

**SUBSTITUTE FOR
SENATE BILL NO. 242**

A bill to make, supplement, and adjust appropriations for various state departments and agencies and the legislative branch for the fiscal years ending September 30, 2005 and September 30, 2006; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS FOR FISCAL YEAR 2005-2006

Sec. 101. There is appropriated for certain state departments and certain other state purposes and the legislative branch as set forth in this part for the fiscal year ending September 30, 2006, from the following funds:

APPROPRIATION SUMMARY:

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1	Full-time equated classified positions.....	0.0	
2	GROSS APPROPRIATION.....	\$	<<8,708,500>>
3	Interdepartmental grant revenues:		
4	Total interdepartmental grants and intradepartmental		
5	transfers		0
6	ADJUSTED GROSS APPROPRIATION.....	\$	<<8,708,500>>
7	Federal revenues:		
8	Total federal revenues.....		400
9	Special revenue funds:		
10	Total local revenues.....		0
11	Total private revenues.....		0
12	Total other state restricted revenues.....		<<7,500,000>>
13	State general fund/general purpose.....	\$	<<1,208,100>>
	<<Sec. 102. DEPARTMENT OF CORRECTIONS		
	(1) APPROPRIATION SUMMARY		
	GROSS APPROPRIATION.....	\$	100
	Total interdepartmental grants and intradepartmental transfers		0
	ADJUSTED GROSS APPROPRIATION	\$	100
	Total federal revenues		0
	Total local revenues.....		0
	Total private revenues.....		0
	Total state restricted revenues		0
	State general fund/general purpose.....		100
	(2) EXECUTIVE		
	Executive direction.....		100
	GROSS APPROPRIATION.....		100
	Appropriated from:		
	State general fund/general purpose		100>>
14	Sec. <<103>>. HIGHER EDUCATION		
15	(1) APPROPRIATION SUMMARY		
16	GROSS APPROPRIATION.....	\$	500,000
17	Total interdepartmental grants and intradepartmental		
18	transfers		0
19	ADJUSTED GROSS APPROPRIATION.....	\$	500,000

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20	Total federal revenues.....		0
21	Total local revenues.....		0
22	Total private revenues.....		0
23	Total state restricted revenues.....		0
24	State general fund/general purpose.....	\$	500,000
25	(2) GRANTS AND FINANCIAL AID		
26	Children of veterans tuition grant program.....	\$	<u>500,000</u>

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1	GROSS APPROPRIATION.....	\$	500,000
2	Appropriated from:		
3	State general fund/general purpose.....	\$	500,000
4	Sec. <<104>>. DEPARTMENT OF HUMAN SERVICES		
5	(1) APPROPRIATION SUMMARY		
6	GROSS APPROPRIATION.....	\$	400
7	Total interdepartmental grants and intradepartmental		
8	transfers		0
9	ADJUSTED GROSS APPROPRIATION.....	\$	400
10	Total federal revenues.....		400
11	Total local revenues.....		0
12	Total private revenues.....		0
13	Total state restricted revenues.....		0
14	State general fund/general purpose.....	\$	0
15	(2) CHILD SUPPORT ENFORCEMENT		
16	Child support incentive payments.....	\$	<u>100</u>
17	GROSS APPROPRIATION.....	\$	100
18	Appropriated from:		
19	Federal revenues:		
20	Total federal revenues.....		100
21	State general fund/general purpose.....	\$	0
22	(3) CHILD AND FAMILY SERVICES		
23	Foster care payments.....	\$	100
24	Domestic violence prevention and treatment.....		<u>100</u>
25	GROSS APPROPRIATION.....	\$	200
26	Appropriated from:		

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1	Federal revenues:		
2	Total federal revenues.....		200
3	State general fund/general purpose.....	\$	0
4	(4) PUBLIC ASSISTANCE		
5	Indigent burial.....	\$	<u>100</u>
6	GROSS APPROPRIATION.....	\$	100
7	Appropriated from:		
8	Federal revenues:		
9	Total federal revenues.....		100
10	State general fund/general purpose.....	\$	0
11	Sec. <<105>>. LEGISLATURE		
12	(1) APPROPRIATION SUMMARY		
13	GROSS APPROPRIATION.....	\$	708,000
14	Total interdepartmental grants and intradepartmental		
15	transfers		0
16	ADJUSTED GROSS APPROPRIATION.....	\$	708,000
17	Total federal revenues.....		0
18	Total local revenues.....		0
19	Total private revenues.....		0
20	Total state restricted revenues.....		0
21	State general fund/general purpose.....	\$	708,000
22	(2) LEGISLATIVE COUNCIL		
23	Legislative council.....	\$	500,000
24	Census tracking/reapportionment.....		<u>208,000</u>
25	GROSS APPROPRIATION.....	\$	708,000
26	Appropriated from:		

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1	State general fund/general purpose	\$	708,000
2	Sec. <<106>>. DEPARTMENT OF NATURAL RESOURCES		
3	(1) APPROPRIATION SUMMARY		
4	GROSS APPROPRIATION	\$	500,000
5	Total interdepartmental grants and intradepartmental		
6	transfers		0
7	ADJUSTED GROSS APPROPRIATION	\$	500,000
8	Total federal revenues		0
9	Total local revenues		0
10	Total private revenues		0
11	Total state restricted revenues		500,000
12	State general fund/general purpose	\$	0
13	(2) FISHERIES MANAGEMENT (RESOURCE CONSERVATION)		
14	Water withdrawal assessment tool	\$	<u>500,000</u>
15	GROSS APPROPRIATION	\$	500,000
16	Appropriated from:		
17	Special revenue funds:		
18	Clean Michigan initiative - clean water fund		500,000
19	State general fund/general purpose	\$	0
20	Sec. <<107>>. DEPARTMENT OF TREASURY		
21	(1) APPROPRIATION SUMMARY		
22	GROSS APPROPRIATION	\$	<<7,000,000>>
23	Total interdepartmental grants and intradepartmental		
24	transfers		0
25	ADJUSTED GROSS APPROPRIATION	\$	<<7,000,000>>

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1	Total federal revenues.....		0
2	Total local revenues.....		0
3	Total private revenues.....		0
4	Total state restricted revenues.....	<<7,000,000>>	
5	State general fund/general purpose.....	\$	0
6	(2) GRANTS		
7	State sports tourism.....	\$	<u>1,000,000</u>
8	GROSS APPROPRIATION.....	\$	1,000,000
9	Appropriated from:		
10	Special revenue funds:		
11	Convention facility development fund.....		1,000,000
12	State general fund/general purpose.....	\$	0
13	(3) TOBACCO SECURITIZATION ECONOMIC DEVELOPMENT		
14	Private research institute.....	\$	<u>1,000,000</u>
15	<<Agricultural development fund.....		<u>5,000,000>></u>
15	GROSS APPROPRIATION.....	\$	<<6,000,000>>
16	Appropriated from:		
17	Special revenue funds:		
18	21st century jobs fund.....		<<6,000,000>>
19	State general fund/general purpose.....	\$	0

20 PART 1A

21 LINE-ITEM APPROPRIATIONS FOR FISCAL YEAR 2004-2005

22 Sec. 151. There is appropriated for certain state departments
 23 and certain other state purposes as set forth in this part for the
 24 fiscal year ending September 30, 2005, from the following funds:

25 APPROPRIATION SUMMARY

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1	Full-time equated classified positions.....	0.0	
2	GROSS APPROPRIATION.....	\$	<<818,200>>
3	Interdepartmental grant revenues:		
4	Total interdepartmental grants and intradepartmental		
5	transfers		0
6	ADJUSTED GROSS APPROPRIATION.....	\$	<<818,200>>
7	Federal revenues:		
8	Total federal revenues.....		<<443,200>>
9	Special revenue funds:		
10	Total local revenues.....		0
11	Total private revenues.....		0
12	Total other state restricted revenues.....		375,000
13	State general fund/general purpose.....	\$	0
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8 **Sec. 153. DEPARTMENT OF CIVIL RIGHTS**

9 **(1) APPROPRIATION SUMMARY**

10	GROSS APPROPRIATION.....	\$	443,200
11	Total interdepartmental grants and intradepartmental		
12	transfers		0
13	ADJUSTED GROSS APPROPRIATION.....	\$	443,200
14	Total federal revenues.....		443,200
15	Total local revenues.....		0
16	Total private revenues.....		0
17	Total state restricted revenues.....		0
18	State general fund/general purpose.....	\$	0

19 **(2) CIVIL RIGHTS OPERATIONS**

20	Civil rights operations.....	\$	<u>443,200</u>
21	GROSS APPROPRIATION.....	\$	443,200
22	Appropriated from:		
23	Federal revenues:		
24	EEOC, state and local antidiscrimination agency		
25	contracts		161,300
26	HUD, grant.....		281,900

1	State general fund/general purpose	\$	0
2	Sec. 154. DEPARTMENT OF NATURAL RESOURCES		
3	(1) APPROPRIATION SUMMARY		
4	GROSS APPROPRIATION	\$	375,000
5	Interdepartmental grant revenues:		
6	Total interdepartmental grants and intradepartmental		
7	transfers		0
8	ADJUSTED GROSS APPROPRIATION	\$	375,000
9	Federal revenues:		
10	Total federal revenues		0
11	Special revenue funds:		
12	Total local revenues		0
13	Total private revenues		0
14	Total other state restricted revenues		375,000
15	State general fund/general purpose	\$	0
16	(2) PAYMENTS IN LIEU OF TAXES		
17	Purchased lands	\$	(340,000)
18	Special payments to counties		<u>340,000</u>
19	GROSS APPROPRIATION	\$	0
20	Appropriated from:		
21	State general fund/general purpose	\$	0
22	(3) PARKS AND RECREATION		
23	State parks	\$	<u>375,000</u>
24	GROSS APPROPRIATION	\$	375,000
25	Appropriated from:		
26	Special revenue funds:		

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1	Park improvement fund.....	375,000	
2	State general fund/general purpose.....	\$	0

3 PART 2

4 PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 2005-2006

5 **GENERAL SECTIONS**

6 Sec. 201. In accordance with the provisions of section 30 of
 7 article IX of the state constitution of 1963, total state spending
 8 from state resources in part 1 for the fiscal year ending September
 9 30, 2006 is <<\$8,708,100.00>> and state appropriations paid to local
 10 units of government are \$0.

11 Sec. 202. The appropriations made and expenditures authorized
 12 under part 1 and the departments, commissions, boards, offices, and
 13 programs for which appropriations are made under part 1 are subject
 14 to the management and budget act, 1984 PA 431, MCL 18.1101 to
 15 18.1594.

<<**DEPARTMENT OF COMMUNITY HEALTH**

Sec. 231. The department shall keep a record of all complaints regarding the Medicare part D program made to the department by individuals dually eligible for the Medicare and Medicaid programs. Complaints that are to be recorded shall include complaints made via direct contact at a department office, by phone call, by fax, or by electronic mail. The department shall collect the following data regarding such complaints from dually eligible individuals:

(a) The nature of their complaint.

(b) The name of the prescription drug plan the individual is currently enrolled in.

(c) If the complaint is in regard to obtaining a specific medication, the brand and/or generic name of the drug.

DEPARTMENT OF CORRECTIONS

Sec. 241. Before the department of corrections increases the capacity of existing prisons or reopens any previously closed prison beds, the department shall utilize existing vacant prison beds located at the Michigan youth correctional facility through a state contract.>>

16 **DEPARTMENT OF HUMAN SERVICES**

17 Sec. 251. From the funds appropriated in 2005 PA 147 and in

18 part 1 for domestic violence prevention and treatment, the
19 department of human services shall allocate \$75,000.00 in temporary
20 assistance to needy families funds to Barry County for services
21 that comply with all domestic violence board standards and
22 reporting requirements.

23 Sec. 252. The department of human services may conduct a pilot
24 indigent burial program in selected counties in which the payment

1 caps set in section 613 of 2005 PA 147 shall not apply.

2 Sec. 253. The department of human services shall not expend
3 funds appropriated in 2005 PA 147 and in part 1 to pay for the
4 placement of a child in an out-of-state facility unless all of the
5 following conditions are met:

6 (a) There is no appropriate placement available in this state,
7 while an out-of-state placement does exist within 100 miles of the
8 child's home.

9 (b) The out-of-state facility meets all of the licensing
10 standards of this state for a comparable facility.

11 (c) The out-of-state facility meets all of the applicable
12 licensing standards of the state in which it is located.

13 (d) The department of human services has done an on-site visit
14 to the out-of-state facility, reviewed the facility records, and
15 reviewed licensing records and reports on the facility and believes
16 that the facility is an appropriate placement for the child.

17 Sec. 254. (1) From the federal money received for child
18 support incentive payments, up to \$15,397,400.00 shall be retained
19 by the state and expended for legal support contracts and child
20 support program expenses. If payment from the federal government
21 for collection performance incentives exceeds the amount received
22 by the state for fiscal year 1999-2000, the total amount paid to
23 the counties shall be no less than the total amount paid for
24 federal performance incentives in fiscal year 2000-2001.

25 (2) If the child support incentive payment to the state from
26 the federal government is less than was paid in fiscal year 2000-
27 2001, the payment to counties shall be prorated in a like

1 percentage amount reflecting reduced revenue.

2 (3) If the child support incentive payment to the state from
3 the federal government is greater than the total of the amount
4 retained by the state and that paid to the counties in subsection
5 (1), the funds above the amount retained by the state and paid to
6 the counties in subsection (1) shall be paid to the counties in an
7 amount sufficient to restore the local match supplement to the
8 amount paid by the state to the counties in fiscal year 2003-2004.

9 (4) If the child support payment to the state from the federal
10 government is greater than the amount required to satisfy the
11 provisions of subsections (1) and (3), the resulting additional
12 funds shall be subject to appropriation by the legislature.

13 (5) The department of human services may, if cost beneficial
14 to the state and counties, withhold from submitting to the federal
15 office of child support administrative expenses eligible for
16 federal financial participation. The department of human services
17 may recoup earned, but unclaimed, federal funds from the resulting
18 increased federal child support incentive. The recoupment by the
19 department of human services shall be made prior to distribution of
20 the increased incentive to the counties. Any incentive funds
21 retained by this state under this section shall be separate and
22 apart from any other incentive funds.

23 LEGISLATURE

24 Sec. 301. From the funds appropriated in part 1, the
25 legislative council is authorized to expend an amount not to exceed
26 \$500,000.00 for the purpose of hiring a private firm to evaluate

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1 the management, efficiency, and effectiveness of prisons in the
2 department of corrections.

3 **DEPARTMENT OF NATURAL RESOURCES**

4 Sec. 401. The funds appropriated in part 1 for the department
5 of natural resources water withdrawal assessment tool shall be
6 expended for the design and development of the assessment tool by
7 the groundwater conservation advisory council described in section
8 32803 of the natural resources and environmental protection act,
9 1994 PA 451, MCL 324.32803. The funds described in this section
10 shall not be expended unless Senate Bill No. 850 and Senate Bill
11 No. 851 of the 93rd Legislature are enacted into law.

12 **DEPARTMENT OF TREASURY**

13 Sec. 501. From the funds appropriated in part 1 for state
14 sports tourism, up to \$1,000,000.00 shall be used to support
15 security services for Super Bowl XL.

16 Sec. 502. The appropriation in part 1 is for a private
17 research institute that has received a specific federal
18 appropriation prior to 2005 for the creation of a good
19 manufacturing facility. The facility shall be used for the
20 production of drugs approved for use in clinical trials, as
21 approved by the United States food and drug administration, and
22 shall work to market the core technology alliance for the purposes
23 of commercialization and providing access to advanced technologies
24 to researchers affiliated with universities, private research
25 institutes, and biotech and pharmaceutical firms.

<<Sec. 503. The appropriation in part 1 for the agricultural
development fund shall be used for grants and loans pursuant to the
Julian-Stille value-added act, 2000 PA 322, MCL 285.301 to 285.304. The
money shall not be spent until after April 1, 2006. Further, it is the
intent of the legislature that the \$5,000,000.00 appropriation contained
in part 1 will be combined with the \$5,000,000.00 appropriation contained
in section 88j(3)(h), 1984 PA 270, MCL 125.2088j, to provide a total of
\$10,000,000.00 from the 21st century jobs trust fund to the agricultural
development fund.>>

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PART 2A

PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 2004-2005

GENERAL SECTIONS

Sec. 1051. In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending from state resources in part 1A for the fiscal year ending September 30, 2005 is \$375,000.00 and state appropriations paid to local units of government are \$0.

Sec. 1052. The appropriations made and expenditures authorized under part 1A and the departments, commissions, boards, offices, and programs for which appropriations are made under part 1A are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

DEPARTMENT OF NATURAL RESOURCES

Sec. 1101. From the funds appropriated in part 1A for special payments to counties, \$170,000.00 shall be used to replace a loss of revenue to a county with a fiscal year ending September 30, 2005, caused by a single annual statement and billing for payments in lieu of taxes authorized under sections 2153 and 2154 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2153 and 324.2154, and as a result of revenue due for set aside to the revenue sharing reserve fund generated by county allocated millage as authorized under section 44a of the general property tax act, 1893 PA 206, MCL 211.44a. Unexpended

1 appropriations for special payments to counties for the fiscal year
2 ending September 30, 2005 shall be carried forward into the
3 succeeding fiscal year for use to replace a loss of revenue to a
4 county with a fiscal year ending September 30, 2006 for the purpose
5 described in this section.

6 **REPEALER**

7 Sec. 1201. (1) Section 513 of 2005 PA 147 is repealed.

8 (2) Section 901 of 2005 PA 147 is repealed.