State general fund/general purpose .....	\$ 0
<b>Sec. 109. DEPARTMENT OF STATE</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
Full-time equated unclassified positions.....	6.0
Full-time equated classified positions .....	1,809.0
<b>GROSS APPROPRIATION</b> .....	\$ 214,876,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	20,000,000
<b>ADJUSTED GROSS APPROPRIATION</b> .....	\$ 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
<b>(2) EXECUTIVE DIRECTION</b>	
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
<b>GROSS APPROPRIATION</b> .....	<u>\$ 3,544,900</u>
Appropriated from:	
Special revenue funds:	
Auto repair facilities fees .....	60,500
Driver fees .....	137,600
Expedient service fees.....	57,100
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
<b>(3) DEPARTMENT SERVICES</b>	
Full-time equated classified positions .....	157.0
Operations—150.0 FTE positions .....	\$ 23,480,800
Assigned claims assessments—7.0 FTE positions .....	893,700
<b>GROSS APPROPRIATION</b> .....	<u>\$ 24,374,500</u>
Appropriated from:	
Special revenue funds:	
Abandoned vehicle fees.....	468,600
Assigned claims assessments.....	893,700
Auto repair facilities fees .....	415,000

	For Fiscal Year Ending Sept. 30, 2009
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
<b>(4) REGULATORY SERVICES</b>	
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
<b>GROSS APPROPRIATION</b> .....	<b>\$ 23,913,900</b>
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
Transportation administration collection fund.....	11,024,300
Vehicle theft prevention fees .....	1,330,900
State general fund/general purpose .....	\$ 1,270,200
<b>(5) CUSTOMER DELIVERY SERVICES</b>	
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
<b>GROSS APPROPRIATION</b> .....	<b>\$ 118,618,200</b>
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

	For Fiscal Year Ending Sept. 30, 2009
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
<b>(6) ELECTION REGULATION</b>	
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
<b>(7) DEPARTMENTWIDE APPROPRIATIONS</b>	
Building occupancy charges/rent.....	\$ 10,242,700
Worker's compensation.....	382,000
GROSS APPROPRIATION .....	\$ 10,624,700
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
<b>(8) INFORMATION TECHNOLOGY</b>	
Information technology services and projects.....	\$ 24,541,000
GROSS APPROPRIATION .....	\$ 24,541,000
Appropriated from:	
Special revenue funds:	
Administrative order processing fee.....	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
<b>Sec. 110. DEPARTMENT OF TREASURY</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
Full-time equated unclassified positions.....	9.0
Full-time equated classified positions .....	1,837.5
GROSS APPROPRIATION.....	\$ 1,733,141,400

	For Fiscal Year Ending Sept. 30, 2009
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
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
<b>(2) EXECUTIVE DIRECTION</b>	
Full-time equated unclassified positions..... 9.0	
Full-time equated classified positions .....	5.0
Unclassified positions—9.0 FTE positions .....	\$ 829,600
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
<b>(3) DEPARTMENTWIDE APPROPRIATIONS</b>	
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
<b>(4) LOCAL GOVERNMENT PROGRAMS</b>	
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
<b>(5) TAX PROGRAMS</b>	
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

	For Fiscal Year Ending Sept. 30, 2009
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
<b>GROSS APPROPRIATION .....</b>	<b>\$ 86,340,300</b>
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
<b>(6) BANKING AND MANAGEMENT SERVICES</b>	
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
<b>GROSS APPROPRIATION .....</b>	<b>\$ 32,412,600</b>
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 service 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
<b>(7) FINANCIAL PROGRAMS</b>	
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
<b>GROSS APPROPRIATION .....</b>	<b>\$ 56,838,500</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG, fiscal agent service fees .....	169,400
Federal revenues:	
DED-OPSE, federal lenders allowance .....	10,460,100
DED-OPSE, higher education act of 1965, insured loans.....	23,304,100

	For Fiscal Year Ending Sept. 30, 2009
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
<b>(8) DEBT SERVICE</b>	
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
<b>(9) GRANTS</b>	
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
<b>(10) BUREAU OF STATE LOTTERY</b>	
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
<b>(11) CASINO GAMING</b>	
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

	For Fiscal Year Ending Sept. 30, 2009
<b>(12) PAYMENTS IN LIEU OF TAXES</b>	
Commercial forest reserve.....	\$ 2,662,600
Purchased lands .....	4,450,000
Swamp and tax reverted lands.....	7,076,500
Administration .....	100
<b>GROSS APPROPRIATION</b> .....	<b>\$ 14,189,200</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG from department of natural resources .....	100
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 .....	<b>\$ 11,839,100</b>
<b>(13) MICHIGAN STRATEGIC FUND</b>	
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 program .....	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
<b>GROSS APPROPRIATION</b> .....	<b>\$ 152,643,700</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDEQ, air quality fees .....	80,300
Federal revenues:	
HUD-CPD, community development block grants .....	55,438,800
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 .....	<b>\$ 29,603,800</b>
<b>(14) REVENUE SHARING</b>	
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
<b>GROSS APPROPRIATION</b> .....	<b>\$ 1,085,531,500</b>
Appropriated from:	
Special revenue funds:	
Sales tax .....	1,085,319,500
State general fund/general purpose .....	<b>\$ 212,000</b>
<b>(15) INFORMATION TECHNOLOGY</b>	
Treasury operations information technology services and projects.....	\$ 18,200,300
<b>GROSS APPROPRIATION</b> .....	<b>\$ 18,200,300</b>
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund .....	454,900
Federal revenues:	
DED-OPSE, federal lender allowance.....	544,900



	For Fiscal Year Ending Sept. 30, 2009
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**

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 payment .....	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.....	\$ 1,235,246,100
<b>TOTAL GENERAL GOVERNMENT .....</b>	<b>\$ 1,236,499,900</b>

(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.

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

Sec. 203. As used in this act:

- (a) "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.

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.

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.

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.

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.

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

Sec. 211. 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.....	<u>\$292,757</u>	<u>\$295,366</u>
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

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.

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.

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.

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.

Sec. 216. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2008 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.

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.

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.

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.

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**

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.

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

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

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

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

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

Sec. 305. In addition to the funds appropriated in part 1, not more than \$400,000.00 shall be reimbursed per fiscal year for food stamp fraud cases heard by the third circuit court of Wayne County that were initiated by the department of attorney general pursuant to the existing contract between the department of human services, the prosecuting attorneys association of Michigan, and the department of attorney general. The source of this funding is money earned by the department of attorney general under the agreement after the allowance for reimbursement to the department of attorney general for costs associated with the prosecution of food stamp fraud cases. It is recognized that the federal funds are earned by the department of attorney general for its documented progress on the prosecution of food stamp fraud cases according to the United States department of agriculture regulations and that, once earned by this state, the funds become state funds.

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

Sec. 307. 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.

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

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

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

Sec. 309. From the prisoner reimbursement funds appropriated in part 1, the department may spend up to \$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 of the department of corrections and its officers, employees, and agents, including, but not limited to, the defense of litigation against the state, its departments, officers, employees, or agents in civil actions filed by prisoners.

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

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

Sec. 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.

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

#### **DEPARTMENT OF CIVIL RIGHTS**

Sec. 401. 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.

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.

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**

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.

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.

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.

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.

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.

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).

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.

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.

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.

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.

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.

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.

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.

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.

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**

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

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

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

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

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

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

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

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

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

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.

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.

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**

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

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

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

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

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

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

Sec. 624. 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**

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.

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.

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.

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).

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

#### **STATE BUILDING AUTHORITY**

Sec. 725. (1) Subject to section 242 of the management and budget act, 1984 PA 431, MCL 18.1242, and upon the approval of the state building authority, the department may expend from the general fund of the state during the fiscal year ending September 30, 2009 an amount to meet the cash flow requirements of those state building authority projects solely for lease to a state agency identified in both part 1 and this section, and for which state building authority bonds or notes have not been issued, and for the sole acquisition by the state building authority of equipment and furnishings for lease to a state agency as permitted by 1964 PA 183, MCL 830.411 to 830.425, for which the issuance of bonds or notes is authorized by a legislative concurrent resolution that is effective for the fiscal year ending September 30, 2009. Any general fund advances for which state building authority bonds have not been issued shall bear an interest cost to the state building authority at a rate not to exceed that earned by the state treasurer's common cash fund during the period in which the advances are outstanding and are repaid to the general fund of the state.

(2) Upon sale of bonds or notes for the projects identified in part 1 or for equipment as authorized by legislative concurrent resolution and in this section, the state building authority shall credit the general fund of the state an amount equal to that expended from the general fund plus interest, if any, as defined in this section.

(3) For state building authority projects for which bonds or notes have been issued and upon the request of the state building authority, the state treasurer shall make advances without interest from the general fund as necessary to meet cash flow requirements for the projects, which advances shall be reimbursed by the state building authority when the investments earmarked for the financing of the projects mature.

(4) In the event that a project identified in part 1 is terminated after final design is complete, advances made on behalf of the state building authority for the costs of final design shall be repaid to the general fund in a manner recommended by the director and approved by the JCOS.

Sec. 726. (1) State building authority funding to finance construction or renovation of a facility that collects revenue in excess of money required for the operation of that facility shall not be released to a university or community college unless the institution agrees to reimburse that excess revenue to the state building authority. The excess revenue shall be credited to the general fund to offset rent obligations associated with the retirement of bonds issued for that facility. The auditor general shall annually identify and present an audit of those facilities that are subject to this section. Costs associated with the administration of the audit shall be charged against money recovered pursuant to this section.

(2) As used in this section, "revenue" includes state appropriations, facility opening money, other state aid, indirect cost reimbursement, and other revenue generated by the activities of the facility.

Sec. 727. (1) The state building authority rent appropriations in part 1 may also be expended for the payment of required premiums for insurance on facilities owned by the state building authority or payment of costs that may be incurred as the result of any deductible provisions in such insurance policies.

(2) If the amount appropriated in part 1 for state building authority rent is not sufficient to pay the rent obligations and insurance premiums and deductibles identified in subsection (1) for state building authority projects, there is appropriated from the general fund of the state the amount necessary to pay such obligations.

Sec. 728. The department of management and budget shall provide the JCOS and the senate and house fiscal agencies a report relative to the status of construction projects associated with state building authority bonds as of September 30 of each year, on or before October 15, or not more than 30 days after a refinancing or restructuring bond issue is sold. The report shall include, but is not limited to, the following:

(a) A list of all completed construction projects for which state building authority bonds have been sold, and which bonds are currently active.

(b) A list of all projects under construction for which sale of state building authority bonds is pending.

(c) A list of all projects authorized for construction or identified in an appropriations act for which approval of schematic/preliminary plans or total authorized cost is pending that have state building authority bonds identified as a source of financing.

Sec. 730. (1) Except as otherwise provided in subsection (3) or (4), a university shall not enter into a contract for new construction of a self-funded project estimated to cost at least \$3,000,000.00 unless the project is authorized by JCOS through approval of a use and finance statement defined by a policy adopted by JCOS. The request for authorization shall be initially submitted for review to JCOS, the senate and house fiscal agencies, and the department. The use and finance statement for a non-state-funded project shall contain the estimated total construction cost and all associated estimated operating costs, including a statement of anticipated project revenues. As used in this subsection, "new construction" includes land or property acquisition, remodeling and additions, maintenance projects, roads, landscaping, equipment, telecommunications, utilities, and parking lots and structures. Certificate of need forms may be submitted in lieu of a use and finance form where applicable.

(2) Except as otherwise provided in subsection (4), a community college shall not enter into a contract for new construction of a self-funded project estimated to cost at least \$2,000,000.00 unless the project is authorized by JCOS through approval of a use and finance statement defined by a policy adopted by JCOS. The request for legislative authorization shall be initially submitted for review to JCOS, the senate and house fiscal agencies, and the department. The use and finance statement for a non-state-funded project shall contain the estimated total construction cost and all associated estimated operating costs, including a statement of anticipated project revenues. As used in this subsection, "new construction" includes land or property acquisition, remodeling and additions, maintenance projects, roads, landscaping, equipment, telecommunications, utilities, and parking lots and structures. Certificate of need forms may be submitted in lieu of a use and finance form where applicable.

(3) The University of Michigan hospital and health center is not required to obtain JCOS authorization through approval of a use and finance statement defined by a policy adopted by JCOS.

(4) If health or safety concerns warrant, a project may be completed without prior approval of a use and finance statement defined by a policy adopted by JCOS. However, a university or community college shall submit a use and finance statement as soon as possible after the project is completed and the health or safety concerns have abated.

(5) A project that is constructed in violation of this section shall not receive state appropriations for purposes of operating the project or for support for future infrastructure enhancements that are necessitated, in whole or in part, by

construction of the project. In addition, a project constructed in violation of this section shall result in the loss of any state capital outlay funding for the institution for 2 years and a prohibition of doing self-funded projects of any kind, except for emergencies where health or safety concerns warrant, for 1 year.

(6) A state agency, including the department of military affairs, shall not enter into a contract, including those for a direct federally funded capital outlay construction or major maintenance or remodeling project if the total project is estimated to cost more than \$1,000,000.00 and is to be constructed on state-owned lands unless the project is approved by the department and JCOS through approval of a use and finance statement defined by a policy adopted by JCOS, unless the project is otherwise appropriated in a capital outlay appropriations act. For projects not appropriated in a capital outlay appropriations act that are over \$1,000,000.00, the state agency shall submit a use and finance statement defined by a policy adopted by JCOS. As used in this subsection, "direct federally funded" refers to a project for which federal payments are made directly to the construction vendor and not to the state of Michigan.

(7) A 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 a contractual interlocal agreement 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 shall not enter into a contract for new construction estimated to cost more than \$1,000,000.00 unless the project is authorized by JCOS through the approval of a use and finance statement defined by a policy adopted by JCOS. For purposes of this subsection, the use and finance statement for a project shall contain the estimated total construction cost and all associated estimated operating costs. As used in this subsection, "new construction" means land or property acquisition, remodeling or additions, lease or lease purchase, and maintenance projects for the corporate office of the public body corporate described in this subsection.

(8) By not later than April 1 and October 1, each university shall report to the JCOS chairpersons, the senate and house fiscal agencies, and the department all self-funded capital projects commenced for the immediately preceding 6-month period that cost less than \$3,000,000.00 but at least \$1,000,000.00. Community colleges shall also submit these reports for self-funded capital projects that cost less than \$2,000,000.00 but at least \$1,000,000.00.

#### **CIVIL SERVICE**

Sec. 750. (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 \$5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$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.

Sec. 751. (1) All restricted funds shall be assessed a sum not less than 1% of the total aggregate payroll paid from those funds for financing the civil service commission on the basis of actual 1% restricted sources total aggregate payroll of the classified service for fiscal year 2008 in accordance with section 5 of article XI of the state constitution of 1963. This includes, but is not limited to, restricted funds appropriated in part 1 of any appropriations act. Unexpended 1% appropriated funds shall be returned to each 1% fund source at the end of the fiscal year.

(2) The appropriations in part 1 are estimates of actual charges based on payroll appropriations. With the approval of the state budget director, the commission is authorized to adjust financing sources for civil service charges based on actual payroll expenditures, provided that such adjustments do not increase the total appropriation for the civil service commission.

(3) The financing from restricted sources shall be credited to the civil service commission by the end of the second fiscal quarter.

Sec. 752. Except where specifically appropriated for this purpose, financing from restricted sources shall be credited to the civil service commission. For restricted sources of funding within the general fund that have the legislative authority for carryover, if current spending authorization or revenues are insufficient to accept the charge, the shortage shall be taken from carryforward balances of that funding source. Restricted revenue sources that do not have carryforward authority shall be utilized to satisfy commission operating deducts first and civil service obligations second. General fund dollars are appropriated for any shortfall, pursuant to approval by the state budget director.

Sec. 753. The appropriation in part 1 to the civil service commission, for state-sponsored group insurance, flexible spending accounts, and COBRA, represents amounts, in part, included within the various appropriations throughout state government for the current fiscal year to fund the flexible spending account program included within the civil service commission. Deposits against state-sponsored group insurance, flexible spending accounts, and COBRA for the flexible spending account program shall be made from assessments levied during the current fiscal year in a manner prescribed

by the civil service commission. Unspent employee contributions to the flexible spending accounts may be used to offset administrative costs for the flexible spending account program, with any remaining balance of unspent employee contributions to be lapsed to the general fund.

### **CAPITAL OUTLAY**

Sec. 760. As used in sections 761 through 768:

- (a) "Board" means the state administrative board.
- (b) "Community college" does not include a state agency or university.
- (c) "Department" means the department of management and budget.
- (d) "Director" means the director of the department of management and budget.
- (e) "Fiscal agencies" means the senate fiscal agency and the house fiscal agency.
- (f) "State agency" means an agency of state government. State agency does not include a community college or university.
- (g) "State building authority" means the authority created under 1964 PA 183, MCL 830.411 to 830.425.
- (h) "University" means a 4-year university supported by the state. University does not include a community college or a state agency.

Sec. 761. Each capital outlay project authorized in this act or any previous capital outlay act shall comply with the procedures required by the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 762. A statement of a proposed facility's operating cost shall be included with the facility's program statement and planning documents when the plans are presented to JCOS for approval.

Sec. 763. (1) Before proceeding with final planning and construction for projects at community colleges and universities included in an appropriations act, the community college or university shall sign an agreement with the department that includes the following provisions:

(a) The university or community college agrees to construct the project within the total authorized cost established by the legislature pursuant to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, and an appropriations act.

(b) The design and program scope of the project shall not deviate from the design and program scope represented in the program statement and preliminary planning documents approved by the department.

(c) Any other items as identified by the department that are necessary to complete the project.

(2) The department retains the authority and responsibility normally associated with the prudent maintenance of the public's financial and policy interests relative to the state-financed construction projects managed by a community college or university.

Sec. 764. (1) The department shall provide the JCOS, state budget director, and the senate and house fiscal agencies with reports as considered necessary relative to the status of each planning or construction project financed by the state building authority, by this act, or by previous acts.

(2) Before the end of each fiscal year, the department shall report to the JCOS, state budget director, and the senate and house fiscal agencies for each capital outlay project other than lump sums all of the following:

- (a) The account number and name of each construction project.
- (b) The balance remaining in each account.
- (c) The date of the last expenditure from the account.
- (d) The anticipated date of occupancy if the project is under construction.
- (e) The appropriations history for the project.
- (f) The professional service contractor.
- (g) The amount of the project financed with federal funds.
- (h) The amount of the project financed through the state building authority.
- (i) The total authorized cost for the project and the state authorized share if different than the total.

(3) Before the end of each fiscal year, the department shall report the following for each project by a state agency, university, or community college that is authorized for planning but is not yet authorized for construction:

- (a) The name of the project and account number.
- (b) Whether a program statement is approved.
- (c) Whether schematics are approved by the department.
- (d) Whether preliminary plans are approved by the department.
- (e) The name of the professional service contractor.

(4) As used in this section, "project" includes appropriation line items made for purchase of real estate.

Sec. 765. A state agency, college, or university shall take steps necessary to make available federal and other money indicated in this act, to make available federal or other money that may become available for the purposes for which appropriations are made in this act, and to use any part or all of the appropriations to meet matching requirements that are considered to be in the best interest of this state. However, the purpose, scope, and total estimated cost of a project shall not be altered to meet the matching requirements.

Sec. 766. (1) The director shall allocate lump-sum appropriations made in this act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

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

Sec. 767. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

Sec. 768. (1) A site preparation economic development fund is created in the department of management and budget. As used in this section, "economic development sites" means those state-owned sites declared as surplus property pursuant to section 251 of the management and budget act, 1984 PA 431, MCL 18.1251, that would provide economic benefit to the area or to the state. The Michigan economic development corporation board and the state budget director shall determine whether or not a specific state-owned site qualifies for inclusion in the fund created under this subsection.

(2) Proceeds from the sale of any sites designated in subsection (1) shall be deposited into the fund created in subsection (1) and shall be available for site preparation expenditures, unless otherwise provided by law. The economic development sites authorized in subsection (1) are authorized for sale consistent with state law. Expenditures from the fund are authorized for site preparation activities that enhance the marketable sale value of the sites. Site preparation activities include, but are not limited to, demolition, environmental studies and abatement, utility enhancement, and site excavation.

(3) A cash advance in an amount of not more than \$25,000,000.00 is authorized from the general fund to the site preparation economic development fund.

(4) An annual report shall be transmitted to the senate and house of representatives standing committees on appropriations not later than December 31 of each year. This report shall detail both of the following:

(a) The revenue and expenditure activity in the fund for the preceding fiscal year.

(b) The sites identified as economic development sites under subsection (1).

#### **DEPARTMENT OF STATE**

Sec. 801. (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 \$7,500,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this 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.

(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.

Sec. 802. All funds made available by section 3171 of the insurance code of 1956, 1956 PA 218, MCL 500.3171, are appropriated and made available to the department of state to be expended only for the uses and purposes for which the funds are received as provided by sections 3171 to 3177 of the insurance code of 1956, 1956 PA 218, MCL 500.3171 to 500.3177.

Sec. 803. From the funds appropriated in part 1, the department of state shall sell copies of records including, but not limited to, records of motor vehicles, off-road vehicles, snowmobiles, watercraft, mobile homes, personal identification cardholders, drivers, and boat operators and shall charge \$7.00 per record sold only as authorized in section 208b of the Michigan vehicle code, 1949 PA 300, MCL 257.208b, section 7 of 1972 PA 222, MCL 28.297, and sections 80130, 80315, 81114, and 82156 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.80130, 324.80315, 324.81114, and 324.82156. The revenue received from the sale of records shall be credited to the transportation administration collection fund created under section 810b of the Michigan vehicle code, 1949 PA 300, MCL 257.810b.

Sec. 803a. (1) In accordance with section 9 of article IX of the state constitution of 1963 and sections 814 and 815 of the Michigan vehicle code, 1949 PA 300, MCL 257.814 and 257.815, if the alternative transportation funding task force does not specifically address the costs described in this section, the secretary of state shall conduct a cost study that identifies the actual cost of the work performed for the administration and collection of transportation fees and taxes pursuant to sections 801 through 810 of the Michigan vehicle code and, when the actual cost cannot be identified, allocates combined costs that cannot be separately identified for the purpose of determining the necessary costs to collect all of the following:

(a) Vehicle title and registration fees.

- (b) The costs of collecting all taxes on fuels used to propel vehicles upon state highways.
  - (c) The department of state's costs for collecting sales and use taxes.
  - (d) Any other specific taxes on motor vehicles driven upon state highways and on all registered motor vehicles.
- (2) If a study is required under subsection (1), the study under subsection (1) shall be performed by an independent consulting firm with experience in cost allocation. Upon commencement of the study, the study components and methodology may be reviewed by the following:
- (a) The department of transportation or its representative.
  - (b) The department of management and budget or its representative.
  - (c) The department of treasury or its representative.
  - (d) County road commissions or their representatives.
  - (e) Municipalities or their representatives.
- (3) If a study is required under subsection (1), the final cost study shall be submitted to the senate and house of representatives standing committees on appropriations subcommittees on general government and transportation, the senate and house fiscal agencies, and the state budget director by April 1, 2009.
- (4) Effective April 1, 2009, the study shall be used in determining the annual appropriation from restricted transportation funds. The cost study will be updated annually to reflect changes in efficiency and technology.
- Sec. 804. From the funds appropriated in part 1, the secretary of state may enter into agreements with the department of corrections for the manufacture of vehicle registration plates 15 months before the registration year in which the registration plates will be used.
- Sec. 805. (1) The department of state may accept gifts, donations, contributions, and grants of money and other property from any private or public source to underwrite, in whole or in part, the cost of a departmental publication that is prepared and disseminated under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. A private or public funding source may receive written recognition in the publication and may furnish a traffic safety message, subject to departmental approval, for inclusion in the publication. The department may reject a gift, donation, contribution, or grant. The department may furnish copies of a publication underwritten, in whole or in part, by a private source to the underwriter at no charge.
- (2) The department of state may sell and accept paid advertising for placement in a departmental publication that is prepared and disseminated under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. The department may charge and receive a fee for any advertisement appearing in a departmental publication and shall review and approve the content of each advertisement. The department may refuse to accept advertising from any person or organization. The department may furnish a reasonable number of copies of a publication to an advertiser at no charge.
- (3) Pending expenditure, the funds received under this section shall be deposited in the Michigan department of state publications fund created by section 211 of the Michigan vehicle code, 1949 PA 300, MCL 257.211. Funds given, donated, or contributed to the department from a private source are appropriated and allocated for the purpose for which the revenue is furnished. Funds granted to the department from a public source are allocated and may be expended upon receipt. The department shall not accept a gift, donation, contribution, or grant if receipt is conditioned upon a commitment of state funding at a future date. Revenue received from the sale of advertising is appropriated and may be expended upon receipt.
- (4) Any unexpended revenues received under this section shall be carried over into subsequent fiscal years and shall be available for appropriation for the purposes described in this section.
- (5) On March 1 of each year, the department of state shall file a report with the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director. The report shall include all of the following information:
- (a) The amount of gifts, contributions, donations, and grants of money received by the department under this section for the prior fiscal year.
  - (b) A listing of the expenditures made from the amounts received by the department as reported in subdivision (a).
  - (c) A listing of any gift, donation, contribution, or grant of property other than funding received by the department under this section for the prior year.
  - (d) The total revenue received from the sale of paid advertising accepted under this section and a statement of the total number of advertising transactions.
  - (e) In addition to copies delivered without charge as the secretary of state considers necessary, the department of state may sell copies of manuals and other publications regarding the sale, ownership, or operation or regulation of motor vehicles, with amendments, at prices to be established by the secretary of state. As used in this subsection, the term "manuals and other publications" includes videos and proprietary electronic publications. All funds received from sales of these manuals and other publications shall be credited to the Michigan department of state publications fund.
- Sec. 806. Funds collected by the department of state under section 211 of the Michigan vehicle code, 1949 PA 300, MCL 257.211, are appropriated for all expenses necessary to provide for the costs of the publication. Funds are allotted for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.



Sec. 807. From the funds appropriated in part 1, the department of state shall use available balances at the end of the state fiscal year to provide payment to the department of state police in the amount of \$332,000.00 for the services provided by the traffic accident records program as first appropriated in 1990 PA 196 and 1990 PA 208.

Sec. 808. From the funds appropriated in part 1, the department of state may restrict funds from miscellaneous revenue to cover cash shortages created from normal branch office operations. This amount shall not exceed \$50,000.00 of the total funds available in miscellaneous revenue.

Sec. 809. (1) Commemorative and specialty license plate fee revenue collected by the department of state and deposited into the transportation administration collection fund is authorized for expenditure up to the amount of revenue collected but not to exceed the amount appropriated to the department of state in part 1 to administer commemorative and specialty license plate programs.

(2) Commemorative and specialty license plate fee revenue collected by the department of state and deposited in the transportation administration collection fund, in addition to the amount appropriated in part 1 to the department of state, shall remain in the transportation administration collection fund and be available for future appropriation.

Sec. 810. (1) Collector plate and fund-raising registration plate revenues collected by the department of state are appropriated and allotted for distribution to the recipient university or public or private agency overseeing a state-sponsored goal when received. Distributions shall occur on a quarterly basis or as otherwise authorized by law. Any revenues remaining at the end of the fiscal year shall not lapse to the general fund but shall remain available for distribution to the university or agency in the next fiscal year.

(2) Funds or revenues in the Olympic education training center fund are appropriated for distribution to the Olympic education training center at Northern Michigan University. Distributions shall occur on a quarterly basis. Any undistributed revenue remaining at the end of the fiscal year shall be carried over into the next fiscal year.

Sec. 811. The department of state may produce and sell copies of a training video designed to inform registered automotive repair facilities of their obligations under Michigan law. The price shall not exceed the cost of production and distribution. The money received from the sale of training videos shall revert to the department of state and be placed in the auto repair facility account.

Sec. 812. (1) The department of state, in collaboration with the gift of life transplantation society or its successor federally designated organ procurement organization, may develop and administer a public information campaign concerning the Michigan organ donor program.

(2) The department may solicit funds from any private or public source to underwrite, in whole or in part, the public information campaign authorized by this section. The department may accept gifts, donations, contributions, and grants of money and other property from private and public sources for this purpose. A private or public funding source underwriting the public information campaign, in whole or in substantial part, shall receive sponsorship credit for its financial backing.

(3) Funds received under this section, including grants from state and federal agencies, shall not lapse to the general fund at the end of the fiscal year but shall remain available for expenditure for the purposes described in this section.

(4) Funding appropriated in part 1 for the organ donor program shall be used for producing a pamphlet to be distributed with driver licenses and personal identification cards regarding organ donations. The funds shall be used to update and print a pamphlet that will explain the organ donor program and encourage people to become donors by marking a checkoff on driver license and personal identification card applications.

(5) The pamphlet shall include a return reply form addressed to the gift of life organization. Funding appropriated in part 1 for the organ donor program shall be used to pay for return postage costs.

(6) In addition to the appropriations in part 1, the department of state may receive and expend funds from the organ and tissue donation education fund for administrative expenses.

Sec. 815. At least 180 days before closing or consolidating a branch office and at least 60 days before relocating a branch office, the department of state shall inform members of the senate and house of representatives standing committees on appropriations and legislators who represent affected areas regarding the details of the proposal. The information provided shall be in written form and include all analyses done regarding criteria for changes in the location of branch offices, including, but not limited to, branch transactions, revenue, and the impact on citizens of the affected area. The impact on citizens shall include information regarding additional distance to branch office locations resulting from the plan. The written notice provided by the department of state shall also include detailed estimates of costs and savings that will result from the overall changes made to the branch office structure and the same level of detail regarding costs for new leased facilities and expansions of current leased space.

Sec. 815a. By December 15, the department of state shall report to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies the number of branch office transactions completed online by Michigan residents in the immediately preceding fiscal year.

Sec. 816. (1) Any service assessment collected by the department of state from the user of a credit or debit card under section 3 of 1995 PA 144, MCL 11.23, is appropriated to the department for necessary expenses related to that service and may be remitted to a credit or debit card company, bank, or other financial institution. Funds are allocated for expenditure when they are received by the department of treasury.

(2) The service assessment imposed by the department of state for credit and debit card services may be based either on a percentage of each individual credit or debit card transaction, or on a flat rate per transaction, or both scaled to the amount of the transaction. However, the department shall not charge any amount for a service assessment which exceeds the costs billable to the department for service assessments.

(3) If there is a balance of service assessments received from credit and debit card services remaining on September 30, the balance may be carried forward to the following fiscal year and appropriated for the same purpose.

(4) As used in this section, "service assessment" means and includes costs associated with service fees imposed by credit and debit card companies and processing fees imposed by banks and other financial institutions.

Sec. 818. (1) Funds in part 1 for motorcycle safety education grants and administration are appropriated to the department of state for operation of the motorcycle safety education program previously operated by the department of education under section 811a of the Michigan vehicle code, 1949 PA 300, MCL 257.811a.

(2) Funds in part 1 for motorcycle safety education grants and administration shall be derived from original and renewal motorcycle license endorsements, annual motorcycle registration fees, and motorcycle operator driving test fees.

(3) Funds in part 1 for motorcycle safety education grants and administration shall be used to provide grants to colleges, universities, intermediate school districts, local school districts, law enforcement agencies, or other governmental agencies located in the state, to help subsidize safety training courses for individuals interested in operating motorcycles.

(4) Funds in part 1 for motorcycle safety education grants and administration may be used by the department of state for administration costs of the motorcycle safety education program, to include, but not be limited to, review and approval or disapproval of grant applications, monitoring eligibility of motorcycle safety instructors, conducting program evaluation, certifying third-party testers, and inspecting training sites.

Sec. 819. (1) From the funds appropriated in part 1 to the department of state for information technology services and projects, 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.

Sec. 821. (1) The department of state may accept nonmonetary gifts, donations, or contributions of property from any private or public source to support, in whole or in part, the operation of a departmental function relating to licensing, regulation, or safety. The department may recognize a private or public contributor for making the contribution. The department may reject a gift, donation, or contribution.

(2) The department of state shall not accept a gift, donation, or contribution under subsection (1) if receipt of the gift, donation, or contribution is conditioned upon a commitment of future state funding.

(3) On March 1 of each year, the department of state shall file a report with the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director. The report shall list any gift, donation, or contribution received by the department under subsection (1) for the prior calendar year.

Sec. 824. From the funds appropriated in part 1 to the department of state, branch operations, the department shall maintain a full service secretary of state branch office in Buena Vista Township.

Sec. 827. The funds appropriated in part 1 for department of state, branch operations, are contingent upon the department complying with the following guidelines for branch office placement:

(a) The department of state shall, whenever possible, avoid leasing space for branch offices on greenfield sites or other noncentral locations that require the construction of new infrastructure to service the office or facility, except in limited circumstances when the constituency served or programs supported require the use of a noncentral or open space location.

(b) The department shall encourage public investment in this state's urban areas by locating branch offices and facilities in urban areas. As used in this section, "urban areas" means a downtown area, town centers, or central business districts.

(c) The department shall, whenever possible, locate branch offices at locations consistent with local planning and zoning and compatible with existing land uses.

(d) In selecting a site for a branch office, the department shall give priority to locations in urban areas, whenever reasonably possible and consistent with state law. In making location decisions, the department shall also give consideration to the following:

(i) Use of existing space in state-owned facilities in urban areas.

(ii) Adaptive use or rehabilitation of historic buildings or reuse of other buildings within an urban area.

(iii) Use of vacant buildings in an urban area.

(iv) Use of vacant land in an urban area.

(v) Use and rehabilitation of brownfield areas.

#### **DEPARTMENT OF TREASURY OPERATIONS**

Sec. 901. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this 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 \$10,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this 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 \$200,000.00 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 \$40,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 902. (1) Amounts needed to pay for interest, fees, principal, mandatory and optional redemptions, arbitrage rebates as required by federal law, and costs associated with the payment, registration, trustee services, credit enhancements, and issuing costs in excess of the amount appropriated to the department of treasury in part 1 for debt service on notes and bonds that are issued by the state under sections 14, 15, and 16 of article IX of the state constitution of 1963 as implemented by 1967 PA 266, MCL 17.451 to 17.455, are appropriated.

(2) In addition to the amount appropriated to the department of treasury for debt service in part 1, there is appropriated an amount for fiscal year cash-flow borrowing costs to pay for interest on interfund borrowing made under 1967 PA 55, MCL 12.51 to 12.53.

(3) In addition to the amount appropriated to the department of treasury for debt service in part 1, there is appropriated all repayments received by the state on loans made from the school bond loan fund not required to be deposited in the school loan revolving fund by or pursuant to MCL 388.984, to the extent determined by the state treasurer, for the payment of debt service, including without limitation, optional and mandatory redemptions, on bonds, notes or commercial paper issued by the state pursuant to 1961 PA 112.

Sec. 903. (1) From the funds appropriated in part 1, the department of treasury may contract with private collection agencies and law firms to collect taxes and other accounts due this state. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund collection costs and fees not to exceed 25% of the collections or 2.5% plus operating costs, whichever amount is prescribed by each contract. The appropriation to fund collection costs and fees for the collection of taxes or other accounts due this state are from the fund or account to which the revenues being collected are recorded or dedicated. However, if the taxes collected are constitutionally dedicated for a specific purpose, the appropriation of collection costs and fees are from the general purpose account of the general fund.

(2) From the funds appropriated in part 1, the department of treasury may contract with private collections agencies and law firms to collect defaulted student loans and other accounts due the Michigan guaranty agency. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund collection costs and fees not to exceed 22% of the collection or a lesser amount as prescribed by the contract. The appropriation to fund collection costs and fees for the auditing and collection of defaulted student loans due the Michigan guaranty agency is from the fund or account to which the revenues being collected are recorded or dedicated.

(3) The department of treasury shall submit a report for the immediately preceding fiscal year ending September 30 to the state budget director and the senate and house of representatives standing committees on appropriations not later than November 30 stating the agencies or law firms employed, the amount of collections for each, the costs of collection, and other pertinent information relating to determining whether this authority should be continued.

Sec. 904. (1) The department of treasury, through its bureau of investments, may charge an investment service fee against the applicable retirement funds. The fees may be expended for necessary salaries, wages, contractual services, supplies, materials, equipment, travel, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement funds. Service fees shall not exceed the aggregate amount appropriated in part 1. The department of treasury shall maintain accounting records in sufficient detail to enable the retirement funds to be reimbursed periodically for fee revenue that is determined by the department of treasury to be surplus.

(2) In addition to the funds appropriated in part 1 from the retirement funds to the department of treasury, there is appropriated from retirement funds an amount sufficient to pay for the services of money managers, investment advisors, investment consultants, custodians, and other outside professionals, the state treasurer considers necessary to prudently manage the retirement funds' investment portfolios. The state treasurer shall report annually to the senate and house of representatives standing committees on appropriations and the state budget office concerning the performance of each portfolio by investment advisor.

Sec. 904a. (1) There is appropriated an amount sufficient to recognize and pay expenditures for financial services provided by financial institutions as provided under section 1 of 1861 PA 111, MCL 21.181.

(2) The appropriations under subsection (1) shall be funded by restricting revenues from common cash interest earnings and investment earnings in an amount sufficient to record these expenditures.

Sec. 905. (1) The department of treasury shall provide copies of the state tax manual via the department's web site or provide for sale copies of the tax manuals on a compact disc or an electronically transmitted format. The revenue received from the sale of preparation and local government assistance manuals shall revert to the department of treasury and be placed in the local government assistance manual revolving fund.

(2) In addition to the funds appropriated in part 1, revenue received from the sale of those manuals is appropriated.

Sec. 906. (1) The department of treasury shall charge for audits as permitted by state or federal law or under contractual arrangements with local units of government, other principal executive departments, or state agencies. A report detailing audits performed and audit charges for the immediately preceding fiscal year shall be submitted to the state budget director and the senate and house fiscal agencies not later than November 30.

(2) The appropriation in part 1 to the department of treasury, for state compliance audits, shall be used to cover the cost of the state audits performed by independent certified public accountants or department of treasury auditors. The scope of the state audit shall be defined by the state treasurer. The state audits shall be performed by independent certified public accountants contracted with by the state treasurer or by department of treasury auditors, if the county has agreed to contract with and pay the department for their financial single audit.

(3) The state audits shall be performed for the most current county fiscal year in conjunction with the financial single audit. The state audit may be performed either by certified public accountants contracted by the state treasurer or department of treasury staff, independent of the financial single audit, if a state audit has not been performed within the last 3 years.

Sec. 907. A revolving fund known as the assessor certification and training fund is created in the department of treasury. The assessor certification and training fund shall be used to organize and operate a property assessor certification and training program. Each participant certified and trained shall pay to the department of treasury an examination fee of \$50.00, an initial certification fee of \$50.00, an annual renewal fee of \$75.00 for levels 1 and 2, and \$125.00 for levels 3 and 4 to offset the cost of administering the certification and training program. Training courses shall be offered in assessment administration. Each participant shall pay a fee to cover the expenses incurred in offering the optional programs to certified assessing personnel and other individuals interested in an assessment career opportunity. The fees collected shall be credited to the assessor certification and training fund.

Sec. 908. The amount appropriated in part 1 to the department of treasury, home heating assistance program, is to cover the costs, including data processing, of administering federal home heating credits to eligible claimants and to administer the supplemental fuel cost payment program for eligible tax credit and welfare recipients.

Sec. 909. Revenue from the airport parking tax act, 1987 PA 248, MCL 207.371 to 207.383, is appropriated and shall be distributed under section 7a of the airport parking tax act, 1987 PA 248, MCL 207.377a.

Sec. 910. The disbursement by the department of treasury from the bottle deposit fund to dealers as required by section 3c(2) of the Initiated Law of 1976, MCL 445.573c, is appropriated.

Sec. 911. (1) There is appropriated an amount sufficient to recognize and pay refundable income tax credits as provided by the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

(2) The appropriations under subsection (1) shall be funded by restricting income tax revenue in an amount sufficient to record these expenditures.

Sec. 912. A plaintiff in a garnishment action involving this state shall pay to the state treasurer 1 of the following:

(a) A fee of \$6.00 at the time a writ of garnishment of periodic payments is served upon the state treasurer, as provided in section 4012 of the revised judicature act of 1961, 1961 PA 236, MCL 600.4012.

(b) A fee of \$6.00 at the time any other writ of garnishment is served upon the state treasurer, except that the fee shall be reduced to \$5.00 for each writ of garnishment for individual income tax refunds or credits filed by magnetic media.

Sec. 913. (1) The department of treasury may contract with private firms to appraise and, if necessary, appeal the assessments of senior citizen cooperative housing units. Payment for this service shall be from savings resulting from the appraisal or appeal process.

(2) Of the funds appropriated in part 1 to the department of treasury for the senior citizens' cooperative housing tax exemption program, a portion is to be utilized for a program audit of the program. The department of treasury shall forward copies of the audit report to the senate and house of representatives standing committees on appropriations subcommittees on general government and to the state budget office. The department of treasury may utilize up to 1% of the funds for program administration and auditing.

Sec. 914. The department of treasury may provide a \$200.00 annual prize from the Ehlers internship award account in the gifts, bequests, and deposit fund to the runner-up of the Rosenthal prize for interns. The Ehlers internship award account is interest bearing.

Sec. 915. Pursuant to section 61 of the Michigan campaign finance act, 1976 PA 388, MCL 169.261, there is appropriated from the general fund to the state campaign fund an amount equal to the amounts designated for tax year 2007. Except as otherwise provided in this section, the amount appropriated shall not revert to the general fund and shall remain in the state campaign fund. Any amounts remaining in the state campaign fund in excess of \$10,000,000.00 on December 31, 2008 shall revert to the general fund.

Sec. 916. The department of treasury may make available to interested entities otherwise unavailable customized unclaimed property listings of nonconfidential information in its possession. The charge for this information is as follows: 1 to 100,000 records at 2.5 cents per record and 100,001 or more records at .5 cents per record. The revenue received from this service shall be deposited to the appropriate revenue account or fund. The department shall submit an annual report on or before June 1 to the state budget director and the senate and house of representatives standing committees on appropriations that states the amount of revenue received from the sale of information.

Sec. 917. (1) There is appropriated for write-offs and advances an amount equal to total write-offs and advances for departmental programs, but not to exceed current year authorizations that would otherwise lapse to the general fund.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director and the senate and house fiscal agencies not later than November 30, stating the amounts appropriated for write-offs and advances under subsection (1).

Sec. 918. In addition to funds appropriated in part 1, the department of treasury may receive and expend funds for conducting tax orientation workshops and seminars. Funds received may not exceed costs incurred in conducting the workshops and seminars.

Sec. 919. (1) From funds appropriated in part 1, the department of treasury may contract with private auditing firms to audit for and collect unclaimed property due this state in accordance with the Michigan uniform unclaimed property act. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund auditing and collection costs and fees not to exceed 12% of the collections, or a lesser amount as prescribed by the contract. The appropriation to fund collection costs and fees for the auditing and collection of unclaimed property due this state is from the fund or account to which the revenues being collected are recorded or dedicated.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year ending September 30 to the state budget director and the senate and house of representatives standing committees on appropriations not later than November 30 stating the auditing firms employed, the amount of collections for each, the costs of collection, and other pertinent information relating to determining whether this authority should be continued.

Sec. 920. Payments from the appropriation in part 1 to the department of treasury for grants to counties in lieu of taxes for lands transferred to the federal government include a payment for Sleeping Bear Dunes national lakeshore under 1974 PA 359, MCL 3.901 to 3.910.

Sec. 921. The state general fund/general purpose appropriation in part 1 for renaissance zone reimbursement is allocated to reimburse public libraries as provided by section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692, for property taxes levied in 2008. Reimbursements shall be made in amounts to each eligible recipient not later than 60 days after the department of treasury has received all necessary information to properly determine the amounts due each eligible recipient under section 12(4) of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692. Any excess allocations shall lapse to the general fund.

Sec. 922. The department of treasury shall submit a report for the immediately preceding fiscal year ending September 30 to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director by November 30 stating the amount of Michigan transportation fund revenue collected and the cost of collection.

Sec. 924. (1) In addition to the funds appropriated in part 1, the department of treasury may receive and expend principal residence audit fund revenue for administration of principal residence audits under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director and the senate and house fiscal agencies not later than December 31, stating the amount of revenue appropriated for principal residence audits under subsection (1).

Sec. 925. (1) A public-private partnership investment fund is created in the department of treasury. Public-private partnership investments shall include, but are not limited to, all of the following:

- (a) Capital asset improvements including buildings, land, or structures.
- (b) Energy resource exploration, extraction, generation, and sales.
- (c) Financial and investment incentive opportunities.
- (d) Infrastructure construction, maintenance, and operation.
- (e) Public-private sector joint ventures that provide economic benefit to an area or to the state.

(2) The state treasurer and the state budget director shall determine whether or not a specific public-private partnership investment opportunity qualifies for funding from the fund created under subsection (1).

(3) Investment development revenue, including a portion of the proceeds from the sale of any public-private partnership investment designated in subsection (1) shall be deposited into the fund created in subsection (1) and shall be available for administration, development, financing, marketing, and operating expenditures associated with public-private partnerships, unless otherwise provided by law. Public-private partnership investments authorized in subsection (1) are authorized for public or private operation or sale consistent with state law. Expenditures from the fund are authorized for investment purposes as designated in subsection (1) to enhance the marketable value of each investment.

(4) An annual report shall be transmitted to the senate and house of representatives appropriations committees, the senate and house fiscal agencies, and the state budget office not later than December 31 of each year. This report shall detail both of the following:

- (a) The revenue and expenditure activity in the fund for the preceding fiscal year.
- (b) Public-private partnership investments as identified under subsection (1).

Sec. 927. It is the intent of the legislature that telephone/telegraph reappraisals be funded at \$1,500,000.00 through supplemental appropriations in fiscal year 2008-2009.

Sec. 928. The department of treasury may provide receipt, warrant and cash processing, data, collection, investment, fiscal agent, levy and warrant cost assessment, writ of garnishment, and other user services on a contractual basis for other principal executive departments and state agencies. Funds for the services provided are appropriated and shall be expended for salaries and wages, fees, supplies, and equipment necessary to provide the services. Any unobligated balance of the funds received shall revert to the general fund of this state as of September 30.

Sec. 929. The department of treasury may enter into agreements to supply data or collection services to other executive principal departments or state agencies, the United States department of treasury, or local units of government within this state. The department of treasury shall charge for this tax data service and amounts received are appropriated and shall be expended for salaries and wages, fees, supplies, and equipment necessary to provide the service. Any unobligated balance of the fund shall revert to the general fund of this state as of September 30.

Sec. 930. (1) The department of treasury shall provide accounts receivable collections services to other principal executive departments and state agencies under 1927 PA 375, MCL 14.131 to 14.134. The department of treasury shall deduct a fee equal to the cost of collections from all receipts except unrestricted general fund collections. Fees shall be credited to a restricted revenue account and appropriated to the department of treasury to pay for the cost of collections. The department of treasury shall maintain accounting records in sufficient detail to enable the respective accounts to be reimbursed periodically for fees deducted that are determined by the department of treasury to be surplus to the actual cost of collections.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director and the senate and house fiscal agencies not later than November 30, stating the principal executive departments and state agencies served, funds collected, and costs of collection under subsection (1).

Sec. 930a. The department shall select a private collection agency to perform secondary collection activities in an effort to benchmark primary agency performance for all individual tax, discontinued business tax, and state agency accounts, and all active business tax accounts older than 36 months. Consistent with sound collection practices and to maximize the effectiveness of those collection activities, the department shall not select a collection agency, or related entity, that has already attempted to collect the debt in question. The department shall report its progress on second placement collection activities on a quarterly basis during the fiscal year.

Sec. 931. (1) The appropriation in part 1 to the department of treasury for treasury fees shall be assessed against all restricted funds that receive common cash earnings or other investment income. Treasury fees include all costs, including administrative overhead, relating to the investment of each restricted fund. The fee assessed against each restricted fund will be based on the size of the restricted fund (the absolute value of the average daily cash balance plus the market value of investments in the prior fiscal year) and the level of effort necessary to maintain the restricted fund as required by each department. The department of treasury shall provide a report to the state budget director, the senate and house of representatives standing committees on appropriations subcommittees on general government, and the senate and house fiscal agencies by November 30 of each year identifying the fees assessed against each restricted fund and the methodology used for assessment.

(2) In addition to the funds appropriated in part 1, the department of treasury may receive and expend investment fees relating to new restricted funding sources that participate in common cash earnings or other investment income during the current fiscal year. When a new restricted fund is created starting on or after October 1, that restricted fund shall be assessed a fee using the same criteria identified in subsection (1).

Sec. 932. Revenue received under the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1442, may be expended by the board of directors of the Michigan education trust for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund.

Sec. 933. (1) The \$800,000.00 appropriated in part 1 for the Michigan education savings program is from the Michigan merit award trust fund to fund an incentive program for the Michigan education savings program created under the Michigan education savings program act, 2000 PA 161, MCL 390.1471 to 390.1486.

(2) The funds appropriated for the Michigan education savings program shall be used to provide a state match to dollars invested on behalf of each child named as a designated beneficiary in the Michigan education savings program who is 6 years of age or less, who is a Michigan resident, and whose family's income is \$80,000.00 or less.

(3) During the current fiscal year, the state shall provide \$1.00 of matching funds for each \$3.00 of individual contributions to the educational savings accounts. The maximum state match for each designated beneficiary shall be \$200.00.

(4) The state match shall be available only in the first year the child is enrolled in the Michigan education savings program.

Sec. 934. The department of treasury may expend revenues received under the hospital finance authority act, 1969 PA 38, MCL 331.31 to 331.84, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund. The department of treasury shall maintain accounting records in sufficient detail to enable the hospital clients to be reimbursed periodically for fees that are determined by the department of treasury to be surplus to needs.

Sec. 935. The department of treasury may expend revenue received under the shared credit rating act, 1985 PA 227, MCL 141.1051 to 141.1076, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund.

Sec. 936. The department of treasury shall establish a separate account for the funds related to the Michigan higher education facilities authority. The department of treasury may expend revenue received under the higher education facilities authority act, 1969 PA 295, MCL 390.921 to 390.934, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund. The department of treasury shall maintain accounting records in sufficient detail to enable the educational institution clients to be reimbursed periodically for fees that are determined by the department to be surplus to needs.

Sec. 937. The department of treasury may expend revenues received under the Michigan public educational facilities authority, Executive Order No. 2002-3, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund.

Sec. 938. For bills received by January 15 for payments in lieu of taxes on purchased lands, the department shall pay the local units of government by February 14.

Sec. 939. It is the intent of the legislature that the state treasurer, acting within his or her capacity as the investment fiduciary for public employee pension funds and consistent with 1965 PA 314, MCL 38.1132 to 38.1140m, give appropriate consideration to investments in early stage, university derived life science companies located in Michigan, or investments in venture capital funds that invest in those companies to the extent those investments offer the safety and rate of return comparable to other investments permitted and available at the time the investment decision is made.

Sec. 940. The department of treasury may expend revenue received under the Michigan tobacco settlement finance authority act, 2005 PA 226, MCL 129.261 to 129.279, for necessary salaries and wages, supplies, contractual services equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employee retirement funds.

Sec. 941. From the funds appropriated in part 1, the department will analyze the opportunity of using a dynamic algorithm-based product to utilize insurance products as a means of addressing the medical pension liability for state employee retirees, the possibility of initial implementation of such a program or pilot program in the fiscal year 2010 budget, and possible Michigan vendors available to manage the program. The department shall provide a report of its findings to the appropriations committees in each chamber and the appropriate appropriations subcommittees not later than March 31, 2009. The department shall consult with qualified vendors and provide necessary data information, including, but not limited to, date of birth and gender data, to complete the analysis and compile the report.

Sec. 942. The funds appropriated in part 1 for the property tax appeal program shall be used by the department to assist local units of government and school districts in defending appeals of property tax assessments on property classified as utility personal property under section 34c(3)(e) of the general property tax act, 1893 PA 206, MCL 211.34c, with a taxable value greater than \$50,000,000.00.

Sec. 943. The department of treasury shall not include complete social security numbers in form 1099-G mailings to taxpayers.

Sec. 944. If the department hires a pension plan consultant using any of the funds appropriated in part 1, the department shall forward any report provided to the department by that consultant to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director.

Sec. 945. The assessment and certification division of the department of treasury may conduct a review of local unit assessment administration practices, procedures, and records, also known as the 14-point review, in at least 1 assessment jurisdiction per county.

Sec. 946. Members of the state tax commission and management level staff of the assessment and certification division may meet with statewide assessment organizations on a quarterly basis for the purpose of coordinating assessment and training activities. Recertification and training activities may be conducted at regional locations chosen to maximize participation of local officials.

Sec. 947. (1) Of the \$4,749,200.00 included in part 1 for the revenue enhancement program, \$4,249,200.00 shall be used for revenue collection enhancement activities including auditing functions.

(2) The department of treasury shall submit quarterly progress reports to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies, regarding personal property tax audits funded under subsection (1). The report shall include the number of audits, revenue generated, and number of complaints received by the department related to the audits.

(3) The \$500,000.00 balance of the \$4,749,200.00 shall be used for the principal residence exemption compliance program. Along with other program costs, expenditures shall include the development and maintenance of a statewide web-based database created for the purpose of enforcing the principal residence exemption compliance program. The department shall submit quarterly progress reports that include the number of exemptions denied and the revenue received under this program. The legislative auditor general shall complete a performance audit of the principal residence exemption compliance program prior to April 1, 2009. Revenue generated to the state from the principal residence

exemption compliance program shall be used to reimburse the state general fund for the \$500,000.00 appropriation prior to any other allocation. Additional funds from the revenue enhancement program and carryforward appropriations may be used to support costs in excess of \$500,000.00.

(4) Unexpended appropriations of the revenue enhancement program are designated as work project appropriations and shall not lapse at the end of the fiscal year and shall continue to be available for expenditure until the project has been completed. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the project is to enhance revenue collection activities.

(b) The project will be accomplished by contract.

(c) The total estimated cost of the project is \$24,600,000.00.

(d) The tentative completion date is September 30, 2009.

Sec. 948. By December 15, the department of treasury shall report to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies the number of tax returns, to include state income tax returns, single business tax returns, and Michigan business tax returns filed online by Michigan residents in the immediately preceding fiscal year.

Sec. 949. (1) In accordance with section 9 of article IX of the state constitution of 1963 and sections 814 and 815 of the Michigan vehicle code, 1949 PA 300, MCL 257.814 and 257.815, if the alternative transportation funding task force does not specifically address the costs described in this section, the secretary of state shall conduct a cost study that identifies the actual cost of the work performed for the administration and collection of transportation fees and taxes pursuant to sections 801 through 810 of the Michigan vehicle code and, when the actual cost cannot be identified, allocates combined costs that cannot be separately identified for the purpose of determining the necessary costs to collect all of the following:

(a) Vehicle title and registration fees.

(b) The costs of collecting all taxes on fuels used to propel vehicles upon state highways.

(c) The department of state's costs for collecting sales and use taxes.

(d) Any other specific taxes on motor vehicles driven upon state highways and on all registered motor vehicles.

(2) If a study is required under subsection (1), the study under subsection (1) shall be performed by an independent consulting firm with experience in cost allocation. Upon commencement of the study, the study components and methodology may be reviewed by the following:

(a) The department of transportation or its representative.

(b) The department of management and budget or its representative.

(c) The department of treasury or its representative.

(d) County road commissions or their representatives.

(e) Municipalities or their representatives.

(3) If a study is required under subsection (1), the final cost study shall be submitted to the senate and house of representatives standing committees on appropriations subcommittees on general government and transportation, the senate and house fiscal agencies, and the state budget director by April 1, 2009.

(4) Effective April 1, 2009, the study shall be used in determining the annual appropriation from restricted transportation funds. The cost study will be updated annually to reflect changes in efficiency and technology.

#### **REVENUE SHARING**

Sec. 950. (1) The funds appropriated in part 1 for constitutional revenue sharing shall be distributed by the department to cities, villages, and townships, as required under section 10 of article IX of the state constitution of 1963. Revenue collected in accordance with section 10 of article IX of the state constitution of 1963 in excess of the amount appropriated in part 1 for constitutional revenue sharing is appropriated for distribution to cities, villages, and townships, on a population basis as required under section 10 of article IX of the state constitution of 1963.

(2) The funds appropriated in part 1 for statutory revenue sharing shall be distributed so that each city, village, and township shall receive a combined total 2009 state fiscal year constitutional distribution, under section 10 of article IX of the state constitution of 1963, and statutory distribution, under this subsection, that is equal to the total distribution the city, village, or township received in the 2008 state fiscal year under section 10 of article IX of the state constitution of 1963 and the statutory distribution received under section 950(2) of PA 127 of 2007. In addition, each city, village, and township shall receive an amount equal to 2% of the statutory amount the city, village, or township received in the 2007 state fiscal year under the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.901 to 141.921.

(3) If the amount appropriated in part 1 for statutory revenue sharing is insufficient to fund the distributions calculated in subsection (2), additional statutory revenue sharing shall be automatically appropriated.

Sec. 952. Of the funds appropriated in part 1 for special grants to cities, \$212,000.00 shall be used to restore revenue sharing reductions contained in Executive Order No. 2003-23 to a city that had an emergency financial manager appointed under the local government fiscal responsibility act, 1990 PA 72, MCL 141.1201 to 141.1291, continuously from December 10, 2003 through September 30, 2009.



Sec. 955. (1) There is appropriated to each county an amount equal to the amount distributed to each county for the fiscal year ending September 30, 2004, pursuant to the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.901 to 141.921, adjusted by the inflation rate as defined in section 34d of the general property tax act, 1893 PA 206, MCL 211.34d, and reduced by the amount each county is authorized to annually expend in that county's fiscal year beginning after September 30, 2004, from its revenue sharing reserve fund pursuant to section 44a of the general property tax act, 1893 PA 206, MCL 211.44a.

(2) The department of treasury shall annually certify to the state budget director the amount each county is authorized to expend from its revenue sharing reserve fund.

#### **LOTTERY**

Sec. 960. In addition to the funds appropriated in part 1 to the bureau of state lottery, there is appropriated from lottery revenues the amount necessary for, and directly related to, implementing and operating lottery games. Appropriations under this section shall only be expended for contractually mandated payments for vendor commissions, contractually mandated payments for instant tickets intended for resale, the contractual costs of providing and maintaining the on-line system communications network, and incentive and bonus payments to lottery retailers.

Sec. 961. The funds appropriated in part 1 to the bureau of state lottery shall not be used for any promotional efforts directed towards individuals who are less than 18 years of age.

Sec. 963. The bureau of state lottery shall inform all lottery retailers that the cash side of department of human services bridge cards cannot be used to purchase lottery tickets.

#### **CASINO GAMING**

Sec. 971. From the revenue collected by the Michigan gaming control board regarding the total annual assessment of each casino licensee, \$2,000,000.00 is appropriated and shall be deposited in the compulsive gaming prevention fund as described in section 12a(5) of the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.212a.

Sec. 972. In addition to the funds appropriated in part 1, funds distributed by the Michigan gaming control board to the department of treasury for oversight of casino gaming are appropriated upon receipt. These funds may be used to pay for costs incurred for casino gaming oversight activities.

Sec. 973. (1) Funds appropriated in part 1 for local government programs may be used to provide assistance to a local revenue sharing board referenced in an agreement authorized by the Indian gaming regulatory act, Public Law 100-497.

(2) A local revenue sharing board described in subsection (1) shall comply with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, and the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(3) A county treasurer is authorized to receive and administer funds received for and on behalf of a local revenue sharing board. Funds appropriated in part 1 for local government programs may be used to audit local revenue sharing board funds held by a county treasurer. This section does not limit the ability of local units of government to enter into agreements with federally recognized Indian tribes to provide financial assistance to local units of government or to jointly provide public services.

(4) The director of the department of state police and the executive director of the Michigan gaming control board are authorized to assist the local revenue sharing boards in determining allocations to be made to local public safety organizations.

(5) The department of treasury shall submit a report by September 30 to the senate and house of representatives standing committees on appropriations and the state budget director on the receipts and distribution of revenues by local revenue sharing boards.

Sec. 974. If revenues collected in the state services fee fund are less than the amounts appropriated from the fund, available revenues shall be used to fully fund the appropriation in part 1 for casino gaming regulation activities before distributions are made to other state departments and agencies. If the remaining revenue in the fund is insufficient to fully fund appropriations to other state departments or agencies, the shortfall shall be distributed proportionally among those departments and agencies.

#### **MICHIGAN STRATEGIC FUND**

Sec. 1001. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$10,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this 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 \$1,000,000.00 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 \$700,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 1002. (1) The appropriation in part 1 to the fund for the economic development job training program is focused on skills businesses need to compete in the twenty-first century. The purpose of this program is to develop a specific skill, for Michigan residents identified for a particular Michigan business that assists that company to compete in the global economy and to create or retain high-paying jobs for Michigan residents.

(2) Not more than \$800,000.00 of the total appropriation in part 1 may be expended for administrative costs by the fund. Not more than 10% of the total grant award may be expended by a recipient for administration costs.

(3) No funds appropriated in part 1 to the fund for the economic development job training program grants may be expended for the training of permanent striker replacement workers, unless a strike exceeds 3 years and good faith negotiations are ongoing.

(4) An applicant may be a school district, intermediate school district, community college, public or private nonprofit college or university, nonprofit organization whose primary purpose is to provide education programs or employment and training services or vocational rehabilitation programs or school-to-work transition programs, local workforce development board, the headquarters of a federal and state-sponsored manufacturing technology center, or a consortium consisting of any combination of school districts, intermediate school districts, community colleges, nonprofit organizations described in this subsection, or public or private nonprofit colleges or universities described in this subsection or a business which creates at least 100 new jobs at a single location in a period not to exceed 2 years from the date of the grant award, or a business with less than 50 employees and an individual grant award of less than \$20,000.00, or a consortium consisting of any combination of any of the applicants listed.

(5) On or before October 1, the fund shall publish proposed application criteria, instructions, and forms for use by eligible applicants. The fund shall provide at least a 2-week period for public comment prior to finalization of the application criteria, instructions, and forms.

(6) The award process will include a simple notice of intent to be reviewed to see if the application merits further consideration. If so, a full application may be submitted. Applications for all grants shall be submitted to the fund, and each application shall contain at least all of the following:

(a) The name, address, and total number of employees of each business organization whose employees are receiving job training.

(b) A description of the specific job skills that will be taught.

(c) A clear statement of the project's scope of activities and number of participants to be involved.

(d) A commitment to maintain participant records in a form and manner required by the fund.

(e) A budget which relates to the proposed activities and various program components.

(7) Priority in the fund's awarding of grants shall be based on the following criteria:

(a) Demonstrated need for the type of training offered.

(b) Creation or retention of high wage and high skilled level jobs within a predetermined time period. If the employer does not create or retain the number of jobs specified within the predetermined time period, the employer shall reimburse the state for the entire direct grant awarded under this program, prorated to the number of actual jobs created or trained compared to the number in the original jobs identified in the grant application. The number of jobs created and retained will be verified by the employer via audit after the training is completed.

(c) Other criteria determined by the fund to be important.

(8) Participants in the economic development job training program shall be 16 years or older and not enrolled and counted in membership in a school district, intermediate school district, or community college, or any other program funded with state funding. Any training provider that receives state appropriated funds shall not include in the enrollment data reported for determining state aid any student credit hours or student contact hours for a student who is a participant in the economic development job training program. Exclusions of these students is intended to avoid payment of state aid for the same individuals for whom training costs are paid for through the economic development job training program.

(9) A recipient of a grant under this section shall not charge tuition or fees to participants in the program funded by the economic development job training program grant. However, a nonprofit organization may charge tuition or fees if the tuition plan or fees are recognized by the state and the nonprofit organization receives additional funding from other governmental or private funding sources for its programs.

(10) For training delivered to incumbent workers, the employer receiving the benefit of the training shall provide a minimum of 30% and a maximum of 50% of the program costs in matching funds as necessitated by the program.

(11) Grant funds shall be expended on a cost reimbursement basis.

(12) A recipient of a grant under this section shall allow the fund or the agency's designee to audit all records related to the grant for all entities that receive money, either directly or indirectly through a contract, from the grant funds. A grant recipient or contractor shall reimburse the state for all disallowances found in the audit. Costs disallowed under subsection (7)(b) based on the employer job creation and retention requirements are not the same as the training costs that are disallowed in this subsection.

(13) The fund shall provide to the state budget director and the fiscal agencies by November 1 of each year a report on the economic development job training program grants. The report shall provide this information for each grant or contract awarded during the preceding full fiscal year. The report shall contain all of the following:

(a) The amount and recipient of each grant or contract.

(b) The number of participants under each grant or contract and the number of new hires who are in training under the grant.

(c) The names, addresses, and total number of employees of all business organizations for whom training is or will be provided.

(d) The matching funds, if any, to be provided by a business organization.

(e) The number of jobs created as a result of the grant.

(14) As a condition of receiving funds under part 1 of this act, the fund shall not expend any of the economic development job training program funds to train any employee who is an officer of a corporation in a corporation employing more than 250 employees.

(15) The Michigan strategic fund shall allocate \$500,000.00 for aerospace certification grants as described in this subsection. The grants shall be funded from the appropriation in part 1 for economic development job training grants or work project funds available for the defense contract coordination center, or both. The Michigan strategic fund shall report to the senate and house subcommittees on general government, the fiscal agencies, and the state budget office by January 15, 2009 on the sources of funding for this program. \$500,000.00 shall be allocated for the following purposes:

(a) \$250,000.00 shall be allocated for aerospace certification grants to assist manufacturers in becoming certified for aerospace manufacturing. Priority shall be given to ISO or TS certified companies that are members of a state of Michigan nonprofit, tax-exempt aerospace manufacturers association and have received a request for quotes or request for proposal from an aerospace company. Grant awards of up to \$10,000.00 shall be given to a qualifying company seeking such certification. As used in this section, "ISO" means international organization for standardization and "TS" means technical specification.

(b) \$250,000.00 shall be provided to the Michigan aerospace manufacturers association, a nonprofit, tax-exempt, aerospace-based manufacturing association. Funding shall be used for organizational assistance and to advance and promote the aerospace manufacturing community in the state of Michigan within the global economy.

(c) The fund shall report to the subcommittees and fiscal agencies by September 30 a listing of all grant recipients and the amount of the awards allocated.

(16) Of the funds appropriated in part 1 for economic development job training grants, \$50,000.00 shall be allocated to Mack Alive for employment readiness, job training and other eligible activities under this section.

Sec. 1003. The Michigan growth capital fund shall be used to develop the technology business sector in Michigan. The Michigan growth capital fund will be used to encourage private and public investment in the technology business sector, and all of the following apply:

(a) An applicant must match state funds on a 1:1 basis.

(b) Eligible uses of the Michigan growth capital fund include investments in organizations and programs that promote the development of new industry sectors in Michigan; inducements to attract additional venture capital funds to finance technology development; support organizations, initiatives, or events that promote entrepreneurship; provide match for university federal research grants; and support technology transfer and commercialization programs with universities and the private sector.

(c) The Michigan economic development corporation shall administer the Michigan growth capital fund.

(d) All funds received from repayment of loans, unused grants, revenues received from sales or cash flow participation agreements, guarantees, or any combination thereof or interest thereon, originally distributed as part of the Michigan growth capital fund, shall be received, held, and applied by the fund for the purposes described in this section.

(e) The Michigan economic development corporation shall provide an annual report on the status of the Michigan growth capital fund to the senate appropriations committee subcommittee on economic development, the house appropriations committee subcommittee on general government, the senate and house fiscal agencies, and the state budget office by January 31.

Sec. 1004. Travel Michigan may establish and collect a fee to cover the cost of materials and processing of photographic prints, slides, videotapes, and travel product database information that are requested by the media and other segments of the public and private sectors. The fees collected shall be appropriated for all expenses necessary to purchase and distribute these photographic prints, slides, videotapes, and travel product database information. The funds are available for expenditure when they are received by the department of treasury.

Sec. 1005. Travel Michigan may receive and expend private revenue related to the use of the "Michigan Great Lakes. Great Times.", "The Upper Hand", and "Pure Michigan" copyrighted slogans and images. This revenue may come from the direct licensing of the name and image or from the royalty payments from various merchandise sales. Revenue collected is appropriated for the marketing of the state as a travel destination. The funds are available for expenditure when they are received by the department of treasury.

Sec. 1006. The fund shall submit on February 15 to the subcommittees, the state budget office, and the fiscal agencies a listing of all grants which have been awarded by the fund or by the Michigan economic development corporation from the funds appropriated in part 1. The list shall include all of the following:

(a) The name of the recipient.

(b) The amount awarded to the recipient.

(c) The purpose of the grant.

Sec. 1007. (1) The fund shall provide reports to the relevant subcommittees, the state budget director, and the fiscal agencies concerning the activities of the Michigan economic development corporation grants and investment programs

financed from the fund using investment or Indian gaming revenues. The report shall provide a list of individual grants and loans made from the fund. The report shall include, but not be limited to, the following programs funded in part 1:

(a) Travel Michigan, including any expenditures authorized under section 89b of the Michigan strategic fund act, 1984 PA 270, MCL 125.2089b, to supplement the Michigan promotion program. The report shall include the number of commercials produced, the markets in which media buys have been made, and any web-based products that were created with these funds.

(b) Business attraction, retention, and growth, including any expenditures authorized under section 89b of the Michigan strategic fund act, 1984 PA 270, MCL 125.2089b, to supplement the Michigan business marketing program. The report shall include the number of commercials produced, the markets in which media buys have been made, and any web-based products that were created as a result of this appropriation.

(c) Business services.

(d) Community development block grants.

(e) Strategic fund administration.

(f) Renaissance zones.

(g) 21st century investment program.

(h) Business and clean air ombudsman.

(i) Economic development job training program grants.

(j) Any other programs of the fund.

(2) The reports in subsection (1) shall be submitted by January 15. The report for each program in subsection (1)(a) through (j) shall include details on all revenue sources, actual expenditures, and number of FTEs for that program for the previous fiscal year.

Sec. 1008. As a condition of receiving funds under part 1, any interlocal agreement entered into by the fund shall include language which states that if a local unit of government has a contract or memorandum of understanding with a private economic development agency, the Michigan economic development corporation will work cooperatively with that private organization in that local area.

Sec. 1009. (1) Of the funds appropriated to the fund or through grants to the Michigan economic development corporation, no funds shall be expended for the purchase of options on land or the purchase of land unless at least 1 of the following conditions applies:

(a) The land is located in an economically distressed area.

(b) The land is obtained through a purchase or exercise of an option at the invitation of the local unit of government and local economic development agency.

(2) Consideration may be given to purchases where the proposed use of the land is consistent with a regional land use plan, will result in the redevelopment of an economically distressed area, can be supported by existing infrastructure, and will not cause shifts in population away from the area's population centers.

(3) As used in this section, "economically distressed area" means an area in a city, village, or township that has been designated as blighted; a city, village, or township that shows negative population change from 1970 and a poverty rate and unemployment rate greater than the statewide average; or an area certified as a neighborhood enterprise zone.

Sec. 1010. The money appropriated in part 1 to the fund is subject to the condition that none is spent for premiums or advertising material involving personal effects or apparel including, but not limited to, T-shirts, hats, coffee mugs, or other promotional items, except travel Michigan.

Sec. 1011. (1) From the general fund/general purpose appropriations in part 1 to the fund and granted or transferred to the Michigan economic development corporation, any unexpended or unencumbered balance shall be disposed of in accordance with the requirements in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, unless carryforward authorization has been otherwise provided for.

(2) Any encumbered funds shall be used for the same purposes for which funding was originally appropriated in this act.

Sec. 1012. (1) As a condition of receiving funds under part 1, the fund shall ensure that the MEDC and the fund comply with all of the following:

(a) The freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(b) The open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(c) Annual audits of all financial records by the auditor general or his or her designee.

(d) All reports required by law to be submitted to the legislature.

(2) If the MEDC is unable for any reason to perform duties under this act, the fund may exercise those duties.

Sec. 1013. As a condition for receiving the appropriations in part 1, any staff of the Michigan economic development corporation involved in private fund-raising activities shall not be party to any decisions regarding the awarding of grants or tax abatements from the fund, the Michigan economic development corporation, or the Michigan economic growth authority.

Sec. 1014. (1) The funding appropriated in part 1 of 2000 PA 291 for the Michigan core communities fund may be used to create an urban revitalization infrastructure program in the fund for economic development awards to create new jobs or contribute to redevelopment and encourage private investment in core communities.

(2) Awards may be provided to qualified local governmental units as defined in the obsolete property rehabilitation act, 2000 PA 146, MCL 125.2781 to 125.2797, or certified technology parks, as defined in the local development financing act, 1986 PA 281, MCL 125.2151 to 125.2174.

(3) Awards can be used for land and property acquisition and assembly, demolition, site development, utility modifications and improvements, street and road improvements, telecommunication infrastructure, site location and relocation, infrastructure improvements, and any other costs related to the successful development and implementation of core community or certified technology park projects, at the discretion of the Michigan economic development corporation.

(4) Funding may be provided in the form of loans, grants, sales or cash flow participation agreements, guarantees, or any combination of these. A cash match of at least 10%, or local repayment guarantee with a dedicated funding source, is required. Priority shall be given to projects which are integrated with existing economic development programs and to projects in proportion to the amount that local matching rates exceed 10%.

(5) The Michigan economic development corporation shall have all administrative responsibility for the Michigan core communities fund and shall establish application and application scoring criteria and approve awards. The Michigan economic development corporation may utilize up to 1/2 of 1% of the fund for administrative purposes.

(6) Funds will be awarded through an open competitive process based on criteria including the following: project impact, project marketability, lack of adequate infrastructure or land assembly financing sources, local administrative capacity, and the level of local matching funds. Awardees shall agree to expedite the local development process, such as fast-track permitting procedures, streamlined regulatory requirements, standardized construction and building codes, and the use of competitive construction permitting fees.

(7) No single applicant shall be awarded more than \$10,000,000.00 per project.

(8) Fifteen days prior to the award of the funds, notification shall be provided to the speaker of the house of representatives, the senate majority leader, the members of the house and senate appropriations committees, the fiscal agencies, and the state budget director.

(9) Funds shall not be awarded for any of the following purposes:

(a) Land sited for use as, or support for, a gaming facility.

(b) Land or other facilities owned or operated by a gaming facility.

(c) Publicly owned land or facilities which may directly or indirectly support a gaming facility.

(10) All funds received from repayment of loans, unused grants, revenues received from sales or cash flow participation agreements, guarantees, or any combination thereof or interest thereon, originally distributed as part of the core communities fund, shall be received, held, and applied by the fund for the purposes described in this part.

(11) The fund shall provide an annual report on the status of this fund. The report shall be provided to the subcommittees, the fiscal agencies, and the state budget office by January 31.

Sec. 1015. The fund shall continue to contract with regional planning commissions for technical assistance to member municipalities. The contracts shall be awarded at the fiscal year 2007-2008 level.

Sec. 1016. The Michigan economic development corporation shall utilize the audit procedures developed in section 1016 of 2007 PA 127 to audit the jobs claims from firms receiving financial or tax incentives from the state. The agency shall review the results of the audit and report the findings to the legislature by May 1.

Sec. 1019. In accordance with chapter 8B of 1984 PA 270, MCL 125.2089 to 125.2089d, it is the intent of the legislature that the Michigan strategic fund, its employees, contract employees, and individuals working on its behalf collaborate with the Michigan department of agriculture to promote business development of Michigan agricultural products to achieve outcomes that include, but are not limited to, increases in export sales, increases in the number of retailers carrying Michigan commodities both within and outside of this state, and increased sales of Michigan products at chain grocers.

Sec. 1020. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 and that do not require additional state matching funds are appropriated for the purposes intended. The fund may carry forward into the succeeding fiscal year unexpended federal pass-through funds to local institutions and governments that do not require additional state matching funds. The fund shall report the amount and source of the funds to the senate appropriation subcommittee on economic development, the house appropriation subcommittee on general government, the senate and house fiscal agencies, and the state budget office within 10 business days after receiving any additional pass-through funds.

Sec. 1021. There is \$50,000,000.00 general fund/general purpose revenue appropriated in 2008 PA 98 available for tourism promotion and business marketing in accordance with that act.

Sec. 1023. Tourism promotion shall include, but is not limited to, the Mackinac Island state park, Michigan state historic parks, cultural, vacation, recreational, leisure, hunting-related, motor sports entertainment-related, and agriculture-related travel across this state that includes activities that promote tourism in all 4 seasons.

Sec. 1024. From the funds appropriated in part 1 for the jobs for Michigan investment program: 21st century jobs fund, \$1,400,000.00 shall be granted by the Michigan strategic fund board to the Michigan small business and technology development centers to be used for the SBIR or STTR grant or loan matching program. These funds shall only be used to provide the required match. Grants or loans under this section shall not exceed 25% of the federal funds and must leverage third-party commercialization funding at both the phase I and phase II levels.

Sec. 1027. Of the funds appropriated in part 1 for the jobs for Michigan investment program: 21st century jobs fund, \$3,000,000.00 shall be allocated to Lakeshore Advantage for the same purposes as the fiscal year 2007-2008 allocation.

Sec. 1029. It is the intent of the legislature that the fund only award tax breaks or other economic development incentives to companies that give preference to Michigan workers.

Sec. 1032. The Michigan film office shall report to the subcommittees and the fiscal agencies by September 30 on the status of the new film tax credit program. The report shall include all of the following information:

- (a) The number of contracts signed.
- (b) The number of films that have completed shooting.
- (c) The total amount of the tax credits provided.
- (d) The counties where the films were made.
- (e) The number of temporary and permanent jobs created.

Sec. 1033. The fund shall make available to the public the minutes of the Michigan film office advisory council.

Sec. 1034. (1) The funds appropriated in part 1 for the business incubator program shall be awarded on a competitive basis within each of the following counties:

- (a) Berrien.
- (b) Genesee.
- (c) Macomb.
- (d) Washtenaw.
- (e) Wayne.

(2) Eligible recipients for these awards must be operational on October 1, 2008 and submit a comprehensive business plan that demonstrates sustainable operating capacity.

(3) Awards shall be announced by March 31, 2009.

**REVENUE STATEMENT**

Sec. 1101. Pursuant to section 18 of article V of the state constitution of 1963, fund balances and estimates are presented in the following statement:

BUDGET RECOMMENDATIONS BY OPERATING FUNDS

(Amounts in millions)

Fiscal Year 2008-2009

	Fund	Beginning Unreserved Fund Balance	Estimated Revenue	Ending Balance
<b>OPERATING FUNDS</b>				
General fund/general purpose.....	0110	125.5	9,425.6	10.9
General fund/special purpose .....		448.0	16,309.7	473.4
Special Revenue Funds:				
Countercyclical budget and economic stabilization .....	0111	102.2	4.3	106.5
Game and fish protection .....	0112	5.1	61.0	4.0
Michigan employment security act administration.....	0113	8.1	13.5	3.5
State aeronautics.....	0114	5.8	177.7	4.8
Michigan veterans' benefit trust.....	0115	0.0	4.3	0.0
State trunkline .....	0116	0.0	2,181.8	0.0
Michigan state waterways .....	0117	1.1	29.7	0.1
Blue Water Bridge.....	0118	0.0	14.5	0.0
Michigan transportation.....	0119	0.0	1,929.4	0.0
Comprehensive transportation .....	0120	0.0	312.6	0.0
School aid.....	0122	0.0	13,312.4	0.0
Game and fish protection trust.....	0124	6.0	12.8	6.0
State park improvement.....	0125	1.6	39.4	0.0
Forest development.....	0126	0.0	24.0	0.0
Michigan civilian conservation corps endowment.....	0128	0.3	0.0	0.3
Michigan natural resources trust .....	0129	33.5	52.5	37.4
Michigan state parks endowment .....	0130	7.6	16.7	5.0
Safety education and training.....	0131	2.8	9.0	2.8
Bottle deposit.....	0136	0.0	16.9	0.0
State construction code.....	0138	0.2	9.5	(2.8)
Children's trust .....	0139	1.3	10.1	1.0
State casino gaming.....	0140	1.6	34.3	1.6

Homeowner construction lien recovery .....	0141	3.0	1.4	2.4
Michigan nongame fish and wildlife .....	0143	0.2	0.6	0.1
Michigan merit award trust .....	0154	15.0	203.1	0.0
Outdoor recreation legacy .....	0162	0.0	2.3	0.0
Off-road vehicle account .....	0163	2.5	3.5	1.0
Snowmobile account.....	0164	2.2	9.6	0.2
Silicosis dust disease and logging .....	0870	3.2	1.3	2.5
Utility consumer representation.....	0893	3.5	1.3	3.6
TOTALS .....		\$780.3	\$44,697.1	\$664.3

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

A bill 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.

Marsha Cheeks  
George Cushingberry, Jr.  
Goeff Hansen  
Conferees for the House

John Pappageorge  
Mark Jansen  
Glenn Anderson  
Conferees for the Senate

The question being on the adoption of the conference report,

The first conference report was adopted, a majority of the members serving voting therefor, as follows:

**Roll Call No. 524**

**Yeas—29**

Allen	Clarke	Jelinek	Richardville
Anderson	Cropsey	Kahn	Sanborn
Barcia	Gilbert	Kuipers	Schauer
Birkholz	Gleason	McManus	Scott
Bishop	Hardiman	Olshove	Stamas
Brown	Hunter	Pappageorge	Switalski
Cassis	Jansen	Patterson	Van Woerkom
Clark-Coleman			

**Nays—0**

**Excused—9**

Basham	Garcia	Jacobs	Thomas
Brater	George	Prusi	Whitmer
Cherry			

**Not Voting—0**

In The Chair: Richardville

Senator Cropsey moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the Senate proceeded to the order of  
**Resolutions**

Senator Cropsey moved that consideration of the following resolutions be postponed for today:

**Senate Concurrent Resolution No. 22**

**Senate Resolution No. 181**

The motion prevailed.

Senator Richardville offered the following resolution:

**Senate Resolution No. 212.**

A resolution to memorialize the Congress and the President of the United States to enact the River Raisin National Battlefield Act.

Whereas, The then-territory of Michigan played a pivotal role in the events of the War of 1812, a military struggle that is sometimes referred to as America's "Second Revolutionary War." With victory in this war, the fledgling United States finally achieved complete freedom from the military domination of Great Britain, which had occupied American territory—including the settlements at Detroit and Mackinac—long after the Treaty of Paris had ended the Revolutionary War; and

Whereas, The Battle of the River Raisin took place on Michigan soil on January 22, 1813, at what was then called Frenchtown in Monroe County. Nine hundred thirty-four Americans were involved in this conflict. Of this number, only 33 escaped death or capture following the massacre of wounded soldiers and innocent civilians after the battle had ended. This was one of the bloodiest encounters of the War of 1812; and

Whereas, In early October of that same year, the men of the Kentucky Cavalry, led by survivors of the Battle of the River Raisin, engaged British forces and their Indian allies in Ontario, decisively defeating them at the Battle of the Thames. The battle cry of "Remember the Raisin!" galvanized support for the war effort throughout the Northwest Territory and across our young nation; and

Whereas, Legislation pending in Congress, H.R. 6470, the River Raisin National Battlefield Act, would begin the process of establishing the River Raisin National Battlefield Park. This bill would provide for the acquisition of sites relating to this historic event by the Secretary of the Interior. Clearly, this key battle from our nation's beginning has never received appropriate recognition. The creation of this park is long overdue; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress and the President of the United States to enact the River Raisin National Battlefield Act, H.R. 6470; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Pending the order that, under rule 3.204, the resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the resolution,

Senator Cropsey moved that the resolution be referred to the Committee on Natural Resources and Environmental Affairs.

The motion prevailed.

Senators Anderson, Barcia, Birkholz, Clarke, Gleason, Hardiman, Pappageorge and Switalski were named co-sponsors of the resolution.

**House Concurrent Resolution No. 94.**

A concurrent resolution to memorialize the Congress of the United States to enact the Great Lakes-St. Lawrence River Basin Water Resources Compact.

Whereas, The Great Lakes are truly one of the great natural resources of our nation and the world. The Great Lakes hold nearly 20 percent of the world's and 95 percent of the nation's surface freshwater resources. The entire Great Lakes region depends on these inland seas for drinking water, manufacturing, agriculture, recreation, and shipping. Yet, despite their vast size, the Great Lakes are vulnerable to exploitation through diversions and wasteful use, placing in jeopardy the economy and quality of life of all the people, farms, and businesses that depend on them; and



Whereas, The Great Lakes-St. Lawrence River Basin Water Resources Compact would protect the Great Lakes from diversions and wasteful withdrawals while preserving the reasonable use of Great Lakes water within the region. This historic document represents a hard-fought compromise negotiated over five years by the Great Lakes governors and Canadian premiers with input from thousands of stakeholders and citizens; and

Whereas, All eight of the Great Lakes states—Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin—have enacted the compact into state law and committed themselves to manage this critical resource in a consistent and prudent manner. Michigan has already moved forward and passed laws to completely implement the compact and created a comprehensive water withdrawal management program. However, this historic commitment will not be complete until the U.S. Congress gives its blessing and demonstrates its commitment to keeping the Great Lakes great for generations to come; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact the Great Lakes-St. Lawrence River Basin Water Resources Compact; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The question being on the adoption of the concurrent resolution,

Senator Cropsey moved that the concurrent resolution be referred to the Committee on Natural Resources and Environmental Affairs.

The motion prevailed.

Senators Anderson, Barcia, Birkholz, Clarke, Gleason, Hardiman, Pappageorge, Schauer and Switalski were named co-sponsors of the concurrent resolution.

#### **House Concurrent Resolution No. 95.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Wednesday, July 23, 2008, it stands adjourned until Wednesday, August 13, 2008 at 10:00 a.m.; and be it further

Resolved, That when the Senate adjourns on Thursday, July 24, 2008, it stands adjourned until Wednesday, August 13, 2008.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations and Reform,

Senator Cropsey moved that the rule be suspended.

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

The concurrent resolution was adopted.

Senators Anderson, Birkholz, Gleason, Pappageorge and Switalski were named co-sponsors of the concurrent resolution.

#### **Senate Concurrent Resolution No. 30.**

A concurrent resolution prescribing the legislative schedule.

(For text of resolution, see Senate Journal No. 67, p.1620.)

The House of Representatives has adopted the concurrent resolution.

The concurrent resolution was referred to the Secretary for record.

By unanimous consent the Senate returned to the order of

#### **Motions and Communications**

Senator Cropsey moved that the rules be suspended and that the following bill, now on Committee Reports, be placed on the General Orders calendar for consideration today:

#### **House Bill No. 6205**

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

Senator Cropsey moved that, pursuant to rule 1.114, upon receipt of Senate bills returned from the House of Representatives, the Secretary of the Senate be directed to proceed with the enrollment printing and presentation of the bills to the Governor.

The motion prevailed.

Senator Cropsey moved that when the Senate convenes on Wednesday, August 13, it convenes at 2:00 p.m.; when it adjourns on Wednesday, August 13, it stands adjourned until Wednesday, August 27, at 10:00 a.m.; and when it adjourns on Wednesday, August 27, it stands adjourned until Tuesday, September 9, at 10:00 a.m.

The motion prevailed.

By unanimous consent the Senate proceeded to the order of

### **General Orders**

Senator Cropsey moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President pro tempore, Senator Richardville, designated Senator Jansen as Chairperson. After some time spent therein, the Committee arose; and, the President pro tempore, Senator Richardville, having resumed the Chair, the Committee reported back to the Senate, favorably and with amendment, the following bill:

#### **House Bill No. 6205, entitled**

A bill to amend 1975 PA 222, entitled "Higher education loan authority act," by amending section 5 (MCL 390.1155), as amended by 2002 PA 547.

The following is the amendment recommended by the Committee of the Whole:

1. Amend page 3, line 14, after "AUTHORITY" by inserting a comma and "**WITH THE APPROVAL OF THE STATE TREASURER,**".

The Senate agreed to the amendment recommended by the Committee of the Whole, and the bill as amended was placed on the order of Third Reading of Bills.

Senator Clark-Coleman asked and was granted unanimous consent to make a statement and moved that the statement be printed in the Journal.

The motion prevailed.

Senator Clark-Coleman's statement is as follows:

Colleagues, I rise to recognize one of the best interns my office has ever had, Yessymkan Oralbayev. I am proud to say he has served the constituents of Senate District No. 3 for the last two months with great distinction and honor. I'm equally happy to announce that he is leaving us for greener pastures to participate in Governor Granholm's Michigan Leadership Development Program, where he will continue his foray into public policy.

Khan, as we respectfully refer to him, came in on day one ready to work, learn, and share. Propelled by the politics of his home country—the Republic of Kazakhstan—Kahn has a driving desire to help the little guy through public policy. I am pleased to know that someone so young can be so passionate about people.

Khan has lived in America for three years. He received the presidential scholarship from his country to study in the United States, and he chose Michigan State University, where he is studying public policy and public administration. Upon completion of his internship with us, he will have satisfied the requirements to obtain his Bachelor of Arts degree.

Please join me in thanking Yessymkan for his service and in wishing him well in his very bright, bright future.

By unanimous consent the Senate returned to the order of

### **Third Reading of Bills**

Senator Cropsey moved that the rules be suspended and that the following bill, now on the order of Third Reading of Bills, be placed on its immediate passage at the head of the Third Reading of Bills calendar:

#### **House Bill No. 6205**

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

The following bill was read a third time:

#### **House Bill No. 6205, entitled**

A bill to amend 1975 PA 222, entitled "Higher education loan authority act," by amending section 5 (MCL 390.1155), as amended by 2002 PA 547.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

**Roll Call No. 525****Yeas—29**

Allen	Clarke	Jelinek	Richardville
Anderson	Cropsey	Kahn	Sanborn
Barcia	Gilbert	Kuipers	Schauer
Birkholz	Gleason	McManus	Scott
Bishop	Hardiman	Olshove	Stamas
Brown	Hunter	Pappageorge	Switalski
Cassis	Jansen	Patterson	Van Woerkom
Clark-Coleman			

**Nays—0****Excused—9**

Basham	Garcia	Jacobs	Thomas
Brater	George	Prusi	Whitmer
Cherry			

**Not Voting—0**

In The Chair: Richardville

The question being on concurring in the committee recommendation to give the bill immediate effect,

The recommendation was concurred in, 2/3 of the members serving voting therefor.

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to establish the Michigan higher education student loan authority for the purpose of providing loans to eligible students and to parents of students; to prescribe its powers and duties; to authorize the authority to borrow money and issue bonds which are subject to or exempt from federal income taxation and to provide for the disposition of those funds; to exempt the bonds from taxation; to authorize the authority to acquire loans made to eligible students or to parents of students; and to authorize persons, corporations, and associations to make gifts to the authority;”.

The Senate agreed to the full title.

By unanimous consent the Senate returned to the order of

**Motions and Communications**

The following communications were received and read:

Office of the Senate Majority Leader

July 24, 2008

Pursuant to Joint Rule 3, the Senate having non-concurred in the House substitute (H-2) to Senate Bill 213, I hereby appoint the following members to sit on the conference committee:

Senator Patricia Birkholz

Senator Randy Richardville

Senator Dennis Olshove

Thank you for your prompt consideration of this matter.

July 24, 2008

Pursuant to Joint Rule 3, the House having non-concurred in the Senate substitute (S-7) to House Bill 5524, I hereby appoint the following members to sit on the conference committee:

Senator Cameron Brown

Senator Randy Richardville  
Senator Dennis Olshove  
Thank you for your prompt consideration of this matter.

Respectfully yours,  
Michael D. Bishop, Majority Leader  
State Senate, 12th District

The communications were referred to the Secretary for record.

By unanimous consent the Senate proceeded to the order of  
**Introduction and Referral of Bills**

Senator Switalski introduced  
**Senate Bill No. 1443, entitled**

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

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

Senator Barcia introduced  
**Senate Bill No. 1444, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 621 and 622 (MCL 257.621 and 257.622), section 622 as amended by 2003 PA 66.

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

Senators Allen and Barcia introduced  
**Senate Bill No. 1445, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 102 (MCL 450.4102), as amended by 2002 PA 686.

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

Senators Barcia and Allen introduced  
**Senate Bill No. 1446, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending sections 204, 206, 803, and 1004 (MCL 450.4204, 450.4206, 450.4803, and 450.5004), section 204 as amended by 2002 PA 686 and section 206 as amended by 1997 PA 52.

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

Senators Hunter, Clark-Coleman, Anderson, Gleason, Basham, Clarke, Jacobs, Scott, Thomas, Olshove and Switalski introduced

**Senate Bill No. 1447, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406s.

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

Senators Hunter, Clark-Coleman, Anderson, Gleason, Basham, Clarke, Jacobs, Scott, Thomas, Olshove and Switalski introduced

**Senate Bill No. 1448, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416e.

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

Senators Allen, Kuipers, Cropsey and Sanborn introduced

**Senate Bill No. 1449, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7q (MCL 211.7q), as added by 1980 PA 142.

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

Senators Kuipers and Jansen introduced

**Senate Bill No. 1450, entitled**

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending sections 6 and 7 (MCL 38.1306 and 38.1307), as amended by 1995 PA 272.

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

Senator Gilbert introduced

**Senate Bill No. 1451, entitled**

A bill to amend 1933 PA 254, entitled “The motor carrier act,” by amending the title and section 1 of article I, sections 2, 6, and 7 of article IV, and sections 2, 8, 9, and 10 of article V (MCL 475.1, 478.2, 478.6, 478.7, 479.2, 479.8, 479.9, and 479.10), the title and section 10 of article V as amended by 1982 PA 399, section 1 of article I and section 2 of article V as amended by 2007 PA 33, section 2 of article IV as amended by 1993 PA 352, and section 7 of article IV as amended by 1989 PA 221.

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

Senator Cropsey introduced

**Senate Bill No. 1452, entitled**

A bill to amend 1966 PA 189, entitled “An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts,” by amending sections 1, 2, and 4 (MCL 780.651, 780.652, and 780.654), section 1 as amended by 2003 PA 185 and section 4 as amended by 2002 PA 112.

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

## Statements

Senators Scott and Cassis asked and were granted unanimous consent to make statements and moved that the statements be printed in the Journal.

The motion prevailed.

Senator Scott’s statement is as follows:

I rise today to share with you a traditional African proverb that applies to everyone in every setting. It says, “Change your mind and you will change your life.” Did you get that? Change your mind and you will change your life. That’s what I have been trying to convince you of in my hundreds of insurance floor statements over the past several years.

This proverb takes on an even greater meaning in the context of insurance because by changing your minds, you can change not just your lives, but the lives of thousands of Michigan homeowners and drivers who are either struggling mightily to pay unreasonable insurance premiums or doing without insurance entirely and jeopardizing themselves in the eyes of the law. You have the ability to change their lives.

So, once again, I stand before you to say change your minds and move my bills.

Senator Cassis’ statement is as follows:

I rise today to honor the memory of a Michigan son who gave his life in service to our country. United States Army Specialist Byron Fouty, 19, of Walled Lake, is truly an American hero. Byron was abducted on May 12, 2007, in an ambush near Mahmoudiya, Iraq. We all held our breath and prayed that he would be found alive. So many anxious months went by. Tragically, his remains and those of Sergeant Alex Jiminez of Massachusetts were found two weeks ago on July 9 in the Iraqi village of Jurf.

Byron was dearly loved by his family and friends. On duty in Iraq, he was like a brother to the fellow members in the unit in which he served—the 4th Battalion, 31st Infantry Regiment, 2nd Brigade Combat Team, 10th Mountain Division—out of Fort Drum, New York. In fact, members of his unit flew to Michigan to serve as pallbearers and color guard at a memorial service for Byron on Tuesday in Novi.

He was warmly and fondly remembered at his memorial by his father, Walled Lake resident Mick Fouty. Mick said of his son at the service, “He served our country with honor and dignity. He’s a hero and always will be.”

Mick also paid tribute to Byron in poem, which stated, in part, "You are a precious gift from God. You are a bright, loving child who grew to be a strong, confident, and respected leader. We love you and will never give up. You're home now. Our Hero Byron." I doubt that truer or more touching words of a father for his son have ever been spoken.

Byron's former stepfather, Gordon Dibler, Jr.; Dibler's son Christopher; and Byron's half-sister Sarah Dibler also spoke movingly of Byron. "He was my big brother and best friend," Sarah said. He is also survived by his mother, Hillary Meunier, his grandparents, uncle, several nephews, and cousins.

Byron's service was held at Brightmoor Christian Church in Novi and was led by Army Chaplain Captain John F. Jensen, who mentioned that the motto of Byron's unit was "Climb to Glory." Byron, who received the Bronze Star and Purple Heart, certainly adhered to that motto. Byron loved his family, he loved his friends, he loved his country, and he loved freedom.

He will be laid to rest in Texas at Fort Sam Houston National Cemetery in San Antonio tomorrow. Texas is the home of his mother.

We can only imagine what this 19-year-old soldier endured. We can only imagine his bravery and courage. You know, his father said he was pleased in this moment of immense sorrow that his son was with another soldier; that they were together; that Byron wasn't alone. We pray for both of them. We also pray that the outpouring of Michigan and American caring and support will comfort the family today and in all the days ahead.

In honor of U.S. Army Specialist Byron Fouty and his service to our country, I ask you, my Senate colleagues, staff, and guests, to join me at this time to observe a moment of silence.

A moment of silence was observed in memory of Army Specialist Byron Fouty.

### Committee Reports

The Committee on Appropriations reported

**House Bill No. 6205, entitled**

A bill to amend 1975 PA 222, entitled "Higher education loan authority act," by amending section 5 (MCL 390.1155), as amended by 2002 PA 547.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Ron Jelinek  
Chairperson

To Report Out:

Yeas: Senators Jelinek, Hardiman, Kahn, Cropsey, Jansen, Stamas, Switalski, Anderson, Cherry and Clark-Coleman  
Nays: None

The bill was referred to the Committee of the Whole.

### COMMITTEE ATTENDANCE REPORT

The Committee on Appropriations submitted the following:

Meeting held on Thursday, July 24, 2008, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Hardiman, Kahn, Cropsey, Jansen, Stamas, Switalski, Anderson, Cherry, Clark-Coleman and Scott

Excused: Senators Pappageorge, Garcia, George, Brown, McManus, Barcia and Brater

### COMMITTEE ATTENDANCE REPORT

The Conference Committee on K-12 School Aid (SB 1107) submitted the following:

Meeting held on Thursday, July 17, 2008, at 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators Jelinek (C), Brown and Switalski

### COMMITTEE ATTENDANCE REPORT

The Subcommittee on Community Health submitted the following:

Meeting held on Thursday, July 17, 2008, at 12:30 p.m., Senate Hearing Room, Ground Floor, Boji Tower

Present: Senators Kahn (C), Pappageorge, Stamas, George, Cherry, Switalski and Barcia

**COMMITTEE ATTENDANCE REPORT**

The Conference Committee on General Government (HB 5816) submitted the following:  
Meeting held on Wednesday, July 23, 2008, at 9:00 a.m., Room 426, Capitol Building  
Present: Senators Pappageorge, Jansen and Anderson

**Scheduled Meetings**

**Legislative Commission on Government Efficiency** - Friday, July 25, 9:00 a.m., Legislative Council Conference Room, 3rd Floor, Boji Tower (373-0212)

Senator Cropsey moved that the Senate adjourn.  
The motion prevailed, the time being 12:34 p.m.

Pursuant to House Concurrent Resolution No. 95 and the order previously made, the President pro tempore, Senator Richardville, declared the Senate adjourned until Wednesday, August 13, 2008, at 2:00 p.m.

CAROL MOREY VIVENTI  
Secretary of the Senate

