

(11) The secretary of state shall not disclose a social security number obtained under subsection (1) to another person except for use for 1 or more of the following purposes:

(a) Compliance with 49 USC 31301 to 31317 and regulations and state law and rules related to this chapter.

(b) Through the law enforcement information network, to carry out the purposes of section 466(a) of the social security act, 42 USC 666, in connection with matters relating to paternity, child support, or overdue child support.

(c) To check an applicant's driving record through the national driver register and the commercial driver license information system when issuing a license under this act.

(d) With the department of community health, for comparison with vital records maintained by the department of community health under part 28 of the public health code, 1978 PA 368, MCL 333.2801 to 333.2899.

(e) As otherwise required by law.

(12) The secretary of state shall not display a person's social security number on the person's operator's or chauffeur's license.

(13) A requirement under this section to include a social security number on an application does not apply to an applicant who demonstrates he or she is exempt under law from obtaining a social security number or to an applicant who for religious convictions is exempt under law from disclosure of his or her social security number under these circumstances. The secretary of state shall inform the applicant of this possible exemption.

(14) Beginning January 1, 2007, the secretary of state shall maintain the organ, tissue, and eye donor registry in a manner that provides electronic access, including, but not limited to, transfer of data to this state's federally designated organ procurement organizations, their successor organizations, and tissue and eye banks with limitations on the use of and access to the donor registry as determined by the secretary of state.

### **257.812 Fee for duplicate or corrected license; renewal.**

Sec. 812. (1) Except as otherwise provided in subsection (2), for each duplicate license as provided in section 313, and for each correction of a license, a person may apply for renewal of the license and pay the renewal fee prescribed in this act or the person may, at his or her option and upon payment of the fee prescribed in this section, apply for a duplicate license which expires on the same date as the license which was lost, destroyed, mutilated, or became illegible. The secretary of state may check the applicant's driving record through the national driver register and the commercial driver license information system before issuing a license under this section. The fee for a duplicate chauffeur's license is \$18.00. The fee for a duplicate operator's license is \$9.00. A renewal fee shall not be charged for a change of address, a correction required to correct a department error, or, beginning January 1, 2007, to add or remove a heart insignia described in section 310.

(2) Except with regard to a person who is less than 21 years of age or a person with a license containing a hazardous material indorsement, for each duplicate license as provided in section 313, and for each correction of a license, a person shall apply for renewal of the license and pay the renewal fee prescribed in this act if the license was due to expire within the next 12 months. Except as otherwise provided in this act, a license renewed under this subsection shall be renewed for the combined period of the time remaining on the license before its renewal and the 4-year renewal period.

### **Repeal of MCL 257.252c.**

Enacting section 1. Section 252c of the Michigan vehicle code, 1949 PA 300, MCL 257.252c, is repealed effective October 1, 2005.

**Conditional effective date.**

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

- (a) Senate Bill No. 301.
- (b) House Bill No. 4082.
- (c) House Bill No. 4469.

This act is ordered to take immediate effect.

Approved September 29, 2005.

Filed with Secretary of State September 29, 2005.

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**Compiler's note:** The bills referred to in enacting section 2 were enacted into law as follows:

Senate Bill No. 301 was filed with the Secretary of State September 29, 2005, and became 2005 PA 143, Imd. Eff. Sept. 29, 2005.

House Bill No. 4082 was filed with the Secretary of State September 29, 2005, and became 2005 PA 141, Imd. Eff. Sept. 29, 2005.

House Bill No. 4469 was filed with the Secretary of State September 29, 2005, and became 2005 PA 140, Imd. Eff. Sept. 29, 2005.

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**[No. 143]****(SB 301)**

AN ACT to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending sections 1 and 2 (MCL 28.291 and 28.292), section 1 as amended by 1997 PA 99 and section 2 as amended by 2003 PA 143.

*The People of the State of Michigan enact:*

**28.291 Official state personal identification card; application; limitation.**

Sec. 1. (1) A person who is a resident of this state may apply to the department of state for an official state personal identification card. Upon application the applicant shall supply a birth certificate attesting to his or her age or other sufficient documents or identification as the secretary of state may require. An application for a state personal identification card shall be made in a manner prescribed by the secretary of state and shall contain the applicant's full name, date of birth, residence address, height, sex, eye color, signature, and, beginning January 1, 2007, intent to be an organ donor, and other information required or permitted on the official state personal identification card. The applicant may provide a mailing address if the applicant receives mail at an address different from his or her residence address.

(2) The secretary of state shall not issue an official state personal identification card to a person who holds an operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, unless the license has been suspended, revoked, or restricted.

**28.292 Official state personal identification card; contents; duties of secretary of state; methods; placement of name on organ and tissue donor registry; form; emergency medical information card; fingerprint or finger image; retention and use of person's image; access by law enforcement agency; list under sex offenders registration act; evidence of blindness; information contained; issuance; manufacture; fees; expiration; renewal; waiver of fee; correction for change of name or address; application for renewal; other information; emancipated minor; participation in organ, tissue, and eye donor registry; validity.**

Sec. 2. (1) The official state personal identification card shall contain the following:

- (a) An identification number permanently assigned to the person.
- (b) The full name, date of birth, sex, residential address, height, weight, eye color, image, and signature of the person to whom the identification card is issued.
- (c) An indication that the identification card contains 1 or more of the following:
  - (i) The blood type of the person.
  - (ii) Immunization data of the person.
  - (iii) Medication data of the person.
  - (iv) A statement that the person is deaf.
  - (v) Until January 1, 2007, a statement that the person is an organ and tissue donor under part 101 of the public health code, 1978 PA 368, MCL 333.10101 to 333.10109. If the identification card contains such a statement, the statement shall include the signature of the person, along with the signature of at least 1 witness.
  - (vi) Emergency contact information of the person.
  - (vii) A sticker or decal as specified by the secretary of state to indicate that the holder of the official state personal identification card has designated 1 or more patient advocates in accordance with section 5506 of the estates and protected individuals code, 1998 PA 386, MCL 700.5506, or a statement that he or she carries an emergency medical information card, as described in subsection (5).
- (d) In the case of a person who is less than 18 years of age at the time of issuance of the identification card, the dates on which the person will become 18 years of age and 21 years of age.
- (e) In the case of a person who is not less than 18 years of age but less than 21 years of age at the time of issuance of the identification card, the date on which the person will become 21 years of age.
- (f) Beginning January 1, 2007, in the case of a holder of an official state personal identification card who has indicated his or her wish to participate in the organ and tissue donor registry under part 101 of the public health code, 1978 PA 368, MCL 333.10101 to 333.10109, a heart insignia on the front of the official state personal identification card.

(2) In conjunction with the application for or, until January 1, 2007, the issuance of an official state personal identification card, the secretary of state shall do all of the following:

- (a) Provide the applicant with all of the following:
  - (i) Information explaining the applicant's right to make an anatomical gift in the event of death under part 101 of the public health code, 1978 PA 368, MCL 333.10101 to 333.10109, and in accordance with this section.
  - (ii) Information describing the organ, tissue, and eye donor registry program maintained by Michigan's federally designated organ procurement organization or its successor

organization. The information required under this subparagraph includes the address and telephone number of Michigan's federally designated organ procurement organization or its successor organization.

(iii) Information giving the applicant the opportunity to have his or her name placed on the registry described in subparagraph (ii).

(b) Provide the applicant with the opportunity to specify on his or her official state personal identification card that he or she is willing to make an anatomical gift in the event of death pursuant to part 101 of the public health code, 1978 PA 368, MCL 333.10101 to 333.10109, and in accordance with this section.

(c) Inform the applicant that, if he or she indicates to the secretary of state under this section a willingness to have his or her name placed on the registry described in subdivision (a)(ii), the secretary of state will mark the applicant's record for the registry.

(3) The secretary of state may fulfill the requirements of subsection (2) by 1 or more of the following methods:

(a) Providing printed material enclosed with a mailed notice for the issuance or renewal of an official state personal identification card.

(b) Providing printed material to an applicant who personally appears at a secretary of state branch office.

(c) Through electronic information transmittals for applications processed by electronic means.

(4) Until January 1, 2007, if an applicant indicates a willingness under this section to have his or her name placed on the registry described in subsection (2)(a)(ii), the secretary of state shall within 10 days forward the applicant's name, address, and date of birth to the organ donor registry maintained by Michigan's federally designated organ procurement organization or its successor organization. The secretary of state may forward information under this subsection by mail or by electronic means. The secretary of state shall not maintain a record of the name or address of an individual who indicates a willingness to have his or her name placed on the organ donor registry after forwarding that information to the organ donor registry under this subsection. Information about an applicant's indication of a willingness to have his or her name placed on the organ donor registry obtained by the secretary of state under subsection (2) and forwarded under this subsection is exempt from disclosure under section 13(1)(d) of the freedom of information act, 1976 PA 442, MCL 15.243.

(5) The secretary of state shall prescribe the form of the identification card. The secretary of state shall designate on the identification card a space where the applicant may place a sticker or decal of the uniform size as the secretary may specify to indicate that the cardholder carries a separate emergency medical information card. The sticker or decal may be provided by any person, hospital, school, medical group, or association interested in assisting in implementing the emergency medical information card, but shall meet the specifications of the secretary of state. The sticker or decal also may be used to indicate that the cardholder has designated 1 or more patient advocates in accordance with section 5506 of the estates and protected individuals code, 1998 PA 386, MCL 700.5506. The emergency medical information card, carried separately by the cardholder, may contain the information described in subsection (2)(c), information concerning the cardholder's patient advocate designation, other emergency medical information, or an indication as to where the cardholder has stored or registered emergency medical information. An original identification card or the renewal of an existing identification card issued to a person less than 21 years of age shall be portrait or vertical in form and an identification card issued to a person 21 years of age or over shall be landscape or

horizontal in form. Except as otherwise required in this act, other information required on the identification card under this act may appear on the identification card in a form prescribed by the secretary of state.

(6) The identification card shall not contain a fingerprint or finger image of the applicant.

(7) Except as provided in this subsection, the secretary of state may retain and use a person's image and signature described in subsection (1)(b) only for programs administered by the secretary of state. Except as provided in this subsection, the secretary of state shall not use a person's image unless written permission for that purpose is granted by the person to the secretary of state or specific enabling legislation permitting the use is enacted into law. A law enforcement agency of this state shall have access to any information retained by the secretary of state under this subsection. The information may be utilized for any law enforcement purpose unless otherwise prohibited by law. The department of state police shall provide to the secretary of state updated lists of persons required under section 5a of the sex offenders registration act, 1994 PA 295, MCL 28.725a, to maintain a valid operator's or chauffeur's license or an official state personal identification card and the secretary of state shall make images of those persons available to the department of state police as provided in the sex offenders registration act, 1994 PA 295, MCL 28.721 to 28.732.

(8) If a person presents evidence of statutory blindness as provided in 1978 PA 260, MCL 393.351 to 393.368, and is issued or is the holder of an official state personal identification card, the secretary of state shall mark the person's identification card in a manner that clearly indicates that the cardholder is legally blind.

(9) Beginning January 1, 2007, the secretary of state shall maintain a record of an individual who indicates a willingness to have his or her name placed on the registry described in subsection (2)(a)(ii). Information about a person's indication of a willingness to have his or her name placed on the registry that is obtained by the secretary of state and forwarded under this section is exempt from disclosure under section 13(1)(d) of the freedom of information act, 1976 PA 442, MCL 15.243. The secretary of state shall establish and maintain the organ, tissue, and eye donor registry in a manner that provides electronic access, including, but not limited to, the transfer of data to this state's federally designated organ procurement organizations, their successor organizations, and tissue and eye banks with limitations on the use of and access to the donor registry as determined by the secretary of state.

(10) An official state personal identification card may contain an identifier for voter registration purposes. An official state personal identification card may contain information appearing in electronic or machine readable codes needed to conduct a transaction with the secretary of state. The information shall be limited to the person's identification card number, birth date, expiration date, and other information necessary for use with electronic devices, machine readers, or automatic teller machines and shall not contain the person's name, address, driving record, or other personal identifier. The identification card shall identify the encoded information.

(11) An official state personal identification card shall be issued only upon authorization of the secretary of state, and shall be manufactured in a manner to prohibit as nearly as possible the ability to reproduce, alter, counterfeit, forge, or duplicate the identification card without ready detection.

(12) Except as otherwise provided in this act, an applicant shall pay a fee of \$10.00 to the secretary of state for each original or renewal identification card issued.

The department of treasury shall deposit the fees received and collected under this section in the state treasury to the credit of the general fund. The legislature shall appropriate

the fees credited to the general fund under this act to the secretary of state for the administration of this act. Appropriations from the Michigan transportation fund created under section 10 of 1951 PA 51, MCL 247.660, shall not be used to compensate the secretary of state for costs incurred and services performed under this section.

(13) An original or renewal official state personal identification card expires on the birthday of the person to whom it is issued in the fourth year following the date of issuance. The secretary of state shall not issue an official state personal identification card under this act for a period greater than 4 years. Except as provided in this subsection, a person may apply for a renewal of an official state personal identification card by mail or by other methods prescribed by the secretary of state. The secretary of state shall require renewal in person by a person required under section 5a of the sex offenders registration act, 1994 PA 295, MCL 28.725a, to maintain a valid operator's or chauffeur's license or official state personal identification card.

(14) The secretary of state shall waive the fee under this section if the applicant is any of the following:

(a) A person 65 years of age or older.

(b) A person who has had his or her operator's or chauffeur's license suspended, revoked, or denied under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, because of a mental or physical infirmity or disability.

(c) A person who presents evidence of statutory blindness as provided in 1978 PA 260, MCL 393.351 to 393.368.

(d) A person who presents other good cause for a fee waiver.

(e) Beginning January 1, 2007, a person who wishes to add or remove a heart insignia described in subsection (1)(f).

(15) A person who has been issued an official state personal identification card shall apply for a renewal official state personal identification card if the person changes his or her name.

(16) A person who has been issued an official state personal identification card shall apply for a corrected identification card if he or she changes his or her residential address. The secretary of state may correct the address on an identification card by a method prescribed by the secretary of state. A fee shall not be charged for a change of residential address.

(17) Except as otherwise provided in subsections (15) and (16), a person who has been issued an official state personal identification card may apply for a renewal official state personal identification card for 1 or more of the following reasons:

(a) The person wants to change any information on the identification card.

(b) An identification card issued under this act is lost, destroyed, or mutilated, or becomes illegible.

(18) A person may indicate on an official state personal identification card in a place designated by the secretary of state his or her blood type, emergency contact information, immunization data, medication data, a statement that the person is deaf, or, until January 1, 2007, a statement that the person has made an anatomical gift under part 101 of the public health code, 1978 PA 368, MCL 333.10101 to 333.10109.

(19) If an applicant provides proof to the secretary of state that he or she is a minor who has been emancipated under 1968 PA 293, MCL 722.1 to 722.6, the official state personal identification card shall bear the designation of the individual's emancipated status in a manner prescribed by the secretary of state.

(20) Beginning January 1, 2007, the secretary of state shall inquire of each person who applies for or who holds an official state personal identification card, in person or by mail, whether he or she agrees to participate in the organ, tissue, and eye donor registry under part 101 of the public health code, 1978 PA 368, MCL 333.10101 to 333.10109. A person who has agreed to participate in that registry shall not be considered to have revoked that agreement solely because the person's official state personal identification card has expired. Enrollment in the organ, tissue, and eye donor registry constitutes a legal agreement that remains binding and in effect after the donor's death regardless of the expressed desires of the deceased donor's next of kin who may oppose the donor's organ, tissue, or eye donation.

(21) A valid official state personal identification card presented by the person to whom the card is issued shall be considered the same as a valid state of Michigan driver license when identification is requested except as otherwise specifically provided by law.

### **Conditional effective date.**

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

- (a) House Bill No. 4082.
- (b) House Bill No. 4469.
- (c) House Bill No. 4470.

This act is ordered to take immediate effect.

Approved September 29, 2005.

Filed with Secretary of State September 29, 2005.

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

House Bill No. 4082 was filed with the Secretary of State September 29, 2005, and became 2005 PA 141, Imd. Eff. Sept. 29, 2005.

House Bill No. 4469 was filed with the Secretary of State September 29, 2005, and became 2005 PA 140, Imd. Eff. Sept. 29, 2005.

House Bill No. 4470 was filed with the Secretary of State September 29, 2005, and became 2005 PA 142, Imd. Eff. Sept. 29, 2005.

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## **[No. 144]**

### **(HB 4803)**

AN ACT to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1284b (MCL 380.1284b), as amended by 2001 PA 167.

*The People of the State of Michigan enact:*

**380.1284b School in session before Labor day; prohibition; effect of collective bargaining agreement; exception; waiver; "Labor day" defined.**

Sec. 1284b. (1) Until subsection (2) applies to the school district, public school academy, or intermediate school district, the board of a school district or intermediate school district or board of directors of a public school academy shall ensure that the district's or public school academy's schools are not in session on the Friday before Labor day.

(2) Except as otherwise provided in subsections (3) and (4), the board of a school district or intermediate school district or board of directors of a public school academy shall ensure that the district's or public school academy's pupils are not required to begin a school year before Labor day.

(3) If a collective bargaining agreement that provides a complete school calendar is in effect for employees of a school district, public school academy, or intermediate school district as of the effective date of the amendatory act that added subsection (2), and if that school calendar is not in compliance with subsection (2), then subsection (2) does not apply to that school district, public school academy, or intermediate school district until after the expiration of that collective bargaining agreement.

(4) If a school district, intermediate school district, or public school academy is operating a year-round school or program as of the effective date of the amendatory act that added subsection (2) or is operating as of that effective date a school that is an international baccalaureate academy that provides 1,160 hours of pupil instruction per school year, then subsection (2) does not apply to that school or program. If a school district, intermediate school district, or public school academy begins operating a year-round school or program after the effective date of the amendatory act that added subsection (2), the school district, intermediate school district, or public school academy may apply to the superintendent of public instruction for a waiver from the requirements of subsection (2). Upon application, if the superintendent of public instruction determines that a school or program is a bona fide year-round school or program established for educational reasons, the superintendent of public instruction shall grant the waiver. The superintendent of public instruction shall establish standards for determining a bona fide year-round school or program for the purposes of this subsection.

(5) As used in this section, "Labor day" means the first Monday in September.

This act is ordered to take immediate effect.

Approved September 29, 2005.

Filed with Secretary of State September 29, 2005.

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**[No. 145]**

**(SB 277)**

AN ACT to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.



*The People of the State of Michigan enact:*

## PART 1

## LINE-ITEM APPROPRIATIONS

**Appropriations; department of military and veterans affairs.**

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of military and veterans affairs for the fiscal year ending September 30, 2006, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF MILITARY AND VETERANS AFFAIRS**

## APPROPRIATION SUMMARY:

Full-time equated unclassified positions .....	7.0	
Full-time equated classified positions .....	1,016.0	
GROSS APPROPRIATION .....		\$ 117,699,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers ....		1,656,800
ADJUSTED GROSS APPROPRIATION .....		\$ 116,042,600
Federal revenues:		
Total federal revenues .....		49,537,200
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		1,355,800
Total other state restricted revenues .....		27,360,500
State general fund/general purpose .....		\$ 37,789,100

**Headquarters and armories.****Sec. 102. HEADQUARTERS AND ARMORIES**

Full-time equated unclassified positions .....	7.0	
Full-time equated classified positions .....	124.0	
Headquarters and armories—83.5 FTE positions .....		\$ 9,929,800
Unclassified military personnel .....		660,300
Military appeals tribunal .....		900
Michigan emergency volunteers .....		5,000
State active duty .....		85,100
Challenge program—40.5 FTE positions .....		4,035,900
Homeland security .....		1,000,000
Human resources optimization user charge .....		29,500
Military family relief fund .....		600,000
GROSS APPROPRIATION .....		\$ 16,346,500
Appropriated from:		
IDG, challenge grant .....		250,800
IDG, community health .....		100,000
IDG, state police .....		900,000
IDG, human services .....		406,000
Federal revenues:		
DOD-DOA-NGB .....		4,356,300
Special revenue funds:		
Rental fees .....		350,000
Mackinac Bridge authority .....		55,000

For Fiscal Year  
Ending Sept. 30,  
2006

Private donations.....	\$	790,800
Military family relief fund.....		600,000
Parent pay revenue.....		100,000
State general fund/general purpose .....	\$	8,437,600

**Military training sites and support facilities.**

**Sec. 103. MILITARY TRAINING SITES AND SUPPORT FACILITIES**

Full-time equated classified positions.....	200.0	
Military training sites and support facilities—200.0 FTE positions .....	\$	20,009,800
Military training sites and support facilities test projects .....		100,000
GROSS APPROPRIATION.....	\$	20,109,800
Appropriated from:		
Federal revenues:		
DOD-DOA-NGB.....		17,471,400
Special revenue funds:		
Test project fees .....		100,000
State general fund/general purpose .....	\$	2,538,400

**Departmentwide appropriations.**

**Sec. 104. DEPARTMENTWIDE APPROPRIATIONS**

Departmentwide accounts.....	\$	1,656,500
Special maintenance - state .....		151,200
Special maintenance - federal.....		5,300,000
Military retirement .....		2,807,000
Counter narcotic operations .....		50,000
Starbase grant.....		640,000
GROSS APPROPRIATION.....	\$	10,604,700
Appropriated from:		
Federal revenues:		
DOD-DOA-NGB.....		7,206,100
Federal counter narcotic revenues.....		50,000
State general fund/general purpose .....	\$	3,348,600

**Veterans service organizations.**

**Sec. 105. VETERANS SERVICE ORGANIZATIONS**

American legion .....	\$	886,000
Disabled American veterans.....		732,400
Marine corps league .....		336,300
American veterans of World War II and Korea.....		464,800
Veterans of foreign wars.....		886,000
Michigan paralyzed veterans of America.....		165,700
Purple heart.....		157,900
Veterans of World War I.....		100
Polish legion of American veterans.....		41,200
Jewish veterans of America.....		41,200
State of Michigan council - Vietnam veterans of America.....		159,500
Catholic war veterans .....		41,200
GROSS APPROPRIATION.....	\$	3,912,300

For Fiscal Year  
Ending Sept. 30,  
2006

Appropriated from:  
State general fund/general purpose ..... \$ 3,912,300

**Grand Rapids veterans' home.**

**Sec. 106. GRAND RAPIDS VETERANS' HOME**

Full-time equated classified positions .....517.0  
Grand Rapids veterans' home—517.0 FTE positions ..... \$ 45,416,700  
Board of managers ..... 415,000  
GROSS APPROPRIATION ..... \$ 45,831,700

Appropriated from:

Federal revenues:

DVA-VHA ..... 14,191,900  
HHS, Medicaid ..... 381,200  
HHS, Medicare ..... 749,400

Special revenue funds:

Private - veterans' home post and posthumous funds ..... 340,000  
Income and assessments ..... 16,006,400  
Military family relief fund ..... 75,000  
Lease revenue ..... 35,000  
State general fund/general purpose ..... \$ 14,052,800

**D.J. Jacobetti veterans' home.**

**Sec. 107. D.J. JACOBETTI VETERANS' HOME**

Full-time equated classified positions .....159.0  
D.J. Jacobetti veterans' home—159.0 FTE positions ..... \$ 14,371,300  
Board of managers ..... 200,000  
GROSS APPROPRIATION ..... \$ 14,571,300

Appropriated from:

Federal revenues:

DVA-VHA ..... 4,262,100  
HHS, Medicare ..... 367,100  
HHS, Medicaid ..... 87,700

Special revenue funds:

Private - veterans' home post and posthumous funds ..... 125,000  
Military family relief fund ..... 75,000  
Income and assessments ..... 4,840,400  
State general fund/general purpose ..... \$ 4,814,000

**Veterans' affairs directorate.**

**Sec. 108. VETERANS' AFFAIRS DIRECTORATE**

Full-time equated classified positions .....16.0  
Veterans' affairs directorate administration—3.0 FTE positions ..... \$ 316,300  
Veterans' trust fund administration—13.0 FTE positions ..... 1,141,100  
Veterans' trust fund grants ..... 3,746,500  
GROSS APPROPRIATION ..... \$ 5,203,900

Appropriated from:

Special revenue funds:

Michigan veterans' trust fund ..... 4,887,600  
State general fund/general purpose ..... \$ 316,300

For Fiscal Year  
Ending Sept. 30,  
2006

**Information technology.**

**Sec. 109. INFORMATION TECHNOLOGY**

Information technology services and projects.....	\$	1,119,200
GROSS APPROPRIATION.....	\$	1,119,200
Appropriated from:		
Federal revenues:		
DOD-DOA-NGB.....		109,100
DVA-VHA .....		296,300
HHS, Medicare.....		8,600
Special revenue funds:		
Income and assessments .....		336,100
State general fund/general purpose .....	\$	369,100

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 2005-2006 is \$65,149,600.00 and state spending from state resources to be paid to local units of government for fiscal year 2005-2006 is \$120,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS  
MILITARY TRAINING SITES AND SUPPORT FACILITIES

Payments in lieu of taxes.....	\$	70,000
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MICHIGAN VETERANS' TRUST FUND

County counselor travel expenses.....	\$	50,000
TOTAL .....	\$	120,000

**Appropriations subject to MCL 18.1101 to 18.1594.**

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

**Definitions.**

Sec. 203. As used in this act:

- (a) "Department" means the department of military and veterans affairs.
- (b) "Director" means the director of the department of military and veterans affairs.
- (c) "DOD" means the United States department of defense.
- (d) "DOD-DOA-NGB" means the DOD department of the army, national guard bureau.

- (e) “DVA” means the United States department of veterans’ affairs.
- (f) “DVA-VHA” means the DVA veterans’ health administration.
- (g) “FTE” means full-time equated.
- (h) “HHS” means the United States department of health and human services.
- (i) “IDG” means interdepartmental grant.

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

Sec. 204. The department of civil service shall bill the department 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) Beginning October 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 by the last business day of each month 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 justification for the exception.

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

Sec. 207. Sixty days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate senate and house of representatives appropriations subcommittees 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 appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies within 30 months.

### **Use of Internet; reports.**

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

### **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. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable value.

**Businesses in deprived and depressed communities; contracts for 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.

**Reports; retention of records.**

Sec. 211. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. The department shall follow all federal guidelines and state laws regarding short-term and long-term retention of records.

**Michigan national guard education assistance program.**

Sec. 212. (1) Of the funds appropriated in section 103 for military training sites and support facilities, there shall be established a Michigan national guard education assistance program. Disbursements to the educational assistance program shall not exceed \$1,100,000.00 without legislative approval. Under the program, a member of the national guard who is in active service and who enrolls as a full- or part-time student at a public or private state college or university may be eligible to receive up to an equivalent of 50% of the total cost of tuition not to exceed \$2,000.00, as education assistance, in any academic year.

(2) As used in this section, an eligible person means a member of the Michigan national guard who is in active service, as defined in section 105 of the Michigan military act, 1967 PA 150, MCL 32.505. An eligible person does not include a member of the Michigan national guard or air national guard who is absent without leave or who is under charges as described in the Michigan code of military justice of 1980, 1980 PA 523, MCL 32.1001 to 32.1148.

(3) The department of military and veterans affairs, office of the adjutant general shall administer the education assistance program and prescribe forms and procedures to effectively carry out the education assistance program.

(4) An eligible person shall apply to the department of military and veterans affairs, office of the adjutant general for education assistance and shall provide evidence of attendance and completion of the course of study with a grade of at least 2.0 on a 4.0 scale, or its equivalent. The adjutant general shall approve the application for reimbursement if the applicant meets the definition of an eligible person under subsection (2) and other criteria as established by the adjutant general.

(5) The education assistance program applies to any course of instruction that is included in an associate, undergraduate, or postgraduate degree program offered by a college or university of this state.

(6) The education assistance program applies to an eligible person notwithstanding any other educational incentive or benefit received by the eligible person under any other educational assistance program provided by any other state.

(7) An eligible person who successfully completes the course of study with a grade of at least 2.0 on a 4.0 scale, or its equivalent, shall be eligible for reimbursement.

(8) The department of military and veterans affairs may use funds from the appropriated funds to administer the education assistance program.

(9) Reimbursed members who do not complete their national guard obligation shall pay the state for money received from the state for tuition. Members who fail to repay the state within the time limits established by the adjutant general shall be indebted to the state. The department shall work in conjunction with the department of treasury for inclusion in the tax intercept program for amounts due the state.

(10) A portion of the funds for the Michigan national guard education assistance program may be used by the department for the purpose of promoting the program and for encouraging those persons the department wishes to have enlist or reenlist in the Michigan national guard.

### **National guard armories; projected closing or consolidation.**

Sec. 213. The department shall consult with the house and senate appropriations subcommittees on military and veterans affairs regarding the projected closing or consolidation of any national guard armories.

### **Military cemeteries in Crawford and Dickinson counties.**

Sec. 214. It is the intent of the legislature that, should the necessary legislation be enacted and funding become available, funds be appropriated for state military cemeteries in Crawford and Dickinson Counties.

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

Sec. 221. 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. These user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

### **Information technology; amounts designated as work projects.**

Sec. 223. 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.

### **Out-of-state travel.**

Sec. 225. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2006 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any

exceptions granted by the state budget director shall be reported on a monthly basis to the house and senate appropriations committees.

(3) Not later than January 1 of each year, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the chairs and members of the house and senate appropriations committees, the fiscal agencies, and the state budget director. The report shall include the following information:

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

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

(d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

#### **Communication of employee with member of legislature or staff.**

Sec. 226. The department shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.

#### **Sale of department property; notification.**

Sec. 227. Sixty days prior to the public announcement of the intention to sell any department property, the department shall submit notification of that intent to the appropriate senate and house appropriations subcommittees and the senate and house fiscal agencies.

### **HEADQUARTERS AND ARMORIES**

#### **Rental and equipment usage fees.**

Sec. 301. The department may charge reasonable rental and equipment usage fees for renting an armory or using the distance learning network. The fee shall include the cost of overtime compensation, insurance coverage, and any maintenance required.

#### **Challenge program.**

Sec. 302. (1) The funds appropriated in this act for private donations to the challenge program shall be considered state restricted revenue, and unexpended funds remaining at the close of the fiscal year shall not lapse to the general fund but shall be carried forward to the subsequent fiscal year.

(2) The department shall make every effort to identify alternative sources of revenue to replace the general fund/general purpose funding provided in this act for the challenge program.

(3) The department may charge a parent or guardian of a participant in the challenge program a fee for participating in the program if the participant is a member of a family with an income that exceeds 200% of the federal poverty guidelines as published by the



United States department of health and human services. The amount charged the parent or guardian shall not exceed the per student state share cost of administering the program. The parent or guardian shall be notified of any charge to be assessed under this subsection prior to enrollment of the child in the program.

### **Challenge program; eligibility.**

Sec. 304. The department will partner with the department of human services to identify youth who may be eligible for the challenge program from those youth served by department of human services programs. These eligible youth shall be given priority for enrollment in the program.

## **VETERANS SERVICE ORGANIZATIONS**

### **Grants to veterans service organizations.**

Sec. 501. (1) Money appropriated in part 1 for grants to veterans service organizations shall be used only for salaries, wages, related personnel costs, training, and equipment for accredited veteran service advocacy officers and necessary support and managerial staff. Training shall be provided for service advocacy officers and shall be conducted by accredited advocacy officers.

(2) To receive a grant from the money appropriated in part 1, a veterans service organization shall meet the following eligibility requirements:

(a) Be congressionally chartered by the United States congress.

(b) Be an active participating member of the Michigan veterans organizations' rehabilitation and veterans service committee and abide by its rules, guidelines, and programs.

(c) Demonstrate the receipt of monetary or service support from its own organization.

(d) Comply with the department's and the legislature's requirements of accounting audits, service work activity, accounting of recoveries, listing of volunteer hours, budget requests, and other requirements specified in subsection (3).

(e) For a veterans service organization founded after September 30, 1989, be in operation and providing service to Michigan veterans for not less than 2 years before receiving an initial state grant. During this 2-year period of time, the organization shall file a listing of service work activity and an accounting of recoveries with the department, the senate and house fiscal agencies, the senate and house of representatives appropriations subcommittees on military affairs, and the state budget office on forms as prescribed by the department.

(3) A veterans service organization receiving a grant from the money appropriated in part 1 shall file with the department an accounting of its expenditures, audited and certified by a certified public accountant, within 120 days after the organization's fiscal year end. Each organization shall provide a detailed budget request for the fiscal year ending September 30, 2007 to the department by November 15, 2005. Each veterans service organization shall provide 5 copies of a listing of all service activity, an accounting of recoveries, and a listing of volunteer hours for the fiscal year ending September 30, 2005 to the department by January 31, 2006. The listing of volunteer hours shall include the hours, services, and donations provided to residents of the Grand Rapids veterans' home and the D.J. Jacobetti veterans' home. Each veterans service organization shall provide a copy of the most recent and completed internal revenue service form 990 to the department at the end of the fiscal year ending September 30, 2005. A veterans service organization receiving

a grant from the money appropriated in part 1 shall use the forms recommended by the Michigan veterans organizations rehabilitation and veterans service committee for filing reports required by this article. The department shall forward information required under this section to the senate and house fiscal agencies, the senate and house of representatives appropriations subcommittees on military affairs, and the state budget office.

(4) The veterans service directors committee and the department shall take steps to improve the coordination of veterans benefits counseling in the state to maximize the effective and efficient use of taxpayer dollars in this goal and to ensure that every veteran is served.

(5) To accomplish the goal of subsection (4), the veterans service directors committee and the department shall take steps to increase their responsibility in the administration, management, oversight, and outreach of the delivery of services to veterans. The veterans service directors committee and the department shall involve county veterans counselors and representatives from the Michigan veterans trust fund to work in concert to identify, implement, and evaluate steps to do all of the following:

(a) Increase the veterans service directors committee and the department's role in working directly with the United States department of veterans' affairs to enhance the delivery of services to Michigan veterans.

(b) Increase the number of initial claims filed with the United States department of veterans' affairs on behalf of veterans for service-connected disability or pension benefits. The veterans service directors committee and the department may work toward either an absolute increase of approved claims or an increase in the percentage of Michigan veterans with approved claims.

(c) Develop methods to increase rates of recovery paid by the United States department of veterans' affairs to Michigan veterans either by an increase in compensation paid per approved claim or increase in compensation paid on a per capita basis.

(d) Expand training opportunities for veterans service organization service officers.

(e) Increase either the number or percentage of Michigan veterans enrolled in the VA healthcare system.

(f) Publicize the availability, benefit, and value of burial in the Fort Custer and Great Lakes national cemeteries.

(g) Review each grant recipient's performance under the program and require that performance be a major consideration in the future funding of each grant recipient.

(6) The veterans service directors committee and the department shall create a report of the efforts to complete the goals outlined in this section and shall provide suggestions on how a more effective and efficient veterans' benefits counseling program may best be designed for implementation for fiscal year 2006-2007. This report shall be delivered to the house and senate appropriations subcommittees no later than March 15, 2006.

## **VETERANS' HOMES**

### **Grand Rapids veterans' home and D.J. Jacobetti veterans' home; use of appropriations.**

Sec. 601. Appropriations in this act for the Grand Rapids veterans' home and the D.J. Jacobetti veterans' home shall not be used for any purpose other than for veterans and veterans' families.

**Grand Rapids veterans' home and D.J. Jacobetti veterans' home; report.**

Sec. 602. The Grand Rapids veterans' home and the D.J. Jacobetti veterans' home, together with the department and the department of management and budget, shall produce and deliver to the senate and house of representatives appropriations subcommittees on state police and military affairs an annual written report. The report shall include an accounting of member populations and bed space available; a description and accounting of services and activities provided to members; financial information; current state nursing home licensure status; the steps required for Medicaid certification, including a listing of any personnel, equipment, supplies, or budgetary increases required; and whether or not steps are being taken toward Medicaid certification. The annual report shall be submitted to the senate and house of representatives appropriations subcommittees on military affairs no later than February 1, 2006.

**Money appropriated for boards of managers; use.**

Sec. 603. The money appropriated in this act for the boards of managers may be expended for facility improvements, the purchase and repair of equipment and furnishings, member services, and other purposes that benefit the Grand Rapids veterans' home and the D.J. Jacobetti veterans' home.

**VETERANS' TRUST FUND****Michigan veterans' trust fund; report.**

Sec. 703. (1) By April 1, 2006, the department shall submit to the senate and house of representatives appropriations subcommittees on military affairs and the state budget office a detailed annual report of the Michigan veterans' trust fund for fiscal year 2004-2005. The report shall include information on grants provided from the emergency grant program and the veterans' survivors tuition program, including details concerning the methodology of allocations, the selection of emergency grant program authorized agents, and a detailed breakdown of trust fund expenditures for that year. The report shall also provide an update on the department's efforts to reduce program administrative costs.

(2) The annual report required under subsection (1) shall contain information on the veterans' survivors tuition program, including the number of participants, where the participants attended school, payments made to each school, the average grade point and number of college credits earned by each participant, the number of participants suspended by the program, and the number of participants who earned a degree during fiscal year 2004-2005.

**Training for county veterans counselors.**

Sec. 704. The Michigan veterans affairs directorate administration and the Michigan veterans' trust fund administration shall take steps to assist the county veterans counselors of the state to obtain training necessary for the execution of their duties.

**Veterans' survivors tuition program; dedicated funding source.**

Sec. 705. (1) It is the intent of the legislature that prior to the enactment of the fiscal year 2006-2007 appropriations bill for the Michigan veterans' trust fund, there shall be legislation enacted which shall provide a dedicated funding source for the cost of the veterans' survivors tuition program which is a fund source other than from revenue from the Michigan veterans' trust fund so that annual interest earnings from the trust fund can

be used solely for its original intent of providing temporary emergency financial assistance to wartime veterans in the state.

(2) Should the provisions of subsection (1) be enacted, it is the intent of the legislature that the veterans’ trust fund board only expend interest earned by the Michigan veterans’ trust fund as provided in 1946 (1st Ex Sess) PA 9, MCL 35.601a to 35.610, and that the board earmark funds each year from the interest earnings to pay into the corpus of the fund until the corpus of the fund reaches its original amount of \$50,000,000.00.

This act is ordered to take immediate effect.  
Approved September 28, 2005.  
Filed with Secretary of State September 29, 2005.

**[No. 146]**

**(SB 272)**

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, 2006; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

*The People of the State of Michigan enact:*

PART 1

LINE-ITEM APPROPRIATIONS

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

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, the legislative branch, and certain other state purposes, for the fiscal year ending September 30, 2006, 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 .....	7,061.4
GROSS APPROPRIATION .....	\$ 2,914,403,600

	For Fiscal Year Ending Sept. 30, 2006
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers ....	\$ 573,818,400
ADJUSTED GROSS APPROPRIATION.....	\$ 2,340,585,200
Federal revenues:	
Total federal revenues.....	52,977,000
Special revenue funds:	
Total local revenues.....	2,725,400
Total private revenues.....	550,100
Total other state restricted revenues.....	1,687,569,800
State general fund/general purpose .....	\$ 596,762,900

### 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.....	560.0
GROSS APPROPRIATION.....	\$ 64,720,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers ....	13,408,400
ADJUSTED GROSS APPROPRIATION.....	\$ 51,312,000
Federal revenues:	
Total federal revenues.....	8,799,400
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	0
Total other state restricted revenues.....	11,011,400
State general fund/general purpose .....	\$ 31,501,200

##### (2) ATTORNEY GENERAL OPERATIONS

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions.....	560.0
Attorney general .....	124,900
Unclassified positions—5.0 FTE positions.....	476,300
Attorney general operations—520.0 FTE positions.....	58,975,800
Child support enforcement—25.0 FTE positions.....	2,336,400
Prosecuting attorneys coordinating council—15.0 FTE positions....	1,780,100
PACC, training project.....	325,000
GROSS APPROPRIATION.....	\$ 64,018,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDCH, health services.....	1,690,200
IDG from MDHS .....	2,928,000
IDG from MDLEG, financial and insurance services .....	1,016,100
IDG from MDLEG, public utility assessments.....	1,869,300
IDG from MDMB, risk management revolving fund.....	1,256,800
IDG from MDOT, comprehensive transportation fund .....	145,900
IDG from MDOT, state aeronautics fund .....	144,000
IDG from MDOT, state trunkline fund .....	2,861,400
IDG from MDSP, Michigan justice training fund.....	325,000
IDG from Michigan gaming control board.....	931,700

	For Fiscal Year Ending Sept. 30, 2006
IDG from treasury, land reutilization fund.....	\$ 240,000
Federal revenues:	
DAG, state administrative match grant/food stamps .....	368,800
DED-OPSE, student loan, federal lender allowance .....	304,600
DOL-ETA, unemployment insurance .....	1,488,100
DOL-OSHA, occupational safety and health .....	261,300
EPA, multiple grants .....	267,100
Federal funds .....	2,049,800
HHS, medical assistance, medigra nt.....	597,400
HHS-OS, state Medicaid fraud control units.....	3,462,300
Special revenue funds:	
Antitrust enforcement collections .....	595,600
Attorney general’s operations fund.....	797,300
Auto repair facilities fees .....	214,500
Collections revenue .....	649,800
Corporate fees and security fees .....	140,300
Environmental response fund .....	723,300
Franchise fees .....	268,800
Game and fish protection fund .....	704,600
Liquor purchase revolving fund.....	943,400
Manufactured housing fees .....	209,200
Michigan state housing development authority fees.....	525,300
Oil and gas privilege fee revenue .....	159,500
Prisoner reimbursement.....	421,800
Prosecuting attorneys training fees .....	340,000
Real estate enforcement fund .....	226,000
Retirement funds.....	694,300
Second injury fund .....	951,000
Self-insurers security fund.....	160,500
Silicosis and dust disease fund .....	490,800
State building authority revenue.....	90,100
State hospital authority.....	340,000
State lottery fund .....	228,000
Tobacco settlement trust fund .....	386,800
Utility consumers fund .....	513,100
Waterways fund.....	92,000
Worker’s compensation administrative revolving fund.....	145,400
State general fund/general purpose .....	\$ 30,799,300
<b>(3) INFORMATION TECHNOLOGY</b>	
Information technology services and projects.....	\$ 701,900
GROSS APPROPRIATION .....	\$ 701,900
Appropriated from:	
State general fund/general purpose .....	\$ 701,900

**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 .....	136.0
GROSS APPROPRIATION .....	\$ 13,158,500

	For Fiscal Year Ending Sept. 30, 2006
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers ....	\$ 0
ADJUSTED GROSS APPROPRIATION.....	\$ 13,158,500
Federal revenues:	
Total federal revenues.....	1,049,800
Special revenue funds:	
Total local revenues .....	0
Total private revenues.....	0
Total other state restricted revenues.....	0
State general fund/general purpose .....	\$ 12,108,700
<b>(2) CIVIL RIGHTS OPERATIONS</b>	
Full-time equated unclassified positions .....	5.0
Full-time equated classified positions .....	136.0
Unclassified positions—5.0 FTE positions.....	264,100
Civil rights operations—136.0 FTE positions .....	12,110,300
Human resources optimization user charges.....	29,500
GROSS APPROPRIATION.....	\$ 12,403,900
Appropriated from:	
Federal revenues:	
EEOC, state and local antidiscrimination agency contracts.....	650,000
HUD, grant.....	399,800
State general fund/general purpose .....	\$ 11,354,100
<b>(3) INFORMATION TECHNOLOGY</b>	
Information technology services and projects.....	754,600
GROSS APPROPRIATION.....	\$ 754,600
Appropriated from:	
State general fund/general purpose .....	\$ 754,600
<b>Department of civil service.</b>	
<b>Sec. 104. DEPARTMENT OF CIVIL SERVICE</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
Full-time equated classified positions .....	240.5
GROSS APPROPRIATION.....	\$ 35,941,600
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers ....	5,670,900
ADJUSTED GROSS APPROPRIATION.....	\$ 30,270,700
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.....	16,539,200
State general fund/general purpose .....	\$ 7,102,400
<b>(2) CIVIL SERVICE OPERATIONS</b>	
Full-time equated classified positions .....	240.5
Agency services—109.5 FTE positions .....	11,151,300
Human resources/administrative support—45.0 FTE positions.....	9,195,400
Employee benefits—31.0 FTE positions .....	5,660,900

	For Fiscal Year Ending Sept. 30, 2006
Audit and compliance—25.0 FTE positions .....	\$ 2,845,600
Training .....	1,300,000
Human resources optimization—30.0 FTE positions .....	2,000,000
GROSS APPROPRIATION .....	\$ 32,153,200
Appropriated from:	
Interdepartmental grant revenues:	
IDG, training charges .....	1,300,000
IDG, 1% special funds .....	1,300,000
IDG, human resources optimization user charges .....	2,000,000
Federal revenues:	
Federal funds 1% .....	3,637,100
Special revenue funds:	
Local funds 1% .....	1,700,000
Private funds 1% .....	150,000
Freedom of information fees .....	1,100
State restricted funds 1% .....	7,274,500
State sponsored group insurance .....	2,650,000
State sponsored group insurance, flexible spending accounts and COBRA .....	5,660,900
State general fund/general purpose .....	\$ 6,479,600
<b>(3) INFORMATION TECHNOLOGY</b>	
Information technology services and projects .....	\$ 3,788,400
GROSS APPROPRIATION .....	\$ 3,788,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG, human resources optimization user charges .....	1,070,900
Federal revenues:	
Federal funds 1% .....	1,142,000
Special revenue funds:	
State restricted funds 1% .....	812,400
State sponsored group insurance, flexible spending accounts and COBRA .....	140,300
State general fund/general purpose .....	\$ 622,800
<b>Executive office.</b>	
<b>Sec. 105. EXECUTIVE OFFICE</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
Full-time equated unclassified positions .....	10.0
Full-time equated classified positions .....	74.2
GROSS APPROPRIATION .....	\$ 5,375,500
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers ....	0
ADJUSTED GROSS APPROPRIATION .....	\$ 5,375,500
Federal revenues:	
Total federal revenues .....	0
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	0



	For Fiscal Year Ending Sept. 30, 2006
Total other state restricted revenues .....	\$ 0
State general fund/general purpose .....	\$ 5,375,500
<b>(2) EXECUTIVE OFFICE OPERATIONS</b>	
Full-time equated unclassified positions .....	10.0
Full-time equated classified positions .....	74.2
Governor.....	177,000
Lieutenant governor .....	123,900
Executive office—74.2 FTE positions.....	4,224,800
Unclassified positions—8.0 FTE positions.....	849,800
GROSS APPROPRIATION.....	\$ 5,375,500
Appropriated from:	
State general fund/general purpose .....	\$ 5,375,500

**Department of information technology.****Sec. 106. DEPARTMENT OF INFORMATION****TECHNOLOGY****(1) APPROPRIATION SUMMARY**

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions.....	1,760.4
GROSS APPROPRIATION.....	\$ 365,194,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers ....	365,194,400
ADJUSTED GROSS APPROPRIATION.....	\$ 0
Federal revenues:	
Total federal revenues.....	0
Special revenue funds:	
Total local revenues .....	0
Total private revenues.....	0
Total other state restricted revenues.....	0
State general fund/general purpose .....	\$ 0

**(2) ADMINISTRATION**

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions.....	1,760.4
Unclassified positions—6.0 FTE positions.....	300,000
Enterprisewide services—75.0 FTE positions .....	24,062,500
Health and human services—775.6 FTE positions.....	203,164,200
Education services—38.9 FTE positions.....	3,070,600
Public protection—300.0 FTE positions .....	33,644,500
Resources services—171.1 FTE positions .....	16,961,000
Transportation services—107.0 FTE positions.....	27,353,300
General services—292.8 FTE positions.....	56,638,300
GROSS APPROPRIATION.....	\$ 365,194,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG from department of agriculture .....	1,475,600
IDG from department of attorney general .....	718,300
IDG from department of civil rights.....	754,600
IDG from department of civil service.....	3,800,400

	For Fiscal Year Ending Sept. 30, 2006
IDG from department of community health.....	\$ 30,468,800
IDG from department of corrections .....	14,076,000
IDG from department of education.....	2,532,900
IDG from department of environmental quality.....	6,814,800
IDG from Michigan gaming control board.....	1,143,500
IDG from department of history, arts, and libraries .....	808,600
IDG from department of human services .....	133,619,800
IDG from department of labor and economic growth.....	42,486,200
IDG from bureau of state lottery .....	4,397,000
IDG from department of management and budget.....	25,268,900
IDG from department of military and veterans affairs.....	1,119,300
IDG from department of natural resources.....	8,846,000
IDG from department of state .....	22,225,500
IDG from department of state police.....	20,894,900
IDG from department of transportation .....	27,460,400
IDG from department of treasury.....	16,282,900
State general fund/general purpose .....	\$ 0

**Legislature.**

**Sec. 107. LEGISLATURE**

**(1) APPROPRIATION SUMMARY**

GROSS APPROPRIATION.....	\$ 129,731,900
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers ....	2,301,500
ADJUSTED GROSS APPROPRIATION.....	\$ 127,430,400
Federal revenues:	
Total federal revenues.....	0
Special revenue funds:	
Total local revenues .....	0
Total private revenues.....	400,000
Total other state restricted revenues.....	2,356,500
State general fund/general purpose .....	\$ 124,673,900

**(2) LEGISLATURE**

Senate .....	\$ 29,543,100
Senate automated data processing.....	2,618,000
Senate fiscal agency .....	3,144,400
House of representatives .....	45,743,200
House automated data processing.....	2,079,200
House fiscal agency .....	3,042,600
Legislative auditor general.....	15,977,500
GROSS APPROPRIATION.....	\$ 102,148,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from department of corrections .....	500,000
IDG from MDCS.....	107,900
IDG from MDLEG, liquor purchase revolving fund.....	11,300
IDG from MDOT, comprehensive transportation fund .....	25,200

	For Fiscal Year Ending Sept. 30, 2006
IDG from MDOT, Michigan transportation fund.....	\$ 204,300
IDG from MDOT, state aeronautics fund .....	19,600
IDG from MDOT, state trunkline fund .....	474,600
IDG, single audit act .....	958,600
Special revenue funds:	
Construction lien fund .....	7,200
Contract audit administration fees.....	52,700
Correctional industries revolving fund.....	31,300
Game and fish protection fund .....	21,400
Marine safety fund .....	1,900
Michigan economic development corporation.....	41,200
Michigan education trust fund.....	30,000
Michigan state fair revolving fund .....	33,000
Michigan state housing development authority fees.....	22,100
Michigan strategic fund .....	37,500
Michigan veterans' trust fund .....	24,400
Motor transport revolving fund .....	4,700
Office services revolving fund .....	6,800
State services fee fund .....	926,900
Waterways fund.....	5,600
State general fund/general purpose .....	\$ 98,599,800
<b>(3) LEGISLATIVE COUNCIL</b>	
Legislative council .....	\$ 10,271,900
Legislative service bureau automated data processing.....	1,411,700
Worker's compensation.....	136,600
National association dues .....	100,500
GROSS APPROPRIATION .....	\$ 11,920,700
Appropriated from:	
Interdepartmental grant revenues:	
Special revenue funds:	
Private - gifts and bequests revenues .....	400,000
State general fund/general purpose .....	\$ 11,520,700
<b>(4) LEGISLATIVE RETIREMENT SYSTEM</b>	
General nonretirement expenses .....	\$ 4,449,900
GROSS APPROPRIATION .....	\$ 4,449,900
Appropriated from:	
Special revenue funds:	
Court fees.....	1,109,800
State general fund/general purpose .....	\$ 3,340,100
<b>(5) PROPERTY MANAGEMENT</b>	
Capitol building .....	\$ 2,305,700
Cora Anderson building.....	7,963,400
Farnum building and other properties .....	944,200
GROSS APPROPRIATION .....	\$ 11,213,300
Appropriated from:	
State general fund/general purpose .....	\$ 11,213,300

For Fiscal Year  
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2006

**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 .....	745.0	
<b>GROSS APPROPRIATION</b> .....		\$ 231,914,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers ....		153,786,800
<b>ADJUSTED GROSS APPROPRIATION</b> .....		\$ 78,127,300
Federal revenues:		
Total federal revenues .....		0
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		0
Total other state restricted revenues .....		42,909,400
State general fund/general purpose .....		\$ 35,217,900

**(2) MANAGEMENT AND BUDGET SERVICES**

Full-time equated unclassified positions .....	5.0	
Full-time equated classified positions .....	594.5	
Unclassified positions—5.0 FTE positions .....		570,800
Executive operations—21.0 FTE positions .....		2,351,800
Administrative services—63.5 FTE positions .....		6,226,500
Budget and financial management—113.5 FTE positions .....		9,849,000
Office of the state employer—24.0 FTE positions .....		2,683,500
Design and construction services—40.0 FTE positions .....		5,010,100
Business support services—91.5 FTE positions .....		7,862,000
Building operation services—241.0 FTE positions .....		86,644,700
Building occupancy charges, rent, and utilities .....		4,161,700
Human resources optimization user charges .....		29,500
Motor vehicle fleet .....		56,574,800
<b>GROSS APPROPRIATION</b> .....		\$ 181,964,400

Appropriated from:

Interdepartmental grant revenues:		
IDG from MDOT, state aeronautics fund .....		31,500
IDG from MDOT, comprehensive transportation fund .....		59,800
IDG from MDOT, state trunkline fund .....		1,173,800
IDG from building occupancy and parking charges .....		89,468,800
IDG from department of labor and economic growth .....		100,000
IDG from motor transport fund .....		56,574,800
IDG from MDCH .....		235,000
IDG from user fees .....		5,024,900
Special revenue funds:		
Game and fish protection fund .....		211,100
Health management funds .....		1,648,100
Marine safety fund .....		21,100
Special revenue, internal service, and pension trust funds .....		8,190,600
State building authority revenue .....		560,500
State lottery fund .....		110,900

	For Fiscal Year Ending Sept. 30, 2006
Waterways fund.....	\$ 49,600
State general fund/general purpose .....	\$ 18,503,900
<b>(3) STATEWIDE APPROPRIATIONS</b>	
Professional development fund - MPES.....	\$ 125,000
Professional development fund - AFSCME.....	100,000
GROSS APPROPRIATION.....	\$ 225,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from employer contributions .....	225,000
State general fund/general purpose .....	\$ 0
<b>(4) SPECIAL PROGRAMS</b>	
Full-time equated classified positions .....	141.5
Building occupancy charges - property management services for executive/legislative building occupancy .....	1,859,500
Retirement services—127.5 FTE positions .....	15,804,900
Office of children's ombudsman—14.0 FTE positions.....	1,334,400
GROSS APPROPRIATION.....	\$ 18,998,800
Appropriated from:	
Special revenue funds:	
Deferred compensation.....	1,505,400
Pension trust funds .....	14,299,500
State general fund/general purpose .....	\$ 3,193,900
<b>(5) STATE FAIR</b>	
Full-time equated unclassified position .....	1.0
Full-time equated classified positions .....	9.0
Unclassified positions—1.0 FTE position.....	89,200
Michigan state fair operations—9.0 FTE positions.....	5,367,800
Michigan state fair information technology .....	88,800
GROSS APPROPRIATION.....	\$ 5,545,800
Appropriated from:	
Special revenue funds:	
State exposition and fairgrounds fund.....	5,545,800
State general fund/general purpose .....	\$ 0
<b>(6) INFORMATION TECHNOLOGY</b>	
Information technology services and projects.....	\$ 25,180,100
GROSS APPROPRIATION.....	\$ 25,180,100
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, state aeronautics fund .....	1,100
IDG from MDOT, comprehensive transportation fund .....	2,100
IDG from MDOT, state trunkline fund .....	47,500
IDG from building occupancy and parking charges .....	655,700
IDG from user fees.....	186,800
Special revenue funds:	
Deferred compensation.....	2,600
Game and fish protection fund .....	9,800
Health management funds .....	41,700
Marine safety fund .....	900

	For Fiscal Year Ending Sept. 30, 2006
MAIN user charges.....	\$ 4,273,900
Pension trust funds .....	2,867,000
Special revenue, internal service, and pension trust funds .....	3,554,600
State building authority revenue.....	9,700
State lottery fund .....	4,600
Waterways fund.....	2,000
State general fund/general purpose .....	\$ 13,520,100

**Department of state.**

**Sec. 109. DEPARTMENT OF STATE**

**(1) APPROPRIATION SUMMARY**

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	1,853.8
GROSS APPROPRIATION.....	\$ 197,378,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers ....	20,000,000
ADJUSTED GROSS APPROPRIATION.....	\$ 177,378,400
Federal revenues:	
Total federal revenues .....	2,943,300
Special revenue funds:	
Total local revenues .....	0
Total private revenues.....	100
Total other state restricted revenues.....	160,937,200
State general fund/general purpose .....	\$ 13,497,800

**(2) EXECUTIVE DIRECTION**

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	30.2
Secretary of state .....	124,900
Unclassified positions—5.0 FTE positions.....	459,200
Operations—30.2 FTE positions .....	2,575,300
GROSS APPROPRIATION.....	\$ 3,159,400

Appropriated from:

Special revenue funds:	
Auto repair facilities fees .....	57,500
Driver fees .....	111,500
Expedient service fees.....	49,200
Look-up fees .....	702,800
Parking ticket court fines.....	7,800
Personal identification card fees .....	11,600
Reinstatement fees - operator licenses.....	124,700
Transportation administration collection fund .....	1,476,900
Vehicle theft prevention fees .....	33,800
State general fund/general purpose .....	\$ 583,600

**(3) DEPARTMENT SERVICES**

Full-time equated classified positions .....	176.3
Operations—167.8 FTE positions .....	\$ 23,659,800
Assigned claims assessments—6.5 FTE positions.....	714,700
Motorcycle safety education administration—2.0 FTE positions .....	370,000
Motorcycle safety grants.....	1,200,000
GROSS APPROPRIATION.....	\$ 25,944,500

For Fiscal Year  
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Appropriated from:	
Federal revenues:	
Federal funds .....	\$ 54,300
Special revenue funds:	
Abandoned vehicle fees .....	650,000
Assigned claims assessments .....	714,700
Auto repair facilities fees .....	405,000
Child support clearance fees.....	33,400
Driver fees .....	834,800
Expedient service fees.....	242,200
Look-up fees .....	7,538,300
Marine safety fund .....	72,700
Motorcycle safety fund .....	1,570,100
Off-road vehicle title fees .....	7,500
Parking ticket court fines.....	51,400
Personal identification card fees .....	81,000
Reinstatement fees - operator licenses.....	523,800
Scrap tire fund .....	66,900
Snowmobile registration fee revenue .....	17,200
Transportation administration collection fund .....	12,818,100
Vehicle theft prevention fees .....	237,500
State general fund/general purpose .....	\$ 25,600

#### (4) REGULATORY SERVICES

Full-time equated classified positions .....	241.1	
Operations—241.1 FTE positions .....		21,368,700
County clerk education and training fund .....		100,000
GROSS APPROPRIATION .....	\$	21,468,700

Appropriated from:

Federal revenues:	
Federal funds .....	98,600
Special revenue funds:	
Auto repair facilities fees .....	4,468,000
Commercial driver training school fees.....	67,800
Driver fees .....	1,178,600
Expedient service fees.....	32,000
Look-up fees .....	4,146,400
Notary education and training fund .....	100,000
Notary fee fund.....	300,000
Parking ticket court fines.....	19,900
Personal identification card fees .....	45,900
Reinstatement fees - operator licenses.....	1,639,900
Transportation administration collection fund .....	7,633,000
Vehicle theft prevention fees .....	1,520,700
State general fund/general purpose .....	\$ 217,900

#### (5) CUSTOMER DELIVERY SERVICES

Full-time equated classified positions .....	1,377.7	
Branch operations—957.4 FTE positions .....		70,599,900
Central operations—404.1 FTE positions .....		35,084,700

	For Fiscal Year Ending Sept. 30, 2006
Commemorative license plates—16.2 FTE positions .....	\$ 2,147,300
Specialty license plates .....	1,922,000
Olympic center plate .....	75,700
Organ donor program .....	104,100
GROSS APPROPRIATION .....	\$ <u>109,933,700</u>
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund .....	20,000,000
Federal revenues:	
Federal funds .....	2,790,400
Special revenue funds:	
Private funds .....	100
Auto repair facilities fees .....	89,300
Child support clearance fees .....	381,500
Driver fees .....	13,212,300
Expedient service fees .....	2,760,700
Look-up fees .....	18,193,500
Marine safety fund .....	1,099,500
Michigan state police auto theft fund .....	111,900
Mobile home commission fees .....	457,500
Off-road vehicle title fees .....	117,900
Parking ticket court fines .....	1,538,600
Personal identification card fees .....	1,468,800
Reinstatement fees - operator licenses .....	1,110,300
Snowmobile registration fee revenue .....	322,100
Transportation administration collection fund .....	42,387,700
Vehicle theft prevention fees .....	202,300
State general fund/general purpose .....	\$ 3,689,300
<b>(6) ELECTION REGULATION</b>	
Full-time equated classified positions .....	28.5
Election administration and services—25.5 FTE positions .....	2,696,900
Fees to local units .....	69,800
Qualified voter file—3.0 FTE positions .....	1,833,900
GROSS APPROPRIATION .....	\$ <u>4,600,600</u>
Appropriated from:	
State general fund/general purpose .....	\$ 4,600,600
<b>(7) DEPARTMENTWIDE APPROPRIATIONS</b>	
Building occupancy charges/rent .....	\$ 9,578,200
Worker's compensation .....	504,800
GROSS APPROPRIATION .....	\$ <u>10,083,000</u>
Appropriated from:	
Special revenue funds:	
Auto repair facilities fees .....	142,000
Driver fees .....	436,800
Expedient service fees .....	14,400
Look-up fees .....	1,935,600
Parking ticket court fines .....	470,800
Transportation administration collection fund .....	4,400,300
State general fund/general purpose .....	\$ 2,683,100



For Fiscal Year  
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**(8) INFORMATION TECHNOLOGY**

Information technology services and projects.....	\$	22,188,500
GROSS APPROPRIATION.....	\$	22,188,500
Appropriated from:		
Special revenue funds:		
Administrative order processing fee.....		10,900
Auto repair facilities fees.....		178,200
Child support clearance fees.....		16,100
Driver fees.....		1,312,600
Expedient service fees.....		447,200
Look-up fees.....		2,701,500
Parking ticket court fines.....		82,100
Personal identification card fees.....		863,300
Reinstatement fees - operator licenses.....		462,400
Transportation administration collection fund.....		14,246,700
Vehicle theft prevention fees.....		169,800
State general fund/general purpose.....	\$	1,697,700

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

Full-time equated unclassified positions.....	9.0	
Full-time equated classified positions.....	1,691.5	
GROSS APPROPRIATION.....		\$ 1,870,988,800
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers....		13,456,400
ADJUSTED GROSS APPROPRIATION.....		\$ 1,857,532,400
Federal revenues:		
Total federal revenues.....		35,405,400
Special revenue funds:		
Total local revenues.....		1,025,400
Total private revenues.....		0
Total other state restricted revenues.....		1,453,816,100
State general fund/general purpose.....		\$ 367,285,500

**(2) EXECUTIVE DIRECTION**

Full-time equated unclassified positions.....	9.0	
Full-time equated classified positions.....	5.0	
Unclassified positions—9.0 FTE positions.....		812,600
Office of the director—5.0 FTE positions.....		767,500
GROSS APPROPRIATION.....		\$ 1,580,100
Appropriated from:		
Special revenue funds:		
State lottery fund.....		155,400
State services fee fund.....		184,900
State general fund/general purpose.....		\$ 1,239,800

**(3) DEPARTMENTWIDE APPROPRIATIONS**

Travel.....	\$	1,415,900
Rent and building occupancy charges - property management services.....		5,008,000
Worker's compensation insurance premium.....		337,000
GROSS APPROPRIATION.....	\$	6,760,900

For Fiscal Year  
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Appropriated from:

Special revenue funds:

Delinquent tax collection revenue .....	\$	3,432,700
State general fund/general purpose .....	\$	3,328,200

**(4) LOCAL GOVERNMENT PROGRAMS**

Full-time equated classified positions.....91.0		
Supervision of the general property tax law—68.0 FTE positions...		10,938,000
Property tax assessor training—4.0 FTE positions.....		398,700
Local finance—19.0 FTE positions.....		2,242,300
Pari-mutuel audits .....		240,000
GROSS APPROPRIATION .....	\$	13,819,000

Appropriated from:

Special revenue funds:

Local - assessor training fees .....		398,700
Local - audit charges.....		536,700
Local - equalization study charge-backs.....		40,000
Local - revenue from local government.....		50,000
Land reutilization fund .....		6,814,000
Municipal finance fees .....		435,400
State education tax collections .....		50,000
State services fee fund .....		240,000
State general fund/general purpose .....	\$	5,254,200

**(5) TAX PROGRAMS**

Full-time equated classified positions.....776.0		
Customer contact—186.0 FTE positions.....	\$	13,725,100
Tax compliance—339.0 FTE positions.....		29,494,900
Tax policy—37.0 FTE positions .....		4,112,300
Revenue enhancement program—60.0 FTE positions .....		6,590,000
Tax processing—150.0 FTE positions.....		14,842,700
Home heating assistance .....		2,036,800
Bottle bill implementation.....		250,000
New hire reporting.....		1,545,000
Tobacco tax collection—4.0 FTE positions .....		316,600
GROSS APPROPRIATION.....	\$	72,913,400

Appropriated from:

Interdepartmental grant revenues:

IDG, data/collection services fees .....		250,900
IDG from MDHS .....		1,545,000
IDG from MDOT, Michigan transportation fund.....		8,028,300
IDG from MDOT, state aeronautics fund .....		62,500

Federal revenues:

HHS-SSA, low-income energy assistance.....		2,036,800
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Special revenue funds:

Bottle deposit fund .....		250,000
Delinquent tax collection revenue .....		49,011,300
Tobacco tax collection and enforcement.....		316,600
Tobacco tax revenue .....		360,500
Waterways fund.....		75,900
State general fund/general purpose .....	\$	10,975,600

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**(6) BANKING AND MANAGEMENT SERVICES**

Full-time equated classified positions.....	329.5	
Human resources, program management, purchasing—		
31.0 FTE positions.....		3,100,100
Mail operations—20.0 FTE positions.....		1,981,200
Economic and revenue forecasting—15.5 FTE positions.....		1,352,500
Unclaimed property—21.0 FTE positions.....		3,383,600
Human resources optimization user charges.....		44,300
Collections—170.0 FTE positions.....		16,093,300
Finance and accounting—32.0 FTE positions.....		1,619,800
Receipts processing—40.0 FTE positions.....		2,716,900
GROSS APPROPRIATION.....		\$ 30,291,700

## Appropriated from:

## Interdepartmental grant revenues:

IDG from MDHS, title IV-D.....		580,000
IDG, levy/warrant cost assessment fees.....		1,848,800
IDG, state agency collection fees.....		545,800

## Special revenue funds:

Delinquent tax collection revenue.....		14,383,600
Escheats revenue.....		3,383,600
Garnishment fees.....		490,300
Justice system fund.....		581,600
Treasury fees.....		177,500
State general fund/general purpose.....		\$ 8,300,500

**(7) FINANCIAL PROGRAMS**

Full-time equated classified positions.....	211.0	
Investments—75.0 FTE positions.....		13,660,500
Michigan merit award administration—6.0 FTE positions.....		1,636,800
Michigan education savings program.....		1,000,000
Common cash and debt management—11.5 FTE positions.....		1,059,000
Student financial assistance programs—118.5 FTE positions.....		34,863,100
GROSS APPROPRIATION.....		\$ 52,219,400

## Appropriated from:

## Interdepartmental grant revenues:

IDG, fiscal agent service fees.....		167,700
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## Federal revenues:

DED-OPSE, federal lenders allowance.....		10,124,000
DED-OPSE, higher education act of 1965, insured loans.....		22,711,700

## Special revenue funds:

College work study.....		46,300
Michigan merit award trust fund.....		3,036,500
Retirement funds.....		12,496,300
School bond fees.....		468,000
Treasury fees.....		1,311,200
State general fund/general purpose.....		\$ 1,857,700

**(8) DEBT SERVICE**

Water pollution control bond and interest redemption.....		\$ 2,592,400
Quality of life bond.....		63,500,000
Clean Michigan initiative.....		22,909,000
GROSS APPROPRIATION.....		\$ 89,001,400

For Fiscal Year  
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Appropriated from:

Special revenue funds:

Cleanup and redevelopment funds .....	12,200,000
Refined petroleum fund.....	23,914,500
State general fund/general purpose .....	52,886,900

**(9) GRANTS**

Grants to counties in lieu of taxes.....	\$ 10,000
Convention facility development distribution .....	58,850,000
Senior citizen cooperative housing tax exemption program.....	17,900,000
Commercial mobile radio service payments .....	31,320,000
Health and safety fund grants .....	25,000,000
Qualified agricultural loan payments .....	2,210,000
Renaissance zone reimbursement.....	2,268,000
GROSS APPROPRIATION .....	\$ 137,558,000

Appropriated from:

Special revenue funds:

Commercial mobile radio service fees.....	31,320,000
Convention facility development fund .....	58,850,000
Health and safety fund .....	25,000,000
State general fund/general purpose .....	\$ 22,388,000

**(10) STATE LOTTERY**

Full-time equated classified positions.....	173.0
Lottery operations—173.0 FTE positions.....	18,777,500
Human resources optimization user charges.....	29,500
Promotion and advertising.....	18,622,000
Lottery information technology services and projects.....	4,397,000
GROSS APPROPRIATION .....	\$ 41,826,000

Appropriated from:

Special revenue funds:

State lottery fund .....	41,826,000
State general fund/general purpose .....	\$ 0

**(11) CASINO GAMING**

Full-time equated classified positions.....	106.0
Michigan gaming control board.....	50,000
Casino gaming control administration—106.0 FTE positions .....	18,118,600
Human resources optimization user charges.....	14,800
Casino gaming information technology services and projects.....	1,143,500
GROSS APPROPRIATION .....	\$ 19,326,900

Appropriated from:

Casino gambling agreements.....	383,500
State services fee fund .....	18,943,400
State general fund/general purpose .....	\$ 0

**(12) REVENUE SHARING**

Constitutional state general revenue sharing grants .....	\$ 692,550,000
Statutory state general revenue sharing grants .....	423,350,000
Special census revenue sharing payments.....	500,000
Special grants .....	212,000
GROSS APPROPRIATION .....	\$ 1,116,612,000

	For Fiscal Year Ending Sept. 30, 2006
Appropriated from:	
Sales tax .....	1,115,900,000
State general fund/general purpose .....	\$ 712,000
<b>(13) INFORMATION TECHNOLOGY</b>	
Treasury operations information technology services and projects..	\$ 16,282,900
GROSS APPROPRIATION .....	\$ 16,282,900
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund.....	427,400
Federal revenues:	
DED-OPSE, higher education act of 1965, insured loans .....	532,900
Special revenue funds:	
Delinquent tax collection revenue .....	9,926,700
Land reutilization fund .....	20,000
Michigan merit award trust fund.....	400,400
Retirement funds.....	635,000
State general fund/general purpose .....	\$ 4,340,500
<b>(14) STATE BUILDING AUTHORITY RENT</b>	
State building authority rent - state agencies .....	\$ 63,555,500
State building authority rent - department of corrections .....	70,555,900
State building authority rent - universities.....	122,148,600
State building authority rent - community colleges.....	16,537,100
GROSS APPROPRIATION .....	\$ 272,797,100
Appropriated from:	
Special revenue funds:	
Commercial mobile radio suppliers fund .....	15,000,000
Roosevelt parking facility reimbursement.....	275,000
State lottery fund .....	1,520,000
State general fund/general purpose .....	\$ 256,002,100

## PART 2

## PROVISIONS CONCERNING APPROPRIATIONS

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

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2005-2006 is \$2,284,332,700.00 and state spending from state resources to be paid to local units of government for fiscal

year 2005-2006 is \$1,236,855,300.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF STATE

Fees to local units.....	\$	69,800
Motorcycle safety education grants .....		924,000
Subtotal .....	\$	<u>993,800</u>

DEPARTMENT OF TREASURY

Senior citizen cooperative housing tax exemption .....	\$	17,900,000
Grants to counties in lieu of taxes .....		10,000
Health and safety fund grants .....		25,000,000
Constitutional state general revenue sharing grants .....		692,550,000
Statutory state general revenue sharing grants .....		423,350,000
Convention facility development fund distribution .....		58,850,000
Commercial mobile radio service payments .....		15,221,500
Renaissance zone reimbursements.....		2,268,000
Special grants .....		212,000
Special census revenue sharing payments.....		500,000
Subtotal .....	\$	<u>1,235,861,500</u>
TOTAL GENERAL GOVERNMENT.....	\$	<u>1,236,855,300</u>

(2) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources for fiscal year 2005-2006 is estimated at \$27,195,968,300.00 in the 2005-2006 appropriations acts and total state spending from state sources paid to local units of government for fiscal year 2005-2006 is estimated at \$15,706,115,100.00. The state-local proportion is estimated at 57.75% of total state spending from state resources.

(3) If payments to local units of government and state spending from state sources for fiscal year 2005-2006 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 2005-2006 to the senate and house of representatives standing committees on appropriations within 30 days after the final book-closing for fiscal year 2005-2006.

**Appropriations subject to MCL 18.1101 to 18.1594.**

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

**Definitions.**

Sec. 203. As used in this act:

- (a) "AFSCME" means American federation of state, county, and municipal employees.
- (b) "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-OPSE" means the United States department of education, office of postsecondary education.
- (f) "DOL-ETA" means the United States department of labor, employment and training administration.
- (g) "DOL-OSHA" means the United States department of labor, occupational safety and health administration.

- (h) “EEOC” means the United States equal employment opportunity commission.
- (i) “EPA” means the United States environmental protection agency.
- (j) “FTE” means full-time equated.
- (k) “GF/GP” means general fund/general purpose.
- (l) “HHS” means the United States department of health and human services.
- (m) “HHS-OS” means the HHS office of the secretary.
- (n) “HHS-SSA” means the HHS social security administration.
- (o) “HUD” means the United States department of housing and urban development.
- (p) “IDG” means interdepartmental grant.
- (q) “MAIN” means the Michigan administrative information network.
- (r) “MCL” means the Michigan Compiled Laws.
- (s) “MDCH” means the Michigan department of community health.
- (t) “MDCS” means the Michigan department of civil service.
- (u) “MDHS” means the Michigan department of human services.
- (v) “MDLEG” means the Michigan department of labor and economic growth.
- (w) “MDMB” means the Michigan department of management and budget.
- (x) “MDOT” means the Michigan department of transportation.
- (y) “MDSP” means the Michigan department of state police.
- (z) “MPES” means the Michigan professional employees society.
- (aa) “PA” means public act.
- (bb) “PACC” means the prosecuting attorneys coordinating council.

### **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 attorney general and secretary of state may grant exceptions to the hiring freeze for their respective departments pursuant to the same criteria that the state budget director is able to grant exceptions under this subsection. The state budget director 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.

**Use of Internet; reports.**

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. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality.

**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.

**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:

	2004	2005
Michigan personal income (millions) .....	\$322,636	\$337,477
less: transfer payments.....	49,101	51,949
Subtotal .....	273,535	285,528
Divided by: Detroit CPI for 12 months ending June 30....	1.837	1.878
Equals: Real adjusted Michigan personal income .....	\$148,903	\$152,038
Percentage change .....		2.1%
Percentage change in excess of 2%.....		0.1%
Multipled by: estimated GF/GP revenue in FY 2004-2005 (millions) .....		7,994.0
Equals: countercyclical budget and economic stabilization fund calculation for the fiscal year ending September 30, 2006 .....		\$8.0

**Reports; retention of records.**

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.

**Casino enterprise or gambling operation; use of funds to purchase ownership interest 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.

### **Communicating with legislator or staff.**

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

### **Out-of-state travel.**

Sec. 216. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2006 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

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

(3) Not later than January 1 of each year, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the chairs and members of the senate and house of representatives standing committees on appropriations, the fiscal agencies, and the state budget director. The report shall include the following information:

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

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

(d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

**Availability of federal funds.**

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

**Expenditure reductions.**

Sec. 219. The department of management and budget shall reduce statewide contractual general fund expenditures by \$30,000,000.00. The state budget director is authorized to take any actions necessary to properly record expenditure reductions as part of the financial transactions for the fiscal year ending September 30, 2006. Within 30 days of final book-closing for FY 2005-2006, the state budget director shall provide a report to the senate and house of representatives standing committees on appropriations and the house and senate fiscal agencies itemizing the sources of reductions under this section.

**Committee; use or solicitation of funds.**

Sec. 220. Funds appropriated in this act shall not be used to administer a committee or to solicit or obtain contributions for a committee. As used in this section, "committee" means that term as defined in section 3 of the Michigan campaign finance act, 1976 PA 388, MCL 169.203.

**DEPARTMENT OF ATTORNEY GENERAL**

**Attorney general; duties.**

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

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

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

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

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

**State employee worker's disability compensation cases; representation.**

Sec. 304. The department of attorney general is responsible for the legal representation for state of Michigan state employee worker's disability compensation cases. The

risk management revolving fund revenue appropriation in part 1 is to be satisfied by billings from the department of attorney general for the actual costs of legal representation, including salaries and support costs.

#### **Food stamp fraud.**

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

#### **Tobacco products; proceeds from lawsuit or settlement.**

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

#### **Carrying forward certain revenues.**

Sec. 307. Any unobligated antitrust enforcement revenue, securities fraud revenue, consumer protection or class action enforcement revenues, or attorney fees recovered by the department of attorney general, not to exceed \$1,000,000.00, may be carried forward and are available for appropriation to the department of attorney general in the succeeding fiscal year.

#### **Payment of litigation settlements or attorney fees.**

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

(2) The funds may be expended for the payment of litigation settlements or attorney fees assessed against the office of the governor, the department of the attorney general, the governor, or the attorney general when acting in an official capacity as the named party in litigation against the state. The funds may also be expended for the payment of state costs incurred under section 16 of chapter X of the code of criminal procedure, 1927 PA 175, MCL 770.16.

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

#### **Representation of department of corrections; funds.**

Sec. 309. From the prisoner reimbursement funds appropriated in part 1, the department may spend up to \$421,800.00 on activities related to the state correctional facilities reimbursement act, 1935 PA 253, MCL 800.401 to 800.406. In addition to the funds appropriated in part 1, if the department collects in excess of \$1,131,000.00 in gross annual prisoner reimbursement receipts provided to the general fund, the excess, up to a maximum of \$1,000,000.00, is appropriated to the department of attorney general and may be spent on the representation of the department of corrections and its officers, employees, and agents, including, but not limited to, the defense of litigation against the state, its departments, officers, employees, or agents in civil actions filed by prisoners.

Any unexpended funds at the end of the fiscal year are carried forward for expenditure in the following fiscal year up to the maximum authorization of \$500,000.00.

### **Child support enforcement.**

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

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

## **DEPARTMENT OF CIVIL RIGHTS**

### **Receipt or expenditure of funds from local or private sources.**

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

(a) Developing and presenting training for employers on equal employment opportunity law and procedures.

(b) The publication and sale of civil rights related informational material.

(c) The provision of copy material made available under freedom of information requests.

(d) Other copy fees, subpoena fees, and witness fees.

(e) Developing, presenting, and participating in mediation processes for certain civil rights cases.

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

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

### **Equal employment opportunity compliance; contractual services.**

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

## **DEPARTMENT OF CIVIL SERVICE**

### **Financing sources.**

Sec. 502. (1) All restricted funds shall be assessed a sum not less than 1% of the total aggregate payroll paid from those funds for financing the department of civil service on the basis of actual 1% restricted sources total aggregate payroll of the classified 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 "Vetoed."

for fiscal year 2005 in accordance with section 5 of article XI of the state constitution of 1963. This includes, but is not limited to, restricted funds appropriated in part 1 of any appropriations act. Unexpended 1% appropriated funds shall be returned to each 1% fund source at the end of the fiscal year.

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

(3) The 1% financing from restricted sources shall be credited to the department of civil service by the end of the second fiscal quarter.

### **Use of revenues to satisfy shortfalls.**

Sec. 503. Except where specifically appropriated for this purpose, 1% of the financing from restricted sources shall be credited to the department of civil service. For restricted sources of funding within the general fund that have the legislative authority for carryover, if current spending authorization or revenues are insufficient to accept the charge, the shortage shall be taken from carryforward balances of that funding source. Restricted revenue sources that do not have carryforward authority shall be utilized to satisfy departmental operating deducts first and civil service obligations second. General fund dollars are appropriated for any shortfall, pursuant to approval by the state budget director.

### **Flexible spending accounts.**

Sec. 504. The appropriation in part 1 to the department of civil service, for state-sponsored group insurance, flexible spending accounts, and COBRA, represents amounts, in part, included within the various appropriations throughout state government for the current fiscal year to fund the flexible spending account program included within the department of civil service. Deposits against state-sponsored group insurance, flexible spending accounts, and COBRA for the flexible spending account program shall be made from assessments levied during the current fiscal year in a manner prescribed by the department of civil service. Unspent employee contributions to the flexible spending accounts may be used to offset administrative costs for the flexible spending account program, with any remaining balance of unspent employee contributions to be lapsed to the general fund.

## **INFORMATION TECHNOLOGY**

### **Paid advertising on state website.**

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

(2) Funds accepted by the department of information technology under subsection (1) are appropriated and allotted when received and may be expended upon receipt.

(3) The privacy policy adopted by the department of information technology shall include the following provisions:

(a) Instruction on how visitors can set their browsers to be warned before each cookie is written to a visitor's computer.

(b) The e-Michigan office will also include instructions for visitors to inform them how to view and remove cookies on their personal computers.

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

### **Providing information and technical services.**

Sec. 574. The department of information technology may enter into agreements to supply spatial information and technical services to other principal executive departments, state agencies, local units of government, and other organizations. The department of information technology may receive and expend funds in addition to those authorized in part 1 for providing information and technical services, publications, maps, and other products. The department of information technology may expend amounts received for salaries, supplies, and equipment necessary to provide informational products and technical services. Prior to December 1 of each year, the department will provide a report to the senate and house of representatives standing committees on appropriations subcommittees on general government, detailing the sources of funding and expenditures made under this section.

### **Data contained in MAIN; access.**

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

### **"Information technology services" defined.**

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

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

### **Michigan public safety communications system.**

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

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

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

(4) The department of information technology shall provide a report to the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director on April 15 and on October 15, indicating the amount of revenue collected under this section and expended for support and maintenance of the Michigan public safety communications system for the immediately preceding 6-month period.

### **Report.**

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

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

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

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

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

### **Business application modernization project.**

Sec. 580. (1) From the funds appropriated in part 1 to general services, for the department of state, there is appropriated \$3,450,000.00 for the business application modernization project. Funds shall only be used for the development, implementation, and maintenance of the business application modernization project.

(2) The unexpended funds appropriated in part 1 for the business application modernization project are designated as work project appropriations and shall not lapse at the end of the fiscal year. Any unencumbered or unallotted funds are carried over into the succeeding fiscal year and shall continue to be available for expenditure until the project has been completed. The total cost is estimated at \$30,000,000.00, and the tentative completion date is September 30, 2008.

### **Information and referral services; use of dialing code.**

Sec. 584. The department of information technology shall coordinate a study with the department of human services, the department of community health, the department of labor and economic growth, the department of education, and the department of state police identifying all information and referral services for state government, including, but not limited to, 1-800 help lines. The report will summarize the purpose, scope, and cost of each service and identify potential cost savings to the state of Michigan through the shared use of 2-1-1. The 2-1-1 number is the 3-digit dialing code designated by the federal communications system for health and human service information and referral. The report

shall be delivered to the senate and house appropriations subcommittees on general government by no later than April 7, 2006.

**Child support enforcement system; report on funds expended.**

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

**LEGISLATURE**

**Receipt, expenditure, and transfer of funds.**

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

**Expenditure or transfer of funds; approval.**

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

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

**Rent and utility charges.**

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

**National association dues.**

Sec. 603. The appropriation contained in part 1 for national association dues is to be distributed by the legislative council.

**Legislative parking facilities.**

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

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



**Michigan manual.**

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

**Building maintenance.**

Sec. 606. The appropriations in part 1 to the legislative branch, for property management, shall be used to purchase equipment and services for building maintenance in order to ensure a safe and productive work environment. These funds, along with funds previously appropriated for property management, are designated as work project appropriations and shall not lapse at the end of the fiscal year, and shall continue to be available for expenditure until the project has been completed. The total cost is estimated at \$500,000.00, and the tentative completion date is September 30, 2007.

**Data processing and technology improvements.**

Sec. 607. The appropriations in part 1 to the legislative branch, for automated data processing, shall be used to purchase equipment, software, and services in order to support and implement data processing requirements and technology improvements. These funds, along with funds previously appropriated for automated data processing, are designated as work project appropriations and shall not lapse at the end of the fiscal year, and shall continue to be available for expenditure until the project has been completed. The total cost is estimated at \$500,000.00, and the tentative completion date is September 30, 2007.

**Save the flags fund.**

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

**Health insurance benefits; payment for unmarried domestic partners prohibited.**

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

**Auditor general; audit of judicial branch.**

Sec. 611. Pursuant to section 53 of article IV of the state constitution of 1963, the auditor general shall conduct audits of the judicial branch. The audits may include the supreme court and its administrative units, the court of appeals, and trial courts.

**Certified minority- and women-owned and operated accounting firms and accounting firms owned and operated by persons with disabilities.**

Sec. 612. (1) The auditor general shall take all reasonable steps to ensure that certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities participate in the audits of the books, accounts, and financial affairs of each principal executive department, branch, institution, agency, and office of this state.

(2) The auditor general shall strongly encourage firms with which the auditor general contracts to perform audits of the principal executive departments and state agencies to

subcontract with certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities.

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

**Auditor general; salary.**

Sec. 613. From the funds appropriated in part 1 to the legislative auditor general, the legislative auditor general's salary and the salaries of the remaining 2.0 FTE unclassified positions shall be set by the speaker of the house of representatives, the senate majority leader, the house of representatives minority leader, and the senate minority leader.

**Responding to legislative requests.**

Sec. 614. Any audits, reviews, or investigations requested of the auditor general by the legislature or by legislative leadership, legislative committees, or individual legislators shall include an estimate of the additional costs involved and, when those costs exceed \$50,000.00, should provide supplemental funding. The auditor general shall determine whether to perform those activities in keeping with Audit Directive No. 29, which describes the office of auditor general policy on responding to legislative requests.

**Evaluation and comparison of each correctional facility; contract with Standard and Poors.**

Sec. 615. From the funds appropriated in part 1 to the legislative auditor general from the department of corrections, it is the intent of the legislature that the legislative auditor general contract with Standard and Poors for an evaluation and comparison of each correctional facility, including, but not limited to, its physical plant, staffing, programming, security levels, and costs.

**DEPARTMENT OF MANAGEMENT AND BUDGET**

**Transfers or auctions of state surplus, salvage, or scrap property; proceeds.**

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

**Receipt and expenditure of additional funds.**

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

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