

Act No. 83
Public Acts of 2011
Approved by the Governor
July 12, 2011
Filed with the Secretary of State
July 13, 2011
EFFECTIVE DATE: July 13, 2011

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2011**

Introduced by Senator Kahn

ENROLLED SENATE BILL No. 138

AN ACT to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2011, from the following funds:

APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$	325,769,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION	\$	325,769,400
Federal revenues:		
Total other federal revenues.....		175,327,600
Special revenue funds:		
Total local revenues.....		(5,018,500)
Total private revenues		407,200
Total other state restricted revenues		23,242,700
State general fund/general purpose	\$	131,810,400

Sec. 102. DEPARTMENT OF COMMUNITY HEALTH

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$	286,500,800
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION	\$	286,500,800
Federal revenues:		
Total other federal revenues.....		195,418,300

Special revenue funds:	
Total local revenues	\$ 0
Total private revenues	807,200
Total other state restricted revenues	(9,887,500)
State general fund/general purpose	\$ 100,162,800
(2) COMMUNITY MENTAL HEALTH/SUBSTANCE ABUSE SERVICES PROGRAMS	
Medicaid mental health services	\$ 118,774,900
Medicaid adult benefits waiver	11,292,200
Medicaid substance abuse services.....	3,758,300
Community substance abuse, prevention, education and treatment programs	2,929,400
GROSS APPROPRIATION	\$ 136,754,800
Appropriated from:	
Federal revenues:	
Total other federal revenues.....	90,508,600
Federal FMAP stimulus (ARRA)	7,758,000
State general fund/general purpose	\$ 38,488,200
(3) FAMILY, MATERNAL, AND CHILDREN'S HEALTH SERVICES	
Dental programs	\$ 60,000
Family, maternal, and children's health services administration.....	684,200
Special projects	857,200
GROSS APPROPRIATION	\$ 1,601,400
Appropriated from:	
Federal revenues:	
Total federal revenues	794,200
Special revenue funds:	
Total private revenues	807,200
State general fund/general purpose	\$ 0
(4) CHILDREN'S SPECIAL HEALTH CARE SERVICES (CSHCS)	
Medical care and treatment	\$ 43,366,800
GROSS APPROPRIATION	\$ 43,366,800
Appropriated from:	
Federal revenues:	
Total other federal revenues.....	24,554,300
State general fund/general purpose	\$ 18,812,500
(5) MEDICAL SERVICES ADMINISTRATION	
Electronic health record incentive program.....	\$ 83,542,000
GROSS APPROPRIATION	\$ 83,542,000
Appropriated from:	
Federal revenues:	
Total other federal revenues.....	82,075,300
State general fund/general purpose	\$ 1,466,700
(6) MEDICAL SERVICES	
Hospital services and therapy	\$ (41,299,700)
Physician services.....	4,198,300
Medicare premium payments	(10,547,100)
Pharmaceutical services	(56,565,000)
Home health services.....	225,100
Auxiliary medical services	(1,466,800)
Dental services.....	(1,404,600)
Ambulance services.....	(705,500)
Long-term care services.....	29,332,100
Medicaid home- and community-based services waiver	0
Adult home help services	(1,196,700)
Personal care services	95,800
Health plan services.....	69,063,300
Medicaid adult benefits waiver	37,023,700
Federal Medicare pharmaceutical program.....	(5,517,100)
Subtotal basic medical services program	21,235,800
GROSS APPROPRIATION	\$ 21,235,800

Appropriated from:	
Federal revenues:	
Total other federal revenues.....	\$ (9,730,100)
Federal FMAP stimulus (ARRA)	(542,000)
Special revenue funds:	
Merit award trust fund.....	(1,987,500)
Total other state restricted revenues	(7,900,000)
State general fund/general purpose	\$ 41,395,400

Sec. 103. DEPARTMENT OF CORRECTIONS

(1) APPROPRIATION SUMMARY

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

(2) CORRECTIONAL FACILITIES - ADMINISTRATION

Pilot public safety program for city of Flint	\$ 1,000,000
GROSS APPROPRIATION	\$ 1,000,000
Appropriated from:	
State general fund/general purpose	\$ 1,000,000

Sec. 104. DEPARTMENT OF HUMAN SERVICES

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$ (30,925,900)
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION	\$ (30,925,900)
Federal revenues:	
Total federal revenues	(23,487,700)
Special revenue funds:	
Total local revenues.....	(5,018,500)
Total private revenues	(400,000)
Total other state restricted revenues	0
State general fund/general purpose	\$ (2,019,700)

(2) CHILDREN'S RIGHTS SETTLEMENT

Foster care payments	\$ (12,314,600)
Child care fund.....	(11,032,400)
Adoption subsidies.....	(10,445,200)
GROSS APPROPRIATION	\$ (33,792,200)

Appropriated from:	
Federal revenues:	
Total other federal revenues.....	(27,631,000)
Special revenue funds:	
Private - collections	(400,000)
Local funds - county chargeback	(5,018,500)
State general fund/general purpose	\$ (742,700)

(3) PUBLIC ASSISTANCE

Family independence program.....	\$ (5,260,100)
State disability assistance payments	(2,612,800)
State supplementation	1,335,800

	For Fiscal Year Ending Sept. 30, 2011
Licensed and registered child development and care.....	\$ 8,198,800
Enrolled child development and care.....	<u>1,204,600</u>
GROSS APPROPRIATION	\$ 2,866,300
Appropriated from:	
Federal revenues:	
Total other federal revenues.....	4,143,300
State general fund/general purpose	\$ (1,277,000)

**Sec. 105. DEPARTMENT OF STATE POLICE
(1) APPROPRIATION SUMMARY**

GROSS APPROPRIATION	\$ 750,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION	\$ 750,000
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	0
Total other state restricted revenues	0
State general fund/general purpose	\$ 750,000
(2) EMERGENCY MANAGEMENT	
Disaster contingency fund.....	\$ 750,000
GROSS APPROPRIATION	<u>\$ 750,000</u>
Appropriated from:	
State general fund/general purpose	\$ 750,000

**Sec. 106. STATE TRANSPORTATION DEPARTMENT
(1) APPROPRIATION SUMMARY**

GROSS APPROPRIATION	\$ 3,397,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION	\$ 3,397,000
Federal revenues:	
Total federal revenues	3,397,000
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	0
Total other state restricted revenues	0
State general fund/general purpose	\$ 0
(2) AIRPORT IMPROVEMENT PROGRAMS	
Airport safety, protection, and improvement program (ARRA).....	\$ 3,397,000
GROSS APPROPRIATION	<u>\$ 3,397,000</u>
Appropriated from:	
Federal revenues:	
DOT, federal aviation administration, grants-in-aid for airports (ARRA)	3,397,000
State general fund/general purpose	\$ 0

**Sec. 107. DEPARTMENT OF TREASURY
(1) APPROPRIATION SUMMARY**

GROSS APPROPRIATION	\$ 65,047,500
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION	\$ 65,047,500
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	0
Total other state restricted revenues	33,130,200
State general fund/general purpose	\$ 31,917,300

(2) TAX PROGRAMS	
Tax plan implementation	\$ 31,917,300
GROSS APPROPRIATION	\$ 31,917,300
Appropriated from:	
State general fund/general purpose	\$ 31,917,300
(3) REVENUE SHARING	
Constitutional state general revenue sharing grants	\$ 18,792,100
Statutory state general revenue sharing grants	14,338,100
GROSS APPROPRIATION	\$ 33,130,200
Appropriated from:	
Special revenue funds:	
Sales tax	33,130,200
State general fund/general purpose	\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending from state resources in this appropriation act for the fiscal year ending September 30, 2011 is \$155,053,100.00 and state appropriations paid to local units of government are \$78,004,600.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

Medicaid mental health services	\$ 34,159,700
Medicaid adult benefits waiver (Mental health services).....	3,247,600
Medicaid substance abuse services.....	1,080,900
Medicaid adult benefits waiver (Medical health services)	1,268,600
Child care fund.....	5,117,600
Constitutional state general revenue sharing grants	18,792,100
Statutory state general revenue sharing grants	14,338,100
TOTAL.....	\$ 78,004,600

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

Sec. 203. (1) In addition to the funds appropriated in part 1, there is appropriated an amount equal to any additional federal funding awarded to this state through recalculation of formulas and under the redistribution provisions of the American recovery and reinvestment act of 2009, Public Law 111-5.

(2) Within 30 days of receiving such an award, a department shall report to the senate and house appropriations subcommittees, senate and house fiscal agencies, state budget director, and the governor on the amount of funds received and the purposes for which they will be spent.

Sec. 204. The unexpended funds from appropriations in part 1 designated as ARRA funding and any unencumbered or unallotted funds from those appropriations 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 purposes of the projects to be carried forward are to protect and invest in the natural resources, infrastructure, and people of the state of Michigan in accordance with the provisions of the American recovery and reinvestment act of 2009, Public Law 111-5.

(b) The projects will be accomplished by state employees and 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, 2013.

Sec. 205. (1) In a form and manner determined by the recipient department, local governments and other eligible subrecipients receiving funds through this act shall comply with all requirements corresponding to the receipt of funds, including, but not limited to, any certifications, assurances, and accountability and transparency provisions required in the American recovery and reinvestment act of 2009, Public Law 111-5.

(2) Funds appropriated in part 1 may be transferred to subrecipient state departments or agencies in an interdepartmental grant consistent with the requirements of the American recovery and reinvestment act of 2009, Public Law 111-5.

CAPITAL OUTLAY

Sec. 250. The cost to construct the Bay City state police post project, initially authorized for construction in 2008 PA 278, and subsequently adjusted in 2010 PA 27, is hereby increased by \$500,000.00, from \$3,200,000.00 to \$3,700,000.00 (total state building authority share \$3,699,900.00, state general fund share \$100.00).

DEPARTMENT OF CORRECTIONS

Sec. 271. As a condition for expending money appropriated in 2010 PA 188, the department of corrections shall give state employees the opportunity to bid on contracts that privatize services that are or were provided by state employees. If the contract is awarded to any state employee, he or she ceases being an employee of the state.

Sec. 272. Any contract for prisoner telephone services shall impose fee schedules for prisoner telephone calls that are no greater than the fee schedules for standard calls placed by residential users in the area surrounding the correctional facility.

DEPARTMENT OF STATE

Sec. 301. (1) Unexpended and unencumbered amounts of funds remaining in accounts appropriated in section 401 of 2007 PA 142, for implementing the help America vote act of 2002, 42 USC 15301 to 15545, for the secretary of state shall be reappropriated for the fiscal year ending September 30, 2011 in an appropriation line item entitled help America vote act.

(2) The funds shall remain available for expenditure to implement provisions of the help America vote act of 2002, 42 USC 15301 to 15545, section 37 of the Michigan election law, 1954 PA 116, MCL 168.37, and other election reforms. Consistent with the help America vote act of 2002, 42 USC 15301 to 15545, the unexpended funds reappropriated into the help America vote act line item are considered work project appropriations and any unencumbered or unallotted funds are carried over into succeeding fiscal years. 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 project is to implement provisions of the help America vote act of 2002, 42 USC 15301 to 15545, section 37 of the Michigan election law, 1954 PA 116, MCL 168.37, and other election reforms.

(b) These projects will be accomplished by state employees, by contracts with private vendors, or by grants to local units of government.

(c) The total estimated cost of these projects is \$7,705,300.00.

(d) The tentative completion date for these projects is September 30, 2015.

DEPARTMENT OF STATE POLICE

Sec. 351. (1) The appropriation in part 1 to the disaster contingency fund is made pursuant to section 18 of the emergency management act, 1976 PA 390, MCL 30.418.

(2) Up to \$250,000.00 is appropriated out of the disaster contingency fund for disaster assistance related to the state of emergency declared for the disaster in the city of Battle Creek and Calhoun County on May 29, 2011. An expenditure under this subsection shall be made only for purposes specifically authorized under the emergency management act, 1976 PA 390, MCL 30.401 to 30.421. The department of state police shall notify the house and senate appropriations subcommittees on state police and the house and senate fiscal agencies immediately upon expenditure of any funds under this subsection.

DEPARTMENT OF TREASURY

Sec. 401. (1) Unexpended and unencumbered amounts of funds remaining in accounts appropriated in part 1 for implementing the changes to the income tax act of 1967, 1967 PA 281, MCL 206.1 to 206.713, as amended by 2011 PA 38, shall be carried forward from the fiscal year ending September 30, 2011.

(2) The funds shall remain available for expenditure to implement provisions of the corporate income tax and changes to the individual income tax. The unexpended funds are considered work project appropriations and any unencumbered or unallotted funds are carried over into succeeding fiscal years. 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 project is to implement provisions of the income tax act of 1967, 1967 PA 281, MCL 206.1 to 206.713, as amended by 2011 PA 38.

(b) These projects will be accomplished by state employees or by contracts with private vendors.

(c) The total estimated cost of these projects is \$31,917,300.00.

(d) The estimated completion date for these projects is September 30, 2012.

REPEALERS

Enacting section 1. Sections 207, 207a, 219, and 919 of 2010 PA 188 are repealed.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

.....
Governor