

**STATE OF MICHIGAN  
93RD LEGISLATURE  
REGULAR SESSION OF 2005**

Introduced by Senators Switalski and Emerson

# ENROLLED SENATE BILL No. 272

AN ACT to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2006; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

*The People of the State of Michigan enact:*

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, the legislative branch, and certain other state purposes, for the fiscal year ending September 30, 2006, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**TOTAL GENERAL GOVERNMENT**

APPROPRIATION SUMMARY:

Full-time equated unclassified positions .....	48.0	
Full-time equated classified positions .....	7,061.4	
GROSS APPROPRIATION .....		\$ 2,914,403,600
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		573,818,400
ADJUSTED GROSS APPROPRIATION .....		\$ 2,340,585,200

Federal revenues:	
Total federal revenues .....	\$ 52,977,000
Special revenue funds:	
Total local revenues .....	2,725,400
Total private revenues.....	550,100
Total other state restricted revenues .....	1,687,569,800
State general fund/general purpose .....	\$ 596,762,900

**Sec. 102. DEPARTMENT OF ATTORNEY GENERAL**

**(1) APPROPRIATION SUMMARY**

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions.....	560.0
GROSS APPROPRIATION.....	\$ 64,720,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	13,408,400
ADJUSTED GROSS APPROPRIATION.....	\$ 51,312,000
Federal revenues:	
Total federal revenues .....	8,799,400
Special revenue funds:	
Total local revenues .....	0
Total private revenues.....	0
Total other state restricted revenues .....	11,011,400
State general fund/general purpose .....	\$ 31,501,200

**(2) ATTORNEY GENERAL OPERATIONS**

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions.....	560.0
Attorney general .....	124,900
Unclassified positions—5.0 FTE positions .....	476,300
Attorney general operations—520.0 FTE positions.....	58,975,800
Child support enforcement—25.0 FTE positions.....	2,336,400
Prosecuting attorneys coordinating council—15.0 FTE positions .....	1,780,100
PACC, training project.....	325,000
GROSS APPROPRIATION.....	\$ 64,018,500

Appropriated from:

Interdepartmental grant revenues:	
IDG from MDCH, health services .....	1,690,200
IDG from MDHS .....	2,928,000
IDG from MDLEG, financial and insurance services .....	1,016,100
IDG from MDLEG, public utility assessments .....	1,869,300
IDG from MDMB, risk management revolving fund.....	1,256,800
IDG from MDOT, comprehensive transportation fund .....	145,900
IDG from MDOT, state aeronautics fund .....	144,000
IDG from MDOT, state trunkline fund .....	2,861,400
IDG from MDSP, Michigan justice training fund.....	325,000
IDG from Michigan gaming control board .....	931,700
IDG from treasury, land reutilization fund.....	240,000
Federal revenues:	
DAG, state administrative match grant/food stamps .....	368,800
DED-OPSE, student loan, federal lender allowance .....	304,600
DOL-ETA, unemployment insurance .....	1,488,100
DOL-OSHA, occupational safety and health .....	261,300
EPA, multiple grants .....	267,100
Federal funds .....	2,049,800
HHS, medical assistance, medigrant.....	597,400
HHS-OS, state Medicaid fraud control units.....	3,462,300
Special revenue funds:	
Antitrust enforcement collections .....	595,600
Attorney general's operations fund.....	797,300

	For Fiscal Year Ending Sept. 30, 2006
Auto repair facilities fees .....	\$ 214,500
Collections revenue .....	649,800
Corporate fees and security fees .....	140,300
Environmental response fund .....	723,300
Franchise fees .....	268,800
Game and fish protection fund .....	704,600
Liquor purchase revolving fund.....	943,400
Manufactured housing fees .....	209,200
Michigan state housing development authority fees.....	525,300
Oil and gas privilege fee revenue .....	159,500
Prisoner reimbursement.....	421,800
Prosecuting attorneys training fees .....	340,000
Real estate enforcement fund .....	226,000
Retirement funds.....	694,300
Second injury fund .....	951,000
Self-insurers security fund.....	160,500
Silicosis and dust disease fund .....	490,800
State building authority revenue.....	90,100
State hospital authority.....	340,000
State lottery fund .....	228,000
Tobacco settlement trust fund .....	386,800
Utility consumers fund .....	513,100
Waterways fund.....	92,000
Worker's compensation administrative revolving fund.....	145,400
State general fund/general purpose .....	\$ 30,799,300
<b>(3) INFORMATION TECHNOLOGY</b>	
Information technology services and projects.....	\$ 701,900
<b>GROSS APPROPRIATION.....</b>	<b>\$ 701,900</b>
Appropriated from:	
State general fund/general purpose .....	\$ 701,900
 <b>Sec. 103. DEPARTMENT OF CIVIL RIGHTS</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
Full-time equated unclassified positions .....	5.0
Full-time equated classified positions.....	136.0
<b>GROSS APPROPRIATION.....</b>	<b>\$ 13,158,500</b>
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
<b>ADJUSTED GROSS APPROPRIATION.....</b>	<b>\$ 13,158,500</b>
Federal revenues:	
Total federal revenues .....	1,049,800
Special revenue funds:	
Total local revenues .....	0
Total private revenues.....	0
Total other state restricted revenues .....	0
State general fund/general purpose .....	\$ 12,108,700
<b>(2) CIVIL RIGHTS OPERATIONS</b>	
Full-time equated unclassified positions .....	5.0
Full-time equated classified positions.....	136.0
Unclassified positions—5.0 FTE positions.....	264,100
Civil rights operations—136.0 FTE positions .....	12,110,300
Human resources optimization user charges.....	29,500
<b>GROSS APPROPRIATION.....</b>	<b>\$ 12,403,900</b>
Appropriated from:	
Federal revenues:	
EEOC, state and local antidiscrimination agency contracts.....	650,000
HUD, grant.....	399,800
State general fund/general purpose .....	\$ 11,354,100

**(3) INFORMATION TECHNOLOGY**

Information technology services and projects.....	\$	754,600
GROSS APPROPRIATION.....	\$	754,600
Appropriated from:		
State general fund/general purpose .....	\$	754,600

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

**(1) APPROPRIATION SUMMARY**

Full-time equated classified positions.....		240.5
GROSS APPROPRIATION.....	\$	35,941,600
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		5,670,900
ADJUSTED GROSS APPROPRIATION.....	\$	30,270,700
Federal revenues:		
Total federal revenues .....		4,779,100
Special revenue funds:		
Total local revenues .....		1,700,000
Total private revenues.....		150,000
Total other state restricted revenues.....		16,539,200
State general fund/general purpose .....	\$	7,102,400

**(2) CIVIL SERVICE OPERATIONS**

Full-time equated classified positions.....		240.5
Agency services—109.5 FTE positions .....		11,151,300
Human resources/administrative support—45.0 FTE positions .....		9,195,400
Employee benefits—31.0 FTE positions .....		5,660,900
Audit and compliance—25.0 FTE positions.....		2,845,600
Training .....		1,300,000
Human resources optimization—30.0 FTE positions.....		2,000,000
GROSS APPROPRIATION.....	\$	32,153,200
Appropriated from:		
Interdepartmental grant revenues:		
IDG, training charges .....		1,300,000
IDG, 1% special funds.....		1,300,000
IDG, human resources optimization user charges.....		2,000,000
Federal revenues:		
Federal funds 1% .....		3,637,100
Special revenue funds:		
Local funds 1% .....		1,700,000
Private funds 1%.....		150,000
Freedom of information fees .....		1,100
State restricted funds 1%.....		7,274,500
State sponsored group insurance.....		2,650,000
State sponsored group insurance, flexible spending accounts and COBRA.....		5,660,900
State general fund/general purpose .....	\$	6,479,600

**(3) INFORMATION TECHNOLOGY**

Information technology services and projects.....	\$	3,788,400
GROSS APPROPRIATION.....	\$	3,788,400
Appropriated from:		
Interdepartmental grant revenues:		
IDG, human resources optimization user charges.....		1,070,900
Federal revenues:		
Federal funds 1% .....		1,142,000
Special revenue funds:		
State restricted funds 1%.....		812,400
State sponsored group insurance, flexible spending accounts and COBRA.....		140,300
State general fund/general purpose .....	\$	622,800

**Sec. 105. EXECUTIVE OFFICE**

**(1) APPROPRIATION SUMMARY**

Full-time equated unclassified positions .....	10.0	
Full-time equated classified positions .....	74.2	
GROSS APPROPRIATION .....		\$ 5,375,500
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION .....		\$ 5,375,500
Federal revenues:		
Total federal revenues .....		0
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		0
Total other state restricted revenues .....		0
State general fund/general purpose .....		\$ 5,375,500

**(2) EXECUTIVE OFFICE OPERATIONS**

Full-time equated unclassified positions .....	10.0	
Full-time equated classified positions .....	74.2	
Governor .....		177,000
Lieutenant governor .....		123,900
Executive office—74.2 FTE positions .....		4,224,800
Unclassified positions—8.0 FTE positions .....		849,800
GROSS APPROPRIATION .....		\$ 5,375,500
Appropriated from:		
State general fund/general purpose .....		\$ 5,375,500

**Sec. 106. DEPARTMENT OF INFORMATION TECHNOLOGY**

**(1) APPROPRIATION SUMMARY**

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

**(2) ADMINISTRATION**

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

	For Fiscal Year Ending Sept. 30, 2006
IDG from department of civil service.....	\$ 3,800,400
IDG from department of community health.....	30,468,800
IDG from department of corrections.....	14,076,000
IDG from department of education.....	2,532,900
IDG from department of environmental quality.....	6,814,800
IDG from Michigan gaming control board.....	1,143,500
IDG from department of history, arts, and libraries.....	808,600
IDG from department of human services.....	133,619,800
IDG from department of labor and economic growth.....	42,486,200
IDG from bureau of state lottery.....	4,397,000
IDG from department of management and budget.....	25,268,900
IDG from department of military and veterans affairs.....	1,119,300
IDG from department of natural resources.....	8,846,000
IDG from department of state.....	22,225,500
IDG from department of state police.....	20,894,900
IDG from department of transportation.....	27,460,400
IDG from department of treasury.....	16,282,900
State general fund/general purpose.....	\$ 0

**Sec. 107. LEGISLATURE**

**(1) APPROPRIATION SUMMARY**

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

**(2) LEGISLATURE**

Senate.....	\$ 29,543,100
Senate automated data processing.....	2,618,000
Senate fiscal agency.....	3,144,400
House of representatives.....	45,743,200
House automated data processing.....	2,079,200
House fiscal agency.....	3,042,600
Legislative auditor general.....	15,977,500
GROSS APPROPRIATION.....	\$ 102,148,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from department of corrections.....	500,000
IDG from MDCS.....	107,900
IDG from MDLEG, liquor purchase revolving fund.....	11,300
IDG from MDOT, comprehensive transportation fund.....	25,200
IDG from MDOT, Michigan transportation fund.....	204,300
IDG from MDOT, state aeronautics fund.....	19,600
IDG from MDOT, state trunkline fund.....	474,600
IDG, single audit act.....	958,600
Special revenue funds:	
Construction lien fund.....	7,200
Contract audit administration fees.....	52,700
Correctional industries revolving fund.....	31,300
Game and fish protection fund.....	21,400
Marine safety fund.....	1,900
Michigan economic development corporation.....	41,200

	For Fiscal Year Ending Sept. 30, 2006
Michigan education trust fund.....	\$ 30,000
Michigan state fair revolving fund .....	33,000
Michigan state housing development authority fees.....	22,100
Michigan strategic fund.....	37,500
Michigan veterans' trust fund .....	24,400
Motor transport revolving fund .....	4,700
Office services revolving fund .....	6,800
State services fee fund .....	926,900
Waterways fund.....	5,600
State general fund/general purpose .....	\$ 98,599,800
<b>(3) LEGISLATIVE COUNCIL</b>	
Legislative council.....	\$ 10,271,900
Legislative service bureau automated data processing.....	1,411,700
Worker's compensation.....	136,600
National association dues .....	100,500
GROSS APPROPRIATION.....	\$ 11,920,700
Appropriated from:	
Interdepartmental grant revenues:	
Special revenue funds:	
Private - gifts and bequests revenues .....	400,000
State general fund/general purpose .....	\$ 11,520,700
<b>(4) LEGISLATIVE RETIREMENT SYSTEM</b>	
General nonretirement expenses .....	\$ 4,449,900
GROSS APPROPRIATION.....	\$ 4,449,900
Appropriated from:	
Special revenue funds:	
Court fees.....	1,109,800
State general fund/general purpose .....	\$ 3,340,100
<b>(5) PROPERTY MANAGEMENT</b>	
Capitol building.....	\$ 2,305,700
Cora Anderson building.....	7,963,400
Farnum building and other properties .....	944,200
GROSS APPROPRIATION.....	\$ 11,213,300
Appropriated from:	
State general fund/general purpose .....	\$ 11,213,300
<b>Sec. 108. DEPARTMENT OF MANAGEMENT AND BUDGET</b>	
<b>(1) APPROPRIATION SUMMARY</b>	
Full-time equated unclassified positions .....	6.0
Full-time equated classified positions.....	745.0
GROSS APPROPRIATION.....	\$ 231,914,100
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	153,786,800
ADJUSTED GROSS APPROPRIATION.....	\$ 78,127,300
Federal revenues:	
Total federal revenues .....	0
Special revenue funds:	
Total local revenues .....	0
Total private revenues.....	0
Total other state restricted revenues .....	42,909,400
State general fund/general purpose .....	\$ 35,217,900
<b>(2) MANAGEMENT AND BUDGET SERVICES</b>	
Full-time equated unclassified positions .....	5.0
Full-time equated classified positions.....	594.5
Unclassified positions—5.0 FTE positions.....	570,800
Executive operations—21.0 FTE positions .....	2,351,800
Administrative services—63.5 FTE positions.....	6,226,500
Budget and financial management—113.5 FTE positions .....	9,849,000

	For Fiscal Year Ending Sept. 30, 2006
Office of the state employer—24.0 FTE positions .....	\$ 2,683,500
Design and construction services—40.0 FTE positions .....	5,010,100
Business support services—91.5 FTE positions .....	7,862,000
Building operation services—241.0 FTE positions.....	86,644,700
Building occupancy charges, rent, and utilities.....	4,161,700
Human resources optimization user charges.....	29,500
Motor vehicle fleet.....	56,574,800
GROSS APPROPRIATION.....	\$ 181,964,400
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, state aeronautics fund .....	31,500
IDG from MDOT, comprehensive transportation fund .....	59,800
IDG from MDOT, state trunkline fund .....	1,173,800
IDG from building occupancy and parking charges .....	89,468,800
IDG from department of labor and economic growth.....	100,000
IDG from motor transport fund.....	56,574,800
IDG from MDCH.....	235,000
IDG from user fees.....	5,024,900
Special revenue funds:	
Game and fish protection fund .....	211,100
Health management funds .....	1,648,100
Marine safety fund .....	21,100
Special revenue, internal service, and pension trust funds .....	8,190,600
State building authority revenue.....	560,500
State lottery fund .....	110,900
Waterways fund.....	49,600
State general fund/general purpose .....	\$ 18,503,900
<b>(3) STATEWIDE APPROPRIATIONS</b>	
Professional development fund - MPES.....	\$ 125,000
Professional development fund - AFSCME.....	100,000
GROSS APPROPRIATION.....	\$ 225,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from employer contributions .....	225,000
State general fund/general purpose .....	\$ 0
<b>(4) SPECIAL PROGRAMS</b>	
Full-time equated classified positions.....	141.5
Building occupancy charges - property management services for executive/legislative building occupancy.....	1,859,500
Retirement services—127.5 FTE positions .....	15,804,900
Office of children's ombudsman—14.0 FTE positions.....	1,334,400
GROSS APPROPRIATION.....	\$ 18,998,800
Appropriated from:	
Special revenue funds:	
Deferred compensation.....	1,505,400
Pension trust funds .....	14,299,500
State general fund/general purpose .....	\$ 3,193,900
<b>(5) STATE FAIR</b>	
Full-time equated unclassified position .....	1.0
Full-time equated classified positions.....	9.0
Unclassified positions—1.0 FTE position.....	89,200
Michigan state fair operations—9.0 FTE positions.....	5,367,800
Michigan state fair information technology .....	88,800
GROSS APPROPRIATION.....	\$ 5,545,800
Appropriated from:	
Special revenue funds:	
State exposition and fairgrounds fund.....	5,545,800
State general fund/general purpose .....	\$ 0



**(6) INFORMATION TECHNOLOGY**

Information technology services and projects.....	\$	25,180,100
<b>GROSS APPROPRIATION</b> .....	\$	<u>25,180,100</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDOT, state aeronautics fund .....		1,100
IDG from MDOT, comprehensive transportation fund .....		2,100
IDG from MDOT, state trunkline fund .....		47,500
IDG from building occupancy and parking charges .....		655,700
IDG from user fees.....		186,800
Special revenue funds:		
Deferred compensation.....		2,600
Game and fish protection fund .....		9,800
Health management funds .....		41,700
Marine safety fund .....		900
MAIN user charges.....		4,273,900
Pension trust funds .....		2,867,000
Special revenue, internal service, and pension trust funds .....		3,554,600
State building authority revenue.....		9,700
State lottery fund .....		4,600
Waterways fund.....		2,000
State general fund/general purpose .....	\$	13,520,100

**Sec. 109. DEPARTMENT OF STATE**

**(1) APPROPRIATION SUMMARY**

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

**(2) EXECUTIVE DIRECTION**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	30.2	
Secretary of state .....		124,900
Unclassified positions—5.0 FTE positions.....		459,200
Operations—30.2 FTE positions .....		2,575,300
<b>GROSS APPROPRIATION</b> .....		\$ <u>3,159,400</u>
Appropriated from:		
Special revenue funds:		
Auto repair facilities fees .....		57,500
Driver fees .....		111,500
Expedient service fees.....		49,200
Look-up fees .....		702,800
Parking ticket court fines.....		7,800
Personal identification card fees .....		11,600
Reinstatement fees - operator licenses.....		124,700
Transportation administration collection fund .....		1,476,900
Vehicle theft prevention fees .....		33,800
State general fund/general purpose .....	\$	583,600

**(3) DEPARTMENT SERVICES**

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

Appropriated from:

Federal revenues:

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

**(4) REGULATORY SERVICES**

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

Appropriated from:

Federal revenues:

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

**(5) CUSTOMER DELIVERY SERVICES**

Full-time equated classified positions .....	1,377.7	
Branch operations—957.4 FTE positions.....		70,599,900
Central operations—404.1 FTE positions .....		35,084,700
Commemorative license plates—16.2 FTE positions.....		2,147,300
Specialty license plates.....		1,922,000
Olympic center plate .....		75,700

	For Fiscal Year Ending Sept. 30, 2006
Organ donor program .....	\$ 104,100
GROSS APPROPRIATION .....	\$ 109,933,700
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund .....	20,000,000
Federal revenues:	
Federal funds .....	2,790,400
Special revenue funds:	
Private funds .....	100
Auto repair facilities fees .....	89,300
Child support clearance fees .....	381,500
Driver fees .....	13,212,300
Expedient service fees .....	2,760,700
Look-up fees .....	18,193,500
Marine safety fund .....	1,099,500
Michigan state police auto theft fund .....	111,900
Mobile home commission fees .....	457,500
Off-road vehicle title fees .....	117,900
Parking ticket court fines .....	1,538,600
Personal identification card fees .....	1,468,800
Reinstatement fees - operator licenses .....	1,110,300
Snowmobile registration fee revenue .....	322,100
Transportation administration collection fund .....	42,387,700
Vehicle theft prevention fees .....	202,300
State general fund/general purpose .....	\$ 3,689,300
<b>(6) ELECTION REGULATION</b>	
Full-time equated classified positions .....	28.5
Election administration and services—25.5 FTE positions .....	2,696,900
Fees to local units .....	69,800
Qualified voter file—3.0 FTE positions .....	1,833,900
GROSS APPROPRIATION .....	\$ 4,600,600
Appropriated from:	
State general fund/general purpose .....	\$ 4,600,600
<b>(7) DEPARTMENTWIDE APPROPRIATIONS</b>	
Building occupancy charges/rent .....	\$ 9,578,200
Worker's compensation .....	504,800
GROSS APPROPRIATION .....	\$ 10,083,000
Appropriated from:	
Special revenue funds:	
Auto repair facilities fees .....	142,000
Driver fees .....	436,800
Expedient service fees .....	14,400
Look-up fees .....	1,935,600
Parking ticket court fines .....	470,800
Transportation administration collection fund .....	4,400,300
State general fund/general purpose .....	\$ 2,683,100
<b>(8) INFORMATION TECHNOLOGY</b>	
Information technology services and projects .....	\$ 22,188,500
GROSS APPROPRIATION .....	\$ 22,188,500
Appropriated from:	
Special revenue funds:	
Administrative order processing fee .....	10,900
Auto repair facilities fees .....	178,200
Child support clearance fees .....	16,100
Driver fees .....	1,312,600
Expedient service fees .....	447,200
Look-up fees .....	2,701,500
Parking ticket court fines .....	82,100

	For Fiscal Year Ending Sept. 30, 2006
Personal identification card fees .....	\$ 863,300
Reinstatement fees - operator licenses.....	462,400
Transportation administration collection fund .....	14,246,700
Vehicle theft prevention fees .....	169,800
State general fund/general purpose .....	\$ 1,697,700

**Sec. 110. DEPARTMENT OF TREASURY**

**(1) APPROPRIATION SUMMARY**

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

**(2) EXECUTIVE DIRECTION**

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

**(3) DEPARTMENTWIDE APPROPRIATIONS**

Travel.....	\$ 1,415,900
Rent and building occupancy charges - property management services .....	5,008,000
Worker's compensation insurance premium .....	337,000
GROSS APPROPRIATION.....	\$ 6,760,900
Appropriated from:	
Special revenue funds:	
Delinquent tax collection revenue .....	3,432,700
State general fund/general purpose .....	\$ 3,328,200

**(4) LOCAL GOVERNMENT PROGRAMS**

Full-time equated classified positions.....	91.0	
Supervision of the general property tax law—68.0 FTE positions.....		10,938,000
Property tax assessor training—4.0 FTE positions.....		398,700
Local finance—19.0 FTE positions.....		2,242,300
Pari-mutuel audits .....		240,000
GROSS APPROPRIATION.....		\$ 13,819,000
Appropriated from:		
Special revenue funds:		
Local - assessor training fees .....		398,700
Local - audit charges.....		536,700
Local - equalization study charge-backs.....		40,000
Local - revenue from local government.....		50,000
Land reutilization fund .....		6,814,000
Municipal finance fees .....		435,400
State education tax collections.....		50,000
State services fee fund .....		240,000
State general fund/general purpose .....		\$ 5,254,200

**(5) TAX PROGRAMS**

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

Appropriated from:

Interdepartmental grant revenues:

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

Federal revenues:

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

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

**(6) BANKING AND MANAGEMENT SERVICES**

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

Appropriated from:

Interdepartmental grant revenues:

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

Special revenue funds:

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

**(7) FINANCIAL PROGRAMS**

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

Appropriated from:	
Interdepartmental grant revenues:	
IDG, fiscal agent service fees.....	\$ 167,700
Federal revenues:	
DED-OPSE, federal lenders allowance .....	10,124,000
DED-OPSE, higher education act of 1965, insured loans .....	22,711,700
Special revenue funds:	
College work study.....	46,300
Michigan merit award trust fund.....	3,036,500
Retirement funds.....	12,496,300
School bond fees.....	468,000
Treasury fees.....	1,311,200
State general fund/general purpose .....	\$ 1,857,700
<b>(8) DEBT SERVICE</b>	
Water pollution control bond and interest redemption .....	\$ 2,592,400
Quality of life bond .....	63,500,000
Clean Michigan initiative.....	22,909,000
GROSS APPROPRIATION.....	\$ 89,001,400
Appropriated from:	
Special revenue funds:	
Cleanup and redevelopment funds .....	12,200,000
Refined petroleum fund.....	23,914,500
State general fund/general purpose .....	52,886,900
<b>(9) GRANTS</b>	
Grants to counties in lieu of taxes.....	\$ 10,000
Convention facility development distribution .....	58,850,000
Senior citizen cooperative housing tax exemption program.....	17,900,000
Commercial mobile radio service payments .....	31,320,000
Health and safety fund grants .....	25,000,000
Qualified agricultural loan payments .....	2,210,000
Renaissance zone reimbursement.....	2,268,000
GROSS APPROPRIATION.....	\$ 137,558,000
Appropriated from:	
Special revenue funds:	
Commercial mobile radio service fees.....	31,320,000
Convention facility development fund .....	58,850,000
Health and safety fund .....	25,000,000
State general fund/general purpose .....	\$ 22,388,000
<b>(10) STATE LOTTERY</b>	
Full-time equated classified positions.....	173.0
Lottery operations—173.0 FTE positions.....	18,777,500
Human resources optimization user charges.....	29,500
Promotion and advertising.....	18,622,000
Lottery information technology services and projects .....	4,397,000
GROSS APPROPRIATION.....	\$ 41,826,000
Appropriated from:	
Special revenue funds:	
State lottery fund .....	41,826,000
State general fund/general purpose .....	\$ 0
<b>(11) CASINO GAMING</b>	
Full-time equated classified positions.....	106.0
Michigan gaming control board.....	50,000
Casino gaming control administration—106.0 FTE positions .....	18,118,600
Human resources optimization user charges.....	14,800
Casino gaming information technology services and projects.....	1,143,500
GROSS APPROPRIATION.....	\$ 19,326,900
Appropriated from:	
Casino gambling agreements.....	383,500

	For Fiscal Year Ending Sept. 30, 2006
State services fee fund .....	\$ 18,943,400
State general fund/general purpose .....	\$ 0
<b>(12) REVENUE SHARING</b>	
Constitutional state general revenue sharing grants .....	\$ 692,550,000
Statutory state general revenue sharing grants .....	423,350,000
Special census revenue sharing payments .....	500,000
Special grants .....	212,000
GROSS APPROPRIATION .....	\$ 1,116,612,000
Appropriated from:	
Sales tax .....	1,115,900,000
State general fund/general purpose .....	\$ 712,000
<b>(13) INFORMATION TECHNOLOGY</b>	
Treasury operations information technology services and projects.....	\$ 16,282,900
GROSS APPROPRIATION .....	\$ 16,282,900
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT, Michigan transportation fund.....	427,400
Federal revenues:	
DED-OPSE, higher education act of 1965, insured loans .....	532,900
Special revenue funds:	
Delinquent tax collection revenue .....	9,926,700
Land reutilization fund .....	20,000
Michigan merit award trust fund.....	400,400
Retirement funds .....	635,000
State general fund/general purpose .....	\$ 4,340,500
<b>(14) STATE BUILDING AUTHORITY RENT</b>	
State building authority rent - state agencies .....	\$ 63,555,500
State building authority rent - department of corrections .....	70,555,900
State building authority rent - universities.....	122,148,600
State building authority rent - community colleges.....	16,537,100
GROSS APPROPRIATION .....	\$ 272,797,100
Appropriated from:	
Special revenue funds:	
Commercial mobile radio suppliers fund .....	15,000,000
Roosevelt parking facility reimbursement.....	275,000
State lottery fund .....	1,520,000
State general fund/general purpose .....	\$ 256,002,100

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2005-2006 is \$2,284,332,700.00 and state spending from state resources to be paid to local units of government for fiscal year 2005-2006 is \$1,236,855,300.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

**DEPARTMENT OF STATE**

Fees to local units.....	\$ 69,800
Motorecycle safety education grants .....	924,000
Subtotal .....	\$ 993,800

**DEPARTMENT OF TREASURY**

Senior citizen cooperative housing tax exemption .....	\$ 17,900,000
Grants to counties in lieu of taxes.....	10,000

Health and safety fund grants .....	\$ 25,000,000
Constitutional state general revenue sharing grants .....	692,550,000
Statutory state general revenue sharing grants .....	423,350,000
Convention facility development fund distribution .....	58,850,000
Commercial mobile radio service payments .....	15,221,500
Renaissance zone reimbursements .....	2,268,000
Special grants .....	212,000
Special census revenue sharing payments .....	500,000
Subtotal .....	\$ 1,235,861,500
TOTAL GENERAL GOVERNMENT .....	\$ 1,236,855,300

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

(3) If payments to local units of government and state spending from state sources for fiscal year 2005-2006 are different than the amounts estimated in subsection (2), the state budget director shall report the payments to local units of government and state spending from state sources that were made for fiscal year 2005-2006 to the senate and house of representatives standing committees on appropriations within 30 days after the final book-closing for fiscal year 2005-2006.

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. As used in this act:

- (a) "AFSCME" means American federation of state, county, and municipal employees.
- (b) "COBRA" means the consolidated omnibus budget reconciliation act of 1985, Public Law 99-272, 100 Stat. 82.
- (c) "CPI" means consumer price index.
- (d) "DAG" means the United States department of agriculture.
- (e) "DED-OPSE" means the United States department of education, office of postsecondary education.
- (f) "DOL-ETA" means the United States department of labor, employment and training administration.
- (g) "DOL-OSHA" means the United States department of labor, occupational safety and health administration.
- (h) "EEOC" means the United States equal employment opportunity commission.
- (i) "EPA" means the United States environmental protection agency.
- (j) "FTE" means full-time equated.
- (k) "GF/GP" means general fund/general purpose.
- (l) "HHS" means the United States department of health and human services.
- (m) "HHS-OS" means the HHS office of the secretary.
- (n) "HHS-SSA" means the HHS social security administration.
- (o) "HUD" means the United States department of housing and urban development.
- (p) "IDG" means interdepartmental grant.
- (q) "MAIN" means the Michigan administrative information network.
- (r) "MCL" means the Michigan Compiled Laws.
- (s) "MDCH" means the Michigan department of community health.
- (t) "MDCS" means the Michigan department of civil service.
- (u) "MDHS" means the Michigan department of human services.
- (v) "MDLEG" means the Michigan department of labor and economic growth.
- (w) "MDMB" means the Michigan department of management and budget.
- (x) "MDOT" means the Michigan department of transportation.
- (y) "MDSP" means the Michigan department of state police.
- (z) "MPES" means the Michigan professional employees society.
- (aa) "PA" means public act.
- (bb) "PACC" means the prosecuting attorneys coordinating council.



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.

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

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

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

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.

Sec. 210. The director of each department receiving appropriations in part 1 shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 211. Pursuant to section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, that provides for a transfer of state general funds into the countercyclical budget and economic stabilization fund, there is appropriated into the countercyclical budget and economic stabilization fund the sum of \$0.00. The calculation required by section 352 of the management and budget act, 1984 PA 431, MCL 18.1352, is determined as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

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

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

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

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

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

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

## **DEPARTMENT OF ATTORNEY GENERAL**

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

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

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

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

Sec. 304. The department of attorney general is responsible for the legal representation for state of Michigan state employee worker's disability compensation cases. The risk management revolving fund revenue appropriation in part 1 is to be satisfied by billings from the department of attorney general for the actual costs of legal representation, including salaries and support costs.

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

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

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

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

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

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

Sec. 309. From the prisoner reimbursement funds appropriated in part 1, the department may spend up to \$421,800.00 on activities related to the state correctional facilities reimbursement act, 1935 PA 253, MCL 800.401 to 800.406. In addition to the funds appropriated in part 1, if the department collects in excess of \$1,131,000.00 in gross annual prisoner reimbursement receipts provided to the general fund, the excess, up to a maximum of \$1,000,000.00, is appropriated to the department of attorney general and may be spent on the representation of the department of corrections and its officers, employees, and agents, including, but not limited to, the defense of litigation against the state, its departments, officers, employees, or agents in civil actions filed by prisoners. Any unexpended funds at the end of the fiscal year are carried forward for expenditure in the following fiscal year up to the maximum authorization of \$500,000.00.

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

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

## **DEPARTMENT OF CIVIL RIGHTS**

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

- (a) Developing and presenting training for employers on equal employment opportunity law and procedures.
  - (b) The publication and sale of civil rights related informational material.
  - (c) The provision of copy material made available under freedom of information requests.
  - (d) Other copy fees, subpoena fees, and witness fees.
  - (e) Developing, presenting, and participating in mediation processes for certain civil rights cases.
  - (f) Workshops, seminars, and recognition or award programs consistent with the programmatic mission of the individual unit sponsoring or coordinating the programs.
- (2) The department of civil rights shall annually report to the state budget director, the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies the amount of funds received and expended for purposes authorized under this section.

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

## **DEPARTMENT OF CIVIL SERVICE**

Sec. 502. (1) All restricted funds shall be assessed a sum not less than 1% of the total aggregate payroll paid from those funds for financing the department of civil service on the basis of actual 1% restricted sources total aggregate payroll of the classified service for fiscal year 2005 in accordance with section 5 of article XI of the state constitution of 1963. This includes, but is not limited to, restricted funds appropriated in part 1 of any appropriations act. Unexpended 1% appropriated funds shall be returned to each 1% fund source at the end of the fiscal year.

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

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

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

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

## **INFORMATION TECHNOLOGY**

Sec. 573. (1) The department of information technology may sell and accept paid advertising for placement on any state website under its jurisdiction. The department shall review and approve the content of each advertisement. The department may refuse to accept advertising from any person or organization or require modification to advertisements

based upon criteria determined by the department. Revenue received under this subsection will be used for operating costs of the department and for future technology enhancements to state of Michigan e-government initiatives. Funds received under this subsection shall be limited to \$250,000.00. Any funds in excess of \$250,000.00 shall be deposited in the state general fund.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 584. The department of information technology shall coordinate a study with the department of human services, the department of community health, the department of labor and economic growth, the department of education, and the department of state police identifying all information and referral services for state government, including, but not limited to, 1-800 help lines. The report will summarize the purpose, scope, and cost of each service and identify potential cost savings to the state of Michigan through the shared use of 2-1-1. The 2-1-1 number is the 3-digit dialing code designated by the federal communications system for health and human service information and referral. The report shall be delivered to the senate and house appropriations subcommittees on general government by no later than April 7, 2006.

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

## **LEGISLATURE**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) The auditor general shall strongly encourage firms with which the auditor general contracts to perform audits of the principal executive departments and state agencies to subcontract with certified minority- and women-owned and operated accounting firms, and accounting firms owned and operated by persons with disabilities.

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

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

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

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

## **DEPARTMENT OF MANAGEMENT AND BUDGET**

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

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

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

(3) The department of management and budget may receive and expend funds in addition to those authorized in part 1 for mail pickup and delivery services provided specifically to other principal executive departments and state agencies, the legislative branch, or the judicial branch.

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

Sec. 705. (1) The source of financing in part 1 for statewide appropriations shall be funded by assessments against longevity and insurance appropriations throughout state government in a manner prescribed by the department of management and budget. Funds shall be used as specified in joint labor/management agreements or through the coordinated compensation hearings process. Any deposits made under this subsection and any unencumbered funds are restricted revenues, may be carried over into the succeeding fiscal years, and are appropriated.

(2) In addition to the funds appropriated in part 1 for statewide appropriations, the department of management and budget may receive and expend funds in such additional amounts as may be specified in joint labor/management agreements or through the coordinated compensation hearings process in the same manner and subject to the same conditions as prescribed in subsection (1).

Sec. 706. To the extent a specific appropriation is required for a detail source of financing included in part 1 for the department of management and budget appropriations financed from special revenue and internal service and pension trust funds, or MAIN user charges, the specific amounts are appropriated within the special revenue internal service and pension trust funds in portions not to exceed the aggregate amount appropriated in part 1.

Sec. 707. In addition to the funds appropriated in part 1 to the department of management and budget, the department may receive and expend funds from other principal executive departments and state agencies to implement donated annual leave and administrative leave bank transfer provisions as may be specified in joint labor/management agreements. The amounts may also be transferred to other principal executive departments and state agencies under the joint agreement and any amounts transferred under the joint agreement are authorized for receipt and expenditure by the receiving principal executive department or state agency. Any amounts received by the department of management and budget under this section and intended, under the joint labor/management agreements, to be available for use beyond the close of the fiscal year and any unencumbered funds may be carried over into the succeeding fiscal year.

Sec. 708. The source of financing in part 1 for the Michigan administrative information network shall be funded by proportionate charges assessed against the respective state funds benefiting from this project in the amounts determined by the department.

Sec. 709. (1) Deposits against the interdepartmental grant from building occupancy and parking charges appropriated in part 1 shall be collected, in part, from state agencies, the legislative branch, and the judicial branch based on estimated costs associated with maintenance and operation of buildings managed by the department of management and budget. To the extent excess revenues are collected due to estimates of building occupancy charges exceeding actual costs, the excess revenues may be carried forward into succeeding fiscal years for the purpose of returning funds to state agencies.

(2) Appropriations in part 1 to the department of management and budget, for management and budget services from building occupancy charges and parking charges, may be increased to return excess revenue collected to state agencies.



Sec. 710. The department of management and budget shall notify the chairpersons of the senate and house of representatives standing committees on appropriations and the chairpersons of the senate and house of representatives standing committees on appropriations subcommittees on general government on any revisions that increase or decrease current contracts by more than \$500,000.00 for computer software development, hardware acquisition, or quality assurance at least 14 days before the department of management and budget finalizes the revisions.

Sec. 711. The department of management and budget shall maintain an Internet website that contains notice of all invitations for bids and requests for proposals over \$50,000.00 issued by the department or by any state agency operating under delegated authority. The department shall not accept an invitation for bid or request for proposal in less than 14 days after the notice is made available on the Internet website, except in situations where it would be in the best interest of the state and documented by the department. In addition to the requirements of this section, the department may advertise the invitations for bids and requests for proposals in any manner the department determines appropriate, in order to give the greatest number of individuals and businesses the opportunity to make bids or requests for proposals.

Sec. 712. The department of management and budget may receive and expend funds from the Vietnam veterans memorial monument fund as provided in the Michigan Vietnam veterans memorial act, 1988 PA 234, MCL 35.1051 to 35.1057. Funds are appropriated and allocated when received and may be expended upon receipt.

Sec. 713. The Michigan veterans' memorial park commission may receive and expend money from any source, public or private, including, but not limited to, gifts, grants, donations of money, and government appropriations, for the purposes described in Executive Order No. 2001-10. Funds are appropriated and allocated when received and may be expended upon receipt. Any deposits made under this section and unencumbered funds are restricted revenues and may be carried over into succeeding fiscal years.

Sec. 715. (1) Funds in part 1 for motor vehicle fleet are appropriated to the department of management and budget for administration and for the acquisition, lease, operation, maintenance, repair, replacement, and disposal of state motor vehicles.

(2) The appropriation in part 1 for motor vehicle fleet shall be funded by revenue from rates charged to principal executive departments and agencies for utilizing vehicle travel services provided by the department. Revenue in excess of the amount appropriated in part 1 from the motor transport fund and any unencumbered funds are restricted revenues and may be carried over into the succeeding fiscal year.

(3) It is the intent of the legislature that the department of management and budget have the authority to determine the appropriateness of vehicle assignment, to include year, make, model, size, and price of vehicle. The department may assign motor vehicles, permanently or temporarily, to state agencies and to institutions of higher education.

(4) It is the intent of the legislature that the department will determine the feasibility of using driver record information upon the issuance of state cars to state employees in order to ensure responsibility and safety.

(5) Pursuant to the department of management and budget's authority under sections 213 and 215 of the management and budget act, 1984 PA 431, MCL 18.1213 and 18.1215, the department shall develop a plan regarding the motor vehicle fleet. The plan shall include the number of vehicles assigned to, or authorized for use by, state departments and agencies; efforts to reduce vehicle expenditures, the number of cars in the motor vehicle fleet, the number of miles driven by fleet vehicles, and the number of gallons of fuel consumed by fleet vehicles. The plan shall include a calculation of the amount of state motor vehicle fuel taxes that would have been incurred by fleet vehicles if fleet vehicles were required by law to pay motor fuel taxes. The plan shall include a description of fleet garage operations, the goods sold and services provided by the fleet garage, the cost to operate the fleet garage, the number of fleet garage locations, and the number of employees assigned to each fleet garage. The plan may be adjusted during the fiscal year based on needs and cost savings to achieve the maximum value and efficiency from the state motor fleet. Within 60 days after the close of the fiscal year, the department shall provide a report to the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies detailing the current plan and changes made to the plan during the fiscal year.

Sec. 716. The department of management and budget shall adopt policies and procedures necessary for compliance by the department, other state departments and agencies, and state vendors and subcontractors, with the requirement under subsection (1) of section 261 of the management and budget act, 1984 PA 431, MCL 181.261, to provide a purchasing preference for products manufactured or services offered by Michigan-based firms.

Sec. 717. In determining whether the purchase, contracting for, providing of supplies, materials, services, insurance, utilities, third-party financing, equipment, printing, and other items needed by state departments or agencies is in the

best interests of this state, and in making all discretionary decisions concerning the solicitation, award, amendment, cancellation, or appeal of state contracts, the department of management and budget shall consider all of the following:

(a) Whether a proposal by a vendor to provide services to this state using employees, contractors, subcontractors, or other individuals who are not citizens of the United States, legal resident aliens, or individuals with a valid visa would be detrimental to the state of Michigan, its residents, or the state's economy.

(b) Whether a proposal by a vendor to provide services to this state from a location outside of this state or the United States would be detrimental to the state of Michigan, its residents, or the state's economy.

(c) Whether a proposal by a vendor to provide goods to this state produced outside of this state or the United States would be detrimental to the state of Michigan, its residents, or the state's economy.

(d) Whether the acquisition of goods or services from a vendor that is an expatriated business entity located in a tax haven country or an affiliate of an expatriated business entity located in a tax haven country would be detrimental to the state of Michigan, its residents, or the state's economy. As used in this section, "expatriated business entity" means a corporation or an affiliate of the corporation incorporated in a tax haven country after September 11, 2001, but with the United States as the principal market for the public trading of the corporation's stock, as determined by the director of the department of management and budget. "Tax haven country" means each of the following: Barbados, Bermuda, British Virgin Islands, Cayman Islands, Commonwealth of the Bahamas, Cyprus, Gibraltar, Isle of Man, the Principality of Liechtenstein, the Principality of Monaco, and the Republic of the Seychelles.

(e) Whether the provision of services to this state at a location outside of this state or the United States would be detrimental to the privacy interests of Michigan residents, or risk the disclosure of personal information of Michigan residents, such as social security, financial, or medical data.

(f) Whether a proposal by a vendor to provide services to this state from a location outside of this state or the United States would constitute undue risk under a risk management policy, practice, or procedure adopted by the department of management and budget under section 204 of the management and budget act, 1984 PA 431, MCL 18.1204.

(g) Whether a proposal by a vendor to provide goods to this state produced outside of this state or the United States would constitute undue risk under a risk management policy, practice, or procedure adopted by the department of management and budget under section 204 of the management and budget act, 1984 PA 431, MCL 18.1204.

Sec. 718. The department of management and budget shall collect from vendors information necessary to comply with the requirements of this act, as determined by the department. The department of management and budget may require vendors to provide any of the following:

(a) Information relating to the location of work performed under a state contract by the vendor and any subcontractors, employees, or other persons performing a state contract.

(b) Information regarding the corporate structure and location of corporate employees and activities of the vendor, its affiliates, or any subcontractors.

(c) Notice of the relocation of the vendor, employees of the vendor, subcontractors of the vendor, or other persons performing services under a state contract outside of the state of Michigan.

Sec. 719. The department of management and budget may require that any vendor or subcontractor providing call or contact center services to the state of Michigan disclose to inbound callers the location from which the call or contact center services are being provided.

Sec. 721. In addition to the funds appropriated in part 1, the department of management and budget may receive and expend money from the Michigan law enforcement officers memorial monument fund as provided in the Michigan law enforcement officers memorial act, 2004 PA 177, MCL 28.781 to 28.787.

Sec. 722. In addition to the funds appropriated in part 1, the department of management and budget may receive and expend money from the Ronald Wilson Reagan memorial monument fund as provided in the Ronald Wilson Reagan memorial monument fund commission act, 2004 PA 489, MCL 399.261 to 399.266.

Sec. 723. The department shall make available to the public a list of all parcels of real property owned by the state that are available for purchase. The list shall be posted on the Internet through the department's website.

## **DEPARTMENT OF STATE**

Sec. 802. All funds made available by section 3171 of the insurance code of 1956, 1956 PA 218, MCL 500.3171, are appropriated and made available to the department of state to be expended only for the uses and purposes for which the funds are received as provided by sections 3171 to 3177 of the insurance code of 1956, 1956 PA 218, MCL 500.3171 to 500.3177.

Sec. 803. From the funds appropriated in part 1, the department of state shall sell copies of records including, but not limited to, records of motor vehicles, off-road vehicles, snowmobiles, watercraft, mobile homes, personal identification cardholders, drivers, and boat operators and shall charge \$7.00 per record sold only as authorized in section 208b of the Michigan vehicle code, 1949 PA 300, MCL 257.208b, section 7 of 1972 PA 222, MCL 28.297, and sections 80130, 80315, 81114, and 82156 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.80130, 324.80315, 324.81114, and 324.82156. The revenue received from the sale of records shall be credited to the transportation administration collection fund created under section 810b of the Michigan vehicle code, 1949 PA 300, MCL 257.810b.

Sec. 804. From the funds appropriated in part 1, the secretary of state may enter into agreements with the department of corrections for the manufacture of vehicle registration plates 15 months before the registration year in which the registration plates will be used.

Sec. 805. (1) The department of state may accept gifts, donations, contributions, and grants of money and other property from any private or public source to underwrite, in whole or in part, the cost of a departmental publication that is prepared and disseminated under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. A private or public funding source may receive written recognition in the publication and may furnish a traffic safety message, subject to departmental approval, for inclusion in the publication. The department may reject a gift, donation, contribution, or grant. The department may furnish copies of a publication underwritten, in whole or in part, by a private source to the underwriter at no charge.

(2) The department of state may sell and accept paid advertising for placement in a departmental publication that is prepared and disseminated under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923. The department may charge and receive a fee for any advertisement appearing in a departmental publication and shall review and approve the content of each advertisement. The department may refuse to accept advertising from any person or organization. The department may furnish a reasonable number of copies of a publication to an advertiser at no charge.

(3) Pending expenditure, the funds received under this section shall be deposited in the Michigan department of state publications fund created by section 211 of the Michigan vehicle code, 1949 PA 300, MCL 257.211. Funds given, donated, or contributed to the department from a private source are appropriated and allocated for the purpose for which the revenue is furnished. Funds granted to the department from a public source are allocated and may be expended upon receipt. The department shall not accept a gift, donation, contribution, or grant if receipt is conditioned upon a commitment of state funding at a future date. Revenue received from the sale of advertising is appropriated and may be expended upon receipt.

(4) Any unexpended revenues received under this section shall be carried over into subsequent fiscal years and shall be available for appropriation for the purposes described in this section.

(5) On March 1 of each year, the department of state shall file a report with the senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director. The report shall include all of the following information:

(a) The amount of gifts, contributions, donations, and grants of money received by the department under this section for the prior fiscal year.

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

(c) A listing of any gift, donation, contribution, or grant of property other than funding received by the department under this section for the prior year.

(d) The total revenue received from the sale of paid advertising accepted under this section and a statement of the total number of advertising transactions.

(6) In addition to copies delivered without charge as the secretary of state considers necessary, the department of state may sell copies of manuals and other publications regarding the sale, ownership, or operation or regulation of motor vehicles, with amendments, at prices to be established by the secretary of state. As used in this subsection, the term "manuals and other publications" includes videos and proprietary electronic publications. All funds received from sales of these manuals and other publications shall be credited to the Michigan department of state publications fund.

Sec. 806. Funds collected by the department of state under section 211 of the Michigan vehicle code, 1949 PA 300, MCL 257.211, are appropriated for all expenses necessary to provide for the costs of the publication. Funds are allotted for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.

Sec. 807. From the funds appropriated in part 1, the department of state shall use available balances at the end of the state fiscal year to provide payment to the department of state police in the amount of \$315,900.00 for the services provided by the traffic accident records program as first appropriated in 1990 PA 196 and 1990 PA 208.

Sec. 808. From the funds appropriated in part 1, the department of state may restrict funds from miscellaneous revenue to cover cash shortages created from normal branch office operations. This amount shall not exceed \$50,000.00 of the total funds available in miscellaneous revenue.

Sec. 809. (1) Commemorative and specialty license plate fee revenue collected by the department of state and deposited into the transportation administration collection fund is authorized for expenditure up to the amount of revenue collected but not to exceed the amount appropriated to the department of state in part 1 to administer commemorative and specialty license plate programs.

(2) Commemorative and specialty license plate fee revenue collected by the department of state and deposited in the transportation administration collection fund, in addition to the amount appropriated in part 1 to the department of state, shall remain in the transportation administration collection fund and be available for future appropriation.

Sec. 810. (1) Collector plate and fund-raising registration plate revenues collected by the department of state are appropriated and allotted for distribution to the recipient university or public or private agency overseeing a state-sponsored goal when received. Distributions shall occur on a quarterly basis or as otherwise authorized by law. Any revenues remaining at the end of the fiscal year shall not lapse to the general fund but shall remain available for distribution to the university or agency in the next fiscal year.

(2) Funds or revenues in the Olympic education training center fund are appropriated for distribution to the Olympic education training center at Northern Michigan University. Distributions shall occur on a quarterly basis. Any undistributed revenue remaining at the end of the fiscal year shall be carried over into the next fiscal year.

Sec. 811. The department of state may produce and sell copies of a training video designed to inform registered automotive repair facilities of their obligations under Michigan law. The price shall not exceed the cost of production and distribution. The money received from the sale of training videos shall revert to the department of state and be placed in the auto repair facility account.

Sec. 812. (1) The department of state, in collaboration with the gift of life transplantation society or its successor federally designated organ procurement organization, may develop and administer a public information campaign concerning the Michigan organ donor program.

(2) The department may solicit funds from any private or public source to underwrite, in whole or in part, the public information campaign authorized by this section. The department may accept gifts, donations, contributions, and grants of money and other property from private and public sources for this purpose. A private or public funding source underwriting the public information campaign, in whole or in substantial part, shall receive sponsorship credit for its financial backing.

(3) Funds received under this section, including grants from state and federal agencies, shall not lapse to the general fund at the end of the fiscal year but shall remain available for expenditure for the purposes described in this section.

(4) Funding appropriated in part 1 for the organ donor program shall be used for producing a pamphlet to be distributed with driver licenses and personal identification cards regarding organ donations. The funds shall be used to update and print a pamphlet that will explain the organ donor program and encourage people to become donors by marking a checkoff on driver license and personal identification card applications.

(5) The pamphlet shall include a return reply form addressed to the gift of life organization. Funding appropriated in part 1 for the organ donor program shall be used to pay for return postage costs.

(6) In addition to the appropriations in part 1, the department of state may receive and expend funds from the organ and tissue donation education fund for administrative expenses.

Sec. 815. (1) At least 60 days prior to the announcement of secretary of state branch office closings, consolidations, or relocations, the department of state shall inform members of the senate and house of representatives standing committees on appropriations and legislators who represent affected areas regarding the details of the proposal. The information provided shall be in written form and include all analysis done regarding criteria for changes in the location of branch offices, including, but not limited to, branch transactions, revenue, and the impact on citizens of the affected area. The impact on citizens shall include information regarding additional distance to branch office locations resulting from the plan. The written notice provided by the department of state shall also include detailed estimates of costs and savings that will result from the overall changes made to the branch office structure.

(2) Prior to October 4, 2005, the department of state shall provide a report to the senate and house of representatives standing committees on appropriations subcommittees on general government regarding the department's branch optimization plan that was announced on April 26, 2004. The report shall include a listing of all closed offices detailing savings by office, including lease, utilities, and all other savings associated with the closed office. The department shall provide the same level of detail regarding costs for new leased facilities and expansions of current leased space.

Sec. 815a. The department shall develop a project plan which includes new strategies for increasing the number of transactions completed on-line by Michigan residents. Copies of the strategic plan shall be submitted to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies by March 1.

Sec. 816. (1) Any service assessment collected by the department of state from the user of a credit or debit card under section 3 of 1995 PA 144, MCL 11.23, is appropriated to the department for necessary expenses related to that service and may be remitted to a credit or debit card company, bank, or other financial institution. Funds are allocated for expenditure when they are received by the department of treasury.

(2) The service assessment imposed by the department of state for credit and debit card services may be based either on a percentage of each individual credit or debit card transaction, or on a flat rate per transaction, or both scaled to the amount of the transaction. However, the department shall not charge any amount for a service assessment which exceeds the costs billable to the department for service assessments.

(3) If there is a balance of service assessments received from credit and debit card services remaining on September 30, the balance may be carried forward to the following fiscal year and appropriated for the same purpose.

(4) As used in this section, "service assessment" means and includes costs associated with service fees imposed by credit and debit card companies and processing fees imposed by banks and other financial institutions.

Sec. 818. (1) Funds in part 1 for motorcycle safety education grants and administration are appropriated to the department of state for operation of the motorcycle safety education program previously operated by the department of education under section 811a of the Michigan vehicle code, 1949 PA 300, MCL 257.811a.

(2) Funds in part 1 for motorcycle safety education grants and administration shall be derived from original and renewal motorcycle license endorsements, annual motorcycle registration fees, and motorcycle operator driving test fees.

(3) Funds in part 1 for motorcycle safety education grants and administration shall be used to provide grants to colleges, universities, intermediate school districts, local school districts, law enforcement agencies, or other governmental agencies located in the state, to help subsidize safety training courses for individuals interested in operating motorcycles.

(4) Funds in part 1 for motorcycle safety education grants and administration may be used by the department of state for administration costs of the motorcycle safety education program, to include, but not be limited to, review and approval or disapproval of grant applications, monitoring eligibility of motorcycle safety instructors, conducting program evaluation, certifying third-party testers, and inspecting training sites.

Sec. 819. (1) From the funds appropriated in part 1 to the department of state for information technology services and projects, there is appropriated \$3,450,000.00 for the business application modernization project. Funds shall only be used for the development, implementation, and maintenance of the business application modernization project.

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

Sec. 820. The department of state shall explore the feasibility of locating the Keweenaw County secretary of state branch office with the Keweenaw County department of human services office.

## **DEPARTMENT OF TREASURY**

### **OPERATIONS**

Sec. 902. (1) Amounts needed to pay for interest, fees, principal, arbitrage rebates as required by federal law, and costs associated with the payment, registration, trustee services, credit enhancements, and issuing costs in excess of the amount appropriated to the department of treasury in part 1 for debt service on notes and bonds that are issued by the state under sections 14, 15, and 16 of article IX of the state constitution of 1963 as implemented by 1967 PA 266, MCL 17.451 to 17.455, are appropriated.

(2) In addition to the amount appropriated to the department of treasury for debt service in part 1, there is appropriated an amount for fiscal year cash-flow borrowing costs to pay for interest on interfund borrowing made under 1967 PA 55, MCL 12.51 to 12.53.

Sec. 903. (1) From the funds appropriated in part 1, the department of treasury may contract with private collection agencies and law firms to collect taxes and other accounts due this state. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund collection costs and fees not to exceed 25% of the collections or 2.5% plus operating costs, whichever amount is prescribed by the contract. The appropriation to fund collection costs and fees for the collection of taxes or other accounts due this state are from the fund or account to which the revenues being collected are recorded or dedicated. However, if the taxes collected are constitutionally dedicated for a specific purpose, the appropriation of collection costs and fees are from the general purpose account of the general fund.

(2) From the funds appropriated in part 1, the department of treasury may contract with private collections agencies and law firms to collect defaulted student loans and other accounts due the Michigan guaranty agency. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund collection costs and fees not to exceed 22% of the collection or a lesser amount as prescribed by the contract. The appropriation to fund collection costs and fees for the auditing and collection of defaulted student loans due the Michigan guaranty agency is from the fund or account to which the revenues being collected are recorded or dedicated.

(3) The department of treasury shall submit a report for the immediately preceding fiscal year ending September 30 to the state budget director and the senate and house of representatives standing committees on appropriations not later than November 30 stating the agencies or law firms employed, the amount of collections for each, the costs of collection, and other pertinent information relating to determining whether this authority should be continued.

Sec. 904. (1) The department of treasury, through its bureau of investments, may charge an investment service fee against the applicable retirement funds. The fees may be expended for necessary salaries, wages, contractual services, supplies, materials, equipment, travel, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement funds. Service fees shall not exceed the aggregate amount appropriated in part 1. The department of treasury shall maintain accounting records in sufficient detail to enable the retirement funds to be reimbursed periodically for fee revenue that is determined by the department of treasury to be surplus.

(2) In addition to the funds appropriated in part 1 from the retirement funds to the department of treasury, there is appropriated from retirement funds an amount sufficient to pay for the services of money managers, investment advisors, investment consultants, custodians, and other outside professionals, the state treasurer considers necessary to prudently manage the retirement funds' investment portfolios. The state treasurer shall report annually to the senate and house of representatives standing committees on appropriations and the state budget office concerning the performance of each portfolio by investment advisor.

Sec. 905. (1) The department of treasury shall sell copies of the state tax manual, uniform accounting procedures manual, general property tax law manual, and other local government assistance manuals with amendments, at a price not to exceed the cost of production. The revenue received from the sale of preparation and local government assistance manuals shall revert to the department of treasury and be placed in the local government assistance manual revolving fund.

(2) In addition to the funds appropriated in part 1, revenue received from the sale of those manuals is appropriated.

Sec. 906. (1) The department of treasury shall charge for audits as permitted by state or federal law or under contractual arrangements with local units of government, other principal executive departments, or state agencies. A report detailing audits performed and audit charges for the immediately preceding fiscal year shall be submitted to the state budget director and the senate and house fiscal agencies not later than November 30.

(2) The appropriation in part 1 to the department of treasury, for state compliance audits, shall be used to cover the cost of the state audits performed by independent certified public accountants or department of treasury auditors. The scope of the state audit shall be defined by the state treasurer. The state audits shall be performed by independent certified public accountants contracted with by the state treasurer or by department of treasury auditors, if the county has agreed to contract with and pay the department for their financial single audit.

(3) The state audits shall be performed for the most current county fiscal year in conjunction with the financial single audit. The state audit may be performed either by certified public accountants contracted by the state treasurer or department of treasury staff, independent of the financial single audit, if a state audit has not been performed within the last 3 years.

Sec. 907. A revolving fund known as the assessor certification and training fund is created in the department of treasury. The assessor certification and training fund shall be used to organize and operate a property assessor certification and training program. Each participant certified and trained shall pay to the department of treasury an examination fee of \$50.00, an initial certification fee of \$50.00, an annual renewal fee of \$75.00 for levels 1 and 2, and \$125.00 for levels 3 and 4 to offset the cost of administering the certification and training program. Training courses shall be offered in assessment administration. Each participant shall pay a fee to cover the expenses incurred in offering

the optional programs to certified assessing personnel and other individuals interested in an assessment career opportunity. The fees collected shall be credited to the assessor certification and training fund.

Sec. 908. The amount appropriated in part 1 to the department of treasury, home heating assistance program, is to cover the costs, including data processing, of administering federal home heating credits to eligible claimants and to administer the supplemental fuel cost payment program for eligible tax credit and welfare recipients.

Sec. 909. Revenue from the airport parking tax act, 1987 PA 248, MCL 207.371 to 207.383, is appropriated and shall be distributed under section 7a of the airport parking tax act, 1987 PA 248, MCL 207.377a.

Sec. 910. The disbursement by the department of treasury from the bottle deposit fund to dealers as required by section 3c(2) of the Initiated Law of 1976, MCL 445.573c, is appropriated.

Sec. 911. (1) There is appropriated an amount sufficient to recognize and pay refundable income tax credits as provided by the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

(2) The appropriations under subsection (1) shall be funded by restricting income tax revenue in an amount sufficient to record these expenditures.

Sec. 912. A plaintiff in a garnishment action involving this state shall pay to the state treasurer 1 of the following:

(a) A fee of \$6.00 at the time a writ of garnishment of periodic payments is served upon the state treasurer, as provided in section 4012 of the revised judicature act of 1961, 1961 PA 236, MCL 600.4012.

(b) A fee of \$6.00 at the time any other writ of garnishment is served upon the state treasurer, except that the fee shall be reduced to \$5.00 for each writ of garnishment for individual income tax refunds or credits filed by magnetic media.

Sec. 913. (1) The department of treasury may contract with private firms to appraise and, if necessary, appeal the assessments of senior citizen cooperative housing units. Payment for this service shall be from savings resulting from the appraisal or appeal process.

(2) Of the funds appropriated in part 1 to the department of treasury for the senior citizens' cooperative housing tax exemption program, a portion is to be utilized for a program audit of the program. The department of treasury shall forward copies of the audit report to the senate and house of representatives standing committees on appropriations subcommittees on general government and to the state budget office. The department of treasury may utilize up to 1% of the funds for program administration and auditing.

Sec. 914. The department of treasury may provide a \$200.00 annual prize from the Ehlers internship award account in the gifts, bequests, and deposit fund to the runner-up of the Rosenthal prize for interns. The Ehlers internship award account is interest bearing.

Sec. 915. Pursuant to section 61 of the Michigan campaign finance act, 1976 PA 388, MCL 169.261, there is appropriated from the general fund to the state campaign fund an amount equal to the amounts designated for tax year 2005. Except as otherwise provided in this section, the amount appropriated shall not revert to the general fund and shall remain in the state campaign fund. Any amounts remaining in the state campaign fund in excess of \$10,000,000.00 on December 31, 2006 shall revert to the general fund.

Sec. 916. The department of treasury may make available to interested entities otherwise unavailable customized unclaimed property listings of nonconfidential information in its possession. The charge for this information is as follows: 1 to 100,000 records at 2.5 cents per record and 100,001 or more records at .5 cents per record. The revenue received from this service shall be deposited to the appropriate revenue account or fund. The department shall submit an annual report on or before June 1 to the state budget director and the senate and house of representatives standing committees on appropriations that states the amount of revenue received from the sale of information.

Sec. 917. (1) There is appropriated for write-offs and advances an amount equal to total write-offs and advances for departmental programs, but not to exceed current year authorizations that would otherwise lapse to the general fund.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director and the senate and house fiscal agencies not later than November 30, stating the amounts appropriated for write-offs and advances under subsection (1).

Sec. 918. In addition to funds appropriated in part 1, the department of treasury may receive and expend funds for conducting tax orientation workshops and seminars. Funds received may not exceed costs incurred in conducting the workshops and seminars.

Sec. 919. (1) From funds appropriated in part 1, the department of treasury may contract with private auditing firms to audit for and collect unclaimed property due this state in accordance with the Michigan uniform unclaimed property act. In addition to the amounts appropriated in part 1 to the department of treasury, there are appropriated amounts necessary to fund auditing and collection costs and fees not to exceed 12% of the collections, or a lesser amount as prescribed by the contract. The appropriation to fund collection costs and fees for the auditing and collection of unclaimed property due this state is from the fund or account to which the revenues being collected are recorded or dedicated.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year ending September 30 to the state budget director and the senate and house of representatives standing committees on appropriations not later than November 30 stating the auditing firms employed, the amount of collections for each, the costs of collection, and other pertinent information relating to determining whether this authority should be continued.

Sec. 920. Payments from the appropriation in part 1 to the department of treasury for grants to counties in lieu of taxes for lands transferred to the federal government include a payment for Sleeping Bear Dunes national lakeshore under 1974 PA 359, MCL 3.901 to 3.910.

Sec. 921. The state general fund/general purpose appropriation in part 1 for renaissance zone reimbursement is allocated to reimburse public libraries as provided by section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692, for property taxes levied in 2004. Reimbursements shall be made in amounts to each eligible recipient not later than 60 days after the department of treasury certifies to the department that it has received all necessary information to properly determine the amounts due each eligible recipient under section 12(4) of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692. Any excess allocations shall lapse to the general fund.

Sec. 922. The department of treasury shall submit a report for the immediately preceding fiscal year ending September 30 to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director by November 30 stating the amount of Michigan transportation fund revenue collected and the cost of collection.

Sec. 924. (1) In addition to the funds appropriated in part 1, the department of treasury may receive and expend principal residence audit fund revenue for administration of principal residence audits under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director and the senate and house fiscal agencies not later than December 31, stating the amount of revenue appropriated for principal residence audits under subsection (1).

Sec. 928. The department of treasury may provide receipt, warrant and cash processing, data, collection, investment, fiscal agent, levy and warrant cost assessment, writ of garnishment, and other user services on a contractual basis for other principal executive departments and state agencies. Funds for the services provided are appropriated and shall be expended for salaries and wages, fees, supplies, and equipment necessary to provide the services. Any unobligated balance of the funds received shall revert to the general fund of this state as of September 30.

Sec. 929. The department of treasury may enter into agreements to supply data or collection services to other executive principal departments or state agencies, the United States department of treasury, or local units of government within this state. The department of treasury shall charge for this tax data service and amounts received are appropriated and shall be expended for salaries and wages, fees, supplies, and equipment necessary to provide the service. Any unobligated balance of the fund shall revert to the general fund of this state as of September 30.

Sec. 930. (1) The department of treasury shall provide accounts receivable collections services to other principal executive departments and state agencies under 1927 PA 375, MCL 14.131 to 14.134. The department of treasury shall deduct a fee equal to the cost of collections from all receipts except unrestricted general fund collections. Fees shall be credited to a restricted revenue account and appropriated to the department of treasury to pay for the cost of collections. The department of treasury shall maintain accounting records in sufficient detail to enable the respective accounts to be reimbursed periodically for fees deducted that are determined by the department of treasury to be surplus to the actual cost of collections.

(2) The department of treasury shall submit a report for the immediately preceding fiscal year to the state budget director and the senate and house fiscal agencies not later than November 30, stating the principal executive departments and state agencies served, funds collected, and costs of collection under subsection (1).

Sec. 931. (1) The appropriation in part 1 to the department of treasury for treasury fees shall be assessed against all restricted funds that receive common cash earnings. Treasury fees include all costs, including administrative overhead,



relating to the investment of each restricted fund. The fee assessed against each restricted fund will be based on the size of the restricted fund (the absolute value of the average daily cash balance plus the market value of investments in the prior fiscal year) and the level of effort necessary to maintain the restricted fund as required by each department. The department of treasury shall provide a report to the state budget director, the senate and house of representatives standing committees on appropriations subcommittees on general government, and the senate and house fiscal agencies by November 30 of each year identifying the fees assessed against each restricted fund.

(2) In addition to the funds appropriated in part 1, the department of treasury may receive and expend investment fees relating to new restricted funding sources that participate in common cash earnings during the current fiscal year. When a new restricted fund is created starting on or after October 1, that restricted fund shall be assessed a fee using the same criteria identified in subsection (1).

Sec. 932. Revenue received under the Michigan education trust act, 1986 PA 316, MCL 390.1421 to 390.1442, may be expended by the board of directors of the Michigan education trust for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund.

Sec. 933. (1) The \$1,000,000.00 appropriated in part 1 for the Michigan education savings program is from the Michigan merit award trust fund to fund an incentive program for the Michigan education savings program created under the Michigan education savings program act, 2000 PA 161, MCL 390.1471 to 390.1486.

(2) The funds appropriated for the Michigan education savings program shall be used to provide a state match to dollars invested on behalf of each child named as a designated beneficiary in the Michigan education savings program who is 6 years of age or less, who is a Michigan resident, and whose family's income is \$80,000.00 or less.

(3) During the current fiscal year, the state shall provide \$1.00 of matching funds for each \$3.00 of individual contributions to the educational savings accounts. The maximum state match for each designated beneficiary shall be \$200.00.

(4) The state match shall be available only in the first year the child is enrolled in the Michigan education savings program.

Sec. 934. The department of treasury may expend revenues received under the hospital finance authority act, 1969 PA 38, MCL 331.31 to 331.84, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund. The department of treasury shall maintain accounting records in sufficient detail to enable the hospital clients to be reimbursed periodically for fees that are determined by the department of treasury to be surplus to needs.

Sec. 935. The department of treasury may expend revenue received under the shared credit rating act, 1985 PA 227, MCL 141.1051 to 141.1076, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund.

Sec. 936. The department of treasury shall establish a separate account for the funds related to the Michigan higher education facilities authority. The department of treasury may expend revenue received under the higher education facilities authority act, 1969 PA 295, MCL 390.921 to 390.934, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund. The department of treasury shall maintain accounting records in sufficient detail to enable the educational institution clients to be reimbursed periodically for fees that are determined by the department to be surplus to needs.

Sec. 937. The department of treasury may expend revenues received under the Michigan public educational facilities authority, Executive Order No. 2002-3, for necessary salaries, wages, supplies, contractual services, equipment, worker's compensation insurance premiums, and grants to the civil service commission and state employees' retirement fund.

Sec. 939. It is the intent of the legislature that the state treasurer, acting within his or her capacity as the investment fiduciary for public employee pension funds and consistent with 1965 PA 314, MCL 38.1132 to 38.1140m, give appropriate consideration to investments in early stage, university derived life science companies located in Michigan, or investments in venture capital funds that invest in those companies to the extent those investments offer the safety and rate of return comparable to other investments permitted and available at the time the investment decision is made.

Sec. 941. In addition to the funds appropriated in part 1, there is appropriated up to \$570,000.00 from standardized audit schedules recovered delinquent tax collection revenues for the support of standardized audit schedule project expenses. The funding shall be used to exclusively support business tax audits related to sales tax, use tax, withholding,

single business tax, and motor fuel tax obligations. Any unexpended funds at the end of the fiscal year shall lapse to the general fund.

Sec. 943. The department of treasury shall not include complete social security numbers in form 1099-G mailings to taxpayers.

Sec. 944. The department of treasury shall develop a pilot application for an on-line credit only preparation and filing system for homestead property and home heating credit filers. The system shall be available for the 2005 tax year and shall be provided at no cost to the individuals who use the system to prepare and file these credits.

Sec. 945. The assessment and certification division of the department of treasury may conduct a review of local unit assessment administration practices, procedures, and records, also known as the 14-point review, in at least 1 assessment jurisdiction per county.

Sec. 946. Members of the state tax commission and management level staff of the assessment and certification division may meet with statewide assessment organizations on a quarterly basis for the purpose of coordinating assessment and training activities. Recertification and training activities may be conducted at regional locations chosen to maximize participation of local officials.

Sec. 947. (1) Of the additional \$6,590,000.00 included in part 1 for the revenue enhancement program, \$5,840,000.00 shall be used for revenue collection enhancement activities including auditing functions. With the exception of current contract obligations under which contractors are performing audits under the supervision of the department of treasury, the \$5,840,000.00 shall only be used to hire state classified civil service positions and may not be used to contract out services.

(2) The department of treasury shall submit quarterly progress reports related to personal property tax audits funded under subsection (1). The report shall include the number of audits, revenue generated, and number of complaints received by the department related to the audits. The senate and house appropriations subcommittees on general government shall hold a joint public hearing 6 months after the beginning of the fiscal year regarding complaints and progress related to personal property tax audits conducted under this program.

(3) The \$750,000.00 balance of the \$6,590,000.00 shall be used for the principal residence exemption compliance program. By November 1, 2005, the department of treasury shall submit a detailed spending plan regarding expenditure of the \$750,000.00. The plan shall include improvements to the current program administered by the department pursuant to 2003 PA 105, and projected collections related to program improvements. The department shall also submit quarterly progress reports that detail the number of audits, number of exemptions denied, and the distribution of revenue received. The legislative auditor general shall complete a performance audit of the principal residence exemption compliance program prior to April 1, 2006. Revenue generated to the state from principal residence audits conducted under the principal residence exemption compliance program shall be used to reimburse the state general fund for the \$750,000.00 appropriation prior to any other allocation.

Sec. 948. The department shall develop a strategic plan which provides for the electronic filing of all tax returns, including, but not limited to, state income tax and single business tax returns, free of charge. The strategic plan shall include the date on which free electronic filing will be made available for tax filers. Copies of the strategic plan shall be submitted to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies by March 1.

## **REVENUE SHARING**

Sec. 950. (1) Revenue collected in accordance with section 10 of article IX of the state constitution of 1963 in excess of the amount appropriated in part 1 for constitutional revenue sharing is appropriated for distribution to townships, cities, and villages on a population basis as specified by law. The appropriation in part 1 for statutory state general revenue sharing grants to townships, cities, and villages shall be reduced by an amount equal to any additional constitutional revenue sharing appropriations authorized in this section.

(2) The appropriation in part 1 for statutory state general revenue sharing grants shall be distributed according to the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.901 to 141.921. Undistributed funds shall lapse to the general fund.

Sec. 952. The appropriation in part 1 for special grants to cities shall be used to restore revenue sharing reductions contained in Executive Order No. 2003-23 to a city that had an emergency financial manager appointed pursuant to the

local government fiscal responsibility act, 1990 PA 72, MCL 141.1201 to 141.1291, continuously from December 10, 2003 through September 30, 2006.

Sec. 955. (1) There is appropriated to each county an amount equal to the amount distributed to each county for the fiscal year ending September 30, 2004, pursuant to the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.901 to 141.921, adjusted by the inflation rate as defined in section 34d of the general property tax act, 1893 PA 206, MCL 211.34d, and reduced by the amount each county is authorized to annually expend in that county's fiscal year beginning after September 30, 2004, from its revenue sharing reserve fund pursuant to section 44a of the general property tax act, 1893 PA 206, MCL 211.44a.

(2) The department of treasury shall annually certify to the state budget director the amount each county is authorized to expend from its revenue sharing reserve fund.

Sec. 956. The department of treasury shall transmit special census revenue sharing payments to eligible cities, villages, and townships under the Glenn Steil revenue sharing act of 1971, 1971 PA 140, MCL 141.901 to 141.921.

## **LOTTERY**

Sec. 960. In addition to the funds appropriated in part 1 to the bureau of state lottery, there is appropriated from lottery revenues the amount necessary for, and directly related to, implementing and operating lottery games. Appropriations under this section shall only be expended for contractually mandated payments for vendor commissions, contractually mandated payments for instant tickets intended for resale, the contractual costs of providing and maintaining the on-line system communications network, and incentive and bonus payments to lottery retailers.

Sec. 961. The funds appropriated in part 1 to the bureau of state lottery shall not be used for any promotional efforts directed towards individuals who are less than 18 years of age.

Sec. 962. (1) The funds appropriated in part 1 to the bureau of state lottery shall not be used to directly or indirectly associate professional or amateur sports figures with the lottery or its products.

(2) The prohibition in subsection (1) does not apply to the use of NASCAR drivers in conjunction with the promotion of instant ticket products. By November 1, 2005, the bureau of state lottery shall provide a report detailing the amount of revenue generated under this subsection to the senate and house of representatives standing committees on appropriations subcommittees on general government. The report shall include the cost of obtaining the use of NASCAR drivers, other administrative costs, and net revenue deposited in the state school aid fund.

Sec. 963. The bureau of state lottery shall inform all lottery retailers that the cash side of department of human services bridge cards cannot be used to purchase lottery tickets.

## **CASINO GAMING**

Sec. 971. From the revenue collected by the Michigan gaming control board regarding the total annual assessment of each casino licensee, \$2,000,000.00 is appropriated and shall be deposited in the compulsive gaming prevention fund as described in section 12a(5) of the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.212a.

Sec. 972. In addition to the funds appropriated in part 1, funds distributed by the Michigan gaming control board to the department of treasury for oversight of casino gaming are appropriated upon receipt. These funds may be used to pay for costs incurred for casino gaming oversight activities.

Sec. 973. (1) Funds appropriated in part 1 for local government programs may be used to provide assistance to a local revenue sharing board referenced in an agreement authorized by the Indian gaming regulatory act, Public Law 100-497, 102 Stat. 2467.

(2) A local revenue sharing board described in subsection (1) shall comply with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, and the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(3) A county treasurer is authorized to receive and administer funds received for and on behalf of a local revenue sharing board. Funds appropriated in part 1 for local government programs may be used to audit local revenue sharing board funds held by a county treasurer. This section does not limit the ability of local units of government to enter into

agreements with federally recognized Indian tribes to provide financial assistance to local units of government or to jointly provide public services.

(4) The director of the department of state police and the executive director of the Michigan gaming control board are authorized to assist the local revenue sharing boards in determining allocations to be made to local public safety organizations.

(5) The department of treasury shall submit a report by September 30 to the senate and house of representatives standing committees on appropriations and the state budget director on the receipts and distribution of revenues by local revenue sharing boards.

Sec. 974. If revenues collected in the state services fee fund are less than the amounts appropriated from the fund, available revenues shall be used to fully fund the appropriation in part 1 of this act for casino gaming regulation activities before distributions are made to other state departments and agencies. If the remaining revenue in the fund is insufficient to fully fund appropriations to other state departments or agencies, the shortfall shall be distributed proportionally among those departments and agencies.

### **STATE BUILDING AUTHORITY**

Sec. 980. (1) Subject to section 242 of the management and budget act, 1984 PA 431, MCL 18.1242, and upon the approval of the state building authority, the department may expend from the general fund of the state during the fiscal year ending September 30, 2006 an amount to meet the cash flow requirements of those state building authority projects solely for lease to a state agency identified in both part 1 and this section, and for which state building authority bonds or notes have not been issued, and for the sole acquisition by the state building authority of equipment and furnishings for lease to a state agency as permitted by 1964 PA 183, MCL 830.411 to 830.425, for which the issuance of bonds or notes is authorized by a legislative concurrent resolution that is effective for the fiscal year ending September 30, 2006. Any general fund advances for which state building authority bonds have not been issued shall bear an interest cost to the state building authority at a rate not to exceed that earned by the state treasurer's common cash fund during the period in which the advances are outstanding and are repaid to the general fund of the state.

(2) Upon sale of bonds or notes for the projects identified in part 1 or for equipment as authorized by legislative concurrent resolution and in this section, the state building authority shall credit the general fund of the state an amount equal to that expended from the general fund plus interest, if any, as defined in this section.

(3) For state building authority projects for which bonds or notes have been issued and upon the request of the state building authority, the state treasurer shall make advances without interest from the general fund as necessary to meet cash flow requirements for the projects, which advances shall be reimbursed by the state building authority when the investments earmarked for the financing of the projects mature.

(4) In the event that a project identified in part 1 is terminated after final design is complete, advances made on behalf of the state building authority for the costs of final design shall be repaid to the general fund in a manner recommended by the director and approved by the JCOS.

Sec. 981. (1) State building authority funding to finance construction or renovation of a facility that collects revenue in excess of money required for the operation of that facility shall not be released to a university or community college unless the institution agrees to reimburse that excess revenue to the state building authority. The excess revenue shall be credited to the general fund to offset rent obligations associated with the retirement of bonds issued for that facility. The auditor general shall annually identify and present an audit of those facilities that are subject to this section. Costs associated with the administration of the audit shall be charged against money recovered pursuant to this section.

(2) As used in this section, "revenue" includes state appropriations, facility opening money, other state aid, indirect cost reimbursement, and other revenue generated by the activities of the facility.

Sec. 982. (1) The state building authority rent appropriations in part 1 may also be expended for the payment of required premiums for insurance on facilities owned by the state building authority or payment of costs that may be incurred as the result of any deductible provisions in such insurance policies.

(2) If the amount appropriated in part 1 for state building authority rent is not sufficient to pay the rent obligations and insurance premiums and deductibles identified in subsection (1) for state building authority projects, there is appropriated from the general fund of the state the amount necessary to pay such obligations.

Sec. 983. The department of management and budget shall provide the JCOS and the fiscal agencies a report relative to the status of construction projects associated with state building authority bonds on September 30 of each year, or

not more than 30 days after a refinancing or restructuring bond issue is sold. The report shall include, but is not limited to, the following:

- (a) A list of all completed construction projects for which state building authority bonds have been sold, and which bonds are currently active.
- (b) A list of all projects under construction for which sale of state building authority bonds is pending.
- (c) A list of all projects authorized for construction or identified in an appropriations act for which approval of schematic/preliminary plans or total authorized cost is pending that have state building authority bonds identified as a source of financing.

**REVENUE STATEMENT**

Sec. 1101. Pursuant to section 18 of article V of the state constitution of 1963, fund balances and estimates are presented in the following statement:

**BUDGET RECOMMENDATIONS BY OPERATING FUNDS**

(Amounts in millions)

Fiscal Year 2005-2006

	Fund	Beginning Unreserved Fund Balance	Estimated Revenue	Ending Balance
<b>OPERATING FUNDS</b>				
General fund/general purpose .....	0110	0.0	8,977.7	0.4
General fund/special purpose .....		35.1	13,833.6	91.6
Special Revenue Funds:				
Countercyclical budget and economic stabilization.....	0111	0.0	0.0	0.0
Game and fish protection .....	0112	3.0	61.8	0.0
Michigan employment security act administration.....	0113	5.0	123.4	6.8
State aeronautics.....	0114	0.0	158.1	0.0
Michigan veterans' benefit trust.....	0115	0.0	2.2	0.0
State trunkline.....	0116	0.0	1,949.9	0.0
Michigan state waterways .....	0117	8.6	24.5	0.0
Blue Water Bridge.....	0118	0.0	15.0	0.0
Michigan transportation.....	0119	0.0	2,034.1	0.0
Comprehensive transportation .....	0120	0.0	315.5	0.0
School aid.....	0122	1.9	12,757.4	0.0
Marine safety .....	0123	0.0	4.9	0.0
Game and fish protection trust.....	0124	6.0	10.0	6.0
State park improvement .....	0125	3.2	35.3	1.4
Forest development.....	0126	10.5	27.1	9.2
Michigan civilian conservation corps endowment.....	0128	0.2	1.0	0.0
Michigan natural resources trust.....	0129	40.0	31.2	33.5
Michigan state parks endowment.....	0130	6.1	14.4	3.0
Safety education and training .....	0131	4.8	7.1	4.7
Bottle deposit.....	0136	0.0	32.3	0.0
State construction code .....	0138	2.5	9.4	(3.3)
Children's trust.....	0139	1.0	4.1	0.7
State casino gaming .....	0140	1.2	31.1	1.2
Homeowner construction lien recovery.....	0141	3.1	0.4	2.6
Michigan nongame fish and wildlife .....	0143	0.3	0.5	0.1
Michigan merit award trust.....	0154	1.3	215.1	0.0
Tobacco settlement trust .....	0155	0.0	72.4	0.0
<b>TOTALS .....</b>		<b>\$133.8</b>	<b>\$40,749.5</b>	<b>\$157.9</b>

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