

Act No. 236
Public Acts of 2012
Approved by the Governor
June 29, 2012
Filed with the Secretary of State
June 29, 2012
EFFECTIVE DATE: June 29, 2012

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012**

Introduced by Senator Kahn

ENROLLED SENATE BILL No. 871

AN ACT to make, supplement, and adjust appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2012; 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 the various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2012, from the following funds:

APPROPRIATION SUMMARY

Full-time equated classified positions.....	172.0		
GROSS APPROPRIATION		\$	(218,415,200)
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers.....			733,100
ADJUSTED GROSS APPROPRIATION		\$	(219,148,300)
Federal revenues:			
Total federal revenues			(85,555,200)
Special revenue funds:			
Total local revenues.....			(747,800)
Total private revenues			876,100
Total other state restricted revenues			34,175,100
State general fund/general purpose		\$	(167,896,500)

Sec. 102. DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION		\$	140,000
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers.....			0
ADJUSTED GROSS APPROPRIATION		\$	140,000
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.....	\$ 140,000
(2) ANIMAL INDUSTRY	
Animal disease prevention and response.....	\$ 140,000
GROSS APPROPRIATION.....	\$ 140,000
Appropriated from:	
State general fund/general purpose.....	\$ 140,000

Sec. 103. DEPARTMENT OF ATTORNEY GENERAL

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION.....	\$ 933,100
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	733,100
ADJUSTED GROSS APPROPRIATION.....	\$ 200,000
Federal revenues:	
Total federal revenues.....	0
Special revenue funds:	
Total local revenues.....	100,000
Total private revenues.....	0
Total other state restricted revenues.....	100,000
State general fund/general purpose.....	\$ 0

(2) ATTORNEY GENERAL OPERATIONS

Attorney general operations.....	\$ 933,100
GROSS APPROPRIATION.....	\$ 933,100
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDCH, medical services administration.....	453,100
IDG from MDLARA, unlicensed builders.....	155,000
IDG from DLARA, fireworks safety fund.....	125,000
Special revenue funds:	
Local contingency revenues.....	100,000
Health insurance claims assessment fund.....	100,000
State general fund/general purpose.....	\$ 0

Sec. 104. DEPARTMENT OF COMMUNITY HEALTH

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION.....	\$ (208,602,600)
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION.....	\$ (208,602,600)
Federal revenues:	
Total federal revenues.....	(106,792,800)
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	982,100
Total other state restricted revenues.....	12,533,600
State general fund/general purpose.....	\$ (115,325,500)

(2) COMMUNITY MENTAL HEALTH/SUBSTANCE ABUSE SERVICES PROGRAMS

Medicaid mental health services.....	\$ (83,347,200)
Medicaid substance abuse services.....	(2,096,300)
GROSS APPROPRIATION.....	\$ (85,443,500)
Appropriated from:	
Federal revenues:	
Total federal revenues.....	(56,512,300)
State general fund/general purpose.....	\$ (28,931,200)

(3) HEALTH POLICY	
Primary care services	\$ 289,000
GROSS APPROPRIATION	<u>\$ 289,000</u>
Appropriated from:	
Federal revenues:	
Federal revenues (ARRA).....	289,000
State general fund/general purpose	\$ 0
(4) FAMILY, MATERNAL, AND CHILDREN'S HEALTH SERVICES	
Dental programs	\$ 273,600
Family, maternal, and children's health services administration.....	569,000
Special projects	139,500
GROSS APPROPRIATION	<u>\$ 982,100</u>
Appropriated from:	
Special revenue funds:	
Total private revenues	982,100
State general fund/general purpose	\$ 0
(5) CHILDREN'S SPECIAL HEALTH CARE SERVICES	
Medical care and treatment	\$ (10,885,300)
GROSS APPROPRIATION	<u>\$ (10,885,300)</u>
Appropriated from:	
Federal revenues:	
Total federal revenues	(7,199,500)
State general fund/general purpose	\$ (3,685,800)
(6) MEDICAL SERVICES	
Hospital services and therapy	\$ 107,637,400
Physician services.....	15,620,200
Medicare premium payments	(8,417,700)
Pharmaceutical services	(38,717,500)
Home health services.....	(2,482,600)
Hospice services.....	(35,606,000)
Transportation.....	1,295,300
Auxiliary medical services.....	(2,597,500)
Dental services.....	(1,031,800)
Ambulance services.....	569,000
Long-term care services.....	30,332,900
Medicaid home- and community-based services waiver	3,837,500
Adult home help services.....	967,200
Health plan services.....	(183,995,600)
MIChild program.....	10,642,300
Medicaid adult benefits waiver	(2,466,600)
Federal Medicare pharmaceutical program.....	(9,131,400)
Subtotal basic medical services program	(113,544,900)
GROSS APPROPRIATION	<u>\$ (113,544,900)</u>
Appropriated from:	
Federal revenues:	
Total federal revenues	(43,370,000)
Special revenue funds:	
Total other state restricted revenues	12,533,600
State general fund/general purpose	\$ (82,708,500)
 Sec. 105. DEPARTMENT OF EDUCATION	
(1) APPROPRIATION SUMMARY	
GROSS APPROPRIATION	\$ 10,000,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION	<u>\$ 10,000,000</u>

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	\$	10,000,000
(2) EDUCATION ACHIEVEMENT AUTHORITY		
Education achievement authority	\$	<u>10,000,000</u>
GROSS APPROPRIATION	\$	10,000,000
Appropriated from:		
State general fund/general purpose	\$	10,000,000

Sec. 106. DEPARTMENT OF ENVIRONMENTAL QUALITY

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$	10,042,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	10,042,100
Federal revenues:		
Total federal revenues		0
Special revenue funds:		
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		10,042,100
State general fund/general purpose	\$	0
FUND SOURCE SUMMARY		
GROSS APPROPRIATION	\$	10,042,100
Special revenue funds:		
Environmental protection bond fund		9,932,100
Great Lakes fund		50,000
Submerged log recovery fund		60,000
State general fund/general purpose	\$	0

(2) WATER RESOURCE DIVISION

Land and water interface permit programs	\$	<u>110,000</u>
GROSS APPROPRIATION	\$	110,000
Appropriated from:		
Special revenue funds:		
Great Lakes fund		50,000
Submerged log recovery fund		60,000
State general fund/general purpose	\$	0

(3) REMEDIATION DIVISION

Environmental cleanup and redevelopment program	\$	<u>9,932,100</u>
GROSS APPROPRIATION	\$	9,932,100
Appropriated from:		
Special revenue funds:		
Environmental protection bond fund		9,932,100
State general fund/general purpose	\$	0

Sec. 107. DEPARTMENT OF HUMAN SERVICES

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$	(55,448,500)
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	(55,448,500)
Federal revenues:		
Total federal revenues		21,237,600

Special revenue funds:	
Total local revenues	\$ (847,800)
Total private revenues	(106,000)
Total other state restricted revenues	0
State general fund/general purpose	\$ (75,732,300)
(2) CHILD WELFARE SERVICES	
Foster care payments	\$ (10,597,700)
Guardianship assistance program	662,900
Child care fund	(17,737,200)
Adoption subsidies	(6,374,100)
GROSS APPROPRIATION	\$ (34,046,100)
Appropriated from:	
Federal revenues:	
Total federal revenues	(8,762,400)
Special revenue funds:	
Private - collections	(106,000)
Local funds - county chargeback	(847,800)
State general fund/general purpose	\$ (24,329,900)
(3) PUBLIC ASSISTANCE	
Family independence program	\$ (51,686,000)
Family independence program - litigation payments	30,000,000
State disability assistance payments	177,800
State supplementation	105,800
GROSS APPROPRIATION	\$ (21,402,400)
Appropriated from:	
Federal revenues:	
Total other federal revenues	30,000,000
State general fund/general purpose	\$ (51,402,400)

Sec. 108. JUDICIARY

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$ 171,300
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	0
ADJUSTED GROSS APPROPRIATION	\$ 171,300
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	(1,800,000)
State general fund/general purpose	\$ 1,971,300
(2) JUSTICES' AND JUDGES' COMPENSATION	
Full-time judges positions	2.0
Probate court judges' state base salaries	\$ 0
Probate court judicial salary standardization	0
Circuit court judges' state base salaries	0
Circuit court judicial salary standardization	0
Court of appeals judges' salaries—2.0 judges	151,500
Judges' retirement system defined contributions	10,600
OASI, social security	9,200
GROSS APPROPRIATION	\$ 171,300
Appropriated from:	
Special revenue funds:	
Court fee fund	(1,800,000)
State general fund/general purpose	\$ 1,971,300

Sec. 109. DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

(1) APPROPRIATION SUMMARY

Full-time equated classified positions.....	2.0	
GROSS APPROPRIATION		\$ 150,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION		\$ 150,000
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		\$ 150,000

(2) DEPARTMENTAL ADMINISTRATION

Full-time equated classified positions.....	2.0	
Administrative services—2.0 FTE positions.....		\$ 150,000
GROSS APPROPRIATION		\$ 150,000
Appropriated from:		
State general fund/general purpose		\$ 150,000

Sec. 110. DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

(1) APPROPRIATION SUMMARY

Full-time equated classified positions.....	170.0	
GROSS APPROPRIATION		\$ 4,200,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION		\$ 4,200,000
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		\$ 4,200,000

(2) HOMES

Full-time equated classified positions.....	170.0	
Homes		\$ 4,200,000
GROSS APPROPRIATION		\$ 4,200,000
Appropriated from:		
State general fund/general purpose		\$ 4,200,000
Schedule of programs:		
Grand Rapids veterans' home	4,200,000	

Sec. 111. DEPARTMENT OF NATURAL RESOURCES

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION		\$ 5,500,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION		\$ 5,500,000
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		\$ 5,500,000

(2) DEPARTMENT INITIATIVES	
Summer youth initiative.....	\$ 2,000,000
GROSS APPROPRIATION	\$ 2,000,000
Appropriated from:	
State general fund/general purpose	\$ 2,000,000
(3) FOREST MANAGEMENT DIVISION	
Wildfire protection.....	\$ 3,500,000
GROSS APPROPRIATION	\$ 3,500,000
Appropriated from:	
State general fund/general purpose	\$ 3,500,000
 Sec. 112. DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET	
(1) APPROPRIATION SUMMARY	
GROSS APPROPRIATION	\$ 200,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION	\$ 200,000
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	\$ 200,000
(2) CAPITAL OUTLAY	
Institutional roads program.....	\$ 200,000
GROSS APPROPRIATION	\$ 200,000
Appropriated from:	
State general fund/general purpose	\$ 200,000
 Sec. 113. DEPARTMENT OF TREASURY	
(1) APPROPRIATION SUMMARY	
GROSS APPROPRIATION	\$ 14,299,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers.....	0
ADJUSTED GROSS APPROPRIATION	\$ 14,299,400
Federal revenues:	
Total federal revenues	0
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	0
Total other state restricted revenues	13,299,400
State general fund/general purpose	\$ 1,000,000
(2) PAYMENTS IN LIEU OF TAXES	
Commercial forest reserve.....	\$ 195,300
Purchased lands	600,800
Swamp and tax reverted lands	503,300
GROSS APPROPRIATION	\$ 1,299,400
Appropriated from:	
Special revenue funds:	
Game and fish protection fund	273,600
Michigan state waterways fund	25,800
State general fund/general purpose	\$ 1,000,000
(3) MICHIGAN STRATEGIC FUND	
Land bank fast track authority - bond finance	\$ 3,000,000
GROSS APPROPRIATION	\$ 3,000,000

For Fiscal Year
Ending Sept. 30,
2012

Appropriated from:	
Special revenue funds:	
Land reutilization fund	\$ 3,000,000
State general fund/general purpose	\$ 0
(4) REVENUE SHARING	
Competitive grant assistance program.....	\$ 10,000,000
GROSS APPROPRIATION	\$ 10,000,000
Appropriated from:	
Special revenue funds:	
Sales tax	10,000,000
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, 2012 is \$(133,721,400.00) and state appropriations paid to local units of government are \$(36,468,400.00). The itemized statement below identifies appropriations from which spending to local units of government will occur:

Medicaid mental health services	(28,221,400)
Medicaid substance abuse services.....	(709,800)
Child care fund.....	(17,737,200)
Institutional roads program.....	200,000
Education Achievement authority.....	10,000,000
Payments in lieu of taxes	1,299,400
Competitive grant assistance program.....	\$ 10,000,000
TOTAL.....	\$ (25,169,000)

Sec. 202. The appropriations made and expenditures authorized under this act and the departments, commissions, boards, offices, and programs for which appropriations are made under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

DEPARTMENT OF COMMUNITY HEALTH

Sec. 221. If the department of community health changes the Medicaid prescription pricing methodology to actual or average acquisition cost, the department shall conduct a cost of dispensing survey unless the centers for Medicare and Medicaid services conducts a national, regional, or state survey for cost of dispensing. Upon making the change, the department of community health shall evaluate and, if appropriate, make a recommendation to the senate and house of representatives appropriations subcommittees on community health and the senate and house fiscal agencies to adjust the Medicaid pharmacy dispensing fee.

Sec. 223. The department's "Employment Works!" policy for seriously mentally ill and developmentally disabled individuals shall define "competitive employment" and "integrated setting" using the definitions of those terms as listed in 34 CFR 361.

Sec. 224. If the department of community health opens enrollment in the Medicaid adult benefits waiver program, the department of community health shall establish a system to ensure that program enrollment does not exceed the average annual federally approved enrollment level and that expenditures for the program do not exceed the fiscal year 2011-2012 Medicaid adult benefits waiver appropriation amount.

DEPARTMENT OF ENVIRONMENTAL QUALITY

Sec. 231. The unexpended funds appropriated in part 1 for environmental cleanup and redevelopment 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 project 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 \$9,932,100.00.
- (d) The tentative completion date is September 30, 2016.

Sec. 232. The funds appropriated in part 1 for environmental cleanup and redevelopment shall be used to fund cleanup activities on the following sites:

Site Name	County
Wayland Recycling, Inc.	Allegan
National Gypsum	Alpena
Wickes Manufacturing TCE Plume	Antrim
Tar Lake	Antrim
Kavco LF	Barry
Bendix Corp./Allied Automotive	Berrien
U.S. Aviox	Cass
Charlevoix Mun Well Field (PCE)	Charlevoix
Parsons Chemical Works, Inc.	Eaton
Petoskey Municipal Well Field	Emmet
Petrolane Former Petoskey	Emmet
Gladwin Bulk Oil Plant State St	Gladwin
Gratiot County Landfill	Gratiot
Adams Plating	Ingham
Whites Bridge Rd Area	Ionia
WAFB Entire Site	Iosco
Allied Paper/Portage Crk/Kalamazoo River	Kalamazoo
Schoolcraft Area Organics Contam	Kalamazoo
Former Autostyle Plastics, Inc.	Kent
Harvard Area GW Contamination	Kent
Wash King Laundry	Lake
Shiawassee River	Livingston
Industrial Plating Area	Mason
Mason County Landfill	Mason
Tittabawasee River	Midland
Bofors Nobel, Inc.	Muskegon
Duell & Gardner Landfill	Muskegon
Broton Road Area GW Contamination	Muskegon
Ruddiman Creek Drum Dump	Muskegon
House of Imports	Oakland
Sanicem LF J Fons Co	Oakland
Hoskins Manufacturing	Oscoda
B&J Industrial Finishing	Ottawa
Penske FL Ottawa Co	Ottawa
MDOT M13 Ramps	Saginaw
Belgravia (Factory Condominium)	Van Buren
Armen Cleaners	Washtenaw
Northline Drum Site	Wayne
Mitchell Bentley - Cadillac	Wexford
Rexair	Wexford

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

Sec. 271. Any unexpended amounts appropriated in part 1 for administrative services and any unencumbered or unallotted funds are considered work project appropriations and are available for expenditure in 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 carry out the provisions of the autism coverage reimbursement program, as established in the autism coverage reimbursement act, 2012 PA 101.
- (b) The projects will be accomplished by state employees and by contract.
- (c) The total estimated cost of the project is \$150,000.00.
- (d) The tentative completion date is September 30, 2013.

DEPARTMENT OF NATURAL RESOURCES

Sec. 301. (1) From the funds appropriated in part 1, the department shall award funds to nongovernment organizations that specialize in the employment of at-risk youth in Detroit, Flint, Saginaw, and Pontiac. The department may utilize the funding to have the at-risk youth participate in outdoor recreation activities consistent with the department's mission. The funds shall be awarded in a form and manner prescribed by the department.

(2) As used in this section:

- (a) "At-risk youth" means individuals between the ages of 16 and 19 who are eligible for the free school lunch program.
- (b) "Department" means the department of natural resources.

Sec. 302. The funding appropriated in part 1 to the department of natural resources for wildfire protection shall be used for costs associated with the state of disaster in Luce County and Schoolcraft County due to the Duck Lake wildfire.

Sec. 303. In the event that Federal Emergency Management Agency (FEMA) reimbursement is approved, the federal revenue shall be deposited into the general fund.

DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET

Sec. 351. From the funds appropriated in part 1 for the institutional roads program, the department shall allocate not more than \$200,000.00 for a project at Montcalm Community College.

DEPARTMENT OF TREASURY

Sec. 401. From the funds appropriated in part 1 for the competitive grant assistance program, \$5,000,000.00 is to be used for grants to cities, villages, townships, and counties to offset the costs associated with mergers, interlocal agreements, and cooperative efforts for those cities, villages, townships, and counties that elect to combine government operations. The remaining \$5,000,000.00 is to be used for grants to cities, villages, townships, and counties to offset the costs of mergers, interlocal agreements, and cooperative efforts for those cities, villages, townships, and counties that elect to combine public safety operations. Grant funding shall be available for mergers, interlocal agreements, and cooperative efforts that occur on or after October 1, 2011. The department of treasury shall develop an application process and method of grant distribution.

Sec. 402. (1) The Michigan strategic fund shall not expend any state appropriations for construction planning or construction of the Detroit River International Crossing or a renamed successor. In addition, except as provided in subsection (3), the Michigan strategic fund shall not commit the state to any new contract related to the construction planning or construction of the Detroit River International Crossing or a renamed successor unless the legislature has enacted specific enabling legislation to allow for the construction of the Detroit River International Crossing or a renamed successor, and the department of transportation has completed the Gateway project.

(2) On or before March 31, 2013, the Michigan strategic fund shall report to the state budget director, the house and senate appropriations subcommittees on general government, and the house and senate fiscal agencies on Michigan strategic fund activities related to the Detroit River International Crossing or a renamed successor.

(3) If the legislature enacts specific enabling legislation for the construction of the Detroit River International Crossing or a renamed successor, subsection (1) does not apply once the enabling legislation goes into effect.

Sec. 403. It is the intent of the legislature that \$15,000,000.00 be appropriated in FY 2012-13 for the agricultural disaster loan origination program defined in House Bill No. 5717 of the 96th Legislature.

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

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Governor