

(2) Appropriation authorization adjustments required due to the negative appropriation for budgetary savings shall be made only after the approval of transfers by the legislature pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 262. (1) It is the intent of the legislature that the department take steps to engage in cooperative efforts with county, city, township, and village law enforcement agencies in the coordination of law enforcement services and facilities.

(2) From the funds appropriated in part 1, the department shall produce a study concerning the feasibility of the Jackson state police post, the Jackson County sheriff's department, and the city of Jackson police department sharing a common facility. The study shall also examine other ways these law enforcement agencies could work together to maximize the efficient delivery of law enforcement services. The study shall be delivered to the senate and house appropriations subcommittees on state police and military affairs not later than February 15, 2003.

### **Law enforcement assistance to city of Highland Park.**

Sec. 263. The department of state police, in keeping with its role as the general law enforcement agency of the state and as the law enforcement agency of last resort for communities that are either without local law enforcement resources or are seriously underserved by local law enforcement resources, shall provide general law enforcement assistance to the city of Highland Park until adequate law enforcement services can be provided to the city of Highland Park by other means.

### **Marshall state police post; rental costs.**

Sec. 264. Of the funds appropriated in part 1 for rent and building occupancy charges, funds shall be used for the necessary rental costs for a state police post in Marshall.

## **INFORMATION TECHNOLOGY**

### **Michigan public safety communications system; report on collection and disposition of revenue.**

Sec. 301. (1) Money appropriated under 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 state police shall assess all subscribers of the Michigan public safety communications system reasonable access and maintenance fees.

(3) All money received by the department of state police under this section shall be deposited to the state general fund pursuant to section 443 of the management and budget act, 1984 PA 431, MCL 18.1443.

(4) The department of state police shall provide a report to the house and senate appropriations committees, house and senate fiscal agencies, and the state budget director on April 15, 2003 and on October 15, 2003, indicating the amount of revenue collected under this section and deposited to the state general fund for the immediately preceding 6-month period.

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

**LEIN user fees; payment of service and contract maintenance costs.**

Sec. 302. The money appropriated in part 1 for computer services shall be funded by LEIN user fees sufficient to pay 1/3 of the service and contract maintenance costs of the LEIN mainframe computer system.

**Technology-related services and projects; payment of user fees.**

Sec. 303. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of information technology for technology-related services and projects. User fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

**Designation of information technology as work projects.**

Sec. 304. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

**LEIN system; access to and use of information; report.**

Sec. 305. A portion of the funds appropriated in part 1 shall be used by the department to produce a written report detailing departmental policies regarding access to and use of information from the LEIN system. The report shall include a description of departmental measures to protect the security of information in the LEIN system including safeguards that would prevent unauthorized persons from obtaining information from the LEIN system. The department shall submit a copy of this report to the senate and house appropriations committees not later than April 1, 2003.

**Unauthorized access or misuse of LEIN system information.**

Sec. 306. The criminal justice information systems policy council shall encourage members of the law enforcement agencies in the state to be sensitive to, and note when necessary, activities or circumstances that may suggest the unauthorized access or misuse of information from the LEIN system. The criminal justice information systems policy council shall advise LEIN auditors, as a part of their audit of law enforcement agencies, to investigate in depth all suspected incidents of improper access or improper use of information from the LEIN system and determine whether or not those incidents were illegal. In those incidents that may be determined to be illegal, the executive secretary for the council shall determine whether those incidents were of a negligent or criminal nature. If an incident is determined to be an illegal act, the council shall inform the chairs of both the senate and house appropriations committees.

**LEIN system; implementation of procedures for placement of information.**

Sec. 307. (1) The department of state police, working with the criminal justice information system policy council, shall implement procedures by which all probation information is placed on the LEIN system. The LEIN system shall include information on each probationer, including any probation conditions placed on a probationer and the name of the probation officer assigned to a probationer. The LEIN system shall also include any nonstandard probation terms.

(2) If the department determines that amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are required to include all probation information on the LEIN system, the department shall deliver to members of the senate and house appropriations subcommittees on state police and military affairs amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, that, in the department's view, are necessary to accomplish this goal. These proposed amendments shall be delivered to subcommittee members not later than December 1, 2002.

### **HIGHWAY SAFETY PLANNING**

#### **Secondary road patrol grant program; status report on assessments collected and authorized.**

Sec. 401. On a quarterly basis, the department shall report to the senate and house appropriations subcommittees on state police and military affairs on the status of assessments collected and authorized under section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, for the purposes of supporting the secondary road patrol grant program. Each quarterly report shall contain updated information on collection levels, revised projected grant allotments to counties for the year, a comparison of projected collections and grant distribution levels with the funds appropriated in part 1 for the secondary road patrol program, and the extent collection levels have exceeded or failed to meet appropriated levels for the current fiscal year or expenditure levels from the previous fiscal year.

### **FORENSIC SCIENCES**

Sec. 701. (1) Subject to subsection (4), in addition to the funds appropriated under part 1, the following amounts are appropriated for the fiscal year ending September 30, 2003:

(a) \$431,400.00 is appropriated to the Detroit police department crime laboratory from the state general fund.

(b) \$289,700.00 is appropriated to the Detroit police department special events account from the state general fund.

(2) From the funds appropriated for the Detroit police department crime laboratory, it is the intent of the legislature that the city of Detroit take effective measures so that within 3 years of the start of the 2002-2003 fiscal year the Detroit police laboratory will have earned accreditation from the American society of crime laboratory director's laboratory accreditation board and established the necessary standards within its DNA operations so that it will qualify to input data into the combined DNA identification system (CODIS).

(3) The city of Detroit shall provide a written report to the department which shall include details regarding the expenditures made from the funds appropriated under subsection (1) and a progress report detailing the status toward meeting the objectives under subsection (2). This report shall be forwarded by the department to the house and senate appropriations subcommittees on state police and military affairs, the house and senate fiscal agencies, and the state budget director by January 15, 2003.

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

(4) The appropriations in subsection (1) shall become effective only if the tax on cigarettes under the tobacco products tax act, 1993 PA 327, MCL 205.421 to 205.436, is increased by 30 cents or more per pack of cigarettes on or before September 30, 2002.

#### **DNA protocol; distribution of copies; changes.**

Sec. 702. (1) The department shall distribute a copy of the department's protocol for retaining and purging DNA analysis samples and records to each police agency in this state.

(2) The department shall report to the house and senate appropriations subcommittees on state police and military affairs and the house and senate fiscal agencies when any changes to the department's DNA protocol are made.

#### **Collection of evidence; inclusion of "standard recommended procedures for the emergency treatment of sexual assault victims."**

Sec. 703. The department shall work with the department of community health, the Michigan hospital association, the Michigan state medical society, and the Michigan nurses association to ensure that the recommendations included in the "Standard Recommended Procedures for the Emergency Treatment of Sexual Assault Victims" are followed in the collection of evidence.

### **MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS**

#### **Maintenance and delivery of training to locals.**

Sec. 801. The money appropriated to the MCOLES for maintenance and delivery of training to locals is provided in accordance with a state reimbursement policy in which 100% of the determined state reimbursement rate shall be distributed upon certification by the MCOLES.

#### **Federal firearms laws; curricula on content and application.**

Sec. 803. From the appropriations in part 1 for the training of new state troopers and other new police officers in the state and for the continuing education of all law enforcement officers in the state, sufficient funds shall be used to include curricula on the content and application of federal firearms laws, including the procedures necessary for law enforcement to turn appropriate cases over to the federal bureau of alcohol, tobacco, and firearms or any other applicable federal criminal justice agency.

### **FIRE MARSHAL**

#### **Performance of fire marshal division; report.**

Sec. 901. (1) The department shall prepare a detailed report and deliver it to the senate and house subcommittees on the state police not later than May 15, 2003.

(2) The report shall contain input from a delegate appointed from and by the following organizations:

- (a) Michigan fire chiefs association.
- (b) Michigan state fireman's association.
- (c) Michigan firefighter's union.
- (d) Michigan fire service instructors association.
- (e) Michigan fire inspectors society.

(f) Michigan chapter of the international association of arson investigators.

(3) The report shall contain information about the quality and adequacy of service from the state fire investigation, education, and training under the reorganization of the fire marshal division responsibilities. The report shall be based on the performance of the fire marshal division in the performance of its fire safety duties during fiscal year 2002-2003.

## **EMERGENCY MANAGEMENT**

### **State of emergency or state of disaster; expenditures.**

Sec. 1001. (1) The state director of emergency management may expend money appropriated under this act to call upon any agency or department of the state or any resource of the state to protect life or property or to provide for the health or safety of the population in any area of the state in which the governor proclaims a state of emergency or state of disaster under 1945 PA 302, MCL 10.31 to 10.33, or under the emergency management act, 1976 PA 390, MCL 30.401 to 30.421. The state director of emergency management may expend the amounts the director considers necessary to accomplish these purposes. The director shall submit to the state budget director as soon as possible a complete report of all actions taken under the authority of this section. The report shall contain, as a separate item, a statement of all money expended that is not reimbursable from federal money. The state budget director shall review the expenditures and submit recommendations to the legislature in regard to any possible need for a supplemental appropriation.

(2) In addition to the money appropriated in this act, the department may receive and expend money from local, private, federal, or state sources for the purpose of providing emergency management training to local or private interests and for the purpose of supporting emergency preparedness, response, recovery, and mitigation activity. If funds are expended beyond the appropriations enacted for these purposes in part 1, the department shall notify the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies within 30 days concerning the additional expenditures.

## **UNIFORM SERVICES**

### **Traffic enforcement personnel; response to crimes or emergencies.**

Sec. 1103. State police enlisted personnel who are employed to enforce traffic laws as provided in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, shall not be prohibited from responding to crimes in progress or other emergency situations, and are responsible for protecting every citizen of this state from harm.

## **SPECIAL OPERATIONS**

### **Sale of aircraft; application of proceeds.**

Sec. 1201. In addition to the appropriations in section 112 to the department of state police for the aviation program, the department is authorized to sell its aircraft and the proceeds from the sale are appropriated and may be applied to the renovation cost of replacement aircraft. If funds are expended beyond the appropriation enacted in part 1 for the aviation program, the department shall notify the house and senate subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies within 30 days concerning the additional expenditures.

Sec. 1202. From the funds appropriated in part 1 for special operations, the department shall fund 1/3 of the cost of an aeronautics safety officer position within the department of transportation to coordinate safety functions between the department, the state transportation department, and the department of natural resources. It is the intent of the legislature that the safety officer position shall be equally funded by the 3 departments.

### **Recovery boat; station within Upper Peninsula.**

Sec. 1203. From the funds appropriated in part 1 for special operations, the department shall station at least 1 recovery boat within the Upper Peninsula from its fleet of recovery boats.

## **CRIMINAL INVESTIGATIONS**

### **Services in vicinity of state prison.**

Sec. 1301. (1) There is sufficient money appropriated in section 113 to criminal investigations to ensure that the citizens in a service area of any state police post in the vicinity of a state prison do not experience a downgrading of state police services in their area. Criminal investigations shall be available by temporary or permanent assignment of a detective when either a temporary or permanent prison facility is opened.

(2) If the department is unable to comply with subsection (1) and there is a prison scheduled to open, the department shall provide troopers to serve as investigators on an interim basis.

## **MOTOR CARRIER ENFORCEMENT**

### **School bus inspection.**

Sec. 1401. (1) The department shall report to the house and senate appropriations subcommittees on state police and the house and senate fiscal agencies by March 1, 2003 regarding the inspection of school buses and other motor vehicles under section 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and section 39 of the pupil transportation act, 1990 PA 187, MCL 257.1839. The report shall include the following information regarding inspections conducted in calendar year 2002:

- (a) The number of buses and vehicles inspected by the department.
- (b) The number of buses and vehicles passing and failing inspection.
- (c) The estimated number of buses and vehicles not inspected.

(2) If each school bus within a school system receives a 100% successful state inspection on its first inspection in a given year, the department shall award a certificate to that school system.

### **Enforcement of motor carrier laws and regulations.**

Sec. 1402. (1) It is the intent of the legislature that funds appropriated for the motor carrier enforcement division be used to the maximum extent possible for the enforcement of motor carrier laws and regulations, particularly for the acquisition of equipment, modern technology, and personnel to do the job.

(2) The department shall submit a written report to the senate and house appropriations subcommittees on state police by November 15, 2002, detailing the department's allocation plan for funds appropriated for motor carrier enforcement for fiscal year 2002-2003. Included in the report shall be the allocation plan for any funds and FTEs appropriated by the legislature which were of a greater amount than contained in the governor's recommendation for fiscal year 2002-2003.

This act is ordered to take immediate effect.

Approved July 25, 2002.

Filed with Secretary of State July 25, 2002.

**[No. 527]****(HB 5644)**

AN ACT to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

*The People of the State of Michigan enact:*

## PART 1

## LINE-ITEM APPROPRIATIONS

**Appropriations; department of consumer and industry services.**

Sec. 101. The amounts listed in this part are appropriated for the department of consumer and industry services, subject to the conditions set forth in this act, for the fiscal year ending September 30, 2003, from the funds identified in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**  
**APPROPRIATION SUMMARY:**

Full-time equated unclassified positions .....	63.5	
Full-time equated classified positions .....	3,948.9	
GROSS APPROPRIATION .....		\$ 555,001,500
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers ....		\$ 111,100
ADJUSTED GROSS APPROPRIATION .....		\$ 554,890,400
Federal revenues:		
Total federal revenues .....		242,311,500
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		770,000
Total other state restricted revenues .....		275,832,600
State general fund/general purpose .....		\$ 35,976,300

**Executive direction.****Sec. 102. EXECUTIVE DIRECTION**

Full-time equated unclassified positions .....	63.5	
Full-time equated classified positions .....	90.0	
Unclassified salaries .....		\$ 5,615,700
Energy office—10.0 FTE positions .....		2,655,600
Executive director programs—11.0 FTE positions .....		1,766,900
Policy development—13.0 FTE positions .....		1,649,800
Utility consumer representation .....		550,000
Regulatory efficiency improvements/backlog reduction initiative ....		750,000
MES board of review program—21.0 FTE positions .....		1,773,900
Bureau of hearings—35.0 FTE positions .....		3,556,200
GROSS APPROPRIATION .....		\$ 18,318,100

For Fiscal Year  
Ending Sept. 30,  
2003

Appropriated from:	
Federal revenues:	
DOE-OEERE, multiple grants .....	\$ 2,179,100
DOL-ETA, unemployment insurance .....	2,325,300
DOL, multiple grants for safety and health .....	160,300
Special revenue funds:	
Private-oil overcharge .....	30,000
Bank fees .....	139,500
Boiler fee revenue .....	33,500
Construction code fund .....	442,000
Consumer finance fees .....	49,700
Corporation fees .....	1,902,000
Credit union fees .....	96,600
Elevator fees .....	37,400
Fees and collections/asbestos .....	11,100
Health professions regulatory fund .....	1,297,800
Health systems fees and collections .....	69,300
Insurance regulatory fees .....	559,300
Licensing and regulation fees .....	682,800
Liquor license fees .....	100,000
Liquor purchase revolving fund .....	1,526,700
Manufactured housing commission fees .....	144,300
Michigan state housing development authority fees and charges .....	428,000
Motor carrier fees .....	37,000
Public utility assessments .....	1,212,000
Safety education and training fund .....	241,200
Second injury fund .....	80,900
Securities fees .....	1,768,400
Self-insurers security fund .....	20,400
Silicosis and dust disease fund .....	30,000
Tax tribunal fees .....	1,100
Utility consumer representation fund .....	550,000
Worker's compensation administrative revolving fund .....	89,400
State general fund/general purpose .....	\$ 2,073,000

**Fire safety.**

**Sec. 103. FIRE SAFETY**

Full-time equated classified positions .....	60.0
Office of fire safety—60.0 FTE positions .....	\$ 4,808,300
GROSS APPROPRIATION .....	\$ 4,808,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG from department of community health, inspection contract .....	111,100
Federal revenues:	
Federal funds .....	872,300
Special revenue funds:	
Fire alarm regulation fees .....	91,600



		For Fiscal Year Ending Sept. 30, 2003
Fire service fees .....	\$	2,134,800
State general fund/general purpose .....	\$	1,598,500

### **Management services.**

#### **Sec. 104. MANAGEMENT SERVICES**

Full-time equated classified positions .....		84.0
Administrative services—84.0 FTE positions .....	\$	5,907,100
Building occupancy charges - property development services .....		9,117,300
Rent.....		7,061,400
Workers' compensation.....		1,148,000
Special project advances .....		740,000
GROSS APPROPRIATION .....	\$	<u>23,973,800</u>
Appropriated from:		
Federal revenues:		
DOL-ETA, unemployment insurance .....		387,600
DOL, multiple grants for safety and health .....		640,400
Federal funds .....		469,700
HHS, federal funds.....		57,000
Special revenue funds:		
Private-special project advances .....		740,000
Bank fees.....		450,000
Boiler fee revenue .....		198,200
Construction code fund.....		1,031,800
Consumer finance fees.....		166,300
Corporation fees.....		2,253,600
Credit union fees.....		332,100
Elevator fees .....		209,100
Fees and collections/asbestos .....		61,500
Fire service fees .....		62,000
Health professions regulatory fund.....		985,200
Health systems fees and collections .....		356,700
Insurance regulatory fees .....		786,900
Licensing and regulation fees.....		663,600
Licensing fees.....		7,700
Liquor purchase revolving fund.....		4,085,900
Manufactured housing commission fees.....		264,700
Michigan state housing development authority fees and charges.....		3,536,500
Motor carrier fees.....		174,300
Public utility assessments .....		1,400,200
Safety education and training fund .....		475,500
Second injury fund .....		185,900
Securities fees .....		1,470,600
Self-insurers security fund.....		50,800
Silicosis and dust disease fund .....		75,000
Tax tribunal fees.....		33,800
Worker's compensation administrative revolving fund.....		710,600
State general fund/general purpose .....	\$	1,650,600

For Fiscal Year  
Ending Sept. 30,  
2003

**Office of financial and insurance services.**

**Sec. 105. OFFICE OF FINANCIAL AND INSURANCE SERVICES**

Full-time equated classified positions .....	279.0		
Administration—14.0 FTE positions .....		\$	2,583,300
Financial evaluation—145.0 FTE positions .....			16,892,100
Policy conduct and consumer assistance—120.0 FTE positions .....			12,158,900
GROSS APPROPRIATION .....		\$	31,634,300
Appropriated from:			
Federal revenues:			
Federal regulatory project revenue .....			50,400
Special revenue funds:			
Bank fees .....			6,151,000
Consumer finance fees .....			3,102,000
Credit union fees .....			4,303,100
Insurance continuing education fees .....			700,900
Insurance licensing and regulation fees .....			3,112,000
Insurance regulatory fees .....			11,523,100
Multiple employer welfare arrangement .....			65,700
Securities fees .....			2,626,100
State general fund/general purpose .....		\$	0

**Public service commission.**

**Sec. 106. PUBLIC SERVICE COMMISSION**

Full-time equated classified positions .....	148.0		
Administration, planning and regulation—148.0 FTE positions .....		\$	16,691,900
Low-income/energy efficiency assistance fund .....			60,000,000
GROSS APPROPRIATION .....		\$	76,691,900
Appropriated from:			
Federal revenues:			
DOE-OEERE, multiple grants .....			149,000
DOT-RSPA, gas pipeline safety .....			287,000
Special revenue funds:			
Low-income and energy efficiency assistance fund .....			60,000,000
Motor carrier fees .....			1,856,600
Public utility assessments .....			14,399,300
State general fund/general purpose .....		\$	0

**Liquor control commission.**

**Sec. 107. LIQUOR CONTROL COMMISSION**

Full-time equated classified positions .....	179.0		
Management support services—39.0 FTE positions .....		\$	2,709,300
Liquor licensing and enforcement—140.0 FTE positions .....			10,985,700
Liquor law enforcement grants .....			6,000,000
Grant to department of agriculture for wine industry council .....			457,200
GROSS APPROPRIATION .....		\$	20,152,200

For Fiscal Year  
Ending Sept. 30,  
2003

Appropriated from:	
Special revenue funds:	
Liquor license revenue .....	\$ 11,086,200
Liquor purchase revolving fund.....	8,608,800
Nonretail liquor license revenue.....	457,200
State general fund/general purpose .....	\$ 0

### Michigan state housing development authority.

#### Sec. 108. MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY

Full-time equated classified positions .....	226.0	
Payments on behalf of tenants .....	\$ 78,000,000	
Housing and rental assistance program—226.0 FTE positions .....	23,345,900	
Homeless program.....	5,290,800	
GROSS APPROPRIATION .....	\$ 106,636,700	
Appropriated from:		
Federal revenues:		
HUD, lower income housing assistance program.....	92,574,900	
Special revenue funds:		
Michigan state housing development authority fees and charges .....	14,061,800	
State general fund/general purpose .....	\$ 0	

### Tax tribunal.

#### Sec. 109. TAX TRIBUNAL

Full-time equated classified positions .....	13.0	
Operations—13.0 FTE positions .....	\$ 1,353,200	
GROSS APPROPRIATION .....	\$ 1,353,200	
Appropriated from:		
Special revenue funds:		
Tax tribunal fees.....	641,600	
State general fund/general purpose .....	\$ 711,600	

### Grants.

#### Sec. 110. GRANTS

Fire protection grants .....	\$ 3,721,000	
GROSS APPROPRIATION .....	\$ 3,721,000	
Appropriated from:		
Special revenue funds:		
Liquor purchase revolving fund.....	3,721,000	
State general fund/general purpose .....	\$ 0	

### Health regulatory systems.

#### Sec. 111. HEALTH REGULATORY SYSTEMS

Full-time equated classified positions .....	342.0	
Health systems administration—179.0 FTE positions .....	\$ 17,253,300	

	For Fiscal Year Ending Sept. 30, 2003
Emergency medical services program state staff—	
7.0 FTE positions.....	\$ 904,700
Radiological health administration and projects—	
24.0 FTE positions.....	2,025,800
Substance abuse program administration—4.0 FTE positions .....	409,600
Emergency medical services grants and contracts .....	1,062,100
Health services—128.0 FTE positions.....	\$ 14,245,200
GROSS APPROPRIATION .....	\$ 35,900,700
Appropriated from:	
Federal revenues:	
Federal funds .....	13,001,100
Special revenue funds:	
Pain management education and controlled substances, electronic monitoring and antidiversion fund .....	1,362,300
Health professions regulatory fund.....	11,189,000
Health systems fees and collections.....	3,870,100
Nurse professional fund.....	823,100
State general fund/general purpose .....	\$ 5,655,100

**Regulatory services.**

**Sec. 112. REGULATORY SERVICES**

Full-time equated classified positions .....	306.0
AFC, children’s welfare and day care licensure—	
306.0 FTE positions.....	\$ 26,034,700
GROSS APPROPRIATION .....	\$ 26,034,700
Appropriated from:	
Federal revenues:	
HHS, federal funds.....	10,664,800
Special revenue funds:	
Health systems fees and collections .....	94,200
Licensing fees.....	490,500
State general fund/general purpose .....	\$ 14,785,200

**Occupational regulation.**

**Sec. 113. OCCUPATIONAL REGULATION**

Full-time equated classified positions .....	345.0
Commissions and boards .....	\$ 49,700
Code enforcement—98.0 FTE positions .....	7,902,000
Code enforcement flexibility.....	1,141,900
Boiler inspection program—24.0 FTE positions .....	2,201,800
Elevator inspection program—26.0 FTE positions .....	2,287,000
Commercial services—159.0 FTE positions.....	13,994,800
Local manufactured housing communities inspections .....	250,000
Manufactured housing and land resources program—	
26.0 FTE positions.....	2,635,000
Property development group—12.0 FTE positions .....	1,338,700
Remonumentation grants.....	6,000,000
GROSS APPROPRIATION .....	\$ 37,800,900

For Fiscal Year  
Ending Sept. 30,  
2003

Appropriated from:	
Special revenue funds:	
Boiler fee revenue .....	\$ 2,350,600
Construction code fund .....	9,433,500
Corporation fees .....	4,837,100
Elevator fees .....	2,396,400
Homeowner construction lien recovery fund .....	1,532,800
Licensing and regulation fees .....	7,844,500
Limited liability partnership revenue .....	10,000
Manufactured housing commission fees .....	2,276,900
Property development fees .....	241,300
Remonumentation fees .....	6,605,300
Real estate appraiser continuing education fund .....	45,000
Real estate education fund .....	217,500
State general fund/general purpose .....	\$ 10,000

### Employment relations.

#### Sec. 114. EMPLOYMENT RELATIONS

Full-time equated classified positions .....	28.0	
Fact finding and arbitration .....		\$ 144,300
Employment and labor relations—28.0 FTE positions .....		2,944,000
GROSS APPROPRIATION .....		\$ 3,088,300

Appropriated from:

Federal revenues:	
EEOC, federal funds .....	10,000
Special revenue funds:	
State general fund/general purpose .....	\$ 3,078,300

### Safety and regulation.

#### Sec. 115. SAFETY AND REGULATION

Full-time equated classified positions .....	240.0	
Commissions and boards .....		\$ 21,400
Subgrantees .....		1,226,900
Occupational safety and health—240.0 FTE positions .....		21,357,500
GROSS APPROPRIATION .....		\$ 22,605,800

Appropriated from:

Federal revenues:	
DOL, multiple grants for safety and health .....	10,377,200
Special revenue funds:	
Fees and collections/asbestos .....	704,300
Safety education and training fund .....	6,690,900
State general fund/general purpose .....	\$ 4,833,400

### Bureau of workers' and unemployment compensation.

#### Sec. 116. BUREAU OF WORKERS' AND UNEMPLOYMENT COMPENSATION

Full-time equated classified positions .....	1,608.9
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	For Fiscal Year Ending Sept. 30, 2003
Administration—118.0 FTE positions .....	\$ 8,530,100
Appellate commission administration—11.4 FTE positions .....	889,900
Board of magistrates administration—8.0 FTE positions .....	1,916,900
Employment standards enforcement—38.0 FTE positions .....	2,621,900
Insurance funds administration—32.0 FTE positions.....	5,500,800
Supplemental benefit fund .....	1,300,000
Grant to department of career development, hire the handicapped program.....	50,000
Unemployment program—1,324.2 FTE positions .....	78,421,300
Workers' compensation.....	589,000
Building occupancy charges - property development service .....	4,245,500
Rent.....	5,915,100
Advocacy assistance program—8.0 FTE positions .....	1,500,000
Expanded fraud control program—33.2 FTE positions .....	2,566,200
Special audit and collections program—34.0 FTE positions.....	2,245,900
Training program for agency staff—2.1 FTE positions .....	1,756,400
GROSS APPROPRIATION.....	\$ 118,049,000
Appropriated from:	
Federal revenues:	
DOL, employment and training administration .....	529,200
DOL-ETA, unemployment insurance .....	92,887,900
Federal Reed act funds .....	4,233,500
Special revenue funds:	
Corporation fees.....	361,000
Contingent fund, penalty and interest account.....	9,388,400
Second injury fund .....	3,321,500
Securities fees .....	360,900
Self-insurers security fund.....	886,500
Silicosis and dust disease fund .....	1,342,800
Worker's compensation administrative revolving fund.....	2,115,400
State general fund/general purpose .....	\$ 2,621,900

### Information technology.

#### Sec. 117. INFORMATION TECHNOLOGY

Information technology services and projects.....	\$ 26,244,200
GROSS APPROPRIATION.....	\$ 26,244,200
Appropriated from:	
Federal revenues:	
DOL-ETA, unemployment insurance .....	10,360,300
DOL, multiple grants for safety and health .....	38,000
Federal funds .....	56,500
Special revenue funds:	
Bank fees.....	223,800
Boiler fee revenue .....	94,300
Construction code fund.....	724,600
Consumer finance fees.....	85,800
Contingent fund, penalty and interest account.....	122,800

	For Fiscal Year Ending Sept. 30, 2003
Corporation fees.....	\$ 1,598,400
Credit union fees.....	157,900
Elevator fees .....	89,800
Fees and collections/asbestos .....	17,500
Health professions regulatory fund.....	484,800
Health systems fees and collections.....	244,500
Insurance regulatory fees .....	471,700
Licensing and regulation fees.....	979,700
Liquor purchase revolving fund.....	4,270,300
Manufactured housing commission fees.....	47,500
Michigan state housing development authority fees and charges.....	1,182,400
Motor carrier fees.....	164,700
Public utility assessments .....	1,092,200
Safety education and training fund .....	178,200
Second injury fund .....	215,300
Securities fees .....	1,337,200
Self-insurers security fund.....	76,800
Silicosis and dust disease fund .....	99,600
Worker's compensation administrative revolving fund.....	859,300
State general fund/general purpose .....	\$ 970,300

### **Early retirement and budgetary savings.**

#### **Sec. 118. EARLY RETIREMENT AND BUDGETARY SAVINGS**

Early retirement savings .....	\$ (1,631,700)
Budgetary savings.....	(379,900)
GROSS APPROPRIATION.....	\$ (2,011,600)
Appropriated from:	
State general fund/general purpose .....	\$ (2,011,600)

## PART 2

### PROVISIONS CONCERNING APPROPRIATIONS

#### **GENERAL SECTIONS**

#### **Total state spending; payments to local units of government.**

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2002-2003 is \$311,808,900.00 and state spending from state resources to be paid to local units of government for fiscal year 2002-2003 is \$16,221,000.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

#### DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

Fire protection grants .....	\$ 3,721,000
Liquor law enforcement .....	6,000,000
Local manufactured housing inspections.....	250,000

Remonumentation grants.....	6,000,000
Subgrantees .....	250,000
Total department of consumer and industry services .....	\$ 16,221,000

### **Appropriations subject to §§ 18.1101 to 18.1594.**

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

### **Definitions.**

Sec. 203. As used in this appropriation act:

- (a) "AFC" means adult foster care.
- (b) "Department" means the department of consumer and industry services.
- (c) "DOE" means the United States department of energy.
- (d) "DOE-OEERE" means the DOE office of energy efficiency and renewable energy.
- (e) "DOL" means the United States department of labor.
- (f) "DOL-ETA" means the DOL employment and training administration.
- (g) "DOT" means the United States department of transportation.
- (h) "DOT-RSPA" means the DOT research and special programs administration.
- (i) "EEOC" means equal employment opportunity commission.
- (j) "Fiscal agencies" means Michigan house fiscal agency and Michigan senate fiscal agency.
- (k) "FTE" means full-time equated.
- (l) "HHS" means the United States department of health and human services.
- (m) "HUD" means the United States department of housing and urban development.
- (n) "IDG" means interdepartmental grant.
- (o) "MES" means Michigan employment security.
- (p) "Subcommittees" means all members of the subcommittees of the house and senate appropriations committees with jurisdiction over the budget for the department.

### **Billing by department of civil service.**

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

### **Hiring freeze; exceptions.**

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

(2) The state budget director shall 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 a loss of revenue to the state, result in the inability of the state to receive federal funds, or would necessitate additional



expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous month and the reasons to justify the exception.

### **Contingency funds; availability for expenditure.**

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$23,500,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$12,200,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$180,800.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

### **Privatization; project plan.**

Sec. 207. At least 60 days before beginning any effort to privatize, the department shall submit a complete project plan to the subcommittees and the fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the fiscal agencies and to the subcommittees within 30 months.

### **Reporting requirements; use of Internet.**

Sec. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this act. This may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on the Internet or Intranet site. Quarterly, the department shall provide to the subcommittees, state budget office, and the fiscal agencies an electronic and paper copy listing of the reports submitted during the most recent 3-month period along with the Internet or Intranet site of each report, if any.

### **Purchase of foreign goods or services.**

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.

### **Businesses in deprived and depressed communities; contracts to provide services or supplies.**

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.

### **Affirmative action programs.**

Sec. 211. The department shall establish and maintain affirmative action programs based on guidelines developed by the state equal opportunity workforce planning council which was created by Executive Order No. 1996-13 in order to receive general fund/general purpose dollars.

### **Receipt and retention of reports.**

Sec. 212. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports and records.

### **Technology-related services and projects; user fees.**

Sec. 259. From the funds appropriated in part 1 for information technology, the department 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 department and the department of information technology.

### **Information technology; designation as work project.**

Sec. 260. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

### **Early retirement and budgetary savings; satisfaction of negative appropriation.**

Sec. 261. (1) The negative appropriation for early retirement savings in part 1 shall be satisfied by savings realized from not filling all of the positions lost due to the early retirement plan for state employees enacted in 2002 PA 93 amendments to the state employees' retirement act, 1943 PA 240, MCL 38.1 to 38.69.

(2) The negative appropriation for budgetary savings in part 1 shall be satisfied by savings from the hiring freeze imposed under section 205, efficiencies, and other savings identified by the department director and approved by the state budget director.

(3) Appropriation authorization adjustments required due to negative appropriations for early retirement savings and budgetary savings shall be made only after the approval of transfers by the legislature pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 262. (1) Subject to subsection (2), in addition to the amounts appropriated under part 1, \$3,700,000.00 is appropriated to fire protection grants from the state general fund for the fiscal year ending September 30, 2003.

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

(2) The appropriations in subsection (1) shall become effective only if the tax on cigarettes under the tobacco products tax act, 1993 PA 327, MCL 205.421 to 205.436, is increased by 30 cents or more per pack of cigarettes on or before September 30, 2002.

## **DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

### **Fire protection grants; appropriation from liquor purchase revolving fund.**

Sec. 301. The appropriation in part 1 for fire protection grants from the liquor purchase revolving fund shall be appropriated to cities, villages, and townships with state-owned facilities for fire services, instead of taxes, in accordance with 1977 PA 289, MCL 141.951 to 141.956.

### **Funds collected in connection with conservatorship pursuant to § 445.1682; expenses.**

Sec. 302. The funds collected by the office of financial and insurance services in connection with a conservatorship pursuant to section 32 of the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1682, shall be appropriated for all expenses necessary to provide for the required services. Funds are available for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.

### **Funds collected from corporations being liquidated; expenses.**

Sec. 303. The funds collected by the department from corporations being liquidated pursuant to the insurance code of 1956, 1956 PA 218, MCL 500.100 to 500.8302, shall be appropriated for all expenses necessary to provide for the required services. Funds are available for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.

### **Customized listing of nonconfidential information; fee; use of revenue.**

Sec. 304. The department may make available to interested entities otherwise unavailable customized listings of nonconfidential information in its possession, such as names and addresses of licensees, and charge for this information as follows: base fee for 1 to 1,000 records at the cost to the department; 1,001 to 10,000 records at 2.5 cents per record; and 10,001 or more records at .5 cents per record. The revenue received from this service may be used to offset expenses of programs as appropriated in part 1. The balance of this revenue collected and unexpended at the end of the fiscal year shall revert to the appropriate restricted revenue account or fund or, in absence of such an account or fund, to the general fund. The department shall submit an annual report on or before December 1 of each year to the state budget office and the subcommittees that states the amount of revenue received from the sale of information.

### **Members of commissions or boards; per diem payments.**

Sec. 305. The appropriation in part 1 may be used for per diem payments to the members of commissions or boards for a full day of committee work at which a quorum is

present or for performing official business as authorized by each respective commission or board. The per diem payments shall be \$50.00 per day.

### **Housing production goals.**

Sec. 306. The Michigan state housing development authority shall annually present a report to the state budget office and the subcommittees on the status of the authority's housing production goals under all financing programs established or administered by the authority. The report shall give special attention to efforts to raise affordable multifamily housing production goals.

### **Child care organizations and adult foster care facilities; licensing and regulation fees.**

Sec. 307. The department shall assess and collect fees in the licensing and regulation of child care organizations as defined in 1973 PA 116, MCL 722.111 to 722.128, and adult foster care facilities as defined in the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737. Fees collected by the department shall be used exclusively for the purpose of licensing and regulating child care organizations and adult foster care facilities.

### **Licenses, permits, and other elevator regulation fees.**

Sec. 308. The funds collected by the department for licenses, permits, and other elevator regulation fees set forth in R 408.8151 of the Michigan administrative code and as determined under section 8 of 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL 408.816, that are unexpended at the end of the fiscal year shall carry forward to the subsequent fiscal year. The department shall submit a report on an annual basis to the state budget office and the subcommittees on the amount of funds available under this section.

### **Occupational safety and health, health systems administration, or radiological health administration.**

Sec. 309. If the revenue collected by the department for occupational safety and health, health systems administration, or radiological health administration and projects from fees and collections exceeds the amount appropriated in part 1, the revenue may be carried forward into the subsequent fiscal year. The revenue carried forward under this section shall be used as the first source of funds in the subsequent fiscal year.

### **Fire safety programs; inspection and plan review fees.**

Sec. 310. Money appropriated under this act for fire safety programs shall not be expended unless, in accordance with section 2c of the fire prevention code, 1941 PA 207, MCL 29.2c, inspection and plan review fees will be charged according to the following schedule:

<u>Operation and maintenance inspection fee</u>		
<u>Facility type</u>	<u>Facility size</u>	<u>Fee</u>
Hospitals	Any	\$8.00 per bed
<u>Plan review and construction inspection fees for hospitals and schools</u>		
<u>Project cost range</u>	<u>Fee</u>	
\$101,000.00 or less	minimum fee of \$155.00	
\$101,001.00 to \$1,500,000.00	\$1.60 per \$1,000.00	
\$1,500,001.00 to \$10,000,000.00	\$1.30 per \$1,000.00	
\$10,000,001.00 or more	\$1.10 per \$1,000.00	
	or a maximum fee of \$60,000.00.	

**Juvenile residential facilities; evaluation reports.**

Sec. 311. The department shall furnish the clerk of the house, the secretary of the senate, the state budget office, and all members of the house and senate appropriations committees with a summary of any evaluation reports and subsequent approvals or disapprovals of juvenile residential facilities operated by the family independence agency, as required by section 6 of 1973 PA 116, MCL 722.116. If no evaluations are conducted during the fiscal year, the department shall notify the fiscal agencies and all members of the appropriate subcommittees of the house and senate appropriations committees.

**Nursing homes, county medical care facilities, and hospital long-term care; inspectors.**

Sec. 312. (1) From the amount appropriated in part 1 to health systems administration, the department shall provide funding for not less than 113 inspectors to annually survey and investigate the care and services delivered in nursing homes, county medical care facilities, and hospital long-term care units in accordance with provisions in the public health code, 1978 PA 368, MCL 333.1101 to 333.25211, and federal Medicare and Medicaid certification standards.

(2) The department, in keeping with the severity of the allegations, shall investigate complaints alleging poor care and services occurring on nights or weekends in nursing homes, county medical care facilities, and hospital long-term care units by conducting on-site investigations on nights or weekends.

**Licensing and regulation fees; carrying forward excess revenue.**

Sec. 313. If the revenue collected by the department from licensing and regulation fees exceeds the amount appropriated in part 1, the revenue may be carried forward into the subsequent fiscal year. The revenue carried forward under this section shall be used as the first source of funds in the subsequent fiscal year.

**Michigan unemployment agency; expenditures for staffing and program expenses.**

Sec. 314. Funds earned or authorized by the United States department of labor in excess of the gross appropriation in part 1 for the Michigan unemployment agency from the United States department of labor are appropriated and may be expended for staffing and related expenses incurred in the operation of its programs. These funds may be spent after the department notifies the state budget office and the subcommittees of the purpose and amount of each grant award.

**Sale of documents.**

Sec. 315. The department shall sell documents at a price not to exceed the cost of production and distribution. Money received from the sale of these documents shall revert to the department. The funds are available for expenditure when they are received by the department of treasury and may only be used for costs directly related to the continued updating and distribution of the documents pursuant to this section. This section applies only for the following documents:

(a) Corporation and securities division documents, reports, and papers required or permitted by law pursuant to section 1060(5) of the business corporation act, 1972 PA 284, MCL 450.2060.

(b) The subdivision control manual, the state boundary commission operations manual, and other local government assistance manuals.

(c) The Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303.

(d) The mobile home commission act, 1987 PA 96, MCL 125.2301 to 125.2349; the business corporation act, 1972 PA 284, MCL 450.1101 to 450.2098; the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to 450.3192; and the uniform securities act, 1964 PA 265, MCL 451.501 to 451.818.

(e) Labor law books.

(f) Worker's compensation health care services rules.

(g) Minimum design standards for health care facilities.

(h) Construction code manuals.

(i) Copies of transcripts from administrative law hearings.

### **Nursing homes; survey reports.**

Sec. 316. The department shall report to the state budget office, the fiscal agencies, and the subcommittees on April 30, 2003 and October 31, 2003 on the initial and follow-up surveys conducted on all nursing homes in this state. The report shall include all of the following information:

(a) The number of surveys conducted.

(b) The number requiring follow-up surveys.

(c) The number referred to the Michigan public health institute for remediation.

(d) The number of citations per home.

(e) The number of night and weekend complaints filed.

(f) The number of night and weekend responses to complaints conducted by the department.

(g) The average length of time for the department to respond to a complaint filed against a nursing home.

(h) The number and percentage of citations appealed.

(i) The number and percentage of citations overturned and/or modified.

### **Bureau of safety and regulation; report on number of individuals killed and injured.**

Sec. 317. The department, bureau of safety and regulation, shall provide an annual report by February 1 of each year to the state budget office, the fiscal agencies, and the subcommittees on the number of individuals killed and the number of individuals injured on the job within industries regulated by the bureau during the preceding calendar year.

### **Nursing home complaint investigation backlog; status report.**

Sec. 318. The department shall report by November 1, 2002 to the state budget office, the legislature, and the fiscal agencies the status of the nursing home complaint investigation backlog.

### **Health systems administration; duty of department to investigate complaints.**

Sec. 319. As a condition for receiving the general fund/general purpose appropriations in part 1 for health systems administration, the department shall provide assistance to any person making an oral request for a nursing home investigation in putting his or her request into writing, shall initiate investigations on all written nursing home complaints

filed with the department within 15 days of receipt of the complaint, and shall provide a written response to the complainant within 30 days of receipt of the written complaint.

### **Unemployment agency offices; operation within Upper Peninsula.**

Sec. 320. The unemployment agency, during its transition to the remote initial claims system, may operate a sufficient number of unemployment agency offices, including itinerant or satellite offices, within Michigan's Upper Peninsula to ensure that the citizens of the Upper Peninsula can access these offices without excessive travel or, in cases where unemployment claims are filed or renewed by phone, without excessive long-distance toll charges.

### **Emergency medical services personnel serving in rural areas; grants and contracts.**

Sec. 321. The department shall continue to work with grantees supported through the appropriation in part 1 for emergency medical services grants and contracts to ensure that a sufficient number of qualified emergency medical services personnel exist to serve rural areas of the state.

### **Utility consumer representation; public service announcements.**

Sec. 322. From the funds appropriated in part 1 for utility consumer representation, the department shall produce and facilitate the airing of public service announcements that inform utility customers of the availability and purpose of these funds. The utility consumer participation board shall report to the subcommittees, fiscal agencies, and state budget office by September 30, 2003 on its efforts in this area, including the amount of expenditures made for this purpose.

### **Nursing home regulation; clarification of terms; training.**

Sec. 323. (1) The department in consultation with nursing home provider groups, the department of community health, the state long-term care ombudsman, and the federal health care finance administration shall continue to work to clarify the following terms as those terms are used in title XVIII and title XIX and applied by the department to provide more consistent regulation of nursing homes in Michigan:

- (a) Immediate jeopardy.
- (b) Harm.
- (c) Potential harm.
- (d) Avoidable.
- (e) Unavoidable.

(2) The department shall semiannually provide for joint training with nursing home surveyors and providers on at least 1 of the 10 most frequently issued federal citations in this state during the past calendar year. The department shall provide a mechanism to measure the effect of the training and shall report to the legislature and the state budget office on the effect of the training by January 15, 2003.

### **Unemployment agency 1-stop center.**

Sec. 324. The unemployment agency shall work collaboratively with the department of career development to ensure each 1-stop center has the ability to assist individuals or respond to inquiries regarding unemployment benefits and the remote initial claims system.

**Nursing home inspection; posting summary.**

Sec. 325. (1) The department shall post on the Internet the executive summary of the latest inspection for each licensed nursing home.

(2) The department shall work toward posting inspection summaries for licensed day care centers on the Internet.

**General industry inspectors, construction industry inspectors, and hygienists; staffing levels.**

Sec. 326. From the appropriations in part 1 for occupational safety and health, the department shall provide funding for at least 76 general industry safety inspectors, construction industry safety inspectors, and industrial hygienists. The department shall submit a report to the subcommittees, fiscal agencies, and state budget office by February 15, 2003 on the staffing levels for these categories. No budgetary savings shall be taken from the funding for inspection staffing.

**Nursing home inspectors; long-term care experience.**

Sec. 327. When hiring any new nursing home inspectors funded through appropriations in part 1, the department shall make every effort to hire individuals with past experience in the long-term care industry.

**Board of psychology license renewal; continuing education requirements.**

Sec. 328. It is the intent of this legislature that beginning January 1, 2004, the board of psychology shall require a licensee seeking renewal of a license to furnish the board with satisfactory evidence that during the 2 years before application for renewal the licensee has attended continuing education courses or programs approved by the board totaling not less than 36 credits. The applicant shall be responsible for maintaining records of continuing education attendance. The board is authorized to request verification of continuing education records at the time of renewal of application. Verification may be conducted periodically by sample or by means other than reviewing every application.

**Nursing scholarship program; recruitment.**

Sec. 329. The department shall work to promote the nursing scholarship program funded from appropriations in part 1 to health services. The department shall focus its promotional efforts on recruiting undergraduate students into the nursing field in order to address the current nursing shortage. The department shall also make every effort to utilize scholarship funds in a manner which encourages undergraduate students to enter the nursing field.

**RICCS; option to speak with unemployment agency employee.**

Sec. 330. (1) The unemployment agency shall include in the remote initial claims center (RICCS) automated phone system a choice to speak with an employee of the unemployment agency as an option. This option should be provided in the system as early as possible as deemed appropriate in the system design. The department shall monitor the system to ensure compliance with these guidelines.

(2) The unemployment agency should continue to provide training opportunities to employees affected with the implementation of the RICCS.

**Total patient care hours and percentage of pool staff used; report.**

Sec. 331. Nursing facilities shall report in the quarterly staff report to the department, the total patient care hours provided each month, by state licensure and certification classification, and the percentage of pool staff, by state licensure and certification classifica-



tion, used each month during the preceding quarter. The department shall make available to the public, the quarterly staff report compiled for all facilities including the total patient care hours and the percentage of pool staff used, by classification.

### **Administrative law hearings.**

Sec. 332. It is the intent of the legislature that the department make every effort to hold administrative law hearings on actions initiated by the department against regulated businesses or against individuals in regulated occupations in locations that are within 150 miles of the regulated business or of the office of the individual in a regulated occupation. In addition, it is the intent of the legislature that the department make every effort to hold administrative law hearings on actions initiated by an individual outside the department in locations within 150 miles of the home of the individual bringing the action if that individual wishes to testify at the hearing.

### **Displaced state workers; training and employment opportunities.**

Sec. 333. The department shall work cooperatively with the department of civil service to identify state employees who will lose their jobs as a result of an agency program being reorganized, modified, or eliminated and shall develop training programs and provide training to these individuals that will provide them with the opportunity and skills necessary to secure new employment within the state government or the private sector. It shall be a priority of the department to provide training and employment opportunities to these displaced state employees through Michigan's employment service locations.

### **Day care facility to inspector ratio.**

Sec. 334. From the funds appropriated in part 1 for adult foster care, children's welfare, and day care licensure, the department shall make every effort to maintain a day care facility to day care inspector ratio of no more than 210 to 1.

### **Low-income/energy efficiency assistance.**

Sec. 335. (1) The public service commission shall report by June 1 of each year to the subcommittees, the state budget office, and the fiscal agencies on the distribution of funds appropriated in part 1 for the low-income/energy efficiency assistance program.

(2) Of the funds appropriated in part 1 for low-income/energy efficiency assistance, \$3,000,000.00 shall be allocated to community action agencies across the state to support shut-off protection programs for low-income individuals. Funds shall be distributed to the community action agencies no later than November 1 of each year. The community action agencies shall abide by any reporting and monitoring requirements imposed by the public service commission on other grant recipients receiving funding through this program.

### **Office of financial and insurance services; expenditures report.**

Sec. 336. The department shall provide the subcommittees, fiscal agencies, and state budget director with a report on or before December 1, 2002 outlining actual expenditures for the last completed fiscal year for each division within the office of financial and insurance services.

### **Licensing and contract review team pilot.**

Sec. 337. The department shall work cooperatively with the family independence agency and with representatives from the Michigan federation of private child and family agencies to form a licensing and contract compliance review team pilot to coordinate and conduct joint reviews of 1 child placing agency and 1 child caring institution between October 1, 2002 and February 1, 2003. The Michigan federation of private child and family

agencies will survey team participants and involved agencies regarding the process and provide feedback to the department. The department shall report during the annual budget presentation to the subcommittees regarding pilot outcomes.

**Nursing shortage issues; research.**

Sec. 338. Of the funds appropriated in part 1 for health services, \$125,000.00 shall be allocated to the center for nursing to conduct research that will address nurse workforce planning, the supply of and demand for nurses, and nurse recruitment and retention issues. The center for nursing shall recommend ways to address the shortage of nurses.

Sec. 339. From the amount appropriated in part 1 for administration of the bureau of worker's and unemployment compensation, the department shall provide funding for 6 worker's compensation mediators positions annually.

**Filings of health maintenance organizations.**

Sec. 340. The office of financial and insurance services shall provide copies of the quarterly and annual financial filings of health maintenance organizations to the senate and house fiscal agencies on a timely basis.

This act is ordered to take immediate effect.

Approved July 25, 2002.

Filed with Secretary of State July 25, 2002.

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**[No. 528]**

**(HB 5646)**

AN ACT 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, 2003; 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 for the fiscal year ending September 30, 2003; 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

**Appropriations; departments of attorney general, civil rights, civil service, information technology, management and budget, state, treasury, executive office, and legislative branch.**

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,

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

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, 2003, 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 .....	48.0	
Full-time equated classified positions .....	7,334.9	
GROSS APPROPRIATION .....		\$ 2,993,198,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers ....		666,338,700
ADJUSTED GROSS APPROPRIATION .....		\$ 2,326,859,300
Federal revenues:		
Total federal revenues .....		59,360,000
Special revenue funds:		
Total local revenues .....		2,610,800
Total private revenues .....		1,733,100
Total other state restricted revenues .....		1,897,849,400
State general fund/general purpose .....		\$ 365,306,000

## Department of attorney general.

### Sec. 102. DEPARTMENT OF ATTORNEY GENERAL

#### (1) APPROPRIATION SUMMARY

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	586.5	
GROSS APPROPRIATION .....		\$ 61,757,600
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers ....		9,917,900
ADJUSTED GROSS APPROPRIATION .....		\$ 51,839,700
Federal revenues:		
Total federal revenues .....		7,672,700
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		1,183,000
Total other state restricted revenues .....		9,216,400
State general fund/general purpose .....		\$ 33,767,600

#### (2) ATTORNEY GENERAL OPERATIONS

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	586.5	
Attorney general .....		\$ 132,900
Unclassified positions—5.0 FTE positions .....		476,300
Attorney general operations—568.0 FTE positions .....		59,804,700
Prosecuting attorneys coordinating council—18.5 FTE positions .....		1,579,100
PACC, training project .....		325,000
GROSS APPROPRIATION .....		\$ 62,318,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG from FIA .....		2,663,600
IDG from MDA, bovine research .....		308,600
IDG from MDCIS, financial and insurance services .....		104,500

	For Fiscal Year Ending Sept. 30, 2003
IDG from MDCIS, health services .....	\$ 1,170,400
IDG from MDCIS, public utility assessments.....	1,678,700
IDG from MDOT, comprehensive transportation fund .....	131,500
IDG from MDOT, state aeronautics fund .....	125,400
IDG from MDOT, state trunkline fund .....	2,566,200
IDG from MDSP, Michigan justice training fund.....	325,000
IDG from Michigan gaming control board.....	844,000
Federal revenues:	
DAG, state administrative match grant/food stamps .....	1,068,200
DED-OPSE, student loan, federal lender allowance .....	288,600
DOL-ETA, unemployment insurance .....	1,372,900
DOL-OSHA, occupational safety and health.....	269,900
EPA, multiple grants .....	242,600
Federal funds .....	729,200
HHS, medical assistance, medigraunt.....	556,700
HHS-OS, state Medicaid fraud control units.....	3,144,600
Special revenue funds:	
Private - accident fund company revenue.....	1,183,000
Antitrust enforcement collections .....	558,300
Auto repair facilities fees .....	195,000
Collections revenue .....	590,900
Corporate fees and security fees .....	127,600
Environmental response fund .....	657,800
Franchise fees .....	244,400
Game and fish protection fund .....	640,800
Liquor purchase revolving fund.....	857,800
Manufactured housing fees .....	190,200
Michigan state housing development authority fees.....	487,700
Michigan underground storage tank financial assurance fund.....	161,300
Oil and gas privilege fee revenue .....	145,000
Prisoner reimbursement.....	301,700
Prosecuting attorneys training fees .....	236,800
Retirement funds.....	621,100
Second injury fund .....	927,200
Self-insurers security fund.....	155,900
Silicosis and dust disease fund .....	464,300
State building authority revenue.....	82,000
State hospital authority .....	319,200
State lottery fund .....	207,300
Tobacco settlement trust fund .....	351,800
Utility consumers fund .....	476,600
Waterways fund.....	83,600
Worker's compensation administrative revolving fund.....	132,100
State general fund/general purpose .....	\$ 34,328,000
<b>(3) INFORMATION TECHNOLOGY</b>	
Information technology services and projects.....	\$ 878,200
GROSS APPROPRIATION.....	\$ 878,200

	For Fiscal Year Ending Sept. 30, 2003
Appropriated from:	
State general fund/general purpose .....	\$ 878,200
<b>(4) EARLY RETIREMENT AND BUDGETARY SAVINGS</b>	
Early retirement savings .....	\$ (1,081,100)
Budgetary savings .....	(357,500)
GROSS APPROPRIATION .....	\$ (1,438,600)
Appropriated from:	
State general fund/general purpose .....	\$ (1,438,600)

### Department of civil rights.

#### Sec. 103. DEPARTMENT OF CIVIL RIGHTS

##### (1) APPROPRIATION SUMMARY

Full-time equated unclassified positions .....	5.0
Full-time equated classified positions .....	158.5
GROSS APPROPRIATION .....	\$ 14,367,700
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers ....	0
ADJUSTED GROSS APPROPRIATION .....	\$ 14,367,700
Federal revenues:	
Total federal revenues .....	934,000
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	0
State general fund/general purpose .....	\$ 13,433,700

##### (2) CIVIL RIGHTS OPERATIONS

Full-time equated unclassified positions .....	5.0
Full-time equated classified positions .....	158.5
Commission (per diem \$75.00) .....	\$ 16,200
Unclassified positions—5.0 FTE positions .....	254,100
Civil rights operations—158.5 FTE positions .....	13,996,600
GROSS APPROPRIATION .....	\$ 14,266,900
Appropriated from:	
Federal revenues:	
EEOC, state and local antidiscrimination agency contracts .....	\$ 600,000
HUD, grant .....	334,000
State general fund/general purpose .....	\$ 13,332,900

##### (3) INFORMATION TECHNOLOGY

Information technology services and projects .....	\$ 1,082,000
GROSS APPROPRIATION .....	\$ 1,082,000
Appropriated from:	
State general fund/general purpose .....	\$ 1,082,000

##### (4) EARLY RETIREMENT AND BUDGETARY SAVINGS

Early retirement savings .....	\$ (837,100)
Budgetary savings .....	(144,100)
GROSS APPROPRIATION .....	\$ (981,200)
Appropriated from:	
State general fund/general purpose .....	\$ (981,200)

For Fiscal Year  
Ending Sept. 30,  
2003

**Department of civil service.**

**Sec. 104. DEPARTMENT OF CIVIL SERVICE**

**(1) APPROPRIATION SUMMARY**

Full-time equated classified positions.....201.5		
GROSS APPROPRIATION.....	\$	31,585,200
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers ....		5,300,000
ADJUSTED GROSS APPROPRIATION.....	\$	26,285,200
Federal revenues:		
Total federal revenues.....		4,779,100
Special revenue funds:		
Total local revenues .....		1,700,000
Total private revenues.....		150,000
Total other state restricted revenues.....		9,639,200
State general fund/general purpose .....	\$	10,016,900

**(2) CIVIL SERVICE OPERATIONS**

Full-time equated classified positions.....201.5		
Civil service operations—201.5 FTE positions .....	\$	28,755,700
GROSS APPROPRIATION.....	\$	28,755,700
Appropriated from:		
Interdepartmental grant revenues:		
IDG, training charges .....		4,000,000
IDG, 1% special funds.....		1,300,000
Federal revenues:		
Federal funds 1%.....		3,529,100
Special revenue funds:		
Local funds 1% .....		1,700,000
Private funds 1%.....		150,000
Freedom of information fees .....		1,100
State sponsored group insurance.....		2,650,000
State restricted funds 1%.....		6,216,500
State general fund/general purpose .....	\$	9,209,000

**(3) INFORMATION TECHNOLOGY**

Information technology services and projects.....	\$	3,461,600
GROSS APPROPRIATION.....	\$	3,461,600
Appropriated from:		
Federal revenues:		
Federal funds 1%.....		1,250,000
Special revenue funds:		
State restricted funds 1%.....		771,600
State general fund/general purpose .....	\$	1,440,000

**(4) EARLY RETIREMENT AND BUDGETARY SAVINGS**

Early retirement savings .....	\$	(525,600)
Budgetary savings.....		(106,500)
GROSS APPROPRIATION.....	\$	(632,100)
Appropriated from:		
State general fund/general purpose .....	\$	(632,100)

For Fiscal Year  
Ending Sept. 30,  
2003

### Executive office.

#### Sec. 105. EXECUTIVE OFFICE

##### (1) APPROPRIATION SUMMARY

Full-time equated unclassified positions .....	10.0	
Full-time equated classified positions .....	74.2	
GROSS APPROPRIATION .....		\$ 5,399,500
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers ....		0
ADJUSTED GROSS APPROPRIATION .....		\$ 5,399,500
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 .....		\$ 5,399,500

##### (2) EXECUTIVE OFFICE OPERATIONS

Full-time equated unclassified positions .....	10.0	
Full-time equated classified positions .....	74.2	
Governor .....		\$ 179,800
Lieutenant governor .....		125,900
Executive office—74.2 FTE positions .....		4,330,900
Unclassified positions—8.0 FTE positions .....		849,800
GROSS APPROPRIATION .....		\$ 5,486,400
Appropriated from:		
State general fund/general purpose .....		\$ 5,486,400

##### (3) EARLY RETIREMENT AND BUDGETARY SAVINGS

Early retirement savings .....		\$ (36,600)
Budgetary savings .....		(50,300)
GROSS APPROPRIATION .....		\$ (86,900)
Appropriated from:		
State general fund/general purpose .....		\$ (86,900)

### Information technology.

#### Sec. 106. INFORMATION TECHNOLOGY

##### (1) APPROPRIATION SUMMARY

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	1,765.4	
GROSS APPROPRIATION .....		\$ 424,006,800
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers ....		424,006,800
ADJUSTED GROSS APPROPRIATION .....		\$ 0
Federal revenues:		
Total federal revenues .....		0
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		0

	For Fiscal Year Ending Sept. 30, 2003
Total other state restricted revenues .....	\$ 0
State general fund/general purpose .....	\$ 0
<b>(2) INFORMATION TECHNOLOGY SERVICES</b>	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	1,765.4
Unclassified positions—6.0 FTE positions .....	\$ 300,000
Enterprisewide services—79.0 FTE positions .....	29,341,300
Health and human services—600.4 FTE positions .....	228,769,000
Education services—97.7 FTE positions .....	10,689,200
Public protection—432.4 FTE positions .....	54,876,700
Resources services—178.1 FTE positions .....	24,303,300
Transportation services—107.0 FTE positions .....	26,377,500
General services—270.8 FTE positions .....	52,851,900
GROSS APPROPRIATION .....	\$ 427,508,900
Appropriated from:	
Interdepartmental grant revenues:	
IDG from user fees .....	427,508,900
State general fund/general purpose .....	\$ 0
<b>(3) EARLY RETIREMENT AND BUDGETARY SAVINGS</b>	
Early retirement savings .....	\$ (3,502,100)
GROSS APPROPRIATION .....	\$ (3,502,100)
Appropriated from:	
Interdepartmental grant revenues:	
IDG from user fees .....	(3,502,100)
State general fund/general purpose .....	\$ 0
<b>Sec. 107. LEGISLATURE</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
GROSS APPROPRIATION .....	\$ 126,360,200
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers ....	1,627,600
ADJUSTED GROSS APPROPRIATION .....	\$ 124,732,600
Federal revenues:	
Total federal revenues .....	0
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	400,000
Total other state restricted revenues .....	2,530,400
State general fund/general purpose .....	\$ 121,802,200
<b>(2) LEGISLATURE</b>	
Senate .....	\$ 29,216,900
Senate automated data processing .....	2,229,800
Senate fiscal agency .....	3,178,500
House of representatives .....	43,152,000
House automated data processing .....	1,694,500
House fiscal agency .....	2,993,500
Legislative auditor general .....	15,700,900
GROSS APPROPRIATION .....	\$ 98,166,100



For Fiscal Year  
Ending Sept. 30,  
2003

Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDCIS, liquor purchase revolving fund.....	\$ 63,300
IDG from MDCS.....	80,700
IDG from MDOT, comprehensive transportation fund .....	48,200
IDG from MDOT, Michigan transportation fund.....	138,000
IDG from MDOT, state aeronautics fund .....	17,100
IDG from MDOT, state trunkline fund .....	404,200
IDG, single audit act .....	876,100
Special revenue funds:	
Construction lien fund .....	12,400
Contract audit administration fees.....	44,400
Correctional industries revolving fund .....	33,700
Game and fish protection fund .....	21,400
Marine safety fund .....	1,900
Michigan economic development corporation .....	46,200
Michigan state fair revolving fund .....	30,000
Michigan state housing development authority fees.....	56,800
Michigan strategic fund .....	20,600
Michigan veterans trust fund .....	22,600
Motor transport revolving fund .....	40,600
Office services revolving fund.....	29,300
State services fee fund .....	1,055,100
Waterways fund.....	5,600
State general fund/general purpose .....	\$ 95,117,900
<b>(3) LEGISLATIVE COUNCIL</b>	
Legislative council .....	\$ 11,210,800
Legislative service bureau automated data processing.....	1,486,600
e-Law, legislative council technology enhancement project.....	200,000
Legislative corrections ombudsman .....	546,300
Worker's compensation.....	150,500
National association dues .....	381,600
GROSS APPROPRIATION .....	\$ 13,975,800
Appropriated from:	
Special revenue funds:	
Private - gifts and bequests revenues .....	\$ 400,000
State general fund/general purpose .....	\$ 13,575,800
<b>(4) LEGISLATIVE RETIREMENT SYSTEM</b>	
General nonretirement expenses .....	\$ 4,194,200
GROSS APPROPRIATION .....	\$ 4,194,200
Appropriated from:	
Special revenue funds:	
Court fees.....	1,109,800
State general fund/general purpose .....	\$ 3,084,400
<b>(5) PROPERTY MANAGEMENT</b>	
Capitol building .....	\$ 2,215,400
Cora Anderson building.....	7,118,300

	For Fiscal Year Ending Sept. 30, 2003
Farnum building and other properties .....	\$ 690,400
GROSS APPROPRIATION .....	\$ 10,024,100
Appropriated from:	
State general fund/general purpose .....	\$ 10,024,100

**Department of management and budget.**

**Sec. 108. DEPARTMENT OF MANAGEMENT AND BUDGET**

**(1) APPROPRIATION SUMMARY**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	848.5	
GROSS APPROPRIATION .....		\$ 188,098,300
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers ....		109,548,100
ADJUSTED GROSS APPROPRIATION .....		\$ 78,550,200
Federal revenues:		
Total federal revenues .....		358,600
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		0
Total other state restricted revenues .....		35,355,300
State general fund/general purpose .....		\$ 42,836,300

**(2) MANAGEMENT AND BUDGET SERVICES**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	669.0	
Unclassified positions—6.0 FTE positions .....		\$ 570,800
Departmentwide services—57.5 FTE positions .....		11,424,300
Statewide administrative services—292.0 FTE positions .....		27,110,700
Statewide support services—319.5 FTE positions .....		101,621,200
GROSS APPROPRIATION .....		\$ 140,727,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG from building occupancy and parking charges .....		100,548,600
IDG from department of career development .....		100,000
IDG from MDCH .....		235,000
IDG from MDOT, comprehensive transportation fund .....		46,800
IDG from MDOT, state aeronautics fund .....		26,300
IDG from MDOT, state trunkline fund .....		1,065,600
IDG from user fees .....		4,605,300
Federal revenues:		
Federal - MESA, administration fund .....		300,000
Special revenue funds:		
Game and fish protection fund .....		220,100
Health management funds .....		1,269,400
Marine safety fund .....		19,700
MAIN user charges .....		627,500
Special revenue, internal service, and pension trust funds .....		4,904,500
State building authority revenue .....		517,900

	For Fiscal Year Ending Sept. 30, 2003
State lottery fund .....	\$ 137,300
State sponsored group insurance, flexible spending accounts and COBRA.....	4,778,300
Waterways fund.....	47,000
State general fund/general purpose .....	\$ 21,277,700
<b>(3) STATEWIDE APPROPRIATIONS</b>	
Professional development fund - AFSCME.....	\$ 400,000
Professional development fund - MPES.....	105,000
Professional development fund - UAW.....	900,000
Severance pay fund - AFSCME .....	500,000
Severance pay fund - UAW.....	100,000
GROSS APPROPRIATION.....	\$ 2,005,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from employer contributions .....	2,005,000
State general fund/general purpose .....	\$ 0
<b>(4) SPECIAL PROGRAMS</b>	
Full-time equated classified positions.....	179.5
Building occupancy charges - property management services for executive/legislative building occupancy .....	\$ 1,930,300
Retirement services—165.5 FTE positions .....	15,333,800
Office of children's ombudsman—14.0 FTE positions.....	1,204,300
GROSS APPROPRIATION.....	\$ 18,468,400
Appropriated from:	
Special revenue funds:	
Deferred compensation.....	1,380,800
Pension trust funds .....	13,953,000
State general fund/general purpose .....	\$ 3,134,600
<b>(5) INFORMATION TECHNOLOGY</b>	
Information technology services and projects.....	\$ 27,434,300
GROSS APPROPRIATION.....	\$ 27,434,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG from building occupancy and parking charges.....	655,700
IDG from MDOT, comprehensive transportation fund .....	3,100
IDG from MDOT, state aeronautics fund .....	1,600
IDG from MDOT, state trunkline fund .....	68,300
IDG from user fees.....	186,800
Federal revenues:	
Federal - MESA, administration fund.....	58,600
Special revenue funds:	
Deferred compensation.....	2,600
Game and fish protection fund .....	13,100
Health management funds .....	40,100
Marine safety fund .....	1,400
MAIN user charges.....	4,069,500
Pension trust funds .....	762,300
Special revenue, internal service, and pension trust funds .....	2,445,500

	For Fiscal Year Ending Sept. 30, 2003
State building authority revenue.....	\$ 9,700
State lottery fund .....	13,400
State sponsored group insurance, flexible spending accounts and COBRA.....	139,500
Waterways fund.....	2,700
State general fund/general purpose .....	\$ 18,960,400
<b>(6) EARLY RETIREMENT AND BUDGETARY SAVINGS</b>	
Early retirement savings.....	\$ (102,700)
Budgetary savings.....	(433,700)
GROSS APPROPRIATION.....	\$ (536,400)
Appropriated from:	
State general fund/general purpose .....	\$ (536,400)

**Department of state.**

**Sec. 109. DEPARTMENT OF STATE**

**(1) APPROPRIATION SUMMARY**

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions.....	1,847.8
GROSS APPROPRIATION.....	\$ 180,055,800
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers ....	96,493,000
ADJUSTED GROSS APPROPRIATION.....	\$ 83,562,800
Federal revenues:	
Total federal revenues.....	1,319,500
Special revenue funds:	
Total local revenues .....	0
Total private revenues.....	100
Total other state restricted revenues.....	65,274,200
State general fund/general purpose .....	\$ 16,969,000

**(2) EXECUTIVE DIRECTION**

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions.....	27.2
Secretary of state .....	\$ 132,900
Unclassified positions—5.0 FTE positions.....	476,300
Operations—27.2 FTE positions .....	\$ 1,874,200
GROSS APPROPRIATION.....	\$ 2,483,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund.....	924,700
Special revenue funds:	
Auto repair facilities fees.....	50,700
Driver fees .....	85,200
Expedient service fees.....	43,400
Look-up fees .....	391,600
Parking ticket court fines.....	6,900
Personal identification card fees .....	10,200
Reinstatement fees - operator licenses.....	90,400

	For Fiscal Year Ending Sept. 30, 2003
Vehicle theft prevention fees .....	\$ 29,800
State general fund/general purpose .....	\$ 850,500
<b>(3) DEPARTMENT SERVICES</b>	
Full-time equated classified positions .....	170.3
Operations—163.8 FTE positions .....	\$ 20,087,500
Assigned claims assessments—6.5 FTE positions.....	644,200
GROSS APPROPRIATION .....	\$ 20,731,700
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund.....	11,349,500
Federal revenues:	
Federal funds .....	50,300
Special revenue funds:	
Assigned claims assessments .....	644,200
Auto repair facilities fees.....	375,100
Child support clearance fees.....	31,000
Driver fees .....	472,800
Expedient service fees.....	224,300
Look-up fees .....	6,523,100
Marine safety fund .....	67,400
Off-road vehicle title fees.....	6,900
Parking ticket court fines.....	47,500
Personal identification card fees .....	75,000
Reinstatement fees - operator licenses.....	450,000
Scrap tire fund .....	61,900
Snowmobile registration fee revenue .....	15,900
Vehicle theft prevention fees .....	219,900
State general fund/general purpose .....	\$ 116,900
<b>(4) REGULATORY SERVICES</b>	
Full-time equated classified positions .....	254.1
Operations—152.4 FTE positions .....	\$ 12,406,200
Auto regulations—101.7 FTE positions .....	7,346,100
GROSS APPROPRIATION .....	\$ 19,752,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund.....	7,637,600
Federal revenues:	
Federal funds .....	85,900
Special revenue funds:	
Auto repair facilities fees.....	3,892,700
Commercial driver training school fees.....	59,100
Driver fees .....	988,700
Expedient service fees.....	27,900
Look-up fees .....	3,907,700
Motorcycle safety fund .....	99,400
Parking ticket court fines.....	7,600
Personal identification card fees .....	39,900
Reinstatement fees - operator licenses.....	1,483,300

	For Fiscal Year Ending Sept. 30, 2003
Vehicle theft prevention fees .....	\$ 1,324,900
State general fund/general purpose .....	\$ 197,600
<b>(5) CUSTOMER DELIVERY SERVICES</b>	
Full-time equated classified positions .....	1,367.7
Branch operations—969.4 FTE positions .....	\$ 66,280,400
Central records—372.6 FTE positions .....	27,930,200
Record administration—9.5 FTE positions .....	806,000
Commemorative license plates—16.2 FTE positions .....	2,147,300
Specialty license plates .....	3,915,000
Olympic center plate .....	75,700
Organ donor program .....	104,100
GROSS APPROPRIATION .....	\$ 101,258,700
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund .....	57,323,800
Federal revenues:	
Federal funds .....	1,183,300
Special revenue funds:	
Private funds .....	100
Auto repair facilities fees .....	79,400
Child support clearance fees .....	340,300
Driver fees .....	11,273,300
Expedient service fees .....	2,500,300
Look-up fees .....	14,715,400
Marine safety fund .....	980,800
Michigan state police auto theft fund .....	100,000
Mobile home commission fees .....	407,100
Motorcycle safety fund .....	30,100
Off-road vehicle title fees .....	104,900
Olympic center training fund .....	75,700
Parking ticket court fines .....	1,393,100
Personal identification card fees .....	1,312,700
Reinstatement fees - operator licenses .....	996,000
Snowmobile registration fee revenue .....	287,300
State services fee fund .....	1,000,000
Vehicle theft prevention fees .....	180,600
State general fund/general purpose .....	\$ 6,974,500
<b>(6) ELECTION REGULATION</b>	
Full-time equated classified positions .....	28.5
Election administration and services—25.5 FTE positions .....	\$ 2,849,500
Fees to local units .....	69,800
Qualified voter file—3.0 FTE positions .....	1,372,400
GROSS APPROPRIATION .....	\$ 4,291,700
Appropriated from:	
State general fund/general purpose .....	\$ 4,291,700
<b>(7) DEPARTMENTWIDE APPROPRIATIONS</b>	
Building occupancy charges/rent .....	\$ 10,531,100

	For Fiscal Year Ending Sept. 30, 2003
Worker's compensation.....	\$ 740,000
GROSS APPROPRIATION.....	\$ 11,271,100
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund.....	4,784,200
Special revenue funds:	
Auto repair facilities fees.....	158,500
Driver fees.....	487,400
Expedient service fees.....	16,100
Look-up fees.....	1,973,400
Parking ticket court fines.....	525,500
State general fund/general purpose.....	\$ 3,326,000
<b>(8) INFORMATION TECHNOLOGY</b>	
Information technology services and projects.....	\$ 21,044,700
GROSS APPROPRIATION.....	\$ 21,044,700
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund.....	14,473,200
Special revenue funds:	
Administrative order processing fee.....	10,500
Auto repair facilities fees.....	170,500
Child support clearance fees.....	15,400
Driver fees.....	629,900
Expedient service fees.....	462,800
Look-up fees.....	2,583,100
Parking ticket court fines.....	78,700
Personal identification card fees.....	26,100
Reinstatement fees - operator licenses.....	442,400
Vehicle theft prevention fees.....	162,500
State general fund/general purpose.....	\$ 1,989,600
<b>(9) EARLY RETIREMENT AND BUDGETARY SAVINGS</b>	
Early retirement savings.....	\$ (594,900)
Budgetary savings.....	(182,900)
GROSS APPROPRIATION.....	\$ (777,800)
Appropriated from:	
State general fund/general purpose.....	\$ (777,800)

**Department of treasury.****Sec. 110. DEPARTMENT OF TREASURY****(1) APPROPRIATION SUMMARY**

Full-time equated unclassified positions.....	9.0
Full-time equated classified positions.....	1,852.5
GROSS APPROPRIATION.....	\$ 1,961,566,900
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers....	19,445,300
ADJUSTED GROSS APPROPRIATION.....	\$ 1,942,121,600
Federal revenues:	
Total federal revenues.....	44,296,100

	For Fiscal Year Ending Sept. 30, 2003
Special revenue funds:	
Total local revenues .....	\$ 910,800
Total private revenues.....	0
Total other state restricted revenues.....	1,775,833,900
State general fund/general purpose .....	\$ 121,080,800
<b>(2) EXECUTIVE DIRECTION</b>	
Full-time equated unclassified positions .....	9.0
Full-time equated classified positions .....	4.0
Unclassified positions—9.0 FTE positions.....	\$ 800,900
Office of the director—4.0 FTE positions .....	543,400
GROSS APPROPRIATION.....	\$ 1,344,300
Appropriated from:	
Special revenue funds:	
State lottery fund .....	139,500
State services fee fund .....	150,800
State general fund/general purpose .....	\$ 1,054,000
<b>(3) DEPARTMENTWIDE APPROPRIATIONS</b>	
Travel.....	\$ 1,815,900
Rent and building occupancy charges - property management services .....	6,464,100
Worker's compensation insurance premium.....	485,000
GROSS APPROPRIATION.....	\$ 8,765,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, state aeronautics fund .....	2,700
IDG, state agency collection fees.....	17,900
Special revenue funds:	
Delinquent tax collection revenue .....	3,926,700
Municipal finance fees .....	11,200
Treasury fees.....	18,900
Waterways fund.....	2,300
State general fund/general purpose .....	\$ 4,785,300
<b>(4) LOCAL GOVERNMENT PROGRAMS</b>	
Full-time equated classified positions .....	99.0
Supervision of the general property tax law—66.5 FTE positions... \$	9,460,600
Property tax assessor training—4.0 FTE positions.....	360,600
Local finance—28.5 FTE positions.....	1,688,500
State compliance audits .....	60,000
Pari-mutuel audits .....	240,000
GROSS APPROPRIATION.....	\$ 11,809,700
Appropriated from:	
Special revenue funds:	
Local - assessor training fees .....	360,600
Local - audit charges.....	457,200
Local - equalization study charge-backs.....	40,000
Local - revenue from local government.....	50,000
Land reutilization fund .....	3,985,700
Municipal finance fees .....	236,500



	For Fiscal Year Ending Sept. 30, 2003
State services fee fund .....	\$ 240,000
State general fund/general purpose .....	\$ 6,439,700
<b>(5) TAX PROGRAMS</b>	
Full-time equated classified positions .....	836.5
Revenue—828.5 FTE positions .....	\$ 56,189,800
Home heating assistance .....	1,600,000
Michigan underground storage tank assurance fund—	
4.0 FTE positions.....	224,400
Joint federal/state motor fuel compliance project .....	100,000
Bottle bill implementation.....	250,000
New hire reporting.....	1,545,000
Tobacco tax collection—4.0 FTE positions .....	210,600
GROSS APPROPRIATION .....	\$ 60,119,800
Appropriated from:	
Interdepartmental grant revenues:	
IDG, data/collection services fees .....	250,900
IDG from FIA .....	1,545,000
IDG from MDCH .....	210,600
IDG from MDOT, Michigan transportation fund.....	8,225,000
IDG from MDOT, state aeronautics fund .....	43,100
Federal revenues:	
DOT-FHA, intermodal surface transportation efficiency act.....	100,000
HHS-SSA, low-income energy assistance .....	1,600,000
Special revenue funds:	
Bottle deposit fund .....	250,000
Children's trust fund .....	6,500
Delinquent tax collection revenue .....	38,132,400
Michigan underground storage tank financial assurance revenue ...	224,400
Tobacco tax revenue .....	328,500
Waterways fund.....	56,200
State general fund/general purpose .....	\$ 9,147,200
<b>(6) BANKING AND MANAGEMENT SERVICES</b>	
Full-time equated classified positions .....	354.5
Administrative services—122.5 FTE positions.....	\$ 13,131,100
Financial services—232.0 FTE positions .....	16,078,500
GROSS APPROPRIATION .....	\$ 29,209,600
Appropriated from:	
Interdepartmental grant revenues:	
IDG from FIA, title IV-D.....	501,100
IDG from MDOT, state aeronautics fund .....	16,900
IDG, levy/warrant cost assessment fees .....	1,810,800
IDG, receipt, warrant and cash processing fees .....	3,722,300
IDG, state agency collection fees.....	450,100
Special revenue funds:	
Delinquent tax collection revenue .....	10,089,100
Escheats revenue.....	2,972,500
Garnishment fees .....	419,800
Treasury fees.....	162,100

	For Fiscal Year Ending Sept. 30, 2003
Waterways fund.....	\$ 18,100
State general fund/general purpose .....	\$ 9,046,800
<b>(7) FINANCIAL PROGRAMS</b>	
Full-time equated classified positions.....	298.5
Retirement investments—86.5 FTE positions.....	\$ 11,671,700
Michigan merit award board/MEAP administration— 21.0 FTE positions.....	28,827,300
Michigan education savings program.....	1,000,000
Common cash investments and debt management— 13.5 FTE positions.....	1,018,600
Student financial assistance programs—177.5 FTE positions.....	33,431,700
GROSS APPROPRIATION.....	\$ 75,949,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG, fiscal agent service fees.....	147,400
Federal revenues:	
DED-OPSE, federal lenders allowance .....	9,509,700
DED-OESE, grants for federal assessments .....	10,698,800
DED-OPSE, higher education act of 1965, insured loans .....	21,887,600
Special revenue funds:	
College work-study .....	46,300
Michigan merit award trust fund.....	19,497,600
Retirement funds.....	11,671,700
School bond fees.....	401,600
Treasury fees.....	230,900
State general fund/general purpose .....	\$ 1,857,700
<b>(8) DEBT SERVICE</b>	
Water pollution control bond and interest redemption .....	\$ 2,750,400
Quality of life bond .....	40,900,000
Clean Michigan initiative.....	15,936,000
GROSS APPROPRIATION.....	\$ 59,586,400
Appropriated from:	
Special revenue funds:	
State general fund/general purpose .....	\$ 59,586,400
<b>(9) GRANTS</b>	
Grants to counties in lieu of taxes.....	\$ 10,000
Convention facility development distribution .....	48,000,000
Senior citizen cooperative housing tax exemption program.....	14,350,600
Commercial mobile radio service payments .....	24,000,000
Health and safety fund grants .....	23,500,000
Tax increment finance authority payments.....	500,100
City of Benton Harbor - enterprise zone .....	85,400
GROSS APPROPRIATION.....	\$ 110,446,100
Appropriated from:	
Special revenue funds:	
Commercial mobile radio service fees.....	24,000,000
Convention facility development fund .....	48,000,000

	For Fiscal Year Ending Sept. 30, 2003
Health and safety fund .....	\$ 23,500,000
State general fund/general purpose .....	\$ 14,946,100
<b>(10) STATE LOTTERY</b>	
Full-time equated classified positions.....	164.0
Lottery operations—164.0 FTE positions.....	\$ 15,325,600
Promotion and advertising.....	18,372,000
GROSS APPROPRIATION.....	\$ 33,697,600
Appropriated from:	
Special revenue funds:	
State lottery fund .....	33,697,600
State general fund/general purpose .....	\$ 0
<b>(11) CASINO GAMING</b>	
Full-time equated classified positions.....	96.0
Michigan gaming control board.....	\$ 500,000
Casino gaming control administration—96.0 FTE positions .....	16,130,200
GROSS APPROPRIATION.....	\$ 16,630,200
Appropriated from:	
Special revenue funds:	
Casino gambling agreements.....	383,500
State services fee fund .....	16,246,700
State general fund/general purpose .....	\$ 0
<b>(12) REVENUE SHARING</b>	
Constitutional state general revenue sharing grants .....	\$ 679,430,000
Statutory state general revenue sharing grants .....	844,170,000
Grants to local governmental units .....	9,900,000
GROSS APPROPRIATION.....	\$ 1,533,500,000
Appropriated from:	
Special revenue funds:	
Sales tax .....	1,523,600,000
State general fund/general purpose .....	\$ 9,900,000
<b>(13) INFORMATION TECHNOLOGY</b>	
Information technology services and projects.....	\$ 23,208,300
GROSS APPROPRIATION.....	\$ 23,208,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG, receipt, warrant and cash processing fees .....	14,000
IDG, user services .....	487,500
IDG from MDOT, Michigan transportation fund.....	2,000,000
Federal revenues:	
DED-OPSE, higher education act of 1965, insured loans .....	500,000
Special revenue funds:	
Local - assessor training fees .....	3,000
Delinquent tax collection revenue .....	8,165,900
Land reutilization fund .....	20,000

**Compiler's note:** The Governor vetoed the shaded line items on July 25, 2002. On August 13, 2002, two-thirds of the members of the Senate and House of Representatives voted to pass the vetoed line items, the objections of the Governor to the contrary notwithstanding.

	For Fiscal Year Ending Sept. 30, 2003
Michigan merit award trust fund.....	\$ 393,000
Retirement funds.....	616,000
State lottery fund.....	3,229,300
State services fee fund.....	762,600
State general fund/general purpose.....	\$ 7,017,000
<b>(14) EARLY RETIREMENT AND BUDGETARY SAVINGS</b>	
Early retirement savings.....	\$ (2,156,500)
Budgetary savings.....	(542,900)
GROSS APPROPRIATION.....	\$ (2,699,400)
Appropriated from:	
State general fund/general purpose.....	\$ (2,699,400)

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

**Total state spending; payments to local units of government.**

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2002-2003 is \$2,263,155,400.00 and state spending from state resources to be paid to local units of government for fiscal year 2002-2003 is \$1,631,549,900.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF STATE

Fees to local units.....	\$ 69,800
Subtotal.....	\$ 69,800

DEPARTMENT OF TREASURY

Senior citizen cooperative housing tax exemption.....	\$ 14,350,600
Grants to counties in lieu of taxes.....	10,000
Health and safety fund grants.....	23,500,000
City of Benton Harbor enterprise zone.....	85,400
Constitutional state general revenue sharing grants.....	\$ 679,430,000
Statutory state general revenue sharing grants.....	844,170,000
Grants to local units of government.....	9,900,000
Convention facility development fund distribution.....	48,000,000
Tax increment finance authority payments.....	500,100
Commercial mobile radio service payments.....	11,534,000
Subtotal.....	\$ 1,631,480,100
TOTAL GENERAL GOVERNMENT.....	\$ 1,631,549,900

(2) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 2002-2003 is estimated at \$26,549,985,085.00 in the 2002-2003 appropriations acts and total state spending from state sources paid to local units of government for fiscal year 2002-2003 is estimated at \$16,191,287,780.00. The state-local proportion is estimated at 61.0% of total state spending from state resources.

(3) If payments to local units of government and state spending from state sources for fiscal year 2002-2003 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 2002-2003 to the senate and house of representatives standing committees on appropriations within 30 days after the final bookclosing for fiscal year 2002-2003.

### **Appropriations subject to §§ 18.1101 to 18.1594.**

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

### **Definitions.**

Sec. 203. As used in this act:

- (a) "AFSCME" means American federation of state, county, and municipal employees.
- (b) "COBRA" means the consolidated omnibus budget reconciliation act of 1985, Public Law 99-272, 100 Stat. 82.
- (c) "CPI" means consumer price index.
- (d) "DAG" means the United States department of agriculture.
- (e) "DED-OESE" means the United States department of education, office of elementary and secondary education.
- (f) "DED-OPSE" means the United States department of education, office of post-secondary education.
- (g) "DOI-NPS" means the United States department of the interior, national park service.
- (h) "DOJ" means the United States department of justice.
- (i) "DOL-ETA" means the United States department of labor, employment and training administration.
- (j) "DOL-OSHA" means the United States department of labor, occupational safety and health administration.
- (k) "DOT-FHA" means the United States department of transportation, federal highway administration.
- (l) "EEOC" means the United States equal employment opportunity commission.
- (m) "EPA" means the United States environmental protection agency.
- (n) "FIA" means the Michigan family independence agency.
- (o) "FTE" means full-time equated.
- (p) "GF/GP" means general fund/general purpose.
- (q) "HHS" means the United States department of health and human services.
- (r) "HHS-OS" means the HHS office of the secretary.
- (s) "HHS-SSA" means the HHS social security administration.
- (t) "HUD" means the United States department of housing and urban development.
- (u) "IDG" means interdepartmental grant.
- (v) "MAIN" means the Michigan administrative information network.
- (w) "MCL" means the Michigan Compiled Laws.

- (x) “MDA” means the Michigan department of agriculture.
- (y) “MDCH” means the Michigan department of community health.
- (z) “MDCIS” means the Michigan department of consumer and industry services.
- (aa) “MDCS” means the Michigan department of civil service.
- (bb) “MDOT” means the Michigan department of transportation.
- (cc) “MDSP” means the Michigan department of state police.
- (dd) “MEAP” means the Michigan educational assessment program.
- (ee) “MESA” means the Michigan employment security agency.
- (ff) “MPES” means the Michigan professional employees society.
- (gg) “MSC” means managerial, supervisory, and confidential.
- (hh) “MUSTFA” means Michigan underground storage tank financial assurance.
- (ii) “PA” means public act.
- (jj) “PACC” means the prosecuting attorneys coordinating council.
- (kk) “UAW” means the united auto workers.

#### **Billing by department of civil service.**

Sec. 204. The department of civil service shall bill departments and agencies at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

#### **Hiring freeze; exceptions.**

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

(2) The state budget director shall 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.

#### **Privatization; project plan.**

Sec. 207. At least 60 days before beginning any effort to privatize, the departments and agencies receiving appropriations in part 1 shall submit a complete project plan to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies within 30 months.

### **Reporting requirements; use of Internet.**

Sec. 208. Unless otherwise specified, departments and agencies receiving appropriations in part 1 shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

### **Purchase of foreign goods or services.**

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.

### **Businesses in deprived and depressed communities; contracts for services and supplies.**

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.

### **Appropriation to countercyclical budget and economic stabilization fund.**

Sec. 211. Pursuant to section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, that 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:

	2001	2002
Michigan personal income (millions) .....	\$295,108	\$303,666
less: transfer payments .....	40,958	44,256
Subtotal .....	254,150	259,411
Divided by: Detroit CPI for 12 months .....		
Ending June 30 (1982=1.00) .....	1.729	1.762
Equals: real adjusted Michigan personal income .....	\$146,992	\$147,238
Percentage change .....		0.2%
Percentage change under 0% .....		0.2%
Multiplied by: estimated GF/GP revenue in FY 2001-2002 (millions) .....		8,406.0
Equals: countercyclical budget and economic stabilization fund calculation for the fiscal year ending September 30, 2003 .....		\$0.00

### **Receipt and retention of reports.**

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

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

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

**Technology-related services and projects; user fees.**

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

**Employee communication with legislature; disciplinary action prohibited.**

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

**Early retirement and budgetary savings; satisfaction of negative appropriations.**

Sec. 216. (1) The negative appropriations for early retirement savings in part 1 shall be satisfied by savings realized from not filling all of the positions lost due to the early retirement plan for state employees enacted in 2002 PA 93 amendments to the state employees' retirement act, 1943 PA 240, MCL 38.1 to 38.69.

(2) The negative appropriations for budgetary savings in part 1 shall be satisfied by savings from the hiring freeze imposed under section 205, efficiencies, and other savings identified by the department directors and approved by the state budget director.

(3) Appropriation authorization adjustments required due to negative appropriations for early retirement savings and budgetary savings shall be made only after the approval of transfers by the legislature under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

**DEPARTMENT OF ATTORNEY GENERAL****Contingency funds; availability for expenditure.**

Sec. 300. (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.

### **Attorney general; legal services.**

Sec. 301. (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.

### **Attorney general; sale of biennial report.**

Sec. 302. The attorney general may sell copies of the biennial report in excess of the 500 copies that the attorney general may distribute on a gratis basis. 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.

### **Department of attorney general; legal representation of cases handled by accident fund.**

Sec. 303. The department of attorney general has retained the responsibility for legal representation for state of Michigan state employee worker's disability compensation cases handled by the accident fund company. The accident fund company revenue appropriation in part 1 is to be satisfied by billings from the department of attorney general to the accident fund company for the actual costs of legal representation, including salaries and support costs.

### **Costs associated with food stamp fraud cases; reimbursement.**

Sec. 304. In addition to the funds appropriated in part 1, up to \$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 family independence agency, 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.

**Proceeds from tobacco settlement agreement.**

Sec. 305. 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.

**Unobligated antitrust enforcement revenue; carrying forward excess funds.**

Sec. 306. Any unobligated antitrust enforcement revenue in excess of the funds appropriated in part 1, not to exceed \$250,000.00, is carried forward and available for appropriation in the succeeding fiscal year.

**Payment of attorney fees.**

Sec. 307. 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. The funds may be expended for the payment of attorney fees assessed against 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. Unexpended funds at the end of the fiscal year are carried forward for expenditure in the following year, up to a maximum authorization of \$500,000.00.

**Attorney general; annual salary.**

Sec. 308. Effective January 1, 2003, the annual salary for the attorney general shall be \$135,500.00, unless an amendment to the state constitution gives the state officers compensation commission the authority to determine the salary of the attorney general.

**DEPARTMENT OF CIVIL RIGHTS****Contingency funds; availability for expenditure.**

Sec. 400. In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$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.

**Department of civil rights; receipt and expenditure of funds; report.**

Sec. 401. (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.