

	For Fiscal Year Ending Sept. 30, 2008
Oil and gas regulatory fund .....	\$ 363,500
Scrap tire regulatory fund .....	285,100
State general fund/general purpose .....	\$ 1,094,600

**Grants.****Sec. 111. GRANTS**

Coastal management grants .....	\$ 2,000,000
Federal - Great Lakes remedial action plan grants .....	700,000
Federal - nonpoint source water pollution grants .....	6,500,000
Grants to counties - air pollution .....	83,700
Radon grants .....	90,000
Water pollution control and drinking water revolving fund .....	86,309,300
Drinking water program grants .....	1,330,000
Great Lakes research and protection grants .....	1,000,000
Local health department operations .....	10,472,500
Noncommunity water grants .....	1,400,000
Pollution prevention local grants .....	250,000
Real-time water quality monitoring .....	250,000
Septage waste compliance grants .....	400,000
Scrap tire grants .....	4,500,000
Strategic water quality initiative loans .....	9,600,000
Volunteer river, stream, and creek cleanup .....	25,000
GROSS APPROPRIATION .....	\$ 124,910,500

## Appropriated from:

## Interdepartmental grant revenues:

IDG-MDCH, local public health operations .....	10,472,500
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## Federal revenues:

DOC-NOAA, federal .....	1,700,000
EPA, multiple .....	80,463,000

## Special revenue funds:

Community pollution prevention fund .....	250,000
Great Lakes protection fund .....	1,000,000
Public water supply fees .....	1,400,000
Refined petroleum fund .....	83,700
Revolving loan revenue bonds .....	11,400,000
Scrap tire regulatory fund .....	4,500,000
Septage waste program fund .....	400,000
Settlement funds .....	250,000
Strategic water quality initiatives fund .....	9,600,000
Water quality protection fund .....	25,000
State general fund/general purpose .....	\$ 3,366,300

**Information technology.****Sec. 112. INFORMATION TECHNOLOGY**

Information technology services and projects .....	\$ 7,466,300
GROSS APPROPRIATION .....	\$ 7,466,300

**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  
Ending Sept. 30,  
2008

Appropriated from:

Interdepartmental grant revenues:

IDG-MDSP .....	\$	27,900
IDG, Michigan transportation fund .....		54,500
IDT, laboratory services.....		150,400

Federal revenues:

DHS, federal .....		24,400
DOC-NOAA, federal .....		85,900
DOD, federal.....		28,100
DOI, federal.....		6,000
EPA, multiple.....		1,355,500

Special revenue funds:

Restricted funds.....		5,200,400
State general fund/general purpose .....	\$	533,200

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 2007-2008 is \$219,975,900.00 and state spending from state resources to be paid to local units of government for fiscal year 2007-2008 is \$4,300,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF ENVIRONMENTAL QUALITY  
GRANTS

Noncommunity water grants.....	\$	1,400,000
Real-time water quality monitoring.....		250,000
Scrap tire grants.....		2,250,000
Septage waste compliance program.....		400,000
TOTAL.....	\$	4,300,000

**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 environmental quality.
- (b) "DHHS" means the United States department of health and human services.
- (c) "DHS" means the United States department of homeland security.

- (d) “DOC” means the United States department of commerce.
- (e) “DOC-NOAA” means the DOC national oceanic and atmospheric administration.
- (f) “DOD” means the United States department of defense.
- (g) “DOI” means the United States department of interior.
- (h) “EPA” means the United States environmental protection agency.
- (i) “FTE” means full-time equated.
- (j) “IDG” means interdepartmental grant.
- (k) “IDT” means intradepartmental transfer.
- (l) “MDCH” means the Michigan department of community health.
- (m) “MDSP” means the Michigan department of state police.
- (n) “MI” means Michigan.
- (o) “NPDES” means national pollutant discharge elimination system.

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

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

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

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

(2) The state budget director shall grant exceptions to the hiring freeze described in subsection (1) when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause a loss of revenue to the state, result in the inability of the state to receive federal funds, or would necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exception.

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

Sec. 206. 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.

#### **Copies of reports; receipt and retention.**

Sec. 207. The departments and state agencies receiving appropriations under this act shall receive and retain copies of all reports funded from appropriations in part 1. These departments and state agencies shall follow federal and state guidelines for short-term and long-term retention of these reports. To the extent consistent with federal and state guidelines, the requirements of this section are satisfied if the reports funded from appropriations in part 1 are retained in electronic format.

**Restricted fund balances, projected revenues, and expenditures; annual report.**

Sec. 208. By February 15, 2008, the department shall provide the state budget director, the subcommittees on environmental quality of the senate and house appropriations committees, and the senate and house fiscal agencies with an annual report on restricted fund balances, projected revenues, and expenditures for the fiscal years ending September 30, 2007 and September 30, 2008.

**Grant or loan programs; report.**

Sec. 209. (1) From funds appropriated under part 1, the department shall prepare a report that lists all of the following regarding grant or loan or grant and loan programs administered by the department for the fiscal year ending September 30, 2008:

- (a) The name of each program.
  - (b) The goals of the program, the criteria, eligibility, process, filing fees, nominating procedures, and deadlines for each program.
  - (c) The maximum and minimum grant and loan available and whether there is a match requirement for each program.
  - (d) The amount of any required match, and whether in-kind contributions may be used as part or all of a required match.
  - (e) Information pertaining to the application process, timeline for each program, and the contact people within the department.
  - (f) The source of funds for each program, including the citation of pertinent authorizing acts.
  - (g) Information regarding plans for the next fiscal year for the phaseout, expansion, or changes for each program.
  - (h) A listing of all recipients of grants or loans awarded by the department by type and amount of grant or loan.
- (2) The reports required under this section shall be submitted to the state budget office, the senate and house appropriations committees, and the senate and house fiscal agencies by January 1, 2008.

**Cleanup programs; report.**

Sec. 211. (1) The department shall report all of the following information relative to allocations made from appropriations for the environmental cleanup and redevelopment program, state cleanup, emergency actions, superfund cleanup, the revitalization revolving loan program, the brownfield grants and loans program, the leaking underground storage tank cleanup program, the contaminated lake and river sediments cleanup program, the refined petroleum product cleanup program, and the environmental protection bond projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies:

- (a) The name and location of the site for which an allocation is made.
- (b) The nature of the problem encountered at the site.
- (c) A brief description of how the problem will be resolved if the allocation is made for a response activity.
- (d) The estimated date that site closure activities will be completed.
- (e) The amount of the allocation, or the anticipated financing for the site.

(f) A summary of the sites and the total amount of funds expended at the sites at the conclusion of the fiscal year.

(g) The number of sites that would qualify as brownfields that were redeveloped.

(2) The report prepared under subsection (1) shall also include all of the following:

(a) The status of all state-owned facilities that are on the list compiled under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142.

(b) The report shall include the total amount of funds expended during the fiscal year and the total amount of funds awaiting expenditure.

(c) The total amount of bonds issued for the environmental protection bond program pursuant to part 193 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19301 to 324.19306, and bonds issued pursuant to the clean Michigan initiative act, 1998 PA 284, MCL 324.95101 to 324.95108.

(3) The report shall be made available by March 31 of each year.

### **Unexpended and unencumbered amounts; use.**

Sec. 212. (1) The department of environmental quality is authorized to expend amounts remaining from the current and prior fiscal year appropriations to meet funding needs of legislatively approved sites for the environmental cleanup and redevelopment program, the leaking underground storage tank cleanup program, and the refined petroleum product cleanup program.

(2) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection bond fund contained in 2003 PA 173 and 2006 PA 343 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(3) Unexpended and unencumbered amounts remaining from appropriations from the cleanup and redevelopment fund and unclaimed bottle deposits fund contained in 2003 PA 171, 2003 PA 173, 2003 PA 237, and 2004 PA 350 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(4) Unexpended and unencumbered amounts remaining from appropriations from the clean Michigan initiative fund - response activities contained in 2000 PA 506, 2001 PA 120, 2003 PA 173, 2003 PA 237, 2004 PA 309, 2004 PA 350, 2005 PA 11, and 2006 PA 343 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(5) Unexpended and unencumbered amounts remaining from appropriations from the environmental protection fund contained in 2001 PA 43, 2002 PA 520, 2003 PA 171, and 2004 PA 350 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

(6) Unexpended and unencumbered amounts remaining from appropriations from the refined petroleum fund activities contained in 2005 PA 154 and 2006 PA 343 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

### **Michigan youth conservation council.**

Sec. 213. Of the money appropriated from the environmental education fund in part 1, \$5,000.00 shall be allocated to Michigan State University Extension Service - 4-H Youth Programs to fund the Michigan Youth Conservation Council.

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

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

**Information technology; designation as work projects; carrying forward funds.**

Sec. 215. 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; report.**

Sec. 216. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2008 shall be limited to situations in which 1 or more of the following conditions apply:

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

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

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

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

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

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

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

**Purchase of goods or services; preference.**

Sec. 217. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned or operated by veterans, if they are competitively priced and of comparable quality.

**Carrying forward unexpended settlement revenues.**

Sec. 218. Unexpended settlement revenues at the end of the fiscal year may be carried forward into the settlement fund in the succeeding fiscal year up to a maximum carryforward of \$2,500,000.00.

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

Sec. 219. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

**Restricted funds; report.**

Sec. 220. (1) The appropriation in section 102 includes \$11,165,800.00 from restricted funds. This funding source shall support the restricted fund requirements, pursuant to subsection (3), for selected line items in the executive operations and administrative support appropriation unit.

(2) The appropriation in section 112 includes \$4,214,000.00 from restricted funds. This funding source shall support the restricted fund requirements, pursuant to subsection (3), for the information technology appropriation.

(3) The department shall adopt a cost allocation plan for revenue sources supporting line items listed in sections 102 and 112. This cost allocation plan may be phased in over 2 fiscal years, beginning with the fiscal year ending September 30, 2008.

(4) The department shall provide a report on or before October 31, 2007 to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies of the line item amounts and detailed revenue sources which support the restricted fund appropriations in sections 102 and 112.

**Communication of employee with legislative member or staff.**

Sec. 221. The department shall not take disciplinary action against an employee for communicating truthfully and factually with a member of the legislature or his or her staff.

**Accounting of civil and criminal fine revenue.**

Sec. 222. The department shall annually report and post on its website by December 31 to the state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies an accounting of all civil and criminal fine revenue collected during the previous fiscal year.

**Legislative commission on government efficiency; assistance for benchmarking evaluation of department programs.**

Sec. 223. From the funds appropriated in part 1, the department shall assist the legislative commission on government efficiency, established in section 752 of the legislative

council act, 1986 PA 268, MCL 4.1752, in its benchmarking evaluation of department programs, including, at a minimum, the air quality renewable operating permit program, the groundwater discharge program, land and water management programs, and the hazardous waste management program.

**Policy changes; report; adoption of rule applying to small business; definitions.**

Sec. 224. (1) The department shall report no later than April 1, 2008 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.

(2) Funds appropriated in part 1 shall not be used by the department to adopt a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(3) As used in this section:

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

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

**Legal services.**

Sec. 225. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

**Contingency funds.**

Sec. 226. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$30,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

**Revenue shortfalls.**

Sec. 227. It is the intent of the legislature that revenue shortfalls in state restricted funds appropriated in part 1 shall be addressed by January 15, 2008.



## AIR QUALITY

### **Expenditures and revenues; report.**

Sec. 301. The department shall report quarterly, via the department's Internet website, on air quality program expenditures and revenues. The report shall include expenditures and revenues by fund source and by program function.

### **Attainment strategy.**

Sec. 302. From the funds appropriated in part 1, the department shall continue to work with individuals, organizations, and businesses to reach ozone attainment status in the 8 counties in southeast Michigan that are currently in nonattainment. To the fullest extent permitted by law and federal regulations, the department shall develop an attainment strategy that balances the public health, environmental, and economic interests of the residents, organizations, and businesses in that area.

## ENVIRONMENTAL SCIENCE AND SERVICES

### **Interdepartmental transfers, laboratory services; carrying forward revenue.**

Sec. 401. Revenues remaining in the interdepartmental transfers, laboratory services at the end of the fiscal year shall carry forward into the succeeding fiscal year.

### **Implementation of Great Lakes water quality bond; report.**

Sec. 402. By July 1, 2008, the department shall prepare and submit a report to the state budget director, the legislature, the chairs of the standing committees of the senate and house of representatives with primary responsibility for issues related to natural resources and the environment, and the chairs of the subcommittees of the senate and house appropriations committees with primary responsibility for appropriations for the department of environmental quality, outlining the implementation of the Great Lakes water quality bond provided for in part 197 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19701 to 324.19708, including, but not limited to, the amount of bonds issued and the date they were issued, the number of applications received for loans from the state water pollution control revolving fund created in section 16a of the shared credit rating act, 1985 PA 227, MCL 141.1066a, the total amount of loans requested, a listing of the applicants receiving loans and the total amount of loans provided to those applicants, a listing of applicants whose loan applications were not approved and the reasons why those applications were not approved, the amount of the loans granted that were leveraged from bond proceeds, and the remaining bond proceeds and bond authorization.

## OFFICE OF GEOLOGICAL SURVEY

### **Research and collaboration between department and Western Michigan University.**

Sec. 501. It is the intent of the legislature that the office of geological survey continue its work with Western Michigan University's department of geosciences to maintain core samples at the Michigan basin core research laboratory as part of the Michigan geological

repository for research and education at Western Michigan University and it is encouraged to explore new opportunities for mutually beneficial research and collaboration between the department and the university.

## **LAND AND WATER MANAGEMENT**

### **Waiver of permit fees for nonprofit organizations.**

Sec. 601. The department may waive permit fees for nonprofit organizations conducting approved stream habitat improvement projects.

### **Wetland mapping information.**

Sec. 602. The department shall continue to make refinements to the wetland mapping information as additional information becomes available in an effort to provide a level of detail such that a person can determine from the map with a reasonable amount of certainty whether or not a parcel or substantial portion of a parcel in question is in fact a wetland subject to regulation by the department.

## **REMEDIATION AND REDEVELOPMENT**

### **Emergency cleanup actions, refined petroleum product cleanup program, and environmental cleanup and redevelopment program as work project; carrying forward unencumbered and unallotted funds.**

Sec. 701. The unexpended funds appropriated in part 1 for emergency cleanup actions, the refined petroleum product cleanup program, and the environmental cleanup and redevelopment program are considered work project appropriations and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects to be carried forward is to provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is identified in each line-item appropriation.
- (d) The tentative completion date is September 30, 2012.

### **Remedial action plans; incorporation of certain cleanup criteria.**

Sec. 702. From funds appropriated in part 1 for activities related to cleanup sites under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142, the department shall incorporate into remedial action plans area-wide or site-specific cleanup criteria derived from peer-reviewed risk assessment based on bio-availability studies, site-specific human exposure data, and any other scientifically based risk assessment studies that are available and relevant. The department shall submit a report listing efforts made by the department to comply with this section. This report shall be provided to the house and senate appropriations subcommittees on environmental quality on or before January 1, 2008.

**Refined petroleum product cleanup program; funding cleanup activities on certain sites.**

Sec. 703. The funds appropriated in part 1 for the refined petroleum product cleanup program shall be used to fund cleanup activities on the following sites:

<b>Site Name</b>	<b>County</b>
Alcona Oil Co, Inc.	Alcona
Somers Service Inc.	Alcona
State Park Grocery	Alcona
Laughing Whitefish Trading Post	Alger
Midway Resort Inc.	Alger
Fennville Feed Supply	Allegan
Butch's Tackle & Marine	Antrim
Pickup Capital of the North (former)	Antrim
L'Anse Marathon	Baraga
Res Wells Woodland	Barry
Pfanne's Grocery	Bay
B & M Party Store	Benzie
Village of Honor Res. Wells	Benzie
Frank's Pro Station	Berrien
Dave's Repair	Cass
Indian Lake Mini Super	Cass
Rigg's Corner Store	Cass
Dockside Market	Charlevoix
Mr. Mug's Donut Shop	Chippewa
Park Shell Service	Chippewa
Ackels Car Care	Clinton
Bob's Marathon	Eaton
Central Distributing	Genesee
Ackett's Country Corners	Gladwin
Gazey & Aleck Station	Gladwin
Evans Wallpaper & Paint	Grand Traverse
Hoefflin's Service	Grand Traverse
Universal Car Wash	Grand Traverse
Venture Investments	Grand Traverse
Former Union 76	Hillsdale
Dunk's Garage	Huron
Port Austin Shell	Huron
Action Auto #23	Ingham
Former Clark #531	Ingham
DNR - RED - Whittemore (Tax Reverted)	Iosco
Firstbank Winn Branch	Isabella
Former Gulf (Napolean)	Jackson
Alamo General Store	Kalamazoo
Liberty Gas	Kalamazoo
McDonald's Crosstown Service	Kalamazoo
Moore's Milwood Service	Kalamazoo
Davis Country Corners	Kalkaska
Taffletown Tavern	Kalkaska
Kountry Korners	Kent
Rockford Market	Kent
Uncle Lee's Trading Post	Kent

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B & T Properties	Lapeer
Lakeland Montessori School	Livingston
Millie's Market	Livingston
Bob's Standard Service	Luce
C & V Grocery	Luce
D&D Jefferson Inc	Macomb
Montgomery Ward	Macomb
Red Barn Market	Manistee
Greenwood Self Serve	Marquette
Harvey Oil Co.	Marquette
Joe & Son's Service	Marquette
Paton's Country Store	Marquette
Custer Abandoned Station	Mason
Altona General Store	Mecosta
Joe's Tire/Ridderman Oil	Mecosta
RLJ Realty	Midland
Kreagers	Missaukee
The Landing	Missaukee
Luna Pier Fuel Stop	Monroe
Amble Oil Co.	Montcalm
Coral General Store	Montcalm
Edmore Mobil	Montcalm
Marvin Jensen	Montcalm
Joey's Service	Montmorency
Wyson's General Store	Montmorency
James J. Caradine	Muskegon
415 E. Hudson	Oakland
Don & Stan's/Joe's Towing	Oakland
Emma Milner Property	Oakland
Farmer's Petroleum Corporation	Oakland
Little Caesar's	Oakland
Franklin Forge	Ogemaw
Rose City Feed & Tack	Ogemaw
Ontonagon Mobil Mart	Ontonagon
Andy's Standard Service	Osceola
Pete's Place	Osceola
Family Book Shelve	Oscoda
Big Mac's Market	Roscommon
Charlie's Place	Roscommon
Chapin General Store	Saginaw
Former Gas Station-104 W. Grand River	Shiawassee
Save-U Station (former)	Shiawassee
Payless SuperAmerica	St. Joseph
Salmo Property	Tuscola
Evellyn Gibbons	Washtenaw
Fred's Country Sunoco	Washtenaw
Lloyd Cochran	Washtenaw
S & S Auto	Washtenaw
Sunshine Oil	Washtenaw
Cal's Car Care, Inc.	Wayne

Mercury Manufacturing Reclamation Co.	Wayne Wayne
Auto Parts Center	Wexford
Mar-Lyn's Lakeside Resort	Wexford
Village of Harrietta	Wexford

**Environmental cleanup and redevelopment program; funding cleanup activities on certain sites.**

Sec. 704. The funds appropriated in part 1 for the environmental cleanup and redevelopment program shall be used to fund cleanup activities on the following sites:

<b>Site Name</b>	<b>County</b>
Osceola Refinery (former)	Osceola
Former Petoskey Petrolane	Emmet
Bay Harbor	Emmet
Former Autostyle Plastics, Inc.	Kent
Harbor Plating	Berrien
Americhem Corporation	Ingham
House of Imports	Oakland
Packaging Corporation of America	Manistee
Manistique Industrial Park	Schoolcraft

**Repayment to refined petroleum fund.**

Sec. 705. It is the intent of the legislature to repay the refined petroleum fund for the \$70,000,000.00 that was transferred to the environmental protection fund as part of the resolution for the fiscal year 2006-2007 budget.

**Leaking underground storage tank program; performance audit by auditor general.**

Sec. 706. It is the intent of the legislature that the office of the auditor general conduct a performance audit of the leaking underground storage tank program. The performance audit shall include an investigation of the effectiveness of the program, including the adequacy of program funding, the use of draft and final operational memoranda, and consistency in the enforcement of regulations. The department shall fully cooperate with the auditor general during the performance audit.

**Using operational memoranda or documents in draft form; use.**

Sec. 707. The department shall not expend funds appropriated in part 1 if using operational memoranda or other similar documents that are in draft form to impose regulations on individuals or businesses conducting environmental cleanup projects, except as provided in part 213 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21301 to 324.21331, or when there is written consent between the department and the individual or business.

**WASTE AND HAZARDOUS MATERIALS**

**Recommendations of site review board; final approval for each site construction permit application.**

Sec. 801. It is the intent of the legislature that the recommendations of the site review board, as established in section 11117 of the natural resources and environmental protection

act, 1994 PA 451, MCL 324.11117, are the final approval for each site construction permit application that is referred to the board by the department.

**Multisource commercial hazardous waste disposal well; report to city of Romulus, city of Taylor, and Wayne County.**

Sec. 802. The department shall annually provide a report to the city of Romulus, city of Taylor, and Wayne County with respect to the activity of a multisource commercial hazardous waste disposal well, as defined in part 625 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.62501 to 324.62518, containing all of the following:

(a) Information concerning the release or discharge of any hazardous waste or hazardous waste constituent that may endanger public drinking water supplies or the environment.

(b) Information concerning the fire, explosion, or other release or discharge of any hazardous waste or hazardous waste constituent that could threaten human health or the environment or a spill that has reached surface water or groundwater.

(c) A summary of groundwater quality data, data graphs, data tables, statistical analyses to date, and identification of any statistically significant increases.

(d) With respect to the information described in subdivisions (a) to (c), a description of any noncompliance and its cause; the periods of noncompliance, including exact dates and times; whether the noncompliance has been corrected and, if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance and when those activities occurred or will occur.

**WATER**

**National pollutant discharge elimination system fund; report.**

Sec. 901. By February 1, 2008, the department shall submit a report on the department's use of the national pollutant discharge elimination system fund created in MCL 324.3121 for the previous fiscal year, to the senate and house appropriations subcommittees on environmental quality, the standing committees of the legislature with jurisdiction over issues primarily related to natural resources and the environment, and the senate and house fiscal agencies. The report shall include a summary of how the appropriations in part 1 for NPDES nonstormwater program were used for the various permissible uses of the fund and shall include specific information on all of the following:

(a) The number of compliance and complaint inspections completed, by category, the number of on-site compliance inspections conducted, and the number of compliance inspections that were not announced in advance to the permittee or licensee.

(b) The number and percent of permit and license inspections that were found to be in significant noncompliance, by category.

(c) The number of administrative enforcement actions taken for permit or license violations and the results of the enforcement actions, including the amount of fines and penalties collected.

(d) The number of judicial enforcement actions taken for permit or license violations and the results of the enforcement actions, including the amount of fines and penalties collected.

(e) A listing of the supplemental environmental projects agreed to as a result of a consent agreement including all of the following: the case name, the monetary value of the supplemental environmental project, and a description of the project.

### **NPDES permit program for large confined animal feeding operations; comparative analysis; final report.**

Sec. 902. From the funds appropriated in part 1, the department shall conduct a comparative analysis of the NPDES permit program for large confined animal feeding operations with the Michigan agriculture environmental assurance program (MAEAP). The analysis shall include a comparison of standards in effect at the time of MAEAP verification of a farm. The collection of data, evaluation, and final report shall be conducted in collaboration with the department of agriculture. The analysis shall be submitted to the state budget director, the senate and house appropriations subcommittees on environmental quality and agriculture, the senate and house standing committees on issues primarily related to environmental quality and agriculture, and the senate and house fiscal agencies by April 1, 2008.

### **Surface water program; report relating to CAFOs.**

Sec. 903. From the funds appropriated in part 1 for the surface water program, the department, in conjunction with the department of agriculture, shall submit a report to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies by September 30, 2008 that documents all of the following information:

(a) The number of concentrated animal feeding operations (CAFOs) in the state, and the number of those which have permits under the national pollution discharge elimination system (NPDES).

(b) The number and nature of inspections of CAFOs undertaken by the department and the department of agriculture, including whether the inspections included testing of the water, soil, or air, and a summary of the results of those inspections.

(c) An estimate of the number of CAFOs that utilize sewage lagoons, the capacity of those lagoons, and whether those lagoons are lined.

(d) An estimate of the funding dedicated toward permitting, inspection, and enforcement of current laws regulating CAFOs.

### **Surface water program; virtual elimination of sewage discharges into waters of state; plan.**

Sec. 904. From the funds appropriated in part 1 for the surface water program, the department shall prepare a plan by September 30, 2008 for the virtual elimination of sewage discharges into waters of the state by 2015. The plan shall be submitted to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies. The plan shall include all of the following information:

(a) A discussion of the major infrastructure projects undertaken and planned over the next 5 to 10 years to increase the capacity of public wastewater treatment facilities to better handle sewage waste and stormwater runoff.

(b) Trends over the last 5 years on the amount of untreated or undertreated sewage that was discharged into waters of the state from wastewater treatment facilities or their connected systems, and estimates on the amount of discharge that the department expects will occur in the next 5 to 10 years, assuming infrastructure upgrades.

(c) A discussion of the role of nonpoint discharges of sewage waste either through failing on-site septic systems or the land application of sewage and the impact on waters of the state.

(d) A discussion of the regulatory program designed to limit adverse impacts on waters of the state from sewage discharges and the sufficiency of funding allocated to those programs.

(e) A discussion of the funding available to local units of government to upgrade public wastewater treatment facilities or on-site systems.

(f) Recommendations for program changes or funding that would be required to achieve the virtual elimination of sewage discharges into the waters of the state by 2015.

### **Municipal separate storm sewer system permit fees.**

Sec. 905. From the funds appropriated in part 1, the department shall assess municipal separate storm sewer system permit fees pursuant to section 3118(1)(d) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.3118, only on the owners and operators of municipal separate storm sewer systems.

## **GRANTS**

### **Expenditure of funds under septage waste compliance program.**

Sec. 1101. If a certified health department does not exist in a city, county, or district or does not fulfill its responsibilities under part 117 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11701 to 324.11720, then the department may spend funds appropriated in part 1 under the septage waste compliance program in accordance with section 11716 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11716.

### **Scrap tire fire suppression costs.**

Sec. 1102. Of the funds appropriated in part 1 for scrap tire grants, \$100,000.00 shall be available for grants to communities to cover scrap tire fire suppression costs, provided owner liability bonds and other available funding sources have been exhausted.

Sec. 1103. The appropriation in part 1 for real-time water quality monitoring is a grant to Macomb County and St. Clair County to support a real-time water quality monitoring program in the St. Clair watershed. By September 30, 2008, grant recipients shall report to the department on the plan's implementation and the status of the project. The department shall forward the report to the state budget director, the senate and house appropriations subcommittees on environmental quality, the senate and house standing committees on natural resources and environmental issues, and the senate and house fiscal agencies. Funding is contingent upon development of a department-approved plan for long-term funding of operation and maintenance of the real-time monitoring system for the Huron-Erie corridor.

This act is ordered to take immediate effect.

Approved October 31, 2007.

Filed with Secretary of State October 31, 2007.



**[No. 122]****(HB 4354)**

AN ACT to make appropriations for the department of natural resources for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

*The People of the State of Michigan enact:*

## PART 1

## LINE-ITEM APPROPRIATIONS

**Appropriations; department of natural resources.**

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of natural resources for the fiscal year ending September 30, 2008, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF NATURAL RESOURCES**

## APPROPRIATION SUMMARY:

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	2,082.9	
<b>GROSS APPROPRIATION .....</b>		<b>\$ 289,195,400</b>
Interdepartmental grant revenues:		
IDG, engineering services to work orders.....		1,972,100
IDG, MacMullan conference center revenue .....		1,419,200
IDG, land acquisition services to work orders.....		417,000
Total interdepartmental grants and intradepartmental transfers.....		3,808,300
<b>ADJUSTED GROSS APPROPRIATION .....</b>		<b>\$ 285,387,100</b>
Federal revenues:		
DAG, federal.....		14,344,000
DOC, federal.....		71,400
DOE, federal.....		1,000
DOI, federal.....		25,260,100
DHS, USCG.....		5,905,600
DOT, federal .....		2,100,000
EPA, federal .....		286,800
Total federal revenues .....		47,968,900
Special revenue funds:		
Private funds .....		3,166,500
Total private revenues.....		3,166,500
Air photo fees - geographic information system.....		26,300
Aircraft fees.....		257,300
Cervidae licensing and inspection fees .....		165,000
Clean Michigan initiative fund .....		57,600
Commercial forest fund .....		48,500
Forest recreation fund.....		1,459,000
Forest development fund .....		27,316,800

	For Fiscal Year Ending Sept. 30, 2008
Forestland user charges .....	\$ 563,400
Game and fish protection fund .....	66,797,600
Game and fish protection fund - fisheries settlement .....	905,500
Game and fish protection fund - deer habitat reserve.....	3,039,900
Game and fish protection fund - turkey permit fees.....	1,837,700
Game and fish protection fund - waterfowl fees .....	108,900
Game and fish - wildlife resource protection fund.....	1,653,600
Game and fish protection fund - youth hunting and fishing education and outreach .....	28,400
Harbor development fund .....	299,400
Land exchange facilitation fund .....	6,166,400
Marine safety fund .....	4,771,700
Michigan civilian conservation corps endowment fund .....	525,000
Michigan state parks endowment fund.....	13,816,600
Michigan state waterways fund .....	16,504,100
Michigan natural resources trust fund .....	3,065,200
Nongame wildlife fund.....	704,800
Off-road vehicle trail improvement fund.....	4,701,600
Park improvement fund.....	41,367,500
Publication revenue.....	500
Recreation improvement fund.....	1,476,500
Safety education fund .....	217,300
Shop fees .....	65,900
Snowmobile registration fee revenue .....	2,273,400
Snowmobile trail improvement fund.....	10,030,100
Sportsmen against hunger fund.....	257,000
Total other state restricted revenues .....	210,508,500
State general fund/general purpose .....	\$ 23,743,200

**Executive.**

**Sec. 102. EXECUTIVE**

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	45.6
Commission (including travel expense—per diem) .....	\$ 91,300
Unclassified salaries .....	416,500
Communications—33.6 FTE positions .....	3,378,200
Executive direction—12.0 FTE positions .....	2,099,500
GROSS APPROPRIATION .....	\$ 5,985,500
Appropriated from:	
Interdepartmental grant revenues:	
IDG, MacMullan conference center revenue .....	6,100
Special revenue funds:	
Aircraft fees.....	500
Forest development fund .....	301,100
Forestland user charges .....	6,500
Forest recreation fund.....	28,000
Game and fish protection fund .....	2,040,500
Game and fish protection fund - deer habitat reserve.....	38,000

	For Fiscal Year Ending Sept. 30, 2008
Game and fish protection fund - turkey permit fees.....	\$ 16,200
Game and fish protection fund - waterfowl fees .....	900
Game and fish - wildlife resource protection fund.....	15,600
Game and fish protection fund - youth hunting and fishing education and outreach .....	28,400
Harbor development fund.....	600
Land exchange facilitation fund.....	65,100
Marine safety fund .....	29,900
Michigan natural resources trust fund .....	33,000
Michigan state parks endowment fund.....	134,100
Michigan state waterways fund .....	288,100
Nongame wildlife fund.....	11,300
Off-road vehicle trail improvement fund.....	24,200
Park improvement fund.....	2,214,900
Publications revenue .....	500
Recreation improvement fund.....	13,300
Snowmobile registration fee revenue .....	4,400
Snowmobile trail improvement fund.....	47,400
State general fund/general purpose .....	\$ 636,900

### **Administrative services.**

#### **Sec. 103. ADMINISTRATIVE SERVICES**

Full-time equated classified positions.....	80.0
Budget and support services—10.0 FTE positions .....	\$ 1,034,600
Financial services—27.0 FTE positions .....	2,560,900
Grants administration—15.0 FTE positions .....	1,356,000
Human resources—20.0 FTE positions .....	2,137,700
Human resources optimization user charges.....	163,000
Internal audit—8.0 FTE positions.....	867,000
GROSS APPROPRIATION .....	\$ 8,119,200

Appropriated from:

Interdepartmental grant revenues:

Federal revenues:

DOI, federal.....	315,600
Special revenue funds:	
Clean Michigan initiative fund .....	57,600
Commercial forest fund .....	1,000
Forest development fund .....	1,113,700
Forestland user charges.....	1,000
Forest recreation fund.....	77,100
Game and fish protection fund .....	1,666,000
Game and fish protection fund - deer habitat reserve.....	66,400
Game and fish protection fund - turkey permit fees.....	33,700
Game and fish protection fund - waterfowl fees .....	4,600
Game and fish - wildlife resource protection fund.....	35,000
Harbor development fund.....	7,200
Land exchange facilitation fund.....	77,500
Marine safety fund .....	173,300

	For Fiscal Year Ending Sept. 30, 2008
Michigan natural resources trust fund .....	\$ 754,100
Michigan state parks endowment fund.....	360,400
Michigan state waterways fund .....	482,800
Nongame wildlife fund.....	23,900
Off-road vehicle trail improvement fund.....	70,600
Park improvement fund.....	1,375,900
Recreation improvement fund.....	21,000
Safety education fund .....	6,600
Snowmobile registration fee revenue .....	79,000
Snowmobile trail improvement fund.....	246,800
State general fund/general purpose .....	\$ 1,068,400

**Land and facilities.**

**Sec. 104. LAND AND FACILITIES**

Full-time equated classified positions .....	134.2
Land and facilities—134.2 FTE positions .....	\$ 20,310,600
GROSS APPROPRIATION .....	\$ 20,310,600

Appropriated from:

Interdepartmental grant revenues:

IDG, MacMullan conference center revenue .....	1,413,100
IDG, engineering services to work orders.....	1,972,100
IDG, land acquisition services to work orders.....	417,000

Special revenue funds:

Forest development fund.....	1,903,300
Forestland user charges.....	13,600
Forest recreation fund.....	11,000
Game and fish protection fund .....	6,912,600
Game and fish protection fund - deer habitat reserve.....	117,900
Game and fish protection fund - turkey permit fees.....	37,600
Game and fish - wildlife resource protection fund.....	10,400
Land exchange facilitation fund.....	5,907,900
Marine safety fund .....	75,700
Michigan natural resources trust fund .....	5,900
Michigan state parks endowment fund.....	132,600
Michigan state waterways fund .....	266,100
Park improvement fund.....	504,200
Off-road vehicle trail improvement fund.....	24,100
Snowmobile trail improvement fund.....	123,800
State general fund/general purpose .....	\$ 461,700

**Departmental operation support.**

**Sec. 105. DEPARTMENTAL OPERATION SUPPORT**

Building occupancy charges.....	\$ 2,135,700
Rent - privately owned property.....	565,000
Gifts and bequests .....	500,000
GROSS APPROPRIATION .....	\$ 3,200,700

Appropriated from:

Special revenue funds:

Private funds .....	500,000
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	For Fiscal Year Ending Sept. 30, 2008
Forest development fund .....	\$ 651,100
Forest recreation fund.....	20,900
Game and fish protection fund .....	952,400
Game and fish protection fund - deer habitat reserve.....	21,300
Game and fish protection fund - turkey permit fees.....	20,400
Game and fish - wildlife resource protection fund.....	7,600
Land exchange facilitation fund.....	13,200
Marine safety fund .....	34,900
Michigan state parks endowment fund.....	245,400
Michigan state waterways fund .....	151,600
Michigan natural resources trust fund .....	43,000
Snowmobile trail improvement fund.....	22,300
Park improvement fund.....	341,600
State general fund/general purpose .....	\$ 175,000

### **Wildlife management.**

#### **Sec. 106. WILDLIFE MANAGEMENT**

Full-time equated classified positions .....	195.7
Wildlife management—186.7 FTE positions.....	\$ 27,630,000
Natural resources heritage—9.0 FTE positions .....	1,324,700
State game and wildlife area maintenance .....	500,000
GROSS APPROPRIATION .....	\$ 29,454,700

Appropriated from:

Federal revenues:

DAG, federal.....	206,000
DOI, federal.....	10,957,100
EPA, federal .....	1,000

Special revenue funds:

Private funds .....	114,400
Cervidae licensing and inspection fees .....	101,300
Forest development fund .....	63,300
Game and fish protection fund .....	10,653,600
Game and fish protection fund - deer habitat reserve.....	2,723,300
Game and fish protection fund - turkey permit fees.....	1,665,500
Game and fish protection fund - waterfowl fees .....	103,400
Nongame wildlife fund.....	633,800
Sportsmen against hunger fund.....	257,000
State general fund/general purpose .....	\$ 1,975,000

### **Fisheries management.**

#### **Sec. 107. FISHERIES MANAGEMENT**

Full-time equated classified positions .....	225.0
Aquatic resource mitigation—3.0 FTE positions.....	\$ 906,500
Fisheries resource management—160.0 FTE positions .....	20,094,000
Fish production—62.0 FTE positions .....	8,664,400
GROSS APPROPRIATION .....	\$ 29,664,900

Appropriated from:

Federal revenues:

DAG, federal.....	134,200
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	For Fiscal Year Ending Sept. 30, 2008
DOE, federal.....	\$ 1,000
DOC, federal.....	53,300
DOI, federal.....	9,392,600
EPA, federal.....	165,000
Special revenue funds:	
Private funds.....	116,300
Game and fish protection fund - fisheries settlement.....	905,500
Game and fish protection fund.....	18,897,000
State general fund/general purpose.....	\$ 0

**Parks and recreation.**

**Sec. 108. PARKS AND RECREATION**

Full-time equated classified positions.....	794.9	
State parks—628.4 FTE positions.....	\$ 46,981,200	
State park improvement revenue bonds - debt service.....	1,127,800	
Recreational boating—163.5 FTE positions.....	14,448,500	
Michigan civilian conservation corps—3.0 FTE positions.....	500,000	
GROSS APPROPRIATION.....	\$ 63,057,500	
Appropriated from:		
Federal revenues:		
EPA, federal.....	119,800	
Special revenue funds:		
Private funds.....	362,500	
Harbor development fund.....	285,000	
Michigan civilian conservation corps endowment fund.....	500,000	
Michigan state parks endowment fund.....	12,032,500	
Michigan state waterways fund.....	14,163,500	
Off-road vehicle trail improvement fund.....	242,200	
Park improvement fund.....	35,352,000	
State general fund/general purpose.....	\$ 0	

**Forest, mineral, and fire management.**

**Sec. 109. FOREST, MINERAL, AND FIRE MANAGEMENT**

Full-time equated classified positions.....	340.0	
Forest and timber treatments—120.0 FTE positions.....	\$ 14,165,200	
Forest management planning—18.0 FTE positions.....	3,996,600	
Adopt-a-forest program.....	25,000	
Wildfire protection—130.0 FTE positions.....	10,503,900	
Forest recreation and trails—35.0 FTE positions.....	4,946,200	
Minerals management—17.3 FTE positions.....	2,515,700	
Cooperative resource programs—10.5 FTE positions.....	2,521,500	
Forest management initiative—9.2 FTE positions.....	862,900	
Forest fire equipment.....	100,000	
GROSS APPROPRIATION.....	\$ 39,637,000	
Appropriated from:		
Federal revenues:		
DAG, federal.....	2,378,800	
DOI, federal.....	2,000	
EPA, federal.....	1,000	

For Fiscal Year  
Ending Sept. 30,  
2008

Special revenue funds:

Private funds .....	\$	923,300
Aircraft fees.....		256,800
Air photo fees - geographic information system.....		26,300
Commercial forest fund .....		47,500
Forest recreation fund.....		1,211,500
Forest development fund .....		21,829,000
Forestland user charges .....		526,200
Game and fish protection fund .....		1,702,200
Michigan state waterways fund .....		385,100
Michigan natural resources trust fund .....		1,243,100
Michigan state parks endowment fund.....		563,800
Off-road vehicle trail improvement fund.....		661,500
Recreation improvement fund.....		322,400
Shop fees .....		65,900
Snowmobile trail improvement fund.....		2,212,700
State general fund/general purpose .....	\$	5,277,900

**Law enforcement.**

**Sec. 110. LAW ENFORCEMENT**

Full-time equated classified positions.....	267.5	
General law enforcement—267.5 FTE positions.....	\$	32,042,600
GROSS APPROPRIATION .....	\$	32,042,600

Appropriated from:

Federal revenues:

DOC, federal.....	18,100
DOI, federal.....	1,475,900
DHS, USCG.....	4,435,600

Special revenue funds:

Cervidae licensing and inspection fees .....	63,700
Forest recreation fund.....	59,700
Game and fish - wildlife resource protection fund.....	1,529,700
Game and fish protection fund .....	18,963,200
Marine safety fund .....	1,579,800
Off-road vehicle trail improvement fund.....	1,225,000
Safety education fund .....	60,700
Park improvement fund.....	59,700
Snowmobile registration fee revenue .....	1,018,300
State general fund/general purpose .....	\$ 1,553,200

**Payments in lieu of taxes.**

**Sec. 111. PAYMENTS IN LIEU OF TAXES**

Swamp and tax reverted lands .....	\$	7,071,500
Purchased lands .....		4,450,000
Commercial forest reserve.....		2,662,600
GROSS APPROPRIATION .....	\$	14,184,100

Appropriated from:

Special revenue funds:

Game and fish protection fund .....	1,715,000
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	For Fiscal Year Ending Sept. 30, 2008
Michigan natural resources trust fund .....	\$ 500,000
Michigan state waterways fund .....	135,000
State general fund/general purpose .....	\$ 11,834,100

**Grants.**

**Sec. 112. GRANTS**

Grant to counties — marine safety .....	\$ 4,275,000
Accessibility grants .....	1,000,000
Federal - land and water conservation fund payments .....	2,566,900
Federal - forest stewardship grants .....	4,125,000
Federal - urban forestry grants.....	4,000,000
Federal - rural community fire protection.....	300,000
Federal - clean vessel act grants .....	400,000
Grants to communities - federal oil, gas, and timber payments .....	3,450,000
Recreation improvement fund grants.....	1,100,000
Snowmobile local grants program .....	7,314,000
Snowmobile law enforcement grants .....	1,142,000
Off-road vehicle safety training grants.....	150,000
Off-road vehicle trail improvement grants .....	2,454,000
National recreational trails .....	2,150,000
Game and nongame wildlife fund grants .....	10,000
Inland fisheries resources grants .....	200,000
GROSS APPROPRIATION .....	\$ 34,636,900

Appropriated from:

Federal revenues:

DAG, federal.....	11,625,000
DHS, USCG.....	1,470,000
DOI, federal.....	3,116,900
DOT, federal .....	2,100,000

Special revenue funds:

Private funds .....	1,150,000
Game and fish protection fund .....	200,000
Marine safety fund .....	2,805,000
Nongame wildlife fund.....	10,000
Off-road vehicle trail improvement fund.....	2,454,000
Recreation improvement fund.....	1,100,000
Safety education fund .....	150,000
Snowmobile registration fee revenue .....	1,142,000
Snowmobile trail improvement fund.....	7,314,000
State general fund/general purpose .....	\$ 0

**Information technology.**

**Sec. 113. INFORMATION TECHNOLOGY**

Information technology services and projects.....	\$ 8,901,700
GROSS APPROPRIATION .....	\$ 8,901,700

Appropriated from:

Interdepartmental grant revenues:

Special revenue funds:

Forest development fund .....	1,455,300
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	For Fiscal Year Ending Sept. 30, 2008
Forestland user charges .....	\$ 16,100
Forest recreation fund.....	50,800
Game and fish protection fund .....	3,095,100
Game and fish protection fund - deer habitat reserve.....	73,000
Game and fish protection fund - turkey permit fees.....	64,300
Game and fish - wildlife resource protection fund.....	55,300
Harbor development fund.....	6,600
Land exchange facilitation fund.....	102,700
Marine safety fund .....	73,100
Michigan civilian conservation corps endowment fund .....	25,000
Michigan natural resources trust fund .....	486,100
Michigan state parks endowment fund.....	347,800
Michigan state waterways fund .....	631,900
Nongame wildlife fund.....	25,800
Park improvement fund.....	1,519,200
Recreation improvement fund.....	19,800
Snowmobile registration fee revenue .....	29,700
Snowmobile trail improvement fund.....	63,100
State general fund/general purpose .....	\$ 761,000

## 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 2007-2008 is \$234,251,700.00 and state spending from state resources to be paid to local units of government for fiscal year 2007-2008 is \$19,241,100.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF NATURAL RESOURCES  
PAYMENTS IN LIEU OF TAXES

Commercial forest reserves .....	\$ 2,662,600
Purchased lands .....	4,450,000
Swamp and tax reverted lands .....	7,071,500
GRANTS	
Grants to counties - marine safety .....	\$ 2,805,000
Off-road vehicle safety training grants.....	150,000
Off-road vehicle trail improvement grants .....	450,000
Recreation improvement fund grants.....	110,000
Snowmobile law enforcement grants .....	1,142,000
Snowmobile local grants program .....	400,000
TOTAL.....	\$ 19,241,100

**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) “Commission” means the commission of natural resources.
- (b) “DAG” means the United States department of agriculture.
- (c) “Department” means the department of natural resources.
- (d) “DHS” means the United States department of homeland security.
- (e) “DOC” means the United States department of commerce.
- (f) “DOE” means the United States department of energy.
- (g) “DOI” means the United States department of interior.
- (h) “DOT” means the United States department of transportation.
- (i) “EPA” means the United States environmental protection agency.
- (j) “FTE” means full-time equated.
- (k) “IDG” means interdepartmental grant.

**Billing by department of civil service; payments.**

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

**Hiring freeze; exceptions.**

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

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

**Reporting requirements; use of Internet.**

Sec. 206. The department shall use the Internet to fulfill the reporting requirements of this act. This requirement can be met if reports are transmitted via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.

**Estimated restricted fund balances, projected revenues, and expenditures; annual report.**

Sec. 207. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies with an annual

report on estimated restricted fund balances, projected revenues, and expenditures for the fiscal years ending September 30, 2007 and September 30, 2008.

**Grant and loan programs; report.**

Sec. 208. (1) From the funds appropriated under part 1, the department shall prepare a report that lists all of the following regarding grant, loan, or grant and loan programs administered by the department for the fiscal year ending on September 30, 2008:

- (a) The name of each program.
  - (b) The goals, criteria, filing fees, nominating procedures, eligibility requirements, processes, and deadlines for each program.
  - (c) The maximum and minimum grant and loan available and whether there is a match requirement for each program.
  - (d) The amount of any required match, and whether in-kind contributions may be used as part or all of a required match.
  - (e) Information pertaining to the application process, timeline for each program, and the contact people within the department.
  - (f) The source of funds for each program, including the citation of pertinent authorizing acts.
  - (g) Information regarding plans for the next fiscal year for the phaseout, expansion, or changes for each program.
  - (h) A listing of all recipients of grants or loans awarded by the department by type and amount of grant or loan during the fiscal year ending September 30, 2007.
- (2) The reports required under this section shall be submitted to the state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies by January 1, 2008.

**State-restricted game and fish protection funds; amounts appropriated.**

Sec. 209. Appropriations of state-restricted game and fish protection funds have been made to the following departments and agencies in their respective appropriation acts. The amounts appropriated to these departments and agencies are listed below:

Department of civil service.....	\$	409,100
History, arts, and libraries .....		3,700
Legislative auditor general.....		21,400
Attorney general.....		767,800
Department of management and budget.....		278,600
Department of treasury.....		11,700

**List of projects completed by Michigan state waterways commission.**

Sec. 210. Before January 31, 2008, the department, in cooperation with the Michigan state waterways commission, shall provide to the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies a list of projects completed by the commission in fiscal year 2006-2007, including the county and municipality in which each project is located.

**Michigan conservation and recreation legacy fund; appropriation.**

Sec. 211. Pursuant to section 43703(3) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43703, there is appropriated from the game and fish protection trust fund to the game and fish protection account of the Michigan conservation and recreation legacy fund, \$6,000,000.00 for the fiscal year ending September 30, 2008.

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

Sec. 212. 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 department and the department of information technology.

**Information technology; designation as work projects.**

Sec. 213. 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; report.**

Sec. 214. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2008 shall be limited to situations in which 1 or more of the following conditions apply:

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

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

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

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

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

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

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

**Purchase of foreign goods or services; preference to goods or services provided by Michigan businesses.**

Sec. 215. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

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

Sec. 216. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities and in Lake County compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

**Communication of employee with legislative member or staff.**

Sec. 217. The department shall not take disciplinary action against an employee for communicating truthfully and factually with a member of the legislature or his or her staff.

**Policy changes; administrative rules applying to small businesses; definitions.**

Sec. 218. (1) The department shall report no later than April 1, 2008 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.

(2) Funds appropriated in part 1 shall not be used by the department to adopt a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(3) As used in this section:

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

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

**Legal services.**

Sec. 219. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

**Allocation of restricted funds; plan.**

Sec. 220. The department shall develop a plan for allocating restricted funds among department administrative support and regulatory activities. This plan shall be submitted to the house and senate appropriations subcommittees on natural resources by January 30, 2008. This plan shall include a cost allocation plan for financial services support, office space rent and building occupancy charges, and support division service for information systems and

technology and a methodology to use information generated through activity reports that identifies the percentage of employee time spent on restricted fund activities.

### **Contingency funds.**

Sec. 222. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$3,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

### **Recommendations for long-term funding; creation of workgroup.**

Sec. 223. (1) The department and the legislature shall create a workgroup to develop recommendations for long-term funding for the department. The recommendations shall be submitted to the senate and house appropriations committees by September 30, 2008.

(2) The workgroup shall consist of 7 members, appointed as follows:

(a) Two members of the senate appointed by the senate majority leader, 1 of whom shall be the chair of the appropriations subcommittee on natural resources.

(b) Two members of the house appointed by the speaker of the house, 1 of whom shall be the chair of the appropriations subcommittee on natural resources.

(c) The director of the department.

(d) Two members appointed by the governor, 1 of whom shall be a member of the natural resources commission and 1 of whom shall be a member of the citizens committee for Michigan state parks.

(3) The chairs of the appropriations subcommittees shall serve as co-chairs of the workgroup.

### **State restricted funds; revenue shortfalls.**

Sec. 224. It is the intent of the legislature that revenue shortfalls in state restricted funds appropriated in part 1 shall be addressed by January 15, 2008.

## **ADMINISTRATIVE SERVICES**

### **Engineering services.**

Sec. 401. The department may charge the appropriations contained in part 1, including all special maintenance and capital projects appropriated for the fiscal year ending September 30, 2008, for engineering services provided, a standard percentage fee to recover actual costs.

The department may use the revenue derived to support the engineering services charges provided for in part 1.

**Land acquisition projects; percentage fee to recover actual costs.**

Sec. 402. The department may charge land acquisition projects appropriated for the fiscal year ending September 30, 2008, and for prior fiscal years, a standard percentage fee to recover actual costs, and may use the revenue derived to support the land acquisition service charges provided for in part 1.

**Exchange or sale of state-owned land or rights in land; application and transaction fees.**

Sec. 403. The department may charge both application fees and transaction fees related to the exchange or sale of state-owned land or rights in land authorized by part 21 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2101 to 324.2162. The fees shall be set by the director at a rate which allows the department to recover its costs for providing these services.

**Fishing guide.**

Sec. 404. The department shall prominently display in a prominent place in the fishing guide provided to each licensed fisher and paid for from the funds appropriated in part 1, the website address for the department of community health. In addition, the fishing guide shall include information on alternative sources where interested parties without Internet access may find information on fish advisories issued by the department of community health.

**Land transactions; report.**

Sec. 405. Within 21 days after the end of the fiscal year ending September 30, 2008, the department shall submit to the senate and house appropriations subcommittees on natural resources a report on all land transactions approved by the commission in the previous fiscal year. For each land transaction, the report shall include the size of the parcel, the county and municipality in which the parcel is located, the dollar amount of the transaction, the fund source affected by the transaction, and whether the transaction is by purchase, public auction, transfer, exchange, or conveyance.

**WILDLIFE MANAGEMENT**

**Livestock losses caused by wolves, coyotes, or cougars; reimbursement to department of agriculture.**

Sec. 501. It is the intent of the legislature that, from the funds appropriated in part 1, the department shall reimburse the department of agriculture for costs incurred for indemnification payments for livestock losses caused by wolves, coyotes, or cougars under the animal industry act, 1988 PA 466, MCL 287.701 to 287.745.

**Bovine TB; quarterly reports.**

Sec. 502. From the funds appropriated in part 1, the department shall submit quarterly reports to the state budget director; the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies that provide detail about enforcement actions taken to eradicate bovine TB, the number of infected deer found, new science it is working on to detect bovine TB, and other relevant information about the department's efforts to address the presence of bovine TB in the state.

## **FISHERIES MANAGEMENT**

### **Water control structures on Michigan waterways; impediment of certification process; prohibition.**

Sec. 601. As a condition of expenditure of fisheries management appropriations under part 1, the department shall not impede the certification process for water control structures on Michigan waterways. The department shall fund from funds appropriated in part 1 all non-water-quality studies or requirements that the department requests of either of the following:

(a) The department of environmental quality as a condition for issuance of a certification under the federal water pollution control act, 33 USC 1341.

(b) The federal energy regulatory commission as a condition of licensing under the federal power act, 16 USC 791a to 825r.

### **Aquatic resource mitigation; priority and cost estimates.**

Sec. 602. (1) From the appropriation in part 1 for aquatic resource mitigation, not more than \$758,000.00 shall be allocated for grants to watershed councils, resource development councils, soil conservation districts, local governmental units, and other nonprofit organizations for stream habitat stabilization and soil erosion control.

(2) The fisheries division of the department shall develop priority and cost estimates for all recommended projects.

### **Operation of hatcheries.**

Sec. 603. From the funds appropriated in part 1 for fish production and fisheries resource management, the department shall continue to operate the 6 hatcheries that were operational on September 30, 2007.

## **PARKS AND RECREATION**

### **Michigan state parks endowment fund; appropriation; amount.**

Sec. 701. Pursuant to section 1902(2) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1902, there is appropriated from the Michigan natural resources trust fund to the Michigan state parks endowment fund an amount not to exceed \$10,000,000.00 for the fiscal year ending September 30, 2008.

### **Construction projects involving campsite or campground closures; notice of intent to reduce operations.**

Sec. 702. (1) The department shall prepare detailed reports for construction projects in state parks that will involve campsite or campground closures. These reports shall include expected costs, impacts on recreation opportunities, impacts on state park revenues, and the expected impact on state park users. The department shall also prepare reports on average monthly campground occupancy rates for every state park during the previous summer season. The department shall provide reports described in this subsection to the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies not later than April 1, 2008.

(2) The department shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies if it intends to reduce operations or reduce recreation opportunities at any state park or recreation area.



**Defibrillators; maintenance in state parks.**

Sec. 703. From the funds appropriated in part 1, the department shall maintain an appropriate number of defibrillators in state parks. State parks shall accept donations of defibrillators.

**Complimentary or discounted day passes at state recreational facilities; report of misuse.**

Sec. 704. By September 30, 2008, the department shall report to the senate and house appropriations subcommittees on natural resources and the senate and house fiscal agencies any misuse of complimentary or discounted day passes at state recreational facilities during the 2007-2008 fiscal year.

**Ski hill; altering or halting; demolition of buildings.**

Sec. 705. The department shall not alter or halt operations of the ski hill or demolish buildings related to the ski hill, the assistant manager residence, the 3-unit apartment building, or the carpenter's shop and garage in Porcupine Mountains wilderness state park. The department shall collaborate with travel Michigan for the marketing and promotion of the ski hill.

**Generating annual corporate sponsorship revenue for state parks operations; creation of plan.**

Sec. 706. The department shall work with the natural resources commission to create a plan for generating annual corporate sponsorship revenue for state parks operations. The department shall inventory all state park assets and determine a plan for attracting sponsorships of those assets in a tasteful and appropriate manner without detracting from the image of the park itself. The plan shall be submitted to the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies by January 31, 2008.

**FOREST, MINERAL, AND FIRE MANAGEMENT****Collapse of abandoned mine shaft located on state land; costs relating to declared emergency.**

Sec. 801. In addition to the funds appropriated in part 1, \$350,000.00 is appropriated to cover costs related to any declared emergency involving the collapse of any abandoned mine shaft located on state land. This appropriation shall not be expended unless the state budget director recommends the expenditure and the department notifies the house and senate committees on appropriations.

Sec. 802. As a condition of expenditure of appropriations in part 1 from state general fund/general purpose, on November 15, 2007 the department shall provide at least \$1,000,000.00 from cooperative resources programs as an interdepartmental grant to the department of agriculture for the cooperative resources management initiative program for the purposes of supporting forestry programs in local conservation districts.

**Michigan forest finance authority; intent to restore grant.**

Sec. 804. It is the intent of the legislature to restore the \$20,000,000.00 by which the grant from the 21st century jobs trust fund to the Michigan forest finance authority under section 88j of the Michigan strategic fund act, 1984 PA 270, MCL 125.2088j, was reduced in fiscal year 2006-2007.

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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."

**Additional foresters to mark timber.**

Sec. 805. The department shall spend amounts appropriated in part 1 for forest-related activities to employ or contract for additional foresters to mark timber, pursuant to section 806.

**Timber harvesting.**

Sec. 806. Of the funds appropriated in part 1, the department shall, subject to the forest certification process, prescribe appropriate treatment on not less than 63,000 acres at the current average rate of 12.5 to 13 cords per acre, and put those cords up for sale in 2008, provided that the department shall take into consideration the impact of timber harvesting on wildlife habitat and recreation uses. The department shall, subject to the forest certification process, increase marking or treatment of hardwood timber for sale and harvest by 10% over 2007 levels. In addition, the department shall take into consideration silvicultural analysis and report annually to the legislature on plans and efforts to address factors limiting management of timber. The department shall provide quarterly reports on the number of acres treated, pursuant to this section, to the senate and house appropriations subcommittees on natural resources and the standing committees of the senate and house of representatives with primary responsibility for natural resources issues.

**Snowmobile route connecting Village of Bellaire to Jordan River Trail; restrictions.**

Sec. 807. From the funds appropriated in part 1, the department shall allow for a designated snowmobile route connecting the Village of Bellaire to the Jordan River Trail across state-owned land with associated reasonable restrictions that mitigate negative impacts on the natural resources.

**Response to wildfires.**

Sec. 808. In addition to the money appropriated in this act, the department may receive and expend money from federal sources for the purpose of providing response to wildfires as required by a compact with the federal government. If additional expenditure authorization is required, the department shall notify the state budget office that expenditure under this section is required. The department shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies of the expenditures under this section by November 1, 2008.

**LAW ENFORCEMENT****Snowmobile law enforcement grants; use.**

Sec. 901. The appropriation in part 1 for snowmobile law enforcement grants shall be used to provide grants to county law enforcement agencies to enforce part 821 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82101 to 324.82160, including rules promulgated under that part and ordinances enacted pursuant to that part. The department shall consider the number of enforcement hours and the number of miles of snowmobile trails in each county in allocating these grants. Any funds not distributed to counties revert back to the snowmobile registration fee subaccount created under section 82111 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82111. Counties shall provide semiannual reports to the department on the use of grant money received under this section.

**GRANTS**

**Grants to communities - federal oil, gas, and timber payments; additional federal pass-through amounts.**

Sec. 1101. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 for grants to communities - federal oil, gas, and timber payments and that do not require additional state matching funds are appropriated for the purposes intended. By November 30, 2007, the department shall report to the senate and house appropriations subcommittees on natural resources, the senate and house fiscal agencies, and the state budget director on all amounts appropriated under this section during the fiscal year ending September 30, 2007.

**Off-road vehicle trail expansion plan; development of new trails.**

Sec. 1102. Subject to part 811 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81101 to 324.81150, from the funds appropriated in part 1 for off-road vehicle trail improvements grants, not less than \$980,000.00 shall be spent on the development of new trails in accordance with the off-road vehicle trail expansion plan submitted to the legislature pursuant to section 807 of article 14 of 2005 PA 154.

This act is ordered to take immediate effect.  
Approved October 31, 2007.  
Filed with Secretary of State October 31, 2007.

**[No. 123]**

**(HB 4344)**

AN ACT to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

*The People of the State of Michigan enact:*

PART 1

LINE-ITEM APPROPRIATIONS

**Appropriations; department of community health.**

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of community health for the fiscal year ending September 30, 2008, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF COMMUNITY HEALTH**

APPROPRIATION SUMMARY:

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	4,761.6
Average population.....	1,109.0

	For Fiscal Year Ending Sept. 30, 2008
GROSS APPROPRIATION .....	\$ 12,048,326,100
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	39,410,200
ADJUSTED GROSS APPROPRIATION .....	\$ 12,008,915,900
Federal revenues:	
Total federal revenues .....	6,708,510,700
Special revenue funds:	
Total local revenues.....	247,237,400
Total private revenues.....	65,519,800
Merit award trust fund.....	144,000,000
Total other state restricted revenues .....	1,718,336,400
State general fund/general purpose .....	\$ 3,125,311,600

**Departmentwide administration.**

**Sec. 102. DEPARTMENTWIDE ADMINISTRATION**

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	226.5
Director and other unclassified—6.0 FTE positions .....	\$ 598,600
Departmental administration and management—	
198.0 FTE positions.....	23,881,600
Office of long-term care supports and services—	
18.5 FTE positions.....	2,713,800
Worker’s compensation program.....	8,825,000
Human resources optimization user charges.....	285,500
Rent and building occupancy.....	10,043,300
Developmental disabilities council and projects—	
10.0 FTE positions.....	2,772,200
GROSS APPROPRIATION .....	\$ 49,120,000
Appropriated from:	
Federal revenues:	
Total federal revenues .....	14,083,900
Special revenue funds:	
Total private revenues.....	76,000
Total other state restricted revenues .....	3,500,900
State general fund/general purpose .....	\$ 31,459,200

**Mental health/substance abuse services administration and special projects.**

**Sec. 103. MENTAL HEALTH/SUBSTANCE ABUSE**

**SERVICES ADMINISTRATION AND SPECIAL PROJECTS**

Full-time equated classified positions .....	111.0
Mental health/substance abuse program administration—	
110.0 FTE positions.....	\$ 13,409,500
Consumer involvement program .....	189,100
Gambling addiction—1.0 FTE position.....	3,500,000
Protection and advocacy services support.....	777,400
Mental health initiatives for older persons.....	1,291,200
Community residential and support services .....	2,713,000
Highway safety projects .....	400,000

	For Fiscal Year Ending Sept. 30, 2008
Federal and other special projects .....	\$ 3,277,200
Family support subsidy .....	19,036,000
Housing and support services .....	9,306,800
Methamphetamine cleanup fund .....	100,000
GROSS APPROPRIATION .....	\$ 54,000,200
Appropriated from:	
Federal revenues:	
Total federal revenues .....	35,077,400
Special revenue funds:	
Total private revenues .....	190,000
Total other state restricted revenues .....	3,500,000
State general fund/general purpose .....	\$ 15,232,800

**Community mental health/substance abuse services programs.**

**Sec. 104. COMMUNITY MENTAL HEALTH/SUBSTANCE**

**ABUSE SERVICES PROGRAMS**

Full-time equated classified positions .....	9.5
Medicaid mental health services .....	\$ 1,717,929,300
Community mental health non-Medicaid services .....	319,566,100
Medicaid adult benefits waiver .....	40,000,000
Multicultural services .....	5,763,800
Medicaid substance abuse services .....	36,378,500
Respite services .....	1,000,000
CMHSP, purchase of state services contracts .....	136,239,300
Civil service charges .....	1,499,300
Federal mental health block grant—2.5 FTE positions .....	15,367,900
State disability assistance program substance abuse services .....	2,509,800
Community substance abuse prevention, education, and treatment programs .....	85,268,000
Children’s waiver home care program .....	19,549,800
Omnibus reconciliation act implementation—7.0 FTE positions .....	12,367,200
Children with serious emotional disturbance waiver .....	570,000
GROSS APPROPRIATION .....	\$ 2,394,009,000
Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
Total federal revenues .....	1,150,311,400
Special revenue funds:	
Total local revenues .....	26,072,100
Total other state restricted revenues .....	106,765,500
State general fund/general purpose .....	\$ 1,110,860,000

**State psychiatric hospitals, centers for persons with developmental disabilities, and forensic and prison mental health services.**

**Sec. 105. STATE PSYCHIATRIC HOSPITALS, CENTERS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES, AND FORENSIC AND PRISON MENTAL HEALTH SERVICES**

Total average population .....	1,109.0
Full-time equated classified positions .....	2,957.3

	For Fiscal Year Ending Sept. 30, 2008
Caro regional mental health center - psychiatric hospital - adult— 481.3 FTE positions.....	\$ 43,466,600
Average population.....	179.0
Kalamazoo psychiatric hospital - adult—466.6 FTE positions .....	43,120,900
Average population.....	186.0
Walter P. Reuther psychiatric hospital - adult— 437.3 FTE positions.....	43,147,800
Average population.....	236.0
Hawthorn center - psychiatric hospital - children and adolescents— 218.0 FTE positions.....	21,497,600
Average population.....	74.0
Mount Pleasant center - developmental disabilities— 472.7 FTE positions.....	46,936,300
Average population.....	209.0
Center for forensic psychiatry—565.0 FTE positions .....	60,695,900
Average population.....	225.0
Forensic mental health services provided to the department of corrections—316.4 FTE positions.....	38,108,200
Revenue recapture .....	750,000
IDEA, federal special education .....	120,000
Special maintenance and equipment .....	335,300
Purchase of medical services for residents of hospitals and centers...	2,045,600
Closed site, transition, and related costs.....	100
Severance pay .....	216,900
Gifts and bequests for patient living and treatment environment...	1,000,000
GROSS APPROPRIATION .....	\$ 301,441,200
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from the department of corrections.....	38,108,200
Federal revenues:	
Total federal revenues .....	39,520,900
Special revenue funds:	
CMHSP, purchase of state services contracts.....	136,239,300
Other local revenues .....	17,094,400
Total private revenues.....	1,000,000
Total other state restricted revenues .....	11,517,700
State general fund/general purpose .....	\$ 57,960,700

**Public health administration.**

**Sec. 106. PUBLIC HEALTH ADMINISTRATION**

Full-time equated classified positions.....	89.4
Public health administration—11.0 FTE positions.....	\$ 1,708,100
Minority health grants and contracts—3.0 FTE positions .....	1,491,000
Promotion of healthy behaviors .....	1,000,000
Vital records and health statistics—75.4 FTE positions .....	9,947,900
GROSS APPROPRIATION .....	\$ 14,147,000
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from the department of human services...	745,300

	For Fiscal Year Ending Sept. 30, 2008
Federal revenues:	
Total federal revenues .....	\$ 5,012,100
Special revenue funds:	
Total private revenues.....	1,000,000
Total other state restricted revenues .....	5,988,100
State general fund/general purpose .....	\$ 1,401,500

### **Health policy, regulation, and professions.**

#### **Sec. 107. HEALTH POLICY, REGULATION, AND PROFESSIONS**

Full-time equated classified positions .....	423.6
Health systems administration—194.6 FTE positions .....	\$ 22,514,800
Emergency medical services program state staff— 8.5 FTE positions.....	1,471,900
Radiological health administration—21.4 FTE positions .....	2,671,600
Emergency medical services grants and services— 7.0 FTE positions.....	488,700
Health professions—142.0 FTE positions .....	20,950,600
Background check program .....	4,474,400
Health policy, regulation, and professions administration— 30.7 FTE positions.....	5,538,300
Nurse scholarship, education, and research program— 3.0 FTE positions.....	988,700
Certificate of need program administration—14.0 FTE positions ...	1,769,300
Rural health services—1.0 FTE position .....	1,403,800
Michigan essential health provider.....	1,847,100
Primary care services—1.4 FTE positions .....	2,382,700
GROSS APPROPRIATION .....	\$ 66,501,900

#### Appropriated from:

Interdepartmental grant revenues:	
Interdepartmental grant from the department of treasury, Michigan state hospital finance authority.....	116,300
Federal revenues:	
Total federal revenues .....	26,742,100
Special revenue funds:	
Total local revenues.....	227,700
Total private revenues.....	350,000
Total other state restricted revenues .....	30,728,400
State general fund/general purpose .....	\$ 8,337,400

### **Infectious disease control.**

#### **Sec. 108. INFECTIOUS DISEASE CONTROL**

Full-time equated classified positions .....	51.0
AIDS prevention, testing, and care programs— 12.0 FTE positions.....	\$ 37,463,900
Immunization local agreements .....	13,990,300
Immunization program management and field support— 15.0 FTE positions.....	2,003,500

	For Fiscal Year Ending Sept. 30, 2008
Pediatric AIDS prevention and control—1.0 FTE position .....	\$ 1,224,800
Sexually transmitted disease control local agreements.....	3,360,700
Sexually transmitted disease control management and field support—23.0 FTE positions.....	3,676,600
<b>GROSS APPROPRIATION .....</b>	<b>\$ 61,719,800</b>
Appropriated from:	
Federal revenues:	
Total federal revenues .....	40,885,600
Special revenue funds:	
Total private revenues.....	7,997,900
Total other state restricted revenues .....	8,691,400
State general fund/general purpose .....	\$ 4,144,900

**Laboratory services.**

**Sec. 109. LABORATORY SERVICES**

Full-time equated classified positions.....	122.0
Bovine tuberculosis—2.0 FTE positions .....	\$ 500,000
Laboratory services—120.0 FTE positions .....	18,359,100
<b>GROSS APPROPRIATION .....</b>	<b>\$ 18,859,100</b>
Appropriated from:	
Interdepartmental grant revenues:	
Interdepartmental grant from the department of environmental quality .....	440,400
Federal revenues:	
Total federal revenues .....	2,794,600
Special revenue funds:	
Total other state restricted revenues .....	7,984,400
State general fund/general purpose .....	\$ 7,639,700

**Epidemiology.**

**Sec. 110. EPIDEMIOLOGY**

Full-time equated classified positions.....	134.5
AIDS surveillance and prevention program.....	\$ 2,254,100
Asthma prevention and control—2.3 FTE positions.....	1,065,000
Bioterrorism preparedness—76.1 FTE positions .....	50,953,300
Epidemiology administration—41.1 FTE positions.....	6,632,100
Lead abatement program—7.0 FTE positions.....	2,177,700
Newborn screening follow-up and treatment services— 8.0 FTE positions.....	4,409,500
Tuberculosis control and prevention .....	867,000
<b>GROSS APPROPRIATION .....</b>	<b>\$ 68,358,700</b>
Appropriated from:	
Federal revenues:	
Total federal revenues .....	61,210,800
Special revenue funds:	
Total private revenues.....	25,000
Total other state restricted revenues .....	4,871,200
State general fund/general purpose .....	\$ 2,251,700



For Fiscal Year  
Ending Sept. 30,  
2008

**Local health administration and grants.**

**Sec. 111. LOCAL HEALTH ADMINISTRATION AND**

**GRANTS**

Implementation of 1993 PA 133, MCL 333.17015 .....	\$	50,000
Local health services.....		220,000
Local public health operations.....		40,618,400
Medical services cost reimbursement to local health departments...		4,000,000
GROSS APPROPRIATION .....	\$	44,888,400
Appropriated from:		
Federal revenues:		
Total federal revenues .....		4,000,000
Special revenue funds:		
Total local revenues.....		5,150,000
Total other state restricted revenues .....		220,000
State general fund/general purpose .....	\$	35,518,400

**Chronic disease and injury prevention and health promotion.**

**Sec. 112. CHRONIC DISEASE AND INJURY PREVENTION**

**AND HEALTH PROMOTION**

Full-time equated classified positions.....	70.5	
African-American male health initiative .....		\$ 106,700
AIDS and risk reduction clearinghouse and media campaign.....		1,576,000
Alzheimer's information network.....		389,500
Cancer prevention and control program—18.3 FTE positions .....		15,183,500
Chronic disease prevention—10.0 FTE positions.....		4,277,600
Diabetes and kidney program—13.1 FTE positions .....		3,999,500
Health education, promotion, and research programs— 9.3 FTE positions.....		809,000
Injury control intervention project—1.0 FTE position.....		104,500
Michigan Parkinson's foundation .....		50,000
Morris Hood Wayne State University diabetes outreach.....		400,000
Physical fitness, nutrition, and health.....		700,000
Public health traffic safety coordination—1.7 FTE positions.....		356,400
Smoking prevention program—15.1 FTE positions.....		5,720,400
Tobacco tax collection and enforcement .....		610,000
Violence prevention—2.0 FTE positions.....		1,889,500
GROSS APPROPRIATION .....	\$	36,172,600
Appropriated from:		
Federal revenues:		
Total federal revenues .....		19,953,400
Special revenue funds:		
Total private revenues.....		85,000
Total other state restricted revenues .....		14,981,900
State general fund/general purpose .....	\$	1,152,300

**Family, maternal, and children's health services.**

**Sec. 113. FAMILY, MATERNAL, AND CHILDREN'S**

**HEALTH SERVICES**

Full-time equated classified positions.....	54.4	
Childhood lead program—6.8 FTE positions .....		\$ 2,557,500

For Fiscal Year  
Ending Sept. 30,  
2008

Dental programs .....	\$	485,400
Dental program for persons with developmental disabilities.....		151,000
Early childhood collaborative secondary prevention .....		524,000
Family, maternal, and children’s health services administration— 41.6 FTE positions.....		5,090,300
Family planning local agreements .....		9,793,800
Local MCH services .....		7,264,200
Migrant health care.....		272,200
Pregnancy prevention program .....		5,235,400
Prenatal care outreach and service delivery support .....		3,049,300
School health and education programs .....		500,000
Special projects—6.0 FTE positions .....		6,349,700
Sudden infant death syndrome program.....		321,300
GROSS APPROPRIATION .....	\$	41,594,100
Appropriated from:		
Federal revenues:		
Total federal revenues .....		28,300,100
Special revenue funds:		
Total other state restricted revenues .....		8,037,500
State general fund/general purpose .....	\$	5,256,500

**Women, infants, and children food and nutrition program.**

**Sec. 114. WOMEN, INFANTS, AND CHILDREN FOOD**

**AND NUTRITION PROGRAM**

Full-time equated classified positions.....	42.0
Women, infants, and children program administration and special projects—42.0 FTE positions .....	\$ 8,452,100
Women, infants, and children program local agreements and food costs.....	193,273,600
GROSS APPROPRIATION .....	\$ 201,725,700
Appropriated from:	
Federal revenues:	
Total federal revenues .....	148,481,800
Special revenue funds:	
Total private revenues.....	53,243,900
State general fund/general purpose .....	\$ 0

**Children’s special health care services.**

**Sec. 115. CHILDREN’S SPECIAL HEALTH CARE**

**SERVICES**

Full-time equated classified positions.....	45.0
Children’s special health care services administration— 45.0 FTE positions.....	\$ 4,523,100
Amputee program.....	184,600
Bequests for care and services.....	1,514,600
Outreach and advocacy .....	3,773,500
Nonemergency medical transportation.....	1,401,100
Medical care and treatment .....	189,023,400
GROSS APPROPRIATION .....	\$ 200,420,300

For Fiscal Year  
Ending Sept. 30,  
2008

Appropriated from:	
Federal revenues:	
Total federal revenues .....	\$ 99,445,900
Special revenue funds:	
Total private revenues .....	1,000,000
Total other state restricted revenues .....	2,295,000
State general fund/general purpose .....	\$ 97,679,400

### **Office of drug control policy.**

#### **Sec. 116. OFFICE OF DRUG CONTROL POLICY**

Full-time equated classified positions .....	16.0
Drug control policy—16.0 FTE positions .....	\$ 1,747,000
Anti-drug abuse grants .....	8,575,000
Interdepartmental grant to judiciary for drug treatment courts.....	1,800,000
GROSS APPROPRIATION .....	\$ 12,122,000

Appropriated from:	
Federal revenues:	
Total federal revenues .....	11,741,400
State general fund/general purpose .....	\$ 380,600

### **Crime victim services commission.**

#### **Sec. 117. CRIME VICTIM SERVICES COMMISSION**

Full-time equated classified positions .....	10.0
Grants administration services—10.0 FTE positions .....	\$ 1,277,100
Justice assistance grants .....	13,000,000
Crime victim rights services grants.....	11,000,000
Crime victim's rights fund revenue to Michigan state police.....	1,027,300
Crime victim's rights fund revenue to department of human services .....	1,300,000
GROSS APPROPRIATION .....	\$ 27,604,400

Appropriated from:	
Federal revenues:	
Total federal revenues .....	14,998,600
Special revenue funds:	
Total other state restricted revenues .....	12,605,800
State general fund/general purpose .....	\$ 0

### **Office of services to the aging.**

#### **Sec. 118. OFFICE OF SERVICES TO THE AGING**

Full-time equated classified positions .....	36.5
Commission (per diem \$50.00).....	\$ 10,500
Office of services to aging administration—36.5 FTE positions.....	5,347,500
Community services .....	35,204,200
Nutrition services .....	37,922,500
Foster grandparent volunteer program .....	2,813,500
Retired and senior volunteer program .....	790,200
Senior companion volunteer program.....	2,021,200
Employment assistance .....	2,818,300
Respite care program .....	6,800,000
GROSS APPROPRIATION .....	\$ 93,727,900

For Fiscal Year  
Ending Sept. 30,  
2008

Appropriated from:	
Federal revenues:	
Total federal revenues .....	\$ 52,830,000
Special revenue funds:	
Total private revenues .....	152,000
Merit award trust fund .....	5,000,000
Total other state restricted revenues .....	1,967,000
State general fund/general purpose .....	\$ 33,778,900

**Michigan first healthcare plan.**

**Sec. 119. MICHIGAN FIRST HEALTHCARE PLAN**

Michigan first healthcare plan .....	\$ 100,000,000
GROSS APPROPRIATION .....	\$ 100,000,000

Appropriated from:	
Federal revenues:	
Total federal revenues .....	100,000,000
State general fund/general purpose .....	\$ 0

**Medical services administration.**

**Sec. 120. MEDICAL SERVICES ADMINISTRATION**

Full-time equated classified positions .....	362.4
Medical services administration—362.4 FTE positions .....	\$ 68,728,900
Facility inspection contract .....	132,800
MIChild administration .....	4,327,800
Health information technology initiatives .....	5,000,000
GROSS APPROPRIATION .....	\$ 78,189,500

Appropriated from:	
Federal revenues:	
Total federal revenues .....	53,017,900
Special revenue funds:	
Total local revenues .....	5,000
Total other state restricted revenues .....	95,000
State general fund/general purpose .....	\$ 25,071,600

**Medical services.**

**Sec. 121. MEDICAL SERVICES**

Hospital services and therapy .....	\$ 1,316,434,600
Hospital disproportionate share payments .....	50,000,000
Physician services .....	311,159,900
Medicare premium payments .....	346,510,800
Pharmaceutical services .....	285,210,900
Home health services .....	5,600,000
Hospice services .....	85,258,700
Transportation .....	10,653,200
Auxiliary medical services .....	10,000,000
Dental services .....	117,506,500
Ambulance services .....	12,656,100
Long-term care services .....	1,554,146,800
Medicaid home- and community-based services waiver .....	123,800,300
Adult home help services .....	245,762,800
Personal care services .....	30,716,100

	For Fiscal Year Ending Sept. 30, 2008
Program of all-inclusive care for the elderly .....	\$ 11,200,000
Single point of entry .....	14,724,200
Health plan services.....	2,762,069,600
MiChild program .....	38,654,300
Plan first family planning waiver .....	27,109,000
Medicaid adult benefits waiver .....	129,284,900
County indigent care and third share plans .....	88,518,500
Federal Medicare pharmaceutical program.....	186,001,600
Promotion of healthy behavior waiver .....	10,000,000
Maternal and child health.....	20,279,500
Social services to the physically disabled.....	1,344,900
Subtotal basic medical services program .....	7,794,603,200
School-based services.....	83,427,700
Special Medicaid reimbursement.....	253,816,800
Subtotal special medical services payments .....	337,244,500
GROSS APPROPRIATION .....	\$ 8,131,847,700
Appropriated from:	
Federal revenues:	
Total federal revenues .....	4,763,333,500
Special revenue funds:	
Total local revenues.....	62,448,900
Total private revenues.....	400,000
Merit award trust fund.....	139,000,000
Total other state restricted revenues .....	1,491,484,400
State general fund/general purpose .....	\$ 1,675,180,900

**Information technology.**

**Sec. 122. INFORMATION TECHNOLOGY**

Information technology services and projects.....	\$ 35,075,500
Michigan Medicaid information system .....	16,801,100
GROSS APPROPRIATION .....	\$ 51,876,600
Appropriated from:	
Federal revenues:	
Total federal revenues .....	36,769,300
Special revenue funds:	
Total other state restricted revenues .....	3,102,200
State general fund/general purpose .....	\$ 12,005,100

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 2007-2008 is \$4,987,648,000.00 and

state spending from state resources to be paid to local units of government for fiscal year 2007-2008 is \$1,290,792,300.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF COMMUNITY HEALTH

MENTAL HEALTH/SUBSTANCE ABUSE SERVICES

ADMINISTRATION AND SPECIAL PROJECTS

Community residential and support services .....	\$	387,300
Housing and support services .....		695,500
Methamphetamine cleanup fund .....		100,000
Mental health initiatives for older persons .....		1,049,200

COMMUNITY MENTAL HEALTH/SUBSTANCE ABUSE

SERVICES PROGRAMS

State disability assistance program substance abuse services .....	\$	2,509,800
Community substance abuse prevention, education, and treatment programs .....		37,190,500
Medicaid mental health services .....		703,484,300
Community mental health non-Medicaid services .....		319,566,100
Medicaid adult benefits waiver .....		11,732,000
Multicultural services.....		5,763,800
Medicaid substance abuse services.....		15,242,600
Respite services .....		1,000,000
Children's waiver home care program.....		5,734,000
Omnibus budget reconciliation act implementation .....		2,950,500

STATE PSYCHIATRIC HOSPITALS, CENTERS FOR PERSONS WITH DEVELOPMENTAL DISABILITIES, AND FORENSIC AND PRISON MENTAL HEALTH SERVICES

Center for forensic psychiatry .....	\$	290,300
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PUBLIC HEALTH ADMINISTRATION

Minority health grants and contracts .....	\$	100,000
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INFECTIOUS DISEASE CONTROL

AIDS prevention, testing and care programs .....	\$	742,200
Immunization local agreements .....		2,132,000
Sexually transmitted disease control local agreements.....		421,800

LABORATORY SERVICES

Laboratory services .....	\$	55,400
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LOCAL HEALTH ADMINISTRATION AND GRANTS

Implementation of 1993 PA 133 .....	\$	7,700
Local public health operations.....		35,468,400

CHRONIC DISEASE AND INJURY PREVENTION AND HEALTH PROMOTION

Cancer prevention and control program .....	\$	350,000
Diabetes and kidney program .....		345,600
Smoking prevention program.....		1,014,500

## FAMILY, MATERNAL, AND CHILDREN'S HEALTH SERVICES

Childhood lead program .....	\$	136,500
Dental programs .....		25,000
Family planning local agreements .....		360,000
Local MCH services .....		246,100
Pregnancy prevention program .....		2,300,000
Prenatal care outreach and service delivery support .....		650,100
School health and education programs .....		500,000
Special projects .....		378,900

## CHILDREN'S SPECIAL HEALTH CARE SERVICES

Medical care and treatment .....	\$	528,800
Outreach and advocacy .....		1,283,200

## MEDICAL SERVICES

Long-term care services .....	\$	79,760,400
Transportation .....		2,549,300
Medicaid adult benefits waiver .....		9,573,500
Hospital services and therapy .....		4,175,700
Physician services .....		7,879,400
Auxiliary medical services .....		2,061,700

## OFFICE OF SERVICES TO THE AGING

Community services .....	\$	14,854,300
Nutrition services .....		11,447,300
Foster grandparent volunteer program .....		791,700
Retired and senior volunteer program .....		181,300
Senior companion volunteer program .....		241,400
Respite care program .....		3,427,400

## CRIME VICTIM SERVICES COMMISSION

Crime victim rights services grants .....	\$	6,800
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TOTAL OF PAYMENTS TO LOCAL UNITS OF GOVERNMENT ... \$ 1,290,792,300

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

Sec. 202. (1) The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

(2) Funds for which the state is acting as the custodian or agent are not subject to annual appropriation.

**Definitions.**

Sec. 203. As used in this act:

- (a) "AIDS" means acquired immunodeficiency syndrome.
- (b) "CMHSP" means a community mental health services program as that term is defined in section 100a of the mental health code, 1974 PA 258, MCL 330.1100a.
- (c) "Department" means the Michigan department of community health.
- (d) "DSH" means disproportionate share hospital.
- (e) "EPSDT" means early and periodic screening, diagnosis, and treatment.
- (f) "FTE" means full-time equated.

(g) “GME” means graduate medical education.

(h) “Health plan” means, at a minimum, an organization that meets the criteria for delivering the comprehensive package of services under the department’s comprehensive health plan.

(i) “HIV/AIDS” means human immunodeficiency virus/acquired immune deficiency syndrome.

(j) “HMO” means health maintenance organization.

(k) “IDEA” means individuals with disabilities education act.

(l) “IDG” means interdepartmental grant.

(m) “MCH” means maternal and child health.

(n) “MIChild” means the program described in section 1670.

(o) “MSS/ISS” means maternal and infant support services.

(p) “PIHP” means a specialty prepaid inpatient health plan for Medicaid mental health services, services to persons with developmental disabilities, and substance abuse services as described in section 232b of the mental health code, 1974 PA 258, MCL 330.1232b.

(q) “Title XVIII” means title XVIII of the social security act, 42 USC 1395 to 1395hhh.

(r) “Title XIX” means title XIX of the social security act, 42 USC 1396 to 1396v.

(s) “Title XX” means title XX of the social security act, 42 USC 1397 to 1397f.

(t) “WIC” means women, infants, and children supplemental nutrition program.

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

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

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

### **Contingency funds.**

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$100,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$20,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.



(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$20,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

Sec. 208. 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 the Internet or Intranet site.

### **Purchase of foreign goods or services; preference to Michigan 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. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

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

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

### **Carrying forward excess revenue; report.**

Sec. 211. (1) If the revenue collected by the department from fees and collections exceeds the amount appropriated in part 1, the revenue may be carried forward with the approval of the state budget director into the subsequent fiscal year. The revenue carried forward under this section shall be used as the first source of funds in the subsequent fiscal year.

(2) The department shall provide a report to the senate and house appropriations subcommittees on community health and the senate and house fiscal agencies on the balance of each of the restricted funds administered by the department as of September 30, 2008.

### **Federal maternal and child health block grant, preventive health and health services block grant, substance abuse block grant, healthy Michigan fund, and Michigan health initiative funds; report on federal, restricted, private, and local sources of revenue; revenue source detail for consolidated revenue line item detail.**

Sec. 212. (1) From the amounts appropriated in part 1, no greater than the following amounts are supported with federal maternal and child health block grant, preventive health and health services block grant, substance abuse block grant, healthy Michigan fund, and Michigan health initiative funds:

(a) Maternal and child health block grant..... \$ 19,953,100

(b) Preventive health and health services block grant.....	3,670,800
(c) Substance abuse block grant .....	60,627,400
(d) Healthy Michigan fund .....	41,827,600
(e) Michigan health initiative.....	10,525,600

(2) On or before February 1, 2008, the department shall report to the house of representatives and senate appropriations subcommittees on community health, the house and senate fiscal agencies, and the state budget director on the detailed name and amounts of federal, restricted, private, and local sources of revenue that support the appropriations in each of the line items in part 1 of this act.

(3) Upon the release of the fiscal year 2008-2009 executive budget recommendation, the department shall report to the same parties in subsection (2) on the amounts and detailed sources of federal, restricted, private, and local revenue proposed to support the total funds appropriated in each of the line items in part 1 of the fiscal year 2008-2009 executive budget proposal.

(4) The department shall provide to the same parties in subsection (2) all revenue source detail for consolidated revenue line item detail upon request to the department.

**State departments, agencies, and commissions receiving tobacco tax funds and healthy Michigan funds; report.**

Sec. 213. The state departments, agencies, and commissions receiving tobacco tax funds and healthy Michigan funds from part 1 shall report by April 1, 2008, to the senate and house of representatives appropriations committees, the senate and house fiscal agencies, and the state budget director on the following:

- (a) Detailed spending plan by appropriation line item including description of programs and a summary of organizations receiving these funds.
- (b) Description of allocations or bid processes including need or demand indicators used to determine allocations.
- (c) Eligibility criteria for program participation and maximum benefit levels where applicable.
- (d) Outcome measures used to evaluate programs, including measures of the effectiveness of these programs in improving the health of Michigan residents.
- (e) Any other information considered necessary by the house of representatives or senate appropriations committees or the state budget director.

**State-restricted tobacco tax revenue; use for lobbying prohibited.**

Sec. 214. The use of state-restricted tobacco tax revenue received for the purpose of tobacco prevention, education, and reduction efforts and deposited in the healthy Michigan fund shall not be used for lobbying as defined in 1978 PA 472, MCL 4.411 to 4.431, and shall not be used in attempting to influence the decisions of the legislature, the governor, or any state agency.

**Policy changes; adoption of rule applying to small business; definitions.**

Sec. 215. (1) The department shall report no later than April 1, 2008 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.