

Act No. 247
Public Acts of 2008
Approved by the Governor*
July 17, 2008
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*Item Vetoes

Sec. 102. EXECUTIVE OPERATIONS AND DEPARTMENT SUPPORT

Environmental ombudsman \$ 250,000 (Page 3)

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**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2008**

Introduced by Senator Garcia

ENROLLED SENATE BILL No. 1097

AN ACT to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The People of the State of Michigan enact:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of environmental quality for the fiscal year ending September 30, 2009, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF ENVIRONMENTAL QUALITY

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	1,520.7	
GROSS APPROPRIATION		\$ 363,953,700
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		18,890,200
ADJUSTED GROSS APPROPRIATION		\$ 345,063,500
Federal revenues:		
Total federal revenues		130,636,100
Special revenue funds:		
Total local revenues		0
Total private revenues		455,700
Total other state restricted revenues		169,559,900
State general fund/general purpose		\$ 44,411,800
FUND SOURCE SUMMARY:		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	1,520.7	
GROSS APPROPRIATION		\$ 363,953,700
Interdepartmental grant revenues:		
IDG-MDCH, local public health operations		10,472,500

	For Fiscal Year Ending Sept. 30, 2009
IDG-MDSP.....	\$ 883,200
IDG, Michigan transportation fund.....	1,066,900
IDT, interdivisional charges.....	2,053,400
IDT, laboratory services.....	4,414,200
Total interdepartmental grants and intradepartmental transfers.....	18,890,200
ADJUSTED GROSS APPROPRIATION.....	\$ 345,063,500
Federal revenues:	
DHHS, federal.....	6,200
DHS, federal.....	3,293,800
DOC-NOAA, federal.....	3,779,400
DOD, federal.....	1,202,700
DOI, federal.....	595,300
EPA, multiple.....	121,758,700
Total federal revenues.....	130,636,100
Special revenue funds:	
Private funds.....	455,700
Total private revenues.....	455,700
Aboveground storage tank fees.....	363,200
Air emissions fees.....	9,344,200
Aquifer protection revolving fund.....	400,000
Campground fund.....	238,900
Clean Michigan initiative - administration.....	120,100
Clean Michigan initiative - clean water fund.....	4,615,800
Cleanup and redevelopment fund.....	12,428,500
Community pollution prevention fund.....	250,000
Environmental pollution prevention fund.....	944,400
Environmental protection fund.....	3,919,300
Environmental response fund.....	6,320,400
Fees and collections.....	446,500
Financial instruments.....	5,000,000
Great Lakes protection fund.....	1,605,800
Groundwater discharge permit fees.....	1,120,200
Hazardous materials transportation permit fund.....	219,700
Infrastructure construction fund.....	398,000
Laboratory data quality recognition fund.....	16,100
Land and water permit fees.....	1,057,600
Landfill maintenance trust fund.....	56,200
Medical waste emergency response fund.....	240,900
Metallic mining surveillance fee revenue.....	94,200
Mineral well regulatory fee revenue.....	172,500
Nonferrous metallic mineral surveillance.....	221,700
NPDES fees.....	3,378,100
Oil and gas regulatory fund.....	7,860,300
Orphan well fund.....	2,053,100
Public swimming pool fund.....	544,300
Public utility assessments.....	787,400
Public water supply fees.....	3,962,900
Publication revenue.....	120,700
Refined petroleum fund.....	30,724,700
Restricted funds.....	17,600,700
Retired engineers technical assistance fund.....	1,474,300
Revitalization revolving loan fund.....	84,600
Revolving loan revenue bonds.....	11,400,000
Saginaw Bay and River restoration revenue.....	175,800
Sand extraction fee revenue.....	198,600
Scrap tire regulatory fund.....	5,852,000
Septage waste contingency fund.....	38,000
Septage waste program fund.....	722,000

	For Fiscal Year Ending Sept. 30, 2009
Settlement funds.....	\$ 2,106,400
Sewage sludge land application fee	855,400
Small business pollution prevention revolving loan fund.....	108,200
Soil erosion and sedimentation control training fund	115,400
Solid waste program fees	4,014,400
Stormwater permit fees	2,814,900
Strategic water quality initiatives fund	10,000,000
Underground storage tank fees	2,134,300
Waste reduction fee revenue.....	3,909,900
Wastewater operator training fees	172,800
Water analysis fees	3,328,400
Water pollution control revolving fund	3,081,000
Water quality protection fund.....	100,000
Water use reporting fees	247,100
Total other state restricted revenues.....	169,559,900
State general fund/general purpose	\$ 44,411,800

Sec. 102. EXECUTIVE OPERATIONS AND DEPARTMENT SUPPORT

Full-time equated unclassified positions	6.0
Full-time equated classified positions.....	83.0
Unclassified salaries—6.0 FTE positions	\$ 587,600
Administrative hearings.....	446,400
Automated data processing	2,053,400
Central operations—58.0 FTE positions	5,272,300
Environmental ombudsman	250,000
Environmental support projects.....	5,000,000
Executive direction—18.0 FTE positions	2,316,100
Internal audit services.....	228,500
Office of the Great Lakes—7.0 FTE positions.....	1,053,200
Building occupancy charges.....	7,116,600
Rent - privately owned property.....	2,145,900
GROSS APPROPRIATION.....	\$ 26,470,000

Appropriated from:

Interdepartmental grant revenues:	
IDG-MDSP.....	112,300
IDT, interdivisional charges	2,053,400
IDT, laboratory services	472,800
Federal revenues:	
DOC-NOAA, federal	22,600
DOI, federal	160,900
EPA, multiple.....	195,200
Special revenue funds:	
Financial instruments	5,000,000
Great Lakes protection fund	605,800
Restricted funds.....	12,394,500
Settlement funds.....	104,900
State general fund/general purpose	\$ 5,347,600

Sec. 103. AIR QUALITY

Full-time equated classified positions.....	236.5
Air quality programs—236.5 FTE positions.....	\$ 26,092,000
GROSS APPROPRIATION.....	\$ 26,092,000

Appropriated from:

Federal revenues:	
DHS, federal.....	1,708,400
EPA, multiple.....	4,492,700
Special revenue funds:	
Air emissions fees.....	8,952,900

	For Fiscal Year Ending Sept. 30, 2009
Environmental response fund	\$ 106,700
Fees and collections	301,600
Oil and gas regulatory fund	108,200
Refined petroleum fund	2,864,800
State general fund/general purpose	\$ 7,556,700

Sec. 104. ENVIRONMENTAL SCIENCE AND SERVICES

Full-time equated classified positions	175.0
Program services and grant management—30.0 FTE positions	\$ 4,000,900
Laboratory services—60.0 FTE positions	7,045,800
Municipal assistance—37.0 FTE positions	5,323,900
Pollution prevention and technical assistance—48.0 FTE positions	5,017,200
Pollution prevention outreach	300,000
Retired engineers technical assistance program	1,474,300
GROSS APPROPRIATION	\$ 23,162,100

Appropriated from:

Interdepartmental grant revenues:

IDT, laboratory services	3,790,500
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Federal revenues:

DOC-NOAA, federal	454,800
EPA, multiple	3,445,800

Special revenue funds:

Private funds	300,000
Air emissions fees	391,300
Environmental protection fund	68,900
Environmental response fund	665,100
Laboratory data quality recognition fund	16,100
Public water supply fees	253,000
Retired engineers technical assistance fund	1,474,300
Revitalization revolving loan fund	84,600
Settlement funds	235,200
Small business pollution prevention revolving loan fund	108,200
Stormwater permit fees	95,900
Strategic water quality initiatives fund	400,000
Waste reduction fee revenue	3,835,000
Wastewater operator training fees	172,800
Water analysis fees	3,328,400
Water pollution control revolving fund	2,409,100
State general fund/general purpose	\$ 1,633,100

Sec. 105. OFFICE OF GEOLOGICAL SURVEY

Full-time equated classified positions	67.0
Coal and sand dune management—2.0 FTE positions	\$ 627,000
Metallic mine reclamation—1.0 FTE position	94,200
Mineral wells management—2.0 FTE positions	247,400
Nonferrous metallic mining—2.0 FTE positions	221,700
Orphan well—2.0 FTE positions	2,053,100
Services to oil and gas—58.0 FTE positions	7,509,500
GROSS APPROPRIATION	\$ 10,752,900

Appropriated from:

Federal revenues:

DOI, federal	428,400
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Special revenue funds:

Metallic mining surveillance fee revenue	94,200
Mineral well regulatory fee revenue	172,500
Nonferrous metallic mineral surveillance	221,700
Oil and gas regulatory fund	7,388,800

	For Fiscal Year Ending Sept. 30, 2009
Orphan well fund	\$ 2,053,100
Publication revenue	120,700
Sand extraction fee revenue	198,600
State general fund/general purpose	\$ 74,900

Sec. 106. LAND AND WATER MANAGEMENT

Full-time equated classified positions	121.0
Program direction—6.0 FTE positions	\$ 944,100
Field permitting and project assistance—72.0 FTE positions	7,549,600
Great Lakes shorelands—24.0 FTE positions	2,672,700
Water management—19.0 FTE positions	2,702,900
GROSS APPROPRIATION	\$ 13,869,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG, Michigan transportation fund	1,012,300
Federal revenues:	
DHS, federal	1,003,500
DOC-NOAA, federal	1,515,800
EPA, multiple	1,052,100
Special revenue funds:	
Land and water permit fees	705,100
State general fund/general purpose	\$ 8,580,500

Sec. 107. REMEDIATION AND REDEVELOPMENT

Full-time equated classified positions	285.0
Contaminated site investigation, cleanup, and revitalization—225.0 FTE positions	\$ 23,005,400
Federal cleanup project management—60.0 FTE positions	8,411,400
Emergency cleanup actions	4,000,000
Refined petroleum product cleanup program	20,000,000
Environmental cleanup support	2,340,000
Superfund cleanup	4,000,000
GROSS APPROPRIATION	\$ 61,756,800
Appropriated from:	
Federal revenues:	
DHHS, federal	6,200
DOD, federal	1,174,500
EPA, multiple	8,403,500
Special revenue funds:	
Private funds	155,700
Cleanup and redevelopment fund	12,428,500
Environmental protection fund	3,850,400
Environmental response fund	5,248,000
Landfill maintenance trust fund	56,200
Refined petroleum fund	26,813,500
Settlement funds	1,516,300
State general fund/general purpose	\$ 2,104,000

Sec. 108. WASTE AND HAZARDOUS MATERIALS

Full-time equated classified positions	173.0
Aboveground storage tank program—8.0 FTE positions	\$ 762,900
Hazardous waste management program—60.0 FTE positions	6,497,200
Low-level radioactive waste authority—2.0 FTE positions	787,400
Medical waste program—2.0 FTE positions	240,900
Radiological protection program—12.0 FTE positions	1,423,100
Scrap tire regulatory program—11.0 FTE positions	1,066,800
Solid waste management program—45.0 FTE positions	4,587,700
Underground storage tank program—33.0 FTE positions	3,402,900
GROSS APPROPRIATION	\$ 18,768,900

Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDSP	\$ 742,900
Federal revenues:	
EPA, multiple.....	4,027,500
Special revenue funds:	
Aboveground storage tank fees	363,200
Environmental pollution prevention fund.....	944,400
Hazardous materials transportation permit fund.....	219,700
Medical waste emergency response fund.....	240,900
Public utility assessments	787,400
Scrap tire regulatory fund	1,066,800
Solid waste program fees	4,014,400
Underground storage tank fees	2,134,300
Waste reduction fee revenue.....	74,900
State general fund/general purpose	\$ 4,152,500

Sec. 109. WATER

Full-time equated classified positions.....	358.2
Aquifer protection program.....	\$ 350,000
Aquifer protection and dispute resolution - IDG to Michigan department of agriculture.....	50,000
Drinking water and environmental health—120.0 FTE positions.....	16,176,600
Expedited water/wastewater permits—3.0 FTE positions	398,000
Fish contaminant monitoring	316,100
Groundwater discharge—22.0 FTE positions	2,968,900
NPDES nonstormwater program—98.2 FTE positions.....	11,023,900
Sewage sludge land application program—6.0 FTE positions.....	855,400
Surface water—102.0 FTE positions	15,204,500
Water withdrawal assessment program—7.0 FTE positions.....	895,000
GROSS APPROPRIATION.....	\$ 48,238,400

Appropriated from:	
Federal revenues:	
EPA, multiple.....	18,164,800
Special revenue funds:	
Aquifer protection revolving fund.....	400,000
Campground fund	238,900
Clean Michigan initiative - administration.....	120,100
Clean Michigan initiative - clean water fund.....	3,715,800
Environmental response fund	168,100
Fees and collections	144,900
Groundwater discharge permit fees.....	1,120,200
Infrastructure construction fund	398,000
Land and water permit fees	352,500
NPDES fees	3,378,100
Public swimming pool fund	544,300
Public water supply fees	2,309,900
Refined petroleum fund.....	962,700
Saginaw Bay and River restoration revenue	175,800
Septage waste contingency fund.....	38,000
Septage waste program fund.....	322,000
Sewage sludge land application fee.....	855,400
Soil erosion and sedimentation control training fund	115,400
Stormwater permit fees	2,719,000
Water pollution control revolving fund	671,900
Water use reporting fees	247,100
State general fund/general purpose	\$ 11,075,500

Sec. 110. CRIMINAL INVESTIGATIONS

Full-time equated classified positions	22.0	
Environmental investigations—22.0 FTE positions		\$ 2,585,900
GROSS APPROPRIATION		\$ 2,585,900
Appropriated from:		
Federal revenues:		
DHS, federal		557,400
EPA, multiple		154,000
Special revenue funds:		
Environmental response fund		132,500
Oil and gas regulatory fund		363,300
Scrap tire regulatory fund		285,200
State general fund/general purpose		\$ 1,093,500

Sec. 111. GRANTS

Coastal management grants		\$ 2,000,000
Federal - Great Lakes remedial action plan grants		700,000
Federal - nonpoint source water pollution grants		6,500,000
Grants to counties - air pollution		83,700
Radon grants		90,000
Water pollution control and drinking water revolving fund.....		85,202,400
Drinking water program grants		1,330,000
Great Lakes research and protection grants.....		1,000,000
Local health department operations		10,472,500
Noncommunity water grants.....		1,400,000
Pollution prevention local grants		250,000
Real-time water quality monitoring		250,000
Septage waste compliance grants.....		400,000
Scrap tire grants.....		4,500,000
Strategic water quality initiative loans		9,600,000
Village of Chesaning, water pollution control grant		900,000
Water quality protection grants		100,000
GROSS APPROPRIATION		\$ 124,778,600
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDCH, local public health operations		10,472,500
Federal revenues:		
DOC-NOAA, federal		1,700,000
EPA, multiple.....		80,463,000
Special revenue funds:		
Clean Michigan initiative - clean water fund.....		900,000
Community pollution prevention fund		250,000
Great Lakes protection fund		1,000,000
Public water supply fees		1,400,000
Refined petroleum fund.....		83,700
Revolving loan revenue bonds		11,400,000
Scrap tire regulatory fund		4,500,000
Septage waste program fund.....		400,000
Settlement funds.....		250,000
Strategic water quality initiatives fund		9,600,000
Water quality protection fund.....		100,000
State general fund/general purpose		\$ 2,259,400

Sec. 112. INFORMATION TECHNOLOGY

Information technology services and projects.....		\$ 7,478,800
GROSS APPROPRIATION		\$ 7,478,800
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MDSP.....		28,000

	For Fiscal Year Ending Sept. 30, 2009
IDG, Michigan transportation fund	\$ 54,600
IDT, laboratory services	150,900
Federal revenues:	
DHS, federal	24,500
DOC-NOAA, federal	86,200
DOD, federal	28,200
DOI, federal	6,000
EPA, multiple	1,360,100
Special revenue funds:	
Restricted funds	5,206,200
State general fund/general purpose	\$ 534,100

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2008-2009 is \$213,971,700.00 and state spending from state resources to be paid to local units of government for fiscal year 2008-2009 is \$5,200,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF ENVIRONMENTAL QUALITY

GRANTS

Noncommunity water grants	\$ 1,400,000
Scrap tire grants	2,250,000
Septage waste compliance program	400,000
Village of Chesaning, water pollution control grant	900,000
Real-time water quality monitoring	250,000
TOTAL	\$ 5,200,000

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) "Department" means the department of environmental quality.
- (b) "DHHS" means the United States department of health and human services.
- (c) "DHS" means the United States department of homeland security.
- (d) "DOC" means the United States department of commerce.
- (e) "DOC-NOAA" means the DOC national oceanic and atmospheric administration.
- (f) "DOD" means the United States department of defense.
- (g) "DOI" means the United States department of interior.
- (h) "EPA" means the United States environmental protection agency.
- (i) "FTE" means full-time equated.
- (j) "IDG" means interdepartmental grant.
- (k) "IDT" means intradepartmental transfer.
- (l) "MDCH" means the Michigan department of community health.
- (m) "MDSP" means the Michigan department of state police.
- (n) "NPDES" means national pollutant discharge elimination system.

Sec. 204. The civil service commission 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 state budget director shall grant exceptions to the hiring freeze described in subsection (1) when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause a loss of revenue to the state, result in the inability of the state to receive federal funds, or would necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exception.

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

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

Sec. 208. By February 15, 2009, the department shall provide the state budget director, the subcommittees on environmental quality of the senate and house appropriations committees, and the senate and house fiscal agencies with an annual report on restricted fund balances, projected revenues, and expenditures for the fiscal years ending September 30, 2008 and September 30, 2009.

Sec. 209. (1) From funds appropriated under part 1, the department shall prepare a report that lists all of the following regarding grant or loan or grant and loan programs administered by the department for the fiscal year ending September 30, 2009:

(a) The name of each program.

(b) The goals of the program, the criteria, eligibility, process, filing fees, nominating procedures, and deadlines for each program.

(c) The maximum and minimum grant and loan available and whether there is a match requirement for each program.

(d) The amount of any required match, and whether in-kind contributions may be used as part or all of a required match.

(e) Information pertaining to the application process, timeline for each program, and the contact people within the department.

(f) The source of funds for each program, including the citation of pertinent authorizing acts.

(g) Information regarding plans for the next fiscal year for the phaseout, expansion, or changes for each program.

(h) A listing of all recipients of grants or loans awarded by the department by type and amount of grant or loan.

(2) The reports required under this section shall be submitted to the state budget office, the senate and house appropriations committees, and the senate and house fiscal agencies by January 1, 2009.

Sec. 210. (1) The department shall report all of the following information relative to allocations made from appropriations for the environmental cleanup and redevelopment program, state cleanup, emergency actions, superfund cleanup, the revitalization revolving loan program, the brownfield grants and loans program, the leaking underground storage tank cleanup program, the contaminated lake and river sediments cleanup program, the refined petroleum product cleanup program, and the environmental protection bond projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies:

(a) The name and location of the site for which an allocation is made.

(b) The nature of the problem encountered at the site.

- (c) A brief description of how the problem will be resolved if the allocation is made for a response activity.
- (d) The estimated date that site closure activities will be completed.
- (e) The amount of the allocation, or the anticipated financing for the site.
- (f) A summary of the sites and the total amount of funds expended at the sites at the conclusion of the fiscal year.
- (g) The number of sites that would qualify as brownfields that were redeveloped.

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

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

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

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

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

Sec. 211. (1) The department of environmental quality is authorized to expend amounts remaining from the current and prior fiscal year appropriations to meet funding needs of legislatively approved sites for the environmental cleanup and redevelopment program, the leaking underground storage tank cleanup program, and the refined petroleum product cleanup program.

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

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

(4) Unexpended and unencumbered amounts remaining from appropriations from the clean Michigan initiative fund - response activities contained in 2000 PA 506, 2001 PA 120, 2003 PA 173, 2003 PA 237, 2004 PA 309, 2004 PA 350, 2005 PA 11, 2006 PA 343, and 2007 PA 121 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

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

(6) Unexpended and unencumbered amounts remaining from appropriations from the refined petroleum fund activities contained in 2005 PA 154 and 2007 PA 121 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

Sec. 212. Of the money appropriated from the environmental education fund in part 1, \$5,000.00 shall be allocated to Michigan State University Extension Service - 4-H Youth Programs to fund the Michigan Youth Conservation Council.

Sec. 213. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of information technology for technology-related services and projects. These user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 214. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 215. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2009 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 senate and house of representatives standing committees on appropriations, the senate and house 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. 216. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned or operated by veterans, if they are competitively priced and of comparable quality.

Sec. 217. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

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

Sec. 219. (1) The appropriation in section 102 includes \$12,394,500.00 from restricted funds. This funding source shall support the restricted fund requirements, pursuant to subsection (3), for selected line items in the executive operations and administrative support appropriation unit.

(2) The appropriation in section 112 includes \$5,206,200.00 from restricted funds. This funding source shall support the restricted fund requirements, pursuant to subsection (3), for the information technology appropriation.

(3) The department shall adopt a cost allocation plan for revenue sources supporting line items listed in sections 102 and 112.

(4) The department shall provide a report on or before October 31, 2008 to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies of the line item amounts and detailed revenue sources which support the restricted fund appropriations in sections 102 and 112.

Sec. 220. The department shall not take disciplinary action against an employee for communicating truthfully and factually with a member of the legislature or his or her staff.

Sec. 221. The department shall annually report and post on its website by December 31 to the state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies an accounting of all civil and criminal fine revenue collected during the previous fiscal year.

Sec. 223. (1) The department shall report no later than April 1, 2009 on each specific policy change made by the department to implement a public act affecting that department that took effect during the preceding calendar year. The department shall report to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.

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

(3) As used in this section:

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

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

Sec. 224. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 225. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$30,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

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

Sec. 226. The department shall not approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless the professional development conference or training seminar is funded by a federal or private funding source and requires more than 1 person from a department to attend, or the conference or training seminar includes multiple issues in which 1 employee from the department does not have expertise.

Sec. 227. By April 1, 2009, the department shall submit to the senate and house appropriations subcommittees on environmental quality, the senate and house fiscal agencies, and the state budget director a plan for replacement of failing or obsolete computer and database systems, including a schedule for system replacement and cost estimates.

Sec. 228. If funding is available to support the information technology necessary for implementation, the department shall develop, post, and maintain a user friendly and publicly accessible Internet site with all expenditures made by the department within a fiscal year. The posting shall include the purpose for which each expenditure is made.

Sec. 229. Semiannually, the department shall notify the senate and house appropriation subcommittees on environmental quality, the senate and house fiscal agencies, and the state budget director of all requests made of the department under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, during the previous 6 months.

Sec. 230. (1) It is the intent of the legislature that the department issue the necessary permits to construct a lake level control structure on Muskrat Lake in Clinton County for the purpose of restoring the water level to a level that allows use of the existing public boat dock.

(2) By February 1, 2009, the department shall notify the senate and house appropriation subcommittees on environmental quality, the senate and house fiscal agencies, and the state budget director of the status of the permits and the water level of Muskrat Lake.

Sec. 231. (1) The expenditure of the appropriation in part 1 for an environmental ombudsman is contingent upon enactment of legislation to create an environmental ombudsman in the legislative council.

(2) It is the intent of the legislature that the first issue addressed by the environmental ombudsman is investigation into citizen complaints regarding the wetlands program.

ENVIRONMENTAL SCIENCE AND SERVICES

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

Sec. 402. By July 1, 2009, the department shall prepare and submit a report to the state budget director, the legislature, the chairs of the standing committees of the senate and house of representatives with primary responsibility for issues related to natural resources and the environment, and the chairs of the subcommittees of the senate and house appropriations committees with primary responsibility for appropriations for the department of environmental quality, outlining the implementation of the Great Lakes water quality bond provided for in part 197 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19701 to 324.19708, including, but not limited to, the amount of bonds issued and the date they were issued, the number of applications received for loans from the state water pollution control revolving fund created in section 16a of the shared credit rating act, 1985 PA 227, MCL 141.1066a, the total amount of loans requested, a listing of the applicants receiving loans and the total amount of loans provided to those applicants, a listing of applicants whose loan applications were not approved and the reasons why those applications were not approved, the amount of the loans granted that were leveraged from bond proceeds, and the remaining bond proceeds and bond authorization.

Sec. 403. (1) There is appropriated \$2,000,000.00 from the environmental protection fund created in section 503a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.503a, to reimburse retailers for the cost of retrofitting existing reverse vending machines to accept Michigan-only returnable beverage containers. Funds may be carried forward into fiscal year 2009-2010 for this purpose if the total \$2,000,000.00 is not expended in fiscal year 2008-2009.

(2) For the fiscal year ending September 30, 2009, \$2,000,000.00 in the cleanup and redevelopment trust fund created in section 3e of 1976 IL 1, MCL 445.573e, is hereby appropriated and transferred to the environmental protection fund.

OFFICE OF GEOLOGICAL SURVEY

Sec. 501. It is the intent of the legislature that the office of geological survey continue its work with Western Michigan University's department of geosciences to maintain core samples at the Michigan basin core research laboratory as part of the Michigan geological repository for research and education at Western Michigan University and it is encouraged to explore new opportunities for mutually beneficial research and collaboration between the department and the university.

REMEDICATION AND REDEVELOPMENT

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

- (a) The purpose of the projects to be carried forward is to provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is identified in each line-item appropriation.
- (d) The tentative completion date is September 30, 2013.

Sec. 702. From funds appropriated in part 1 for activities related to cleanup sites under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142, the department shall incorporate into remedial action plans area-wide or site-specific cleanup criteria derived from peer-reviewed risk assessment based on bioavailability studies, site-specific human exposure data, and any other scientifically based risk assessment studies that are available and relevant. The department shall submit a report listing efforts made by the department to comply with this section. This report shall be provided to the house and senate appropriations subcommittees on environmental quality on or before January 1, 2009.

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

Site Name	County
Phil's Sunoco	Alcona
Somers Inc.	Alcona
Laughing Whitefish Trading Post	Alger
Midway Resort Inc.	Alger
Fennville Feed Supply	Allegan
Bellaire Bay Mart	Antrim
Butch's Tackle & Marine	Antrim
Pickup Capitol of the North	Antrim
Res Wells Torch Lake Twp.	Antrim
Torch River Pit Stop	Antrim
Woodland Residential Wells	Barry
Lone Pine Party Store	Benzie
Res. Well Village of Honor	Benzie
Dave's Shell	Berrien
Frank's Pro Station	Berrien
Main & Fair, SW Corner	Berrien
Main & Ogden, NE Corner	Berrien
Schuler's Auto Repair	Berrien
Indian Lake Mini Super	Cass
Riggs Corner Store	Cass
Dockside Market	Charlevoix
Cook Corporation	Cheboygan
Mr. Mug's Donut Shop	Chippewa
Ackel's Car Care	Clinton
South End Mobil	Eaton
Farmers Petroleum Coop-Petoskey	Emmet
Central Distributing	Genesee
Fishermans Landing	Genesee
Flint, City of, 1818 N. Saginaw Street	Genesee
J&J Service Station	Genesee
Sunshine Foods #119 Burton	Genesee
Gazey Aleck Station	Gladwin
Winegars Trading Post	Gladwin
Evans Paint & Wallpaper	Grand Traverse
GJ's Party Store	Grand Traverse
Hoeflin Service Station	Grand Traverse
OTC Oil	Grand Traverse
Universal Car Wash II	Grand Traverse
Venture Investments	Grand Traverse
Woodland Shop and Go #175	Grand Traverse
Dunk's Garage	Huron
Port Austin Shell	Huron
Action Auto Inc.	Ingham
Former Clark #531	Ingham
Webberville Oil	Ingham
Gene Carr	Ionia
Goss Corner Store	Ionia
Justice Junction/Nancy Justice	Ionia
Barbier Oil Bulk Plant	Iosco
Bublitz Oil Full Service Oscoda	Iosco
Alamo General Store	Kalamazoo
McDonalds Crosstown Service	Kalamazoo
McLeieer Oil	Kalamazoo
Moore's Millwood Service	Kalamazoo
Davis Country Corners	Kalamazoo
Taffletown Tavern	Kalamazoo
Hucks Corner Inc.	Kalamazoo
Riverview, N Park, Hubbard St. area	Kalamazoo

Robinson Bulk Terminal	Kent
Uncle Lee's Trading Post/MRL Inc.	Kent
Bass Lake Store	Lake
Chase General Store	Lake
Lakeland Montessori School	Livingston
Leon Bonner Prop.	Livingston
Millies Market (dba Toms)	Livingston
Bob's Standard Service	Luce
Action Auto (Former)	Macomb
Montgomery Ward	Macomb
Arcadia Veteran's Mem. Marina	Manistee
Red Barn Market	Manistee
Greenwood Self Serve	Marquette
Harvey Oil Co., Inc.	Marquette
Joe & Son's Service	Marquette
Paton's Country Store	Marquette
Joes Tire Service/Ridderman Oil	Mecosta
Kregear's Service	Missaukee
The Landing	Missaukee
1034 Howard City Edmore Road	Montcalm
Amble Oil Co.	Montcalm
Beard Oil (Former)	Montcalm
Blackrick Service	Montcalm
Six Lakes General	Montcalm
Thelma Franklin	Montcalm
Mary D's Restaurant	Montmorency
Pointe Bait	Montmorency
Sports Center, Inc.	Montmorency
Bill's Auto & Stereo	Muskegon
Kelly's Corner Inc.	Muskegon
Laketon Auto Clinic	Muskegon
MDNR Real Estate, White Cloud	Newaygo
Up North Gift Co.	Newaygo
415 E. Hudson Ave.	Oakland
Emma Milner Property	Oakland
Farmers Petroleum Corp., Highland	Oakland
Jenny Ent/Wine Basket, Highland	Oakland
Little Caesar's Pizza, Ortonville	Oakland
Wayne Oakland Oil Company	Oakland
East Hart Party Store	Oceana
William Crawford Property	Oceana
Al's Service	Ogemaw
Franklin Forge Co.	Ogemaw
MDNR Main St. Lupton	Ogemaw
Rose City Feed and Tack	Ogemaw
Osceola Oil Company	Osceola
Family Book Shelf	Osceola
Jamestown Automotive Inc.	Ottawa
Big Mac's Market	Roscommon
Chapin General Store	Saginaw
Kuchers Service	Saginaw
Court Abandoned	Shiawassee
Former Sav-U Station	Shiawassee
Payless SuperAmerica	St. Joseph
Imlay City Gas and Oil	Tuscola
Lakeside Kwik Stop	Van Buren
A.S.E. Inc. dba S & S Shell	Washtenaw
Arbor Wash	Washtenaw
Cals Car Care Inc.	Wayne
Levan Party Store	Wayne
Mercury Manufacturing	Wayne

Reclamation Oil Company
Warren & Lakewood Service
Jacks Resort
Peterson's Standard
Village of Harrietta, 114 S. Davis Street

Wayne
Wayne
Wexford
Wexford
Wexford

Sec. 704. It is the intent of the legislature to repay the refined petroleum fund for the \$70,000,000.00 that was transferred to the environmental protection fund as part of the resolution for the fiscal year 2006-2007 budget.

Sec. 705. (1) The department shall work with the legislature to develop recommendations through an advisory workgroup process for the appropriate use of administrative rules and operational memoranda in the leaking underground storage tank program. This advisory workgroup shall do all of the following:

(a) Review and make recommendations if operational memoranda used by the department are necessary and used appropriately.

(b) Review and make recommendations regarding the rules, methods, policies, or procedures used to develop operational memoranda.

(c) Review and make recommendations regarding procedures for determining if an inspected organization has acted in accordance with operational memoranda.

(2) The workgroup under subsection (1) shall consist of 13 members, appointed as follows:

(a) Members of the senate and house appropriations subcommittees on environmental quality.

(b) Three members appointed by the senate majority leader, 1 each representing an independent petroleum wholesale distributor-marketer trade association, a petroleum refiner-supplier trade association, and a service station dealers' trade association.

(c) Three members appointed by the speaker of the house, 1 each representing a truck stop operators' trade association, an environmental public interest organization who is not associated with any of the above organizations, and the largest general farm organization in the state.

(d) The director of the department.

(3) The recommendations of the workgroup shall be submitted to the department, the senate and house appropriations subcommittees on environmental quality, the senate and house fiscal agencies, and the state budget director by December 31, 2008.

Sec. 706. The department shall not expend funds appropriated in part 1 if using operational memoranda or other similar documents that are in draft form to impose regulations on individuals or businesses conducting environmental cleanup projects, except as provided in part 213 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21301 to 324.21331, or when there is written consent between the department and the individual or business.

WASTE AND HAZARDOUS MATERIALS

Sec. 801. It is the intent of the legislature that the recommendations of the site review board, as established in section 11117 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11117, are the final approval for each site construction permit application that is referred to the board by the department.

WATER

Sec. 901. By February 1, 2009, the department shall submit a report on the department's use of the national pollutant discharge elimination system fund created in MCL 324.3121 for the previous fiscal year, to the senate and house appropriations subcommittees on environmental quality, the standing committees of the legislature with jurisdiction over issues primarily related to natural resources and the environment, and the senate and house fiscal

agencies. The report shall include a summary of how the appropriations in part 1 for NPDES nonstormwater program were used for the various permissible uses of the fund and shall include specific information on all of the following:

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

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

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

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

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

Sec. 902. The unexpended portion of funds appropriated in part 1 of 2004 PA 309 for the contaminated lake and river sediments cleanup program are appropriated for the same purpose for the fiscal year ending September 30, 2009.

Sec. 903. It is the intent of the legislature that the department continue federal support of the Michigan agriculture environmental assurance program and the work with small and medium livestock operations in the department of agriculture. Any reduction in the level of federal support from 319 funds shall be reduced proportionally from all programs that were supported by that federal grant in the fiscal year ending September 30, 2008.

GRANTS

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

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

Sec. 1103. (1) The appropriation in part 1 for real-time water quality monitoring is a grant to Macomb County and St. Clair County to support a real-time water quality monitoring program in the St. Clair watershed. By September 30, 2009, the grant recipients shall report to the department on the plan's implementation and the status of the project. The department shall forward the report to the state budget director, the senate and house appropriations subcommittees on environmental quality, the senate and house standing committees on natural resources and environmental issues, and the senate and house fiscal agencies.

(2) The funding appropriated in part 1 for real-time water quality monitoring is contingent upon both of the following:

(a) Submission by October 1, 2008 of a report by the grant recipient on the status of the project and use of prior funding provided by the state and other fund sources for this project.

(b) Submission by December 31, 2008 of a plan by the grant recipient for long-term funding of operation and maintenance of the real-time monitoring system for the Huron-Erie corridor. The funding plan shall not require state funds for more than 50% of total funding for the project and not more than \$250,000.00 annually.

Sec. 1104. The appropriation in part 1 for the village of Chesaning, water pollution control grant, shall be used only for pollution control activities pursuant to section 8807 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.8807. A detailed work plan for these activities shall be provided by the grantee and approved by the department as part of the grant agreement with the department. The appropriation shall not be used for recreational or economic development activities. The grantee shall obtain all necessary state, federal, and local permits and authorizations, including, but not limited to, permits required under part 301 and part 315 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.301 to 324.30113 and 324.31501 to 324.31529.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Richard J. Brown

Clerk of the House of Representatives

Approved

.....
Governor

Act No. 252
Public Acts of 2008
Approved by the Governor*
July 17, 2008
Filed with the Secretary of State
July 18, 2008
EFFECTIVE DATE: July 18, 2008

*Item Vetoes

Sec. 802.
Entire Section. (Page 14)

**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2008**

Introduced by Senator McManus

ENROLLED SENATE BILL No. 1106

AN ACT to make appropriations for the department of natural resources for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The People of the State of Michigan enact:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of natural resources for the fiscal year ending September 30, 2009, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF NATURAL RESOURCES

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,167.9	
GROSS APPROPRIATION		\$ 289,977,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		3,802,200
ADJUSTED GROSS APPROPRIATION		\$ 286,174,900
Federal revenues:		
Total federal revenues		51,702,100
Special revenue funds:		
Total local revenue		0
Total private revenues		4,745,000
Total other state restricted revenues		219,103,600
State general fund/general purpose		\$ 10,624,200
FUND SOURCE SUMMARY:		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,167.9	
GROSS APPROPRIATION		\$ 289,977,100
Interdepartmental grant revenues:		
IDG, engineering services to work orders		1,972,100

	For Fiscal Year Ending Sept. 30, 2009
IDG, land acquisition services to work orders.....	\$ 417,000
IDG, MacMullan conference center revenue	1,413,100
Total interdepartmental grants and intradepartmental transfers	3,802,200
ADJUSTED GROSS APPROPRIATION.....	\$ 286,174,900
Federal revenues:	
DAG, federal.....	13,352,700
DHS, federal.....	6,144,300
DHS, U.S. coast guard.....	1,293,000
DOC, federal.....	71,400
DOE, federal.....	1,000
DOI, federal.....	28,451,900
DOT, federal.....	2,100,000
EPA, federal.....	287,800
Total federal revenues.....	51,702,100
Special revenue funds:	
Private funds.....	4,745,000
Total private revenues.....	4,745,000
Aircraft fees.....	257,200
Cervidae licensing and inspection fees.....	165,100
Clean Michigan initiative fund.....	45,900
Commercial forest fund.....	53,000
Forest development fund.....	31,905,800
Forestland user charges.....	560,200
Forest recreation fund.....	1,422,000
Game and fish protection fund.....	64,513,700
Game and fish protection fund - deer habitat reserve.....	3,125,800
Game and fish protection fund - fisheries settlement.....	906,300
Game and fish protection fund - turkey permit fees.....	1,880,300
Game and fish protection fund - waterfowl fees.....	111,000
Game and fish - wildlife resource protection fund.....	1,649,300
Game and fish protection fund - youth hunting and fishing education and outreach fund.....	28,700
Land exchange facilitation fund.....	6,286,900
Marine safety fund.....	4,793,400
Michigan civilian conservation corps endowment fund.....	500,000
Michigan natural resources trust fund.....	2,641,600
Michigan state parks endowment fund.....	13,645,900
Michigan state waterways fund.....	24,559,000
Nongame wildlife fund.....	699,100
Off-road vehicle trail improvement fund.....	4,722,900
Park improvement fund.....	40,381,300
Recreation improvement fund.....	1,465,800
Safety education fund.....	216,800
Shop fees.....	66,000
Snowmobile registration fee revenue.....	2,300,200
Snowmobile trail improvement fund.....	9,942,800
Sportsmen against hunger fund.....	257,600
Total other state restricted revenues.....	219,103,600
State general fund/general purpose.....	\$ 10,624,200
 Sec. 102. EXECUTIVE	
Full-time equated unclassified positions.....	6.0
Full-time equated classified positions.....	64.3
Commission (including travel expense—per diem).....	\$ 91,100
Unclassified salaries—6.0 FTE positions.....	416,500
Communications—48.3 FTE positions.....	3,950,000
Executive direction—16.0 FTE positions.....	2,104,400
GROSS APPROPRIATION.....	\$ 6,562,000

Appropriated from:	
Special revenue funds:	
Forest development fund	\$ 301,500
Forestland user charges	2,100
Forest recreation fund	28,100
Game and fish protection fund	2,610,900
Game and fish protection fund - deer habitat reserve.....	38,100
Game and fish protection fund - turkey permit fees.....	16,100
Game and fish protection fund - waterfowl fees.....	900
Game and fish - wildlife resource protection fund.....	15,600
Game and fish protection fund - youth hunting and fishing education and outreach fund.....	28,700
Land exchange facilitation fund.....	65,500
Marine safety fund	30,100
Michigan natural resources trust fund	33,000
Michigan state parks endowment fund.....	134,900
Michigan state waterways fund	289,800
Nongame wildlife fund.....	7,000
Off-road vehicle trail improvement fund.....	24,400
Park improvement fund.....	2,242,200
Recreation improvement fund.....	9,300
Snowmobile registration fee revenue	2,900
Snowmobile trail improvement fund.....	47,700
State general fund/general purpose	\$ 633,200

Sec. 103. ADMINISTRATIVE SERVICES

Full-time equated classified positions	53.5
Budget and support services—16.5 FTE positions	\$ 1,710,500
Financial services—23.0 FTE positions	2,568,600
Grants management—14.0 FTE positions	1,472,800
Internal audit services	490,100
GROSS APPROPRIATION	\$ 6,242,000

Appropriated from:	
Federal revenues:	
DOI, federal	317,200
Special revenue funds:	
Clean Michigan initiative fund	45,900
Forest development fund	1,001,100
Forest recreation fund.....	48,000
Game and fish protection fund	1,220,800
Game and fish protection fund - deer habitat reserve.....	66,500
Game and fish protection fund - turkey permit fees.....	33,800
Game and fish protection fund - waterfowl fees.....	3,800
Game and fish - wildlife resource protection fund.....	35,100
Land exchange facilitation fund.....	90,400
Marine safety fund	174,000
Michigan natural resources trust fund	857,900
Michigan state parks endowment fund.....	204,100
Michigan state waterways fund	256,800
Nongame wildlife fund.....	23,700
Off-road vehicle trail improvement fund.....	83,100
Park improvement fund.....	753,600
Recreation improvement fund.....	21,000
Safety education fund	6,200
Snowmobile registration fee revenue	54,100
Snowmobile trail improvement fund.....	184,100
State general fund/general purpose	\$ 760,800

Sec. 104. LAND AND FACILITIES

Full-time equated classified positions	134.2	
Land and facilities—134.2 FTE positions		\$ 20,413,800
GROSS APPROPRIATION		\$ 20,413,800
Appropriated from:		
Interdepartmental grant revenues:		
IDG, engineering services to work orders		1,972,100
IDG, land acquisition services to work orders		417,000
IDG, MacMullan conference center revenue		1,413,100
Special revenue funds:		
Forest development fund		1,925,000
Forestland user charges		13,600
Forest recreation fund		11,000
Game and fish protection fund		6,856,400
Game and fish protection fund - deer habitat reserve		198,100
Game and fish protection fund - turkey permit fees		77,300
Game and fish - wildlife resource protection fund		6,200
Land exchange facilitation fund		5,909,600
Marine safety fund		102,600
Michigan natural resources trust fund		5,900
Michigan state parks endowment fund		132,900
Michigan state waterways fund		266,500
Off-road vehicle trail improvement fund		24,000
Park improvement fund		504,900
Snowmobile registration fee revenue		40,100
Snowmobile trail improvement fund		78,900
State general fund/general purpose		\$ 458,600

Sec. 105. DEPARTMENTAL OPERATION SUPPORT

Building occupancy charges		\$ 1,979,600
Rent - privately owned property		490,000
Gifts and bequests		500,000
GROSS APPROPRIATION		\$ 2,969,600
Appropriated from:		
Special revenue funds:		
Private funds		500,000
Forest development fund		593,700
Forest recreation fund		15,100
Game and fish protection fund		853,400
Game and fish protection fund - deer habitat reserve		20,100
Game and fish protection fund - turkey permit fees		19,200
Game and fish - wildlife resource protection fund		7,200
Land exchange facilitation fund		72,500
Marine safety fund		32,600
Michigan natural resources trust fund		39,900
Michigan state parks endowment fund		204,300
Michigan state waterways fund		109,400
Park improvement fund		317,300
Snowmobile trail improvement fund		20,700
State general fund/general purpose		\$ 164,200

Sec. 106. WILDLIFE MANAGEMENT

Full-time equated classified positions	213.0	
Wildlife management—204.0 FTE positions		\$ 30,036,500
Natural resources heritage—9.0 FTE positions		1,270,100
State game and wildlife area maintenance		750,000
GROSS APPROPRIATION		\$ 32,056,600

Appropriated from:	
Federal revenues:	
DAG, federal.....	\$ 206,500
DOI, federal.....	13,631,900
EPA, federal.....	1,000
Special revenue funds:	
Private funds.....	114,600
Cervidae licensing and inspection fees.....	101,500
Forest development fund.....	63,400
Game and fish protection fund.....	10,579,300
Game and fish protection fund - deer habitat reserve.....	2,729,800
Game and fish protection fund - turkey permit fees.....	1,669,400
Game and fish protection fund - waterfowl fees.....	103,600
Nongame wildlife fund.....	635,200
Sportsmen against hunger fund.....	257,600
State general fund/general purpose.....	\$ 1,962,800

Sec. 107. FISHERIES MANAGEMENT

Full-time equated classified positions.....	249.0
Aquatic resource mitigation—3.0 FTE positions.....	\$ 907,300
Fish production—64.0 FTE positions.....	8,877,900
Fisheries resource management—182.0 FTE positions.....	20,169,700
Water withdrawal assessment program.....	75,000
GROSS APPROPRIATION.....	\$ 30,029,900

Appropriated from:	
Federal revenues:	
DAG, federal.....	134,400
DOC, federal.....	53,400
DOE, federal.....	1,000
DOI, federal.....	9,911,700
EPA, federal.....	165,500
Special revenue funds:	
Private funds.....	116,700
Game and fish protection fund.....	18,665,900
Game and fish protection fund - fisheries settlement.....	906,300
State general fund/general purpose.....	\$ 75,000

Sec. 108. PARKS AND RECREATION

Full-time equated classified positions.....	794.9
Michigan civilian conservation corps—3.0 FTE positions.....	\$ 500,000
Recreational boating—163.5 FTE positions.....	14,508,800
State parks—628.4 FTE positions.....	44,654,200
State parks improvement revenue bonds - debt service.....	1,138,700
GROSS APPROPRIATION.....	\$ 60,801,700

Appropriated from:	
Federal revenues:	
EPA, federal.....	120,300
Special revenue funds:	
Private funds.....	363,900
Michigan civilian conservation corps endowment fund.....	500,000
Michigan state parks endowment fund.....	12,079,400
Michigan state waterways fund.....	14,508,800
Off-road vehicle trail improvement fund.....	243,100
Park improvement fund.....	32,986,200
State general fund/general purpose.....	\$ 0

Sec. 109. FOREST, MINERAL, AND FIRE MANAGEMENT

Full-time equated classified positions.....	395.0	
Adopt-a-forest program.....		\$ 25,000
Cooperative resource programs—12.0 FTE positions.....		2,283,400
Forest and timber treatments—125.0 FTE positions.....		15,423,900
Forest fire equipment.....		500,000
Wildfire protection—135.0 FTE positions.....		11,268,600
Forest management initiatives—10.0 FTE positions.....		838,500
Forest management planning—40.0 FTE positions.....		4,018,100
Forest recreation—50.0 FTE positions.....		4,769,300
Minerals management—23.0 FTE positions.....		2,526,100
GROSS APPROPRIATION.....		\$ 41,652,900

Appropriated from:

Federal revenues:

DAG, federal.....		2,386,800
DHS, federal.....		250,000
DOI, federal.....		2,000
EPA, federal.....		1,000

Special revenue funds:

Private funds.....		925,100
Aircraft fees.....		257,200
Commercial forest fund.....		48,100
Forest development fund.....		25,270,500
Forestland user charges.....		528,300
Forest recreation fund.....		1,217,700
Game and fish protection fund.....		1,707,100
Michigan natural resources trust fund.....		1,248,500
Michigan state parks endowment fund.....		566,000
Michigan state waterways fund.....		387,000
Off-road vehicle trail improvement fund.....		664,800
Recreation improvement fund.....		324,100
Shop fees.....		66,000
Snowmobile trail improvement fund.....		1,524,100
State general fund/general purpose.....		\$ 4,278,600

Sec. 110. LAW ENFORCEMENT

Full-time equated classified positions.....	264.0	
General law enforcement—264.0 FTE positions.....		\$ 31,846,600
GROSS APPROPRIATION.....		\$ 31,846,600

Appropriated from:

Federal revenues:

DHS, federal.....		4,424,300
DOC, federal.....		18,000
DOI, federal.....		1,472,200

Special revenue funds:

Private funds.....		74,700
Cervidae licensing and inspection fees.....		63,600
Forest recreation fund.....		59,600
Game and fish protection fund.....		18,736,500
Game and fish - wildlife resource protection fund.....		1,529,700
Marine safety fund.....		1,575,800
Off-road vehicle trail improvement fund.....		1,221,800
Park improvement fund.....		59,600
Safety education fund.....		60,600
Snowmobile registration fee revenue.....		1,015,600
State general fund/general purpose.....		\$ 1,534,600

Sec. 111. GRANTS

Federal - clean vessel act grants	\$ 400,000
Federal - forest stewardship grants	3,125,000
Federal - land and water conservation fund payments	2,566,900
Federal - rural community fire protection	300,000
Federal - urban forestry grants	4,000,000
Grants to communities - federal oil, gas, and timber payments	3,450,000
National recreational trails	2,150,000
Accessibility grants	1,000,000
Game and nongame wildlife fund grants	10,000
Grant to counties - marine safety	4,275,000
Inland fisheries resources grants	200,000
Off-road vehicle safety training grants	150,000
Off-road vehicle trail improvement grants	2,454,000
Recreation improvement fund grants	1,100,000
Snowmobile law enforcement grants	1,142,000
Snowmobile local grants program	8,014,000
GROSS APPROPRIATION	\$ 34,336,900

Appropriated from:

Federal revenues:

DAG, federal	10,625,000
DHS, federal	1,470,000
DOI, federal	3,116,900
DOT, federal	2,100,000

Special revenue funds:

Private funds	1,150,000
Game and fish protection fund	200,000
Marine safety fund	2,805,000
Nongame wildlife fund	10,000
Off-road vehicle trail improvement fund	2,454,000
Recreation improvement fund	1,100,000
Safety education fund	150,000
Snowmobile registration fee revenue	1,142,000
Snowmobile trail improvement fund	8,014,000
State general fund/general purpose	\$ 0

Sec. 112. INFORMATION TECHNOLOGY

Information technology services and projects	\$ 8,872,100
GROSS APPROPRIATION	\$ 8,872,100

Appropriated from:

Special revenue funds:

Commercial forest fund	4,900
Forest development fund	1,450,600
Forestland user charges	16,200
Forest recreation fund	42,500
Game and fish protection fund	3,083,400
Game and fish protection fund - deer habitat reserve	73,200
Game and fish protection fund - turkey permit fees	64,500
Game and fish protection fund - waterfowl fees	2,700
Game and fish - wildlife resource protection fund	55,500
Land exchange facilitation fund	148,900
Marine safety fund	73,300
Michigan natural resources trust fund	456,400
Michigan state parks endowment fund	324,300
Michigan state waterways fund	640,700
Nongame wildlife fund	23,200
Off-road vehicle trail improvement fund	7,700

	For Fiscal Year Ending Sept. 30, 2009
Park improvement fund.....	\$ 1,517,500
Recreation improvement fund.....	11,400
Snowmobile registration fee revenue	45,500
Snowmobile trail improvement fund.....	73,300
State general fund/general purpose	\$ 756,400

Sec. 113. CAPITAL OUTLAY

(1) STATE PARK AND FOREST AREA IMPROVEMENTS

State parks repair and maintenance	\$ 3,500,000
Forest roads, bridges, and facilities	1,300,000
GROSS APPROPRIATION.....	\$ 4,800,000

Appropriated from:

Special revenue funds:

Private funds	1,500,000
Forest development fund	1,300,000
Park improvement fund.....	2,000,000
State general fund/general purpose	\$ 0

(2) WATERWAYS BOATING PROGRAM

Infrastructure improvements - state projects.....	\$ 4,293,000
Infrastructure improvements - local projects	900,000
Land acquisition.....	1,000,000

Boating program, state boating access projects:

Port Austin, Huron County, site improvements (total authorized cost \$500,000, state share \$500,000)	500,000
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Boating program, harbors and docks, state facilities:

Mackinaw City, Cheboygan County, new marina, state dock, phase V (total cost authorized cost is increased from \$11,775,000 to \$12,075,000; state share is increased from \$11,775,000 to \$12,075,000)	300,000
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Boating program, harbors and docks, local facilities:

Metro beach metropark, Macomb County, dock replacements, utility and seawall upgrades (total authorized cost \$4,800,000; state share \$2,400,000; local share \$2,400,000)	2,400,000
GROSS APPROPRIATION.....	\$ 9,393,000

Appropriated from:

Federal revenues:

DHS, U.S. coast guard.....	1,293,000
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Special revenue funds:

Michigan state waterways fund	8,100,000
State general fund/general purpose	\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2008-2009 is \$229,727,800.00 and state spending from state resources to be paid to local units of government for fiscal year 2008-2009 is \$8,357,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF NATURAL RESOURCES

CAPITAL OUTLAY

Waterways boating program.....	\$ 3,300,000
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GRANTS

Grants to counties - marine safety	2,805,000
Off-road vehicle safety training grants.....	150,000
Off-road vehicle trail improvement grants	450,000

Recreation improvement fund grants.....	\$	110,000
Snowmobile law enforcement grants		1,142,000
Snowmobile local grants program		400,000
TOTAL	\$	<u>8,357,000</u>

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

Sec. 204. The civil service commission 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 state budget director may grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause loss of revenue to the state, result in the inability of the state to receive federal funds, or necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exceptions.

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

Sec. 207. Within 14 days after the release of the executive budget recommendation, the department shall provide the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies with an annual report on estimated restricted fund balances, projected revenues, and expenditures for the fiscal years ending September 30, 2008 and September 30, 2009.

Sec. 208. (1) From the funds appropriated under part 1, the department shall prepare a report that lists all of the following regarding grant, loan, or grant and loan programs administered by the department for the fiscal year ending on September 30, 2009:

- (a) The name of each program.
- (b) The goals, criteria, filing fees, nominating procedures, eligibility requirements, processes, and deadlines for each program.
- (c) The maximum and minimum grant and loan available and whether there is a match requirement for each program.
- (d) The amount of any required match, and whether in-kind contributions may be used as part or all of a required match.

(e) Information pertaining to the application process, timeline for each program, and the contact people within the department.

(f) The source of funds for each program, including the citation of pertinent authorizing acts.

(g) Information regarding plans for the next fiscal year for the phaseout, expansion, or changes for each program.

(h) A listing of all recipients of grants or loans awarded by the department by type and amount of grant or loan during the fiscal year ending September 30, 2008.

(2) The reports required under this section shall be submitted to the state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies by January 1, 2009.

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

Civil service commission	\$	876,100
History, arts, and libraries.....		3,500
Legislative auditor general.....		21,400
Attorney general		767,800
Department of management and budget.....		235,300
Department of treasury.....		7,000

Sec. 210. Before January 31, 2009, the department, in cooperation with the Michigan state waterways commission, shall provide to the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies a list of projects completed by the commission in fiscal year 2007-2008, including the county and municipality in which each project is located.

Sec. 211. Pursuant to section 43703(3) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43703, there is appropriated from the game and fish protection trust fund to the game and fish protection account of the Michigan conservation and recreation legacy fund, \$6,000,000.00 for the fiscal year ending September 30, 2009.

Sec. 212. From the funds appropriated in part 1 for information technology, departments and agencies shall pay user fees to the department of information technology for technology-related services and projects. Such user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 213. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 214. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2009 shall be limited to situations in which 1 or more of the following conditions apply:

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

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

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

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

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

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

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the house and senate 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 senate and house of representatives standing committees on appropriations, the senate and house 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. 215. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

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

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

Sec. 218. (1) The department shall report no later than April 1, 2009 on each specific policy change made by the department to implement a public act affecting that department that took effect during the preceding calendar year. The department shall report to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.

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

(3) As used in this section:

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

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

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

Sec. 220. The department shall develop a plan for allocating restricted funds among department administrative support and regulatory activities. This plan shall be submitted to the house and senate appropriations subcommittees on natural resources by January 30, 2009. This plan shall include a cost allocation plan for financial services support, office space rent and building occupancy charges, and support division service for information systems and technology and a methodology to use information generated through activity reports that identifies the percentage of employee time spent on restricted fund activities.

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

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

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

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$500,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 223. It is the intent of the legislature that the recommendations of the workgroup on long-term funding that was established in section 223 of 2007 PA 122 are included in the appropriations in part 1.

Sec. 224. It is the intent of the legislature that revenue shortfalls in the snowmobile trail improvement fund appropriated in part 1 shall be addressed by January 15, 2009.

Sec. 225. The department shall not approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless the professional development conference or training seminar is funded by a federal or private funding source and requires more than 1 person from a department to attend, or the conference or training seminar includes multiple issues in which 1 employee from the department does not have expertise. This section does not apply to meetings or to the purchase of excess federal equipment.

Sec. 226. (1) It is the intent of the legislature that the department take all necessary action to facilitate the necessary permits to construct a lake level control structure on Muskrat Lake in Clinton County for the purpose of restoring the water level to a level that allows use of the existing public boat dock.

(2) By February 1, 2009, the department shall notify the senate and house appropriations subcommittees on natural resources, the senate and house fiscal agencies, and the state budget director of the status of the permits and the water level of Muskrat Lake.

ADMINISTRATIVE SERVICES

Sec. 401. The department may charge the appropriations contained in part 1, including all special maintenance and capital projects appropriated for the fiscal year ending September 30, 2009, for engineering services provided, a standard percentage fee to recover actual costs. The department may use the revenue derived to support the engineering services charges provided for in part 1.

Sec. 402. The department may charge land acquisition projects appropriated for the fiscal year ending September 30, 2009, and for prior fiscal years, a standard percentage fee to recover actual costs, and may use the revenue derived to support the land acquisition service charges provided for in part 1.

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

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

Sec. 405. Within 21 days after the end of the fiscal year ending September 30, 2009, the department shall submit to the senate and house appropriations subcommittees on natural resources a report on all land transactions approved by the commission in the previous fiscal year. For each land transaction, the report shall include the size of the parcel, the county and municipality in which the parcel is located, the dollar amount of the transaction, the fund source affected by the transaction, and whether the transaction is by purchase, public auction, transfer, exchange, or conveyance.

Sec. 406. By January 15, the department shall provide to the department of treasury all billing information received from local units of government that is necessary for making payments in lieu of taxes on purchased lands. Bills received by the department from local units of government after January 15 shall be forwarded to the department of treasury as soon as practical.

WILDLIFE MANAGEMENT

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

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

FISHERIES MANAGEMENT

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

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

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

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

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

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

PARKS AND RECREATION

Sec. 701. Pursuant to section 1902(2) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1902, there is appropriated from the Michigan natural resources trust fund to the Michigan state parks endowment fund an amount not to exceed \$10,000,000.00 for the fiscal year ending September 30, 2009.

Sec. 702. (1) The department shall prepare detailed reports for construction projects in state parks that will involve campsite or campground closures. These reports shall include expected costs, impacts on recreation opportunities, impacts on state park revenues, and the expected impact on state park users. The department shall also prepare reports on average monthly campground occupancy rates for every state park during the previous summer season. The department shall provide reports described in this subsection to the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies not later than April 1, 2009.

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

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

Sec. 704. The department shall not alter or halt operations of the ski hill or demolish buildings related to the ski hill, the assistant manager residence, the 3-unit apartment building, or the carpenter's shop and garage in Porcupine Mountains wilderness state park. The department shall collaborate with travel Michigan for the marketing and promotion of the ski hill.

FOREST, MINERAL, AND FIRE MANAGEMENT

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

Sec. 802. As a condition of expenditure of appropriations in part 1 from the forest development fund, on November 15, 2008 the department shall provide at least \$750,000.00 from cooperative resources programs as an interdepartmental grant to the department of agriculture for the cooperative resources management initiative program for the purposes of supporting forestry programs in local conservation districts.

Sec. 803. The department shall spend amounts appropriated in part 1 for forest-related activities to employ or contract for additional foresters to mark timber, pursuant to section 804.

Sec. 804. Of the funds appropriated in part 1, the department shall, subject to the forest certification process, prescribe appropriate treatment on not less than 63,000 acres at the current average rate of 12.5 to 13 cords per acre, and offer those cords for sale in 2009, provided that the department shall take into consideration the impact of timber harvesting on wildlife habitat and recreation uses. The department shall, subject to the forest certification process, increase marking or treatment of hardwood timber for sale and harvest by 10% over 2008 levels. In addition, the department shall take into consideration silvicultural analysis and report annually to the legislature on plans and efforts to address factors limiting management of timber. The department shall provide quarterly reports on the number of acres treated, pursuant to this section, to the senate and house appropriations subcommittees on natural resources and the standing committees of the senate and house of representatives with primary responsibility for natural resources issues. The department shall complete and deliver these reports no later than 45 days after the end of the fiscal quarter.

Sec. 805. From the funds appropriated in part 1, the department shall provide for a designated snowmobile route connecting the village of Bellaire to the Jordan River Trail across state-owned land with associated reasonable restrictions that mitigate negative impacts on the natural resources.

Sec. 806. In addition to the money appropriated in this act, the department may receive and expend money from federal sources for the purpose of providing response to wildfires as required by a compact with the federal government. If additional expenditure authorization is required, the department shall notify the state budget office that expenditure under this section is required. The department shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies of the expenditures under this section by November 1, 2009.

Sec. 807. The department shall continue to work cooperatively with horseback riding interests to maximize riding opportunities in the state.

LAW ENFORCEMENT

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

Sec. 902. From the funds appropriated in part 1, not less than 6 months before expiration of a contract or adoption of amendments to an existing contract with the concessionaire at the Island Lake shooting range, the department shall notify in the least expensive method possible all residents within 5 miles of the shooting range and the state and local elected officials representing Green Oak Township in Livingston County of the contract expiration date or adoption of amendments to an existing contract. If the department intends to extend or amend the contract with the concessionaire, it shall hold 1 public hearing in Livingston County on the matter not less than 60 days before execution.

GRANTS

Sec. 1101. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 for grants to communities - federal oil, gas, and timber payments and that do not require additional state matching funds are appropriated for the purposes intended. By November 30, 2008, the department shall report to the senate and house appropriations subcommittees on natural resources, the senate and house fiscal agencies, and the state budget director on all amounts appropriated under this section during the fiscal year ending September 30, 2008.

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

CAPITAL OUTLAY

Sec. 1201. The appropriation made in this act for the harbors and docks program is for the purpose of participating with the federal government and assisting political entities and subdivisions of this state in the construction and improvement of recreational boating facilities within this state. Subject to the approval of the state administrative board, this money shall be allocated by the department to the federal government, or to the political entities or local units of government involved in the particular projects. An allocation shall not exceed the state portion as listed with each project description. The department shall take the steps necessary to match federal money available for the construction and improvement of recreational boating facilities within the state, and to meet requirements of the federal government.

Sec. 1202. (1) The director shall allocate lump-sum appropriations made in this act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

(2) The state budget director may authorize that funds appropriated for lump-sum appropriations shall be available for no more than 3 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 1203. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Richard J. Brown

Clerk of the House of Representatives

Approved

.....
Governor

Act No. 253
Public Acts of 2008
Approved by the Governor*
July 17, 2008
Filed with the Secretary of State
July 18, 2008
EFFECTIVE DATE: July 18, 2008

*Item Vetoes

Sec. 107. ENVIRONMENTAL STEWARDSHIP

Cooperative resources management initiative program \$ 1,000,000 (Page 4)

Sec. 110. FAIRS AND EXPOSITIONS

Building and track improvement - county and state fairs \$ 480,000 (Page 5)
Purses and supplements - fairs/licensed tracks \$ 2,601,300
Licensed tracks - light horse racing..... \$ 144,900
Standardbred breeders' awards..... \$ 1,063,600
Standardbred purses and supplements - licensed tracks \$ 1,963,900
Standardbred sire stakes \$ 889,100
Thoroughbred sire stakes \$ 911,000
Standardbred training and stabling \$ 39,500
Thoroughbred program \$ 2,634,200
Thoroughbred owners' awards \$ 136,100
Distribution of outstanding winning tickets \$ 768,300

Sec. 802.

Entire Section. (Page 13)

Sec. 803.

Entire Section. (Page 13)

Sec. 804.

Entire Section. (Page 13)

Sec. 807.

Entire Section. (Page 14)

Sec. 811.

Entire Section. (Page 14)

**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2008**

Introduced by Rep. Espinoza

ENROLLED HOUSE BILL No. 5807

AN ACT to make appropriations for the department of agriculture for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain 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 department of agriculture for the fiscal year ending September 30, 2009, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF AGRICULTURE

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	594.5	
GROSS APPROPRIATION.....		\$ 107,814,300
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		10,539,200
ADJUSTED GROSS APPROPRIATION.....		\$ 97,275,100
Federal revenues:		
Total federal revenues		16,121,900
Special revenue funds:		
Total local revenues		0
Total private revenues.....		237,200
Total other state restricted revenues		48,427,400
State general fund/general purpose		\$ 32,488,600

FUND SOURCE SUMMARY:

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	594.5	
GROSS APPROPRIATION		\$ 107,814,300
Interdepartmental grant revenues:		
IDG from MDCH, local public health operations		8,878,700
IDG from MDEQ, aquifer protection and dispute resolution.....		50,000
IDG from MDEQ, biosolids.....		92,500
IDG from MDEQ, MAEAP		159,100
IDG from MDEQ, type II well survey		17,000
IDG from DHS, food bank		150,000
IDG from MDLEG (LCC), liquor quality testing fees		191,900
IDG from MDNR, district forestry and wildlife program		1,000,000
Total interdepartmental grants and intradepartmental transfers		10,539,200
ADJUSTED GROSS APPROPRIATION.....		\$ 97,275,100
Federal revenues:		
DAG, multiple grants.....		12,637,300
EPA, multiple grants		1,753,300
HHS-FDA		1,077,700
United States department of labor		400,000
Corporation for national and community services.....		253,600
Total federal revenues		16,121,900
Special revenue funds:		
Private - commodity group		89,200
Private - slow-the-spread foundation.....		148,000
Total private revenues.....		237,200
Agricultural preservation fund		3,400,000
Agriculture equine industry development fund.....		12,548,400
Agriculture pollution prevention fund		100
Cervidae licensing and inspection fees		75,000
Commodity inspection fees		1,084,000
Dairy and food safety fund		2,728,300
Gasoline inspection and testing fund		2,620,700
Freshwater protection fund.....		5,174,300
Horticulture fund.....		79,700
Industry support funds.....		697,900
Licensing and inspection fees.....		4,038,400
Migratory labor housing.....		25,000
Nonretail liquor fees		678,600
Refined petroleum fund.....		3,339,000
State services fee fund		9,185,700
Testing fees.....		434,500
Upper Peninsula state fair revenue		1,382,500
Consumer and industry food safety education fund.....		260,500
Weights and measures regulation fees.....		674,800
Total other state restricted revenues		48,427,400
State general fund/general purpose		\$ 32,488,600

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	37.5	
Commission and boards		\$ 32,800
Unclassified positions—6.0 FTE positions		354,000
Executive direction—10.0 FTE positions		922,600
Management services—24.0 FTE positions.....		1,725,800
Agricultural statistics—1.0 FTE position		143,700
Emergency management—2.5 FTE positions.....		243,300
Internal audit services.....		263,700
GROSS APPROPRIATION.....		\$ 3,685,900

Appropriated from:	
Private funds:	
Private - commodity group	\$ 78,400
Special revenue funds:	
Gasoline inspection and testing fund	61,200
Industry support funds.....	34,200
Nonretail liquor fees	8,800
Refined petroleum fund.....	50,400
State services fee fund	502,500
Upper Peninsula state fair revenue	9,000
State general fund/general purpose	\$ 2,941,400

Sec. 103. DEPARTMENTWIDE

Rent and building occupancy charges.....	\$ 1,471,500
GROSS APPROPRIATION.....	\$ 1,471,500

Appropriated from:	
Federal revenues:	
DAG, multiple grants.....	106,500
EPA, multiple grants.....	64,900
HHS-FDA	14,000
Special revenue funds:	
Agricultural preservation fund	23,900
Freshwater protection fund.....	10,100
Licensing and inspection fees.....	63,300
Nonretail liquor fees	8,400
Refined petroleum fund.....	114,000
State services fee fund	313,200
State general fund/general purpose	\$ 753,200

Sec. 104. FOOD AND DAIRY

Full-time equated classified positions.....	115.0	
Food safety and quality assurance—115.0 FTE positions	\$ 12,598,000	
Local public health operations.....	8,878,700	
GROSS APPROPRIATION.....	\$ 21,476,700	

Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDCH, local public health operations	8,878,700
Federal revenues:	
DAG, multiple grants.....	27,100
HHS-FDA	380,300
Special revenue funds:	
Consumer and industry food safety education fund.....	260,500
Dairy and food safety fund	2,728,300
State general fund/general purpose	\$ 9,201,800

Sec. 105. ANIMAL INDUSTRY

Full-time equated classified positions.....	70.0	
Animal health and welfare—21.5 FTE positions	\$ 2,382,200	
Bovine tuberculosis program—48.5 FTE positions.....	7,425,200	
GROSS APPROPRIATION.....	\$ 9,807,400	

Appropriated from:	
Federal revenues:	
DAG, multiple grants.....	1,143,000
HHS-FDA	72,100
Special revenue funds:	
Agriculture equine industry development fund.....	712,000
Cervidae licensing and inspection fees	75,000

For Fiscal Year
Ending Sept. 30,
2009

Licensing and inspection fees.....	\$	106,900
State general fund/general purpose	\$	7,698,400

Sec. 106. PESTICIDE AND PLANT PEST MANAGEMENT

Full-time equated classified positions	134.5	
Pesticide and plant pest management—110.0 FTE positions	\$	12,173,000
Emerald ash borer control program—24.5 FTE positions		5,191,400
GROSS APPROPRIATION	\$	17,364,400

Appropriated from:

Federal revenues:

DAG, multiple grants.....	6,679,300
EPA, multiple grants	891,500
HHS-FDA	68,300

Special revenue funds:

Private - slow-the-spread foundation.....	148,000
Commodity inspection fees	1,084,000
Horticulture fund.....	79,700
Industry support funds.....	340,900
Licensing and inspection fees.....	3,660,500
State general fund/general purpose	\$ 4,412,200

Sec. 107. ENVIRONMENTAL STEWARDSHIP

Full-time equated classified positions	52.0	
Environmental stewardship—27.0 FTE positions.....	\$	2,811,500
Groundwater and freshwater protection program—15.0 FTE positions		5,472,500
Farmland and open space preservation—9.0 FTE positions.....		985,500
Water withdrawal assessment program—1.0 FTE position		130,000
Technical assistance match		300,000
Cooperative resources management initiative program		1,000,000
Agriculture pollution prevention program.....		1,000,100
Local conservation districts.....		916,800
Migrant labor housing.....		425,100
Aquifer protection program.....		50,000
GROSS APPROPRIATION	\$	13,091,500

Appropriated from:

Interdepartmental grant revenues:

IDG from MDEQ, aquifer protection and dispute resolution.....	50,000
IDG from MDEQ, biosolids.....	92,500
IDG from MDEQ, MAEAP	159,100
IDG from MDEQ, type II well survey.....	17,000
IDG from MDNR, district forestry and wildlife program	1,000,000

Federal revenues:

DAG, multiple grants.....	1,000,000
EPA, multiple grants	445,700
Corporation for national and community services.....	253,600
United States department of labor	400,000

Special revenue funds:

Agricultural preservation fund	875,900
Agriculture pollution prevention fund	100
Freshwater protection fund.....	5,164,100
Migratory labor housing.....	25,000
State general fund/general purpose	\$ 3,608,500

Sec. 108. LABORATORY PROGRAM

Full-time equated classified positions	131.0	
Laboratory services—63.0 FTE positions	\$	6,318,800
USDA monitoring program—17.0 FTE positions		2,134,200
Consumer protection program—51.0 FTE positions		5,135,200
GROSS APPROPRIATION	\$	13,588,200

Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDLEG (LCC), liquor quality testing fees	\$ 189,100
Federal revenues:	
DAG, multiple grants.....	2,156,200
EPA, multiple grants	351,200
HHS-FDA	543,000
Special revenue funds:	
Gasoline inspection and testing fund	2,532,500
Licensing and inspection fees	75,100
Refined petroleum fund.....	3,174,600
State services fee fund	519,700
Testing fees.....	434,500
Weights and measures regulation fees.....	674,800
State general fund/general purpose	\$ 2,937,500

Sec. 109. AGRICULTURE DEVELOPMENT

Full-time equated classified positions.....	9.0
Agriculture development—6.0 FTE positions.....	\$ 1,072,000
Grape and wine program—3.0 FTE positions.....	717,100
Export market development program.....	50,000
Michigan agricultural surplus system.....	630,500
GROSS APPROPRIATION.....	\$ 2,469,600

Appropriated from:	
Interdepartmental grant revenues:	
IDG from DHS, food bank	150,000
Federal revenues:	
DAG, multiple grants.....	275,200
Special revenue funds:	
Private - commodity group	10,800
Industry support funds.....	311,900
Nonretail liquor fees	660,900
State services fee fund	350,700
State general fund/general purpose	\$ 710,100

Sec. 110. FAIRS AND EXPOSITIONS

Full-time equated classified positions.....	15.5
Upper Peninsula state fair—6.0 FTE positions.....	\$ 1,372,600
Fairs, racing and producer security—9.5 FTE positions	1,154,600
Building and track improvement - county and state fairs	480,000
Premiums - county and state fairs	1,614,000
Purses and supplements - fairs/licensed tracks	2,601,300
Licensed tracks - light horse racing.....	144,900
Standardbred breeders' awards.....	1,063,600
Standardbred purses and supplements - licensed tracks	1,963,900
Standardbred sire stakes	889,100
Thoroughbred sire stakes	911,000
Standardbred training and stabling	39,500
Thoroughbred program	2,634,200
Thoroughbred owners' awards.....	136,100
Distribution of outstanding winning tickets	768,300
GROSS APPROPRIATION.....	\$ 15,773,100

Appropriated from:	
Special revenue funds:	
Agriculture equine industry development fund.....	11,631,900
Industry support funds.....	10,900
Licensing and inspection fees.....	132,600
State services fee fund	2,625,100
Upper Peninsula state fair revenue	1,372,600
State general fund/general purpose	\$ 0

Sec. 111. OFFICE OF RACING COMMISSIONER

Full-time equated classified positions.....	30.0	
Office of racing commissioner—30.0 FTE positions.....		\$ 3,811,000
GROSS APPROPRIATION		\$ 3,811,000
Appropriated from:		
Special revenue funds:		
State services fee fund		3,811,000
State general fund/general purpose		\$ 0

Sec. 112. INFORMATION TECHNOLOGY

Information technology services and projects.....		\$ 1,525,000
GROSS APPROPRIATION		\$ 1,525,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDLEG (LCC), liquor quality testing fees		2,800
Special revenue funds:		
Agricultural preservation fund		200
Agriculture equine industry development fund.....		204,500
Gasoline inspection and testing fund		27,000
Freshwater protection fund.....		100
Nonretail liquor fees		500
State services fee fund		1,063,500
Upper Peninsula state fair revenue		900
State general fund/general purpose		\$ 225,500

Sec. 113. CAPITAL OUTLAY

Farmland and open space development acquisition.....		\$ 3,750,000
GROSS APPROPRIATION		\$ 3,750,000
Appropriated from:		
Federal revenues:		
DAG, multiple grants.....		1,250,000
Special revenue funds:		
Agricultural preservation fund		2,500,000
State general fund/general purpose		\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2008-2009 is \$80,916,000.00 and state spending from state resources to be paid to local units of government for fiscal year 2008-2009 is \$2,416,800.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF AGRICULTURE

Groundwater and freshwater protection program		\$ 1,500,000
Local conservation districts.....		916,800
TOTAL		\$ 2,416,800

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) "DAG" means the United States department of agriculture.
- (b) "Department" means the department of agriculture.

- (c) "Director" means the director of the department.
- (d) "DHS" means the department of human services.
- (e) "EPA" means the United States environmental protection agency.
- (f) "FTE" means full-time equated.
- (g) "HHS-FDA" means the United States department of health and human services - food and drug administration.
- (h) "IDG" means interdepartmental grant.
- (i) "MAEAP" means the Michigan agriculture environmental assurance program.
- (j) "MDCH" means the Michigan department of community health.
- (k) "MDEQ" means the Michigan department of environmental quality.
- (l) "MDLEG (LCC)" means the Michigan department of labor and economic growth - liquor control commission.
- (m) "USDA" means the United States department of agriculture.

Sec. 204. The civil service commission 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 state budget director may grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, causes loss of revenue to the state, would result in the inability of the state to receive federal funds, or would necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exception.

Sec. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this act. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement and shall 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. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

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. 212. (1) Of the funds appropriated in part 1, the department may provide for indemnity as provided for pursuant to the animal industry act, 1988 PA 466, MCL 287.701 to 287.745, not to exceed \$100,000.00 per order from any line item for the fiscal year ending September 30, 2009. Before the department provides for an indemnification under this section, the department shall report the reason for the indemnification, the amount of the indemnification, and to whom the indemnification is to be paid. The report shall be given to each member of the house and senate appropriations subcommittees on agriculture and to the senate and house fiscal agencies and the state budget director.

(2) The department of agriculture shall make an indemnification payment for the fair market value of livestock killed by a wolf, coyote, or cougar, if the kill is verified by the department of natural resources. The fair market value of the livestock shall be determined pursuant to the indemnification procedures prescribed in the animal industry act, 1988 PA 466, MCL 287.701 to 287.745. In addition to the funds appropriated in part 1, the department of agriculture is authorized to expend the funds received from the department of natural resources to reimburse the department of agriculture for all indemnification payments made pursuant to this subsection.

Sec. 214. Of the funds appropriated in part 1 that are other than line-item grants, the department shall not provide grants to local government agencies, institutions of higher education, or nonprofit organizations unless the department

provides notice of the grant to the house and senate appropriations subcommittees on agriculture at least 10 days before the grant is issued. The grants shall be used to support research or other related activities for the purpose of enhancing the agricultural industries in this state.

Sec. 219. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of information technology for technology-related services and projects. The user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 220. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 223. (1) Due to the current budgetary problems in this state, out-of-state travel 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 house and senate appropriations committees, 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. 224. The department shall not take disciplinary action against an employee for truthfully to the best of his or her knowledge communicating with a member of the legislature or his or her staff.

Sec. 225. In recognition of the important role it can play in attracting large-scale agricultural events, it is the intent of the legislature that the department of agriculture, in conjunction with interested parties, explore opportunities to expand the facilities and size of the Michigan State University pavilion for agriculture and livestock education.

Sec. 227. On or before April 1, 2009, the department shall report to the state budget director, the senate and house of representatives appropriations committees on agriculture, and the senate and house fiscal agencies on the impact of major department program areas on Michigan agriculture, environmental protection, and consumer protection. The report shall include a comparison of program expenditures with the estimated economic impact of programs, either in terms of actual federal or private funds leveraged or the potential economic loss of not performing the program functions.

Sec. 228. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$6,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

Sec. 229. (1) The department shall report no later than April 1, 2009 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.

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

(3) As used in this section:

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

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

Sec. 230. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 231. From the funds appropriated in part 1 for salaries and benefits, the department shall provide funding in the pesticide and plant pest management, food and dairy, animal industry, environmental stewardship and laboratory divisions for not less than 315 employees who provide direct service to the public or substantially support the work of those who provide direct service. Expenditures shall be made so that these divisions continue to provide service to protect the public health, safety, and welfare and environment.

Sec. 232. From the funds appropriated in part 1, the director shall implement continuous improvement efficiency mechanisms in the programs administered by the department. The continuous improvement efficiency mechanisms shall identify changes made in programs to increase efficiency and reduce expenditures in the programs. On March 31, 2009 and September 30, 2009, the director shall submit a report to the state budget director, the senate and house appropriation subcommittees, and the senate and house fiscal agencies on the progress made toward increased efficiencies in departmental programs. At a minimum, each report shall include information on the program review process, the type of improvement mechanisms implemented, and actual and projected expenditure savings as a result of the increased program efficiencies.

Sec. 234. The department shall not approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless the professional development conference or training seminar is funded by a federal or private funding source and requires more than 1 person from a department to attend, or the conference or training seminar includes multiple issues in which 1 employee from the department does not have expertise.

Sec. 235. Available funds from the appropriation in part 1 may be provided to the C.S. Mott group for sustainable food systems at Michigan State University to plan for and coordinate a matched savings tool for Michigan's emerging farmers and to leverage federal funds for the purpose of developing and enhancing local markets for Michigan agricultural products.

EXECUTIVE

Sec. 302. (1) The department may receive and expend revenue and use that revenue to cover necessary expenses related to publications, audit and licensing functions, livestock sales, certification of nursery stock, bean inspection services, and laboratory analyses as specified in the following:

- (a) Management services publications.
- (b) Management services audit and licensing functions.
- (c) Pesticide and plant pest management propagation and certification of virus free foundation stock.
- (d) Pesticide and plant pest management bean inspection and grading services.
- (e) Laboratory support testing for testing horses in draft horse pulling contests at county fairs when local jurisdictions request state assistance.
- (f) Laboratory support analyses to determine foreign substances in horses engaged in racing or pulling contests at tracks.
- (g) Laboratory support analyses of food, livestock, and agricultural products for disease, foreign products for disease, toxic materials, foreign substances, and quality standards.
- (h) Laboratory support test samples for other agencies and organizations.
- (i) Fruit and vegetable inspection at shipping and termination points and processing plants.

(2) The department shall notify the senate and house of representatives appropriations subcommittees on agriculture and the senate and house fiscal agencies 30 days prior to proposing changes in fees authorized under this section or under section 5 of the market conditions act, 1915 PA 91, MCL 285.35.

(3) Annually, before February 1, the department shall provide a report to the senate and house of representatives appropriations subcommittees on agriculture and the senate and house fiscal agencies detailing all the fees charged by the department under the authorization provided in this section, including, but not limited to, rates, number of individuals paying each fee, and the revenue generated by each fee in the previous fiscal year.

Sec. 304. (1) To ensure motor fuel quality and quantity, the department shall maintain the motor fuel quality program and shall not reduce program level of effort below that of the 2006-2007 fiscal year. Notwithstanding the provisions of section 205, the department shall maintain field and laboratory staff for the motor fuel quality program.

(2) On or before January 1 and every 6 months thereafter, the department shall report to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies the results of both complaint-based and random-based inspections, including the number of inspections performed, samples collected, and compliance rates.

Sec. 306. From the funds appropriated in section 102, private funds for agricultural statistics shall be used to match state funds at not less than 50% of study costs.

FOOD AND DAIRY

Sec. 401. (1) The department shall monitor restaurant inspection and licensing functions carried out by local health departments to ensure uniform application and enforcement of minimum program requirements. On or before April 1, 2009, the department shall report to the senate and house appropriations subcommittees on agriculture, the senate and house fiscal agencies, and the state budget director on local health department conformance with minimum program requirements.

(2) If a local unit of government incurs additional costs resulting from its efforts to control a significant food-borne outbreak, the director shall seek additional resources to reimburse the local unit of government for these additional costs. The director shall involve the local health officer of the jurisdiction affected in all aspects of the control of any food-borne outbreak.

Sec. 402. Not later than April 1, 2009, the department shall provide a report to the house and senate appropriations subcommittees on agriculture and the house and senate fiscal agencies describing significant food-borne outbreaks and emergencies including any enforcement actions taken related to food safety during the 2007-2008 fiscal year.

Sec. 403. The department, in conjunction with the department of community health, shall assure that a process is in place that requires a local unit of government to obtain prior approval from the department before any reallocation or redistribution of program funds appropriated in section 104.

Sec. 404. From the funds appropriated in section 104 for food safety and quality assurance, not less than \$150,000.00 from the consumer and industry food safety education fund shall be expended for purposes required under section 4117 of the food law of 2000, 2000 PA 92, MCL 289.4117, including the statewide training and education to consumers on food safety and the training and education on food safety to food service establishment employees and department employees and agents who enforce section 4117 of the food law of 2000, 2000 PA 92, MCL 289.4117.

Sec. 406. Notwithstanding the provisions of section 205, the department is authorized to fill open positions in the food and dairy inspection program.

Sec. 407. Funds appropriated in part 1 of 2007 PA 128 for food and dairy, food safety and quality assurance, shall not lapse but shall continue to be available for completion of the e-inspector program in accordance with the provisions of section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

ANIMAL INDUSTRY

Sec. 450. From the funds appropriated in section 105 for the bovine tuberculosis program, the department shall reimburse the department of natural resources for those costs associated with monitoring and testing wildlife for bovine tuberculosis that are necessary to support the department goals and are jointly agreed to by the department and the department of natural resources to be in excess of efforts necessary to effectively plan and execute the eradication of bovine tuberculosis from Michigan's wild free-ranging deer herd.

Sec. 451. From the funds appropriated in section 105 for bovine tuberculosis, the department shall pay for all whole herd testing costs and individual animal testing costs in the modified accredited zone to maintain split-state status requirements. These costs include indemnity and compensation for injury causing death or downer to animals.

Sec. 452. The department shall apply for all federal and private funds for which it is eligible that can be used to support the bovine tuberculosis program.

Sec. 454. The department shall use its resources to collaborate with the United States department of agriculture to obtain TB-free status for the area of the Lower Peninsula that is zoned as modified accredited advanced. The department shall also aggressively work toward eradicating bovine TB in the modified accredited zone.

Sec. 455. The department shall prepare a plan to provide for cattle without official identification that may arrive at a saleyard. If an animal arrives untagged at a saleyard without official identification, the saleyard may charge a fee for the tag and for application. The tag may be purchased by and identified to the saleyard. The saleyard shall maintain records for all animals tagged on its premises. The department plan shall be in compliance with the "Michigan Bovine TB Eradication Program - Application for TB-Free/Modified Accredited Status", April 2007.

Sec. 456. Of the funds appropriated in part 1, no funds shall be used to enforce the mandatory electronic animal identification program for any domestic animals other than cattle until specific procedures and guidelines for electronic animal identification are outlined in statute.

Sec. 457. On or before October 15, 2008, and on a quarterly basis thereafter, the department shall report to the senate and house agriculture committees, the senate and house appropriations subcommittees on agriculture, and the senate and house fiscal agencies on the department's progress toward meeting the USDA requirements as outlined in the March 2007 bovine TB program review. The report shall include, but is not limited to, information and data on: wildlife risk mitigation plan implementation in the modified accredited zone; implementation of a movement certificate process; progress toward annual surveillance test requirements set out in the June 2007 MOU; compliance efforts and rates for animals crossing the Mackinac Bridge; efforts to work with slaughter facilities in Michigan, as well as those that slaughter a significant number of animals from Michigan; educational programs and information for Michigan's livestock community; any other item the legislature should be aware of that will promote or hinder efforts to achieve bovine TB-free status for Michigan.

Sec. 458. From the funds appropriated in section 105 for animal industry, the department shall provide inspection and testing of aquaculture facilities and aquaculture researchers as provided under the Michigan aquaculture development act, 1996 PA 199, MCL 286.877. It is the intent of the legislature that the department shall work with aquaculture facilities and aquaculture researchers to identify, contain, and eradicate viral hemorrhagic septicemia in this state.

Sec. 459. Notwithstanding the provisions of section 205, the department is authorized to fill open positions in the bovine tuberculosis program.

Sec. 460. All appropriations from the agriculture equine industry development fund shall be reduced proportionately if revenues to the agriculture equine industry development fund decline during the fiscal year ending September 30, 2009 to a level lower than the amount appropriated in part 1.

LABORATORY SERVICES

Sec. 501. From the appropriation in part 1 for laboratory services, a sufficient amount is appropriated from licensing and inspection fee revenue to maintain the department's animal feed testing programs.

PESTICIDE AND PLANT PEST MANAGEMENT

Sec. 551. It is the intent of the legislature that the department work with the fruit and vegetable industry to ensure the development of a sustainable system of third-party inspections of fruits and vegetables.

ENVIRONMENTAL STEWARDSHIP

Sec. 603. The department shall apply for all federal funds for which it is eligible that can be used to support the migrant labor housing program.

Sec. 604. The appropriation in section 107 for local conservation districts shall be allocated in the following manner:

(a) Of the total appropriation, each local conservation district meeting the minimum grant requirements shall receive a grant of \$11,605.00 to support basic operations, unless the district resides in a county consisting of multiple districts, in which case a \$11,605.00 grant shall be divided equally among the districts in that county. The amount of money allocated under this subdivision shall not be used by local conservation districts to replace any money received from local sources.

(b) Any amount remaining from the appropriation after distributions under subdivision (a) shall be allocated for local conservation district training.

Sec. 605. From the appropriation in part 1 for technical assistance match, not less than \$300,000.00 shall be used to fund local conservation district technical assistance for individuals with contracts under the 2002 farm bill administered by USDA's natural resources conservation service. Increasing the level of technical assistance will ensure producers can access the federal money available under their individual contracts and quickly put that money to work in Michigan.

Sec. 606. The department shall actively search for all possible funding sources to be used to match federal funds in the USDA environmental quality incentives program.

Sec. 607. It is the intent of the legislature that the department continue its activities in support of intercounty drainage districts as provided in chapter 5 of the drain code of 1956, 1956 PA 40, MCL 280.101 to 280.106.

AGRICULTURE DEVELOPMENT

Sec. 702. In any given year when insufficient amounts of Michigan surplus products are offered to the food bank council and accepted for distribution, unused funds may be applied by the food bank council for the direct purchase of foods from Michigan growers, manufacturers, or wholesalers.

Sec. 705. The appropriation in section 109 for the export market development program shall be used to coordinate state participation in the federal market access program and to leverage federal and private funds for the purpose of developing new and enhancing existing export markets for Michigan agricultural products.

Sec. 706. Not later than April 1, 2009, the department shall provide a report to the house and senate appropriations subcommittees on agriculture and the house and senate fiscal agencies describing the department's agriculture development and export market development activities. The report shall identify grants awarded during the prior fiscal year, including a description of federal or private funds made available as a result of department activities.

Sec. 707. In awarding grants from the agricultural development fund created under the Julian-Stille value-added act, 2000 PA 322, MCL 285.301 to 285.304, the department shall give due consideration to the diversity of Michigan agriculture and its economic importance.

Sec. 708. The department is authorized to receive and expend funds appropriated from the agricultural development fund created in section 2 of the Julian-Stille value-added act, 2000 PA 322, MCL 285.302.

Sec. 709. (1) Not later than April 1, 2009, the department shall provide a report to the house and senate appropriations subcommittees on agriculture and the house and senate fiscal agencies describing the activities of the grape and wine industry council established under section 303 of the Michigan liquor control act of 1998, 1998 PA 58, MCL 436.1303.

(2) The report shall include all of the following:

(a) Council activities and accomplishments for the previous fiscal year.

(b) Council expenditures for the previous fiscal year by category of administration, industry support, research and education grants, and promotion and consumer education.

(c) Grants awarded during the prior fiscal year and the results of research grant projects completed during the prior fiscal year.

Sec. 710. The department may match external funding for domestic and international marketing programs for the purpose of developing new and enhancing existing export markets for Michigan agricultural products.

Sec. 711. In accordance with chapter 8B of 1984 PA 270, MCL 125.2089 to 125.2089d, it is the intent of the legislature that the Michigan strategic fund, its employees, contract employees, and individuals working on its behalf collaborate with the Michigan department of agriculture to promote business development of Michigan agricultural products to achieve outcomes that include, but are not limited to, increases in export sales, increases in the number of retailers carrying Michigan commodities both within and outside of this state, and increased sales of Michigan products at chain grocers.

FAIRS AND EXPOSITIONS

Sec. 801. Within 60 days of the close of each fiscal quarter, the department shall report to the state budget director, the senate and house of representatives appropriations committees on agriculture, and the senate and house fiscal agencies on the agriculture equine industry development fund established in section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431.320. The report shall identify actual revenue and fund balance through the preceding fiscal quarter and estimated revenue and fund balance through the end of the fiscal year. The report shall identify simulcast racing revenue generated by each licensed track, license fees, and revenue generated from the casino wagering tax.

Sec. 802. From the amount appropriated in section 110 for purses and supplements - fairs/licensed tracks, \$220,000.00 is to be used for state purse supplements at state licensed pari-mutuel tracks for races comprised only of Michigan-bred horses segregated into a 4-year-old colt trot division, a 4-year-old filly trot division, a 4-year-old colt pace division, and a 4-year-old filly pace division.

Sec. 803. Included in the appropriation made in section 110 for the thoroughbred program is \$23,500.00 for the Michigan united thoroughbred breeders and owners association to conduct a thoroughbred yearling show. The Michigan united thoroughbred breeders and owners association shall submit to the department an itemized list of expenses showing that the expenses of the yearling show were paid.

Sec. 804. From the funds appropriated in section 110 for thoroughbred owners' awards, awards shall be distributed pursuant to section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431.320.

Sec. 805. On November 1, 2008 and April 1, 2009, the department shall report to the senate and house appropriations subcommittees on agriculture, the senate and house fiscal agencies, and the state budget director on the spending targets or budgeted amounts from the agriculture equine industry development fund by line item for the fiscal year

ending September 30, 2009. The report shall compare the spending targets to the appropriated amounts for each line item.

Sec. 806. A county fair, district fair, 4-H fair, or state fair receiving funds in section 110 to be used for prizes or awards, in whole or in part, as a condition precedent to the receiving of the funds for those purposes, shall publish the rules relative to the prizes, awards, and deadlines for entries eligible for the funds in their official premium books or lists relative to the prizes or awards. An aggrieved exhibitor may make a written complaint to the fair within 10 days after the fair ends. If the fair has not satisfactorily settled the grievance within 45 days after it is submitted to the fair, the aggrieved person may file the complaint with the department and the department shall investigate the complaint and make a finding of fact regarding the complaint and take appropriate action regarding the complaint.

Sec. 807. Of the amount appropriated in section 110 for purses and supplements - fairs/licensed tracks, a sufficient amount is appropriated to provide for overnight purse supplements pursuant to the horse racing law of 1995, 1995 PA 279, MCL 431.301 to 431.336.

Sec. 808. Of the amount appropriated in section 110 for premiums - county and state fairs, \$91,400.00 shall be expended to reimburse up to 75% premiums paid to large livestock and equine exhibitors in shows or exhibitions held by statewide associations as defined by the department. Livestock expositions shall be limited to participation in this program and prohibited from participation in any state-funded premium programs. The Michigan horse show association fall youth show shall be included.

Sec. 809. From the appropriations for premiums - county and state fairs in section 110, \$40,000.00 shall be awarded through a competitive grant program to local, regional, or state fairs or youth education programs to promote youth involvement and adult exhibitions in the animal agriculture industry.

Sec. 811. The funds appropriated in section 110 for distribution of outstanding winning tickets are not available for expenditure until they are deposited in the Michigan agriculture equine industry development fund pursuant to section 2 of 1951 PA 90, MCL 431.252. These funds shall be expended in accordance with section 2 of 1951 PA 90, MCL 431.252. The department shall provide notice to the house and senate appropriations subcommittees on agriculture at least 10 days before the funds are expended. This notice shall include the amount that each program receives from the outstanding winning ticket revenue deposited in the Michigan agriculture equine industry development fund.

OFFICE OF RACING COMMISSIONER

Sec. 901. The racing commissioner may pay rewards of not more than \$5,800.00 to a person who provides information that results in the arrest and conviction on a felony or misdemeanor charge for a crime that involves the horse racing industry. A reward paid pursuant to this section shall be paid out of the office of racing commissioner line item.

Sec. 902. In the event there is no live thoroughbred race meet in 2008 or 2009, all purse money and program money appropriated for the thoroughbred industry in fiscal year 2007-2008 and fiscal year 2008-2009 shall be held in escrow for a period not to exceed 18 months, or until a thoroughbred race meet license is applied for and granted by the office of racing commissioner. In the event there is no thoroughbred meet in 2008 or 2009, the purse pool distribution order to be issued by the office of racing commissioner in 2009 that delineates distribution between the thoroughbred meet that has been held at Great Lakes Downs and the joint thoroughbred/quarterhorse meet held in Mt. Pleasant shall be the same distribution formula as issued in 2008, with the thoroughbred portion being held in escrow.

Sec. 903. From the funds appropriated in part 1, the office of racing commissioner shall conduct a financial audit of all licensed pari-mutuel tracks and certified horsemen's organizations and shall submit a report of the audit findings to the senate and house standing committees on agricultural issues, the senate and house appropriations subcommittees on agriculture, the senate and house fiscal agencies, and the state budget director by February 18, 2009.

CAPITAL OUTLAY

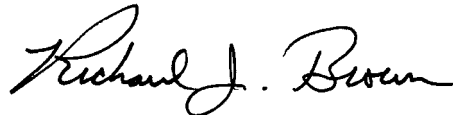
Sec. 1001. Of the amounts appropriated in part 1 for farmland and open space development acquisition, the funds shall be used for the purchase of development rights and the awarding of grants by the agriculture preservation fund board under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106.

Sec. 1002. (1) The director shall allocate lump-sum appropriations made in this act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

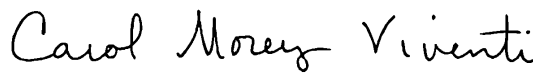
(2) The state budget director may authorize that funds appropriated for lump-sum appropriations shall be available for no more than 3 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 1003. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

Act No. 118
Public Acts of 2009
Approved by the Governor*
October 14, 2009
Filed with the Secretary of State
October 14, 2009
EFFECTIVE DATE: October 14, 2009

*Item Vetoes

**Sec. 103. DEPARTMENT OF NATURAL RESOURCES
(6) WILDLIFE MANAGEMENT**

Cormorant population mitigation program \$ 75,000 (Page 10)

(16) CONSOLIDATION SAVINGS

Consolidation savings..... \$ (350,000) (Page 15)

Sec. 226.

Entire Section. (Page 20)

Sec. 237. (2)

Entire Subsection. (Page 21)

Sec. 1204.

Entire Section. (Page 25)

Sec. 1701.

Entire Section. (Page 27)

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2009**

Introduced by Rep. Lahti

ENROLLED HOUSE BILL No. 4446

AN ACT to make appropriations for the departments of environmental quality and natural resources for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The People of the State of Michigan enact:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the departments of environmental quality and natural resources for the fiscal year ending September 30, 2010, from the funds indicated in this part. The following is a summary of the appropriations in this part:

TOTAL NATURAL RESOURCE MANAGEMENT AND ENVIRONMENTAL PROTECTION

APPROPRIATION SUMMARY

Full-time equated unclassified positions	11.0	
Full-time equated classified positions.....	3,701.0	
GROSS APPROPRIATION		\$ 704,288,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		12,322,900
ADJUSTED GROSS APPROPRIATION		\$ 691,965,200
Federal revenues:		
Total federal revenues		253,070,700
Special revenue funds:		
Total local revenues.....		0
Total private revenues.....		6,040,000
Total other state restricted revenues		389,180,100
State general fund/general purpose		\$ 43,674,400

Sec. 102. DEPARTMENT OF ENVIRONMENTAL QUALITY

(1) APPROPRIATION SUMMARY

Full-time equated unclassified positions	5.0	
Full-time equated classified positions	1,491.1	
GROSS APPROPRIATION		\$ 388,989,600
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		8,520,700
ADJUSTED GROSS APPROPRIATION		\$ 380,468,900
Federal revenues:		
Total federal revenues		180,218,200
Special revenue funds:		
Total local revenues		0
Total private revenues		658,900
Total other state restricted revenues		172,641,300
State general fund/general purpose		\$ 26,950,500

FUND SOURCE SUMMARY

Full-time equated unclassified positions	5.0	
Full-time equated classified positions	1,491.1	
GROSS APPROPRIATION		\$ 388,989,600
Interdepartmental grant revenues:		
IDG-MDOT - Michigan transportation fund		1,087,100
IDG-MSP		898,600
IDT, interdivisional charges		2,053,400
IDT, laboratory services		4,481,600
Total interdepartmental grants and intradepartmental transfers		8,520,700
ADJUSTED GROSS APPROPRIATION		\$ 380,468,900
Federal revenues:		
Federal funds		180,218,200
Total federal revenues		180,218,200
Special revenue funds:		
Total local revenues		0
Private funds		658,900
Total private revenues		658,900
Total local and private revenues		658,900
Aboveground storage tank fees		371,200
Air emissions fees		9,661,700
Campground fund		242,900
Clean Michigan initiative fund - clean water fund		3,770,800
Cleanup and redevelopment fund		6,550,800
Community pollution prevention fund		250,000
Electronic waste recycling fund		245,000
Environmental education fund		251,500
Environmental pollution prevention fund		1,284,200
Environmental protection fund		6,103,300
Environmental response fund		11,584,700
Fees and collections		404,100
Financial instruments		5,000,000
Great Lakes protection fund		1,615,700
Groundwater discharge permit fees		1,260,300
Hazardous material transportation permit fund		224,400
Infrastructure construction fund		404,300
Land and water permit fees		1,695,300
Landfill maintenance trust fund		57,300
Medical waste emergency response fund		246,200
Metallic mining surveillance fee revenue		34,300
Mineral well regulatory fee revenue		175,300
Nonferrous metallic mineral surveillance		22,400
NPDES fees		3,548,600

For Fiscal Year
Ending Sept. 30,
2010

Oil and gas regulatory fund	\$	8,426,800
Orphan well fund		2,060,200
Public swimming pool fund		553,300
Public utility assessments		791,900
Public water supply fees		4,005,000
Publication revenue		76,900
Refined petroleum fund		32,315,600
Restricted funds		18,366,000
Revitalization revolving loan fund		85,800
Revolving loan revenue bonds		11,400,000
Sand extraction fee revenue		74,100
Scrap tire regulatory fund		4,789,400
Septage waste contingency fund		38,600
Septage waste program fund		778,100
Settlement funds		1,884,600
Sewage sludge land application fees		870,300
Soil erosion and sedimentation control training fund		117,300
Solid waste management fund - staff account		4,606,800
Small business pollution prevention revolving loan fund		110,600
Stormwater permit fees		2,861,200
Strategic water quality initiatives fund		10,000,000
Underground storage tank fees		2,170,200
Waste reduction fee revenue		3,988,600
Wastewater operator training fees		175,000
Water analysis fees		3,311,200
Water pollution control revolving fund		3,128,300
Water quality protection fund		100,000
Water use reporting fees		551,200
Total other state restricted revenues		172,641,300
State general fund/general purpose	\$	26,950,500
(2) EXECUTIVE OPERATIONS AND DEPARTMENT SUPPORT		
Full-time equated unclassified positions		5.0
Full-time equated classified positions		81.0
Unclassified salaries—5.0 FTE positions	\$	487,600
Administrative hearings		457,000
Executive direction—17.0 FTE positions		2,100,500
Central operations—57.0 FTE positions		5,276,500
Office of the Great Lakes—7.0 FTE positions		1,028,400
Great Lakes restoration initiative		50,000,000
Automated data processing		2,053,400
Environmental support projects		5,000,000
Building occupancy charges		6,669,000
Rent - privately owned property		2,145,900
GROSS APPROPRIATION	\$	75,218,300
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MSP		113,500
IDT, interdivisional charges		2,053,400
IDT, laboratory services		530,400
Federal revenues:		
Federal funds		50,384,000
Special revenue funds:		
Environmental education fund		251,500
Financial instruments		5,000,000
Great Lakes protection fund		615,700
Restricted funds		11,625,100
Settlement funds		106,700
State general fund/general purpose	\$	4,538,000

(3) AIR QUALITY	
Full-time equated classified positions.....	229.0
Air quality programs—229.0 FTE positions.....	\$ 24,555,800
GROSS APPROPRIATION	\$ 24,555,800
Appropriated from:	
Federal revenues:	
Federal funds.....	6,473,500
Special revenue funds:	
Air emissions fees.....	9,262,000
Environmental response fund	108,900
Fees and collections	307,600
Oil and gas regulatory fund	110,400
Refined petroleum fund.....	2,921,300
State general fund/general purpose	\$ 5,372,100
(4) OFFICE OF POLLUTION PREVENTION AND COMPLIANCE ASSISTANCE	
Full-time equated classified positions.....	47.0
Pollution prevention and technical assistance—47.0 FTE positions	\$ 5,968,000
GROSS APPROPRIATION	\$ 5,968,000
Appropriated from:	
Federal revenues:	
Federal funds.....	818,400
Special revenue funds:	
Private funds	500,000
Air emissions fees.....	399,700
Settlement funds.....	227,200
Small business pollution prevention revolving loan fund.....	110,600
Waste reduction fee revenue	3,912,100
State general fund/general purpose	\$ 0
(5) OFFICE OF GEOLOGICAL SURVEY	
Full-time equated classified positions.....	60.0
Coal and sand dune management—1.0 FTE position	\$ 132,800
Metallic mining reclamation program—1.0 FTE position	34,300
Mineral wells management—2.0 FTE positions	175,300
Nonferrous metallic mining—1.0 FTE position	22,400
Services to oil and gas programs—53.0 FTE positions	8,393,300
Well plugging - orphan wells—2.0 FTE positions	2,060,200
GROSS APPROPRIATION	\$ 10,818,300
Appropriated from:	
Federal revenues:	
Federal funds.....	58,700
Special revenue funds:	
Metallic mining surveillance fee revenue	34,300
Mineral well regulatory fee revenue.....	175,300
Nonferrous metallic mineral surveillance	22,400
Oil and gas regulatory fund	8,316,400
Orphan well fund	2,060,200
Publication revenue	76,900
Sand extraction fee revenue.....	74,100
State general fund/general purpose	\$ 0
(6) LAND AND WATER MANAGEMENT	
Full-time equated classified positions.....	139.1
Land and water interface programs—71.0 FTE positions	\$ 7,880,500
Program direction and project assistance—38.1 FTE positions.....	2,677,300
Wetlands protection—30.0 FTE positions.....	1,845,400
GROSS APPROPRIATION	\$ 12,403,200
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT - Michigan transportation fund	1,032,500

Federal revenues:	
Federal funds.....	\$ 3,690,300
Special revenue funds:	
Land and water permit fees	1,140,100
State general fund/general purpose	\$ 6,540,300
(7) REMEDIATION AND REDEVELOPMENT	
Full-time equated classified positions.....	349.0
Federal cleanup project management—60.0 FTE positions.....	\$ 8,517,200
Superfund cleanup	3,000,000
Contaminated site investigations, cleanup and revitalization—230.0 FTE positions	24,007,500
Emergency cleanup action	4,000,000
Refined petroleum product cleanup program.....	20,000,000
Environmental cleanup support.....	1,840,000
Laboratory services—59.0 FTE positions	7,368,700
GROSS APPROPRIATION	\$ 68,733,400
Appropriated from:	
Interdepartmental grant revenues:	
IDT, laboratory services.....	3,800,300
Federal revenues:	
Federal funds.....	8,620,200
Special revenue funds:	
Private funds	158,900
Cleanup and redevelopment fund.....	6,550,800
Environmental protection fund.....	6,103,300
Environmental response fund	11,305,000
Landfill maintenance trust fund	57,300
Public water supply fees	257,200
Refined petroleum fund.....	26,932,700
Revitalization revolving loan fund.....	85,800
Settlement funds.....	1,550,700
Water analysis fees.....	3,311,200
State general fund/general purpose	\$ 0
(8) WASTE AND HAZARDOUS MATERIALS DIVISION	
Full-time equated classified positions.....	170.0
Hazardous waste management program—57.0 FTE positions	\$ 5,987,700
Low-level radioactive waste authority—2.0 FTE positions	791,900
Medical waste program—2.0 FTE positions.....	246,200
Radiological protection program—12.0 FTE positions.....	1,036,800
Scrap tire regulatory program—11.0 FTE positions	1,089,400
Solid waste management program—45.0 FTE positions	4,928,300
Underground storage tank program—33.0 FTE positions	3,588,100
Aboveground storage tank program—8.0 FTE positions	774,600
GROSS APPROPRIATION	\$ 18,443,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDSP	757,100
Federal revenues:	
Federal funds.....	4,039,600
Special revenue funds:	
Aboveground storage tank fees	371,200
Electronic waste recycling fund.....	245,000
Environmental pollution prevention fund	1,284,200
Hazardous materials transportation permit fund	224,400
Medical waste emergency response fund	246,200
Public utility assessments	791,900
Refined petroleum fund.....	1,404,500
Scrap tire regulatory fund	1,089,400
Solid waste management fund - staff account.....	4,606,800

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Underground storage tank fees	\$	2,170,200
Waste reduction fee revenue		76,500
State general fund/general purpose	\$	1,136,000

(9) WATER DIVISION

Full-time equated classified positions.....	396.0	
Drinking water and environmental health—120.0 FTE positions.....	\$	15,220,300
Surface water—106.8 FTE positions		15,331,200
NPDES nonstormwater program—98.2 FTE positions.....		11,253,800
Groundwater discharge—22.0 FTE positions		2,994,500
Municipal assistance—37.0 FTE positions.....		5,334,700
Sewage sludge land application program—6.0 FTE positions		870,300
Water withdrawal assessment program—3.0 FTE positions.....		603,000
Expedited water/wastewater permits—3.0 FTE positions		404,300
Fish contaminant monitoring contracts.....		316,100
GROSS APPROPRIATION	\$	52,328,200

Appropriated from:

Federal revenues:

Federal funds.....		21,781,500
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Special revenue funds:

Campground fund		242,900
Clean Michigan initiative fund - clean water fund		3,770,800
Environmental response fund		170,800
Fees and collections		96,500
Groundwater discharge permit fees.....		1,260,300
Infrastructure construction fund		404,300
Land and water permit fees		555,200
NPDES fees.....		3,548,600
Public swimming pool fund		553,300
Public water supply fees		2,347,800
Refined petroleum fund.....		973,400
Septage waste contingency fund.....		38,600
Septage waste program fund.....		378,100
Sewage sludge land application fees		870,300
Soil erosion and sedimentation control training fund		117,300
Stormwater permit fees		2,861,200
Strategic water quality initiatives fund		400,000
Wastewater operator training fees.....		175,000
Water pollution control revolving fund.....		3,128,300
Water use reporting fees.....		551,200
State general fund/general purpose	\$	8,102,800

(10) CRIMINAL INVESTIGATIONS

Full-time equated classified positions.....	20.0	
Environmental investigations—20.0 FTE positions.....	\$	2,605,100
GROSS APPROPRIATION	\$	2,605,100

Appropriated from:

Federal revenues:

Federal funds.....		684,000
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Special revenue funds:

Restricted funds.....		1,163,000
State general fund/general purpose	\$	758,100

(11) GRANTS

Water pollution control and drinking water revolving funds.....	\$	82,943,000
Noncommunity water grants.....		1,400,000
Grants to counties - air pollution		83,700
Coastal management grants		2,000,000
Federal - nonpoint source water pollution grants.....		6,500,000
Federal - Great Lakes remedial action plan grants.....		700,000
Great Lakes research and protection grants.....		1,000,000

	For Fiscal Year Ending Sept. 30, 2010
Radon grants	\$ 90,000
Drinking water program grants	1,330,000
Pollution prevention local grants	250,000
Septage waste compliance grants	400,000
Scrap tire grants	3,700,000
Strategic water quality initiative loans	9,600,000
Water quality protection grants	100,000
GROSS APPROPRIATION	\$ 110,096,700
Appropriated from:	
Federal revenues:	
Federal funds	82,163,000
Special revenue funds:	
Community pollution prevention fund	250,000
Great Lakes protection fund	1,000,000
Public water supply fees	1,400,000
Refined petroleum fund	83,700
Revolving loan revenue bonds	11,400,000
Scrap tire regulatory fund	3,700,000
Septage waste program fund	400,000
Strategic water quality initiatives fund	9,600,000
Water quality protection fund	100,000
State general fund/general purpose	\$ 0
(12) INFORMATION TECHNOLOGY	
Information technology services and projects	\$ 7,819,600
GROSS APPROPRIATION	\$ 7,819,600
Appropriated from:	
Interdepartmental grant revenues:	
IDT, laboratory services	150,900
IDG from MSP	28,000
IDG from MDOT - Michigan transportation fund	54,600
Federal revenues:	
Federal funds	1,505,000
Special revenue funds:	
Restricted funds	5,577,900
State general fund/general purpose	\$ 503,200

Sec. 103. DEPARTMENT OF NATURAL RESOURCES

(1) APPROPRIATION SUMMARY

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,209.9	
GROSS APPROPRIATION		\$ 315,298,500
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		3,802,200
ADJUSTED GROSS APPROPRIATION		\$ 311,496,300
Federal revenues:		
Total federal revenues		72,852,500
Special revenue funds:		
Total private revenues		5,381,100
Total other state restricted revenues		216,538,800
State general fund/general purpose		\$ 16,723,900

FUND SOURCE SUMMARY

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,209.9	
GROSS APPROPRIATION		\$ 315,298,500
Interdepartmental grant revenues:		
IDG, engineering services to work orders		1,972,100
IDG, MacMullan conference center revenue		1,413,100

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IDG, land acquisition services to work orders	\$	417,000
Total interdepartmental grants and intradepartmental transfers.....		3,802,200
ADJUSTED GROSS APPROPRIATION	\$	311,496,300
Federal revenues:		
DAG, federal.....		13,561,900
DOC, federal.....		71,800
DOE, federal.....		1,000
DOI, federal		47,271,000
DHS, federal.....		7,756,900
DOT, federal		3,900,000
EPA, federal		289,900
Total federal revenues		72,852,500
Special revenue funds:		
Private funds		5,268,500
Private - grants and gifts.....		10,000
Private - Mann house trust fund.....		102,600
Total private revenues		5,381,100
Aircraft fees.....		263,000
Cervidae licensing and inspection fees		168,100
Clean Michigan initiative fund		25,500
Commercial forest fund		54,300
Forest recreation account		1,549,600
Forest development fund		32,361,600
Forest land user charges.....		569,300
Game and fish protection fund		56,749,300
Game and fish protection fund - fisheries settlement.....		911,500
Game and fish protection fund - deer habitat reserve.....		3,172,100
Game and fish protection fund - turkey permit fees.....		1,908,800
Game and fish protection fund - waterfowl fees.....		111,200
Game and fish - wildlife resource protection fund.....		1,689,900
Game and fish protection fund - youth hunting and fishing education and outreach		46,700
Land exchange facilitation fund		6,295,500
Mackinac Island state park operation fund.....		167,000
Mackinac Island state park fund.....		1,649,200
Marine safety fund		4,823,500
Michigan civilian conservation corps endowment fund		250,000
Michigan heritage publications fund		701,100
Michigan state parks endowment fund.....		16,844,100
Michigan state waterways fund		23,281,100
Michigan natural resources trust fund		2,855,200
Museum operations fund		513,400
Nongame wildlife fund.....		707,300
Off-road vehicle trail improvement fund.....		4,772,100
Off-road vehicle safety education fund		288,600
Park improvement fund.....		39,019,300
Permanent snowmobile trail easement fund		700,000
Recreation improvement fund.....		1,472,900
Shop fees		67,300
Snowmobile registration fee revenue		2,328,300
Snowmobile trail improvement fund.....		9,964,400
Sportsmen against hunger fund.....		257,600
Total other state restricted revenues		216,538,800
State general fund/general purpose	\$	16,723,900
(2) EXECUTIVE		
Full-time equated unclassified positions		6.0
Full-time equated classified positions.....		85.8
Commission (including travel expense—per diem)	\$	85,400
Unclassified salaries.....		319,800

	For Fiscal Year Ending Sept. 30, 2010
Communications—62.3 FTE positions	\$ 4,873,600
Executive direction—18.0 FTE positions	2,251,100
Legal coordination—5.5 FTE positions	549,100
Great Lakes restoration initiative	15,000,000
GROSS APPROPRIATION	\$ 23,079,000
Appropriated from:	
Federal revenues:	
DHS, federal	45,700
DOI, federal	15,937,200
Special revenue funds:	
Private funds	75,900
Forest development fund	375,500
Forestland user charges	2,100
Forest recreation account	44,000
Game and fish protection fund	2,482,200
Game and fish protection fund - deer habitat reserve.....	81,500
Game and fish protection fund - turkey permit fees.....	33,700
Game and fish protection fund - waterfowl fees	900
Game and fish - wildlife resource protection fund.....	35,100
Game and fish protection fund - youth hunting and fishing education and outreach	46,700
Land exchange facilitation fund	117,400
Marine safety fund	62,400
Michigan natural resources trust fund	54,200
Michigan state parks endowment fund.....	175,700
Michigan state waterways fund	332,200
Nongame wildlife fund.....	18,400
Off-road vehicle trail improvement fund.....	30,800
Park improvement fund.....	2,393,500
Recreation improvement fund.....	19,900
Off-road vehicle safety education fund	50,700
Snowmobile registration fee revenue	58,500
Snowmobile trail improvement fund	56,600
State general fund/general purpose	\$ 548,200
(3) ADMINISTRATIVE SERVICES	
Full-time equated classified positions	46.0
Budget and support services—10.0 FTE positions	\$ 1,172,800
Financial services—23.0 FTE positions	2,453,800
Grants administration—13.0 FTE positions	1,281,100
GROSS APPROPRIATION	\$ 4,907,700
Appropriated from:	
Federal revenues:	
DOI, federal	204,600
Special revenue funds:	
Clean Michigan initiative fund	25,500
Forest development fund	806,400
Forest recreation account	33,500
Game and fish protection fund	883,800
Game and fish protection fund - deer habitat reserve.....	25,100
Game and fish protection fund - turkey permit fees.....	17,100
Game and fish protection fund - waterfowl fees	3,900
Game and fish - wildlife resource protection fund.....	16,400
Land exchange facilitation fund	41,200
Marine safety fund	129,000
Michigan natural resources trust fund	1,008,600
Michigan state parks endowment fund.....	125,400
Michigan state waterways fund	206,300

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Nongame wildlife fund.....	\$	12,600
Off-road vehicle trail improvement fund.....		13,700
Park improvement fund.....		588,700
Recreation improvement fund.....		10,800
Snowmobile registration fee revenue		31,400
Snowmobile trail improvement fund.....		86,900
State general fund/general purpose	\$	636,800

(4) LAND AND FACILITIES

Full-time equated classified positions.....	134.2	
Land and facilities—134.2 FTE positions	\$	20,239,100
GROSS APPROPRIATION	\$	20,239,100

Appropriated from:

Interdepartmental grant revenues:

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

Special revenue funds:

Forest development fund	1,978,600
Forest land user charges.....	13,700
Forest recreation fund.....	11,100
Game and fish protection fund	6,630,700
Game and fish protection fund - deer habitat reserve.....	200,600
Game and fish protection fund - turkey permit fees.....	78,300
Game and fish - wildlife resource protection fund.....	6,200
Land exchange facilitation fund	5,909,600
Marine safety fund	103,900
Michigan natural resources trust fund	5,900
Michigan state parks endowment fund.....	134,500
Michigan state waterways fund	269,800
Off-road vehicle trail improvement fund.....	24,200
Park improvement fund.....	511,000
Snowmobile registration fee revenue	40,600
Snowmobile trail improvement fund.....	79,900
State general fund/general purpose	\$ 438,300

(5) DEPARTMENTAL OPERATION SUPPORT

Building occupancy charges.....	\$ 3,222,100
Rent - privately owned property.....	490,000
Gifts and bequests	500,000
GROSS APPROPRIATION	\$ 4,212,100

Appropriated from:

Special revenue funds:

Private funds	500,000
Forest development fund	583,100
Forest recreation fund.....	14,900
Game and fish protection fund	841,700
Game and fish protection fund - deer habitat reserve.....	19,800
Game and fish protection fund - turkey permit fees.....	18,900
Game and fish - wildlife resource protection fund.....	7,100
Land exchange facilitation fund	70,900
Marine safety fund	32,000
Michigan natural resources trust fund	39,000
Michigan state parks endowment fund.....	199,900
Michigan state waterways fund	107,400
Park improvement fund.....	310,700
Snowmobile trail improvement fund.....	20,300
State general fund/general purpose	\$ 1,446,400

(6) WILDLIFE MANAGEMENT

Full-time equated classified positions.....	205.0	
Cormorant population mitigation program.....	\$	75,000

	For Fiscal Year Ending Sept. 30, 2010
Wildlife management—196.0 FTE positions.....	\$ 28,771,800
Natural resources heritage—9.0 FTE positions	1,263,000
State game and wildlife area maintenance	750,000
GROSS APPROPRIATION	\$ 30,859,800
Appropriated from:	
Federal revenues:	
DAG, federal.....	366,500
DOI, federal	13,812,100
EPA, federal	1,000
Special revenue funds:	
Private funds	114,600
Cervidae licensing and inspection fees	103,000
Forest development fund	65,500
Game and fish protection fund	9,039,300
Game and fish protection fund - deer habitat reserve.....	2,768,300
Game and fish protection fund - turkey permit fees.....	1,693,000
Game and fish protection fund - waterfowl fees	103,600
Nongame wildlife fund.....	641,900
Sportsmen against hunger fund.....	257,600
State general fund/general purpose	\$ 1,893,400
(7) FISHERIES MANAGEMENT	
Full-time equated classified positions.....	232.0
Aquatic resource mitigation—2.0 FTE positions.....	\$ 912,500
Fisheries resource management—170.0 FTE positions	18,323,600
Fish production—60.0 FTE positions	8,300,100
GROSS APPROPRIATION	\$ 27,536,200
Appropriated from:	
Federal revenues:	
DAG, federal.....	134,400
DOE, federal.....	1,000
DOC, federal.....	53,400
DOI, federal	10,067,700
EPA, federal	165,500
Special revenue funds:	
Private funds	116,700
Game and fish protection fund	16,086,000
Game and fish protection fund - fisheries settlement.....	911,500
State general fund/general purpose	\$ 0
(8) PARKS AND RECREATION	
Full-time equated classified positions.....	794.9
State parks—631.4 FTE positions.....	\$ 46,698,700
State park improvement revenue bonds - debt service	1,147,100
Recreational boating—163.5 FTE positions	14,776,100
GROSS APPROPRIATION	\$ 62,621,900
Appropriated from:	
Federal revenues:	
EPA, federal	122,400
Special revenue funds:	
Private funds	370,300
Michigan civilian conservation corps endowment fund	250,000
Michigan state parks endowment fund.....	13,293,200
Michigan state waterways fund	14,776,100
Off-road vehicle trail improvement fund.....	247,400
Park improvement fund.....	33,562,500
State general fund/general purpose	\$ 0
(9) MACKINAC ISLAND STATE PARK COMMISSION	
Full-time equated classified positions.....	39.0
Mackinac Island park operations—24.0 FTE positions	\$ 1,588,200

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Historical facilities system—15.0 FTE positions	\$	1,789,000
GROSS APPROPRIATION	\$	<u>3,377,200</u>
Appropriated from:		
Special revenue funds:		
Mackinac Island state park operation fund.....		167,000
Mackinac Island state park fund.....		1,600,500
State general fund/general purpose	\$	1,609,700
(10) MICHIGAN HISTORICAL PROGRAM		
Full-time equated classified positions.....		62.0
Archives—8.0 FTE positions.....	\$	732,000
Freedom trail commission—1.0 FTE position.....		25,000
Heritage publications—5.0 FTE positions.....		701,200
Historical administration and services—42.0 FTE positions		3,058,200
Museum stores—4.0 FTE positions		513,400
Special programs (Mann house)—1.0 FTE position.....		112,600
Thunder Bay national marine sanctuary and underwater preserve—1.0 FTE position.....		<u>150,100</u>
GROSS APPROPRIATION	\$	<u>5,292,500</u>
Appropriated from:		
Federal revenues:		
DOI, federal		100
Special revenue funds:		
Private - grants and gifts		10,000
Private - Mann house trust fund.....		102,600
Michigan heritage publications fund		701,100
Museum operations fund		513,400
State general fund/general purpose	\$	3,965,300
(11) FOREST, MINERAL, AND FIRE MANAGEMENT		
Full-time equated classified positions.....		383.0
Forest management and timber market development—165.0 FTE positions	\$	20,544,200
Adopt-a-forest program.....		25,000
Wildfire protection—122.0 FTE positions.....		11,451,500
Forest recreation—51.0 FTE positions		4,924,000
Minerals management—23.0 FTE positions.....		2,565,400
Cooperative resource programs—12.0 FTE positions.....		1,034,800
Forest management initiative—10.0 FTE positions		808,900
Forest fire equipment.....		<u>500,000</u>
GROSS APPROPRIATION	\$	<u>41,853,800</u>
Appropriated from:		
Federal revenues:		
DAG, federal.....		2,436,000
DHS, federal.....		255,600
DOI, federal		2,000
EPA, federal		1,000
Special revenue funds:		
Private funds		941,000
Aircraft fees.....		263,000
Commercial forest fund		49,200
Forest development fund		25,730,700
Forestland user charges		536,500
Forest recreation fund.....		1,240,500
Game and fish protection fund		1,481,000
Michigan natural resources trust fund		1,268,100
Michigan state parks endowment fund.....		574,700
Michigan state waterways fund		394,200
Off-road vehicle trail improvement fund.....		742,500
Recreation improvement fund.....		330,200
Off-road vehicle safety education fund		6,200
Shop fees		67,300

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Snowmobile registration fee revenue	\$ 16,900
Snowmobile trail improvement fund.....	1,629,600
State general fund/general purpose	\$ 3,887,600
(12) LAW ENFORCEMENT	
Full-time equated classified positions.....228.0	
General law enforcement—228.0 FTE positions.....	\$ 28,629,000
GROSS APPROPRIATION	\$ 28,629,000
Appropriated from:	
Federal revenues:	
DHS, federal.....	4,485,600
DOC, federal.....	18,400
DOI, federal.....	563,300
Special revenue funds:	
Cervidae licensing and inspection fees	65,100
Forest recreation account	61,000
Game and fish protection fund	1,467,800
Game and fish protection fund - wildlife resource protection fund	1,566,800
Marine safety fund	1,614,100
Off-road vehicle trail improvement fund.....	1,251,400
Park improvement fund.....	61,000
Off-road vehicle safety education fund	81,700
Snowmobile registration fee revenue	991,100
State general fund/general purpose	\$ 1,401,700
(13) GRANTS	
Accessibility grants	\$ 1,000,000
Federal - clean vessel act grants	400,000
Federal - forest stewardship grants	3,125,000
Federal - land and water conservation fund payments	2,566,900
Federal - rural community fire protection.....	300,000
Federal - urban forestry grants.....	4,000,000
Game and nongame wildlife fund grants.....	10,000
Grant to counties - marine safety	4,275,000
Grants to communities - federal oil, gas, and timber payments	3,450,000
National recreational trails	3,950,000
Off-road vehicle safety training grants.....	150,000
Off-road vehicle trail improvement grants	2,454,000
Recreation improvement fund grants.....	1,100,000
Snowmobile law enforcement grants	1,142,000
Snowmobile local grants program	8,014,000
Trail easements	700,000
GROSS APPROPRIATION	\$ 36,636,900
Appropriated from:	
Federal revenues:	
DAG, federal.....	10,625,000
DHS, USCG.....	1,470,000
DOI, federal.....	3,116,900
DOT, federal.....	3,900,000
Special revenue funds:	
Private funds	1,150,000
Marine safety fund	2,805,000
Nongame wildlife fund.....	10,000
Off-road vehicle trail improvement fund.....	2,454,000
Permanent snowmobile trail easement fund	700,000
Recreation improvement fund.....	1,100,000
Off-road vehicle safety education fund	150,000
Snowmobile registration fee revenue	1,142,000
Snowmobile trail improvement fund.....	8,014,000
State general fund/general purpose	\$ 0

(14) INFORMATION TECHNOLOGY

Information technology services and projects.....	\$	9,412,100
GROSS APPROPRIATION	\$	9,412,100
Appropriated from:		
Special revenue funds:		
Commercial forest fund		5,100
Forest development fund		1,521,800
Forestland user charges		17,000
Forest recreation fund.....		44,600
Game and fish protection fund		2,836,800
Game and fish protection fund - deer habitat reserve.....		76,800
Game and fish protection fund - turkey permit fees.....		67,800
Game and fish protection fund - waterfowl fees		2,800
Game and fish - wildlife resource protection fund.....		58,300
Land exchange facilitation fund.....		156,400
Mackinac Island state park fund.....		48,700
Marine safety fund		77,100
Michigan natural resources trust fund		479,400
Michigan state parks endowment fund.....		340,700
Michigan state waterways fund		671,000
Nongame wildlife fund.....		24,400
Off-road vehicle trail improvement fund.....		8,100
Park improvement fund.....		1,591,900
Recreation improvement fund.....		12,000
Snowmobile registration fee revenue		47,800
Snowmobile trail improvement fund.....		77,100
State general fund/general purpose	\$	1,246,500

(15) CAPITAL OUTLAY

(a) STATE PARK AND FOREST AREA IMPROVEMENTS

State parks repair and maintenance	\$	4,000,000
Forest roads, bridges and facilities		1,400,000
GROSS APPROPRIATION	\$	5,400,000
Appropriated from:		
Special revenue funds:		
Private funds		2,000,000
Forest development fund		1,300,000
Forest recreation account		100,000
Michigan state parks endowment fund.....		2,000,000
State general fund/general purpose	\$	0

(b) WATERWAYS BOATING PROGRAM

Infrastructure improvements - state projects.....	\$	400,000
Land acquisitions.....		1,000,000
Boating program, state boating access sites:		
Sleepy Hollow State Park, boating access site improvements: new access road and entrance, expansion of launch ramp, new parking area, interpretive kiosk for boating safety and fishing information, universal accessibility (total authorized cost \$776,200; Federal share \$582,100; state share \$194,100).....		776,200
Detour, Chippewa County, floating dock repair and replacement (total authorized cost is increased from \$4,000,000 to \$7,500,000; Federal share is increased from \$3,000,000 to \$5,235,000; state share is increased from \$1,000,000 to \$2,265,000).....		3,500,000
Port Austin, Huron County, new floating piers, utility upgrades and breakwall improvements (total authorized cost is increased from \$500,000 to \$5,000,000; Federal share is increased from \$0 to \$1,100,000; state share is increased from \$500,000 to \$3,900,000)		4,000,000
Boating program, state harbors and docks:		
Lac La Belle, Keweenaw County, pilings and pier replacement (total authorized cost \$1,000,000; federal share \$750,000; state share \$250,000)		1,000,000
Boating program, local harbors and docks:		
Naubinway, Mackinac County, breakwater protection, dredging and engineering, phase I (total authorized cost \$210,000; state share \$210,000)		210,000

Leland, Leelanau County, dock replacements, utility upgrades, seawall protection (total authorized cost is increased from \$4,195,000 to \$4,900,000; local share is increased from \$990,000 to \$1,225,000; state share is increased from \$2,970,000 to \$3,675,000).....	\$	705,000
GROSS APPROPRIATION	\$	11,591,200
Appropriated from:		
Federal revenues:		
DHS, federal.....		1,500,000
DOI, federal		3,567,100
Special revenue funds:		
Michigan state waterways fund		6,524,100
State general fund/general purpose	\$	0
(16) CONSOLIDATION SAVINGS		
Consolidation savings.....	\$	(350,000)
GROSS APPROPRIATION	\$	(350,000)
Appropriated from:		
State general fund/general purpose	\$	(350,000)

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2009-2010 is \$432,854,500.00 and state spending from state resources to be paid to local units of government for fiscal year 2009-2010 is \$10,722,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF ENVIRONMENTAL QUALITY

GRANTS

Noncommunity water grants.....	\$	1,400,000
Scrap tire grants.....		1,850,000
Septage waste compliance program.....		400,000
SUBTOTAL FOR DEPARTMENT OF ENVIRONMENTAL QUALITY	\$	3,650,000

DEPARTMENT OF NATURAL RESOURCES

CAPITAL OUTLAY

Waterways boating program	\$	2,415,000
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GRANTS

Grants to counties - marine safety		2,805,000
Off-road vehicle safety training grants.....		150,000
Off-road vehicle trail improvement grants		450,000
Recreation improvement fund grants.....		110,000
Snowmobile law enforcement grants		1,142,000
SUBTOTAL FOR DEPARTMENT OF NATURAL RESOURCES	\$	7,072,000
TOTAL NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION	\$	10,722,000

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) "Commission" means the commission of natural resources.
- (b) "DAG" means the United States department of agriculture.
- (c) "DHS" means the United States department of homeland security.

- (d) "DOC" means the United States department of commerce.
- (e) "DOE" means the United States department of energy.
- (f) "DOI" means the United States department of interior.
- (g) "DOT" means the United States department of transportation.
- (h) "EPA" means the United States environmental protection agency.
- (i) "FTE" means full-time equated.
- (j) "IDG" means interdepartmental grant.
- (k) "IDT" means intradepartmental transfer.
- (l) "MDOT" means the Michigan department of transportation.
- (m) "MDSF" means the Michigan department of state police.
- (n) "NPDES" means national pollution discharge elimination system.

Sec. 204. The civil service commission shall bill departments of environmental quality and natural resources at the end of the first fiscal quarter for charges 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. 206. The departments of environmental quality and natural resources shall use the Internet to fulfill the reporting requirements of this act. This requirement can be met if reports are transmitted via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.

Sec. 207. (1) Within 14 days after the release of the executive budget recommendation, the departments of environmental quality and natural resources shall each provide the state budget director, the senate and house appropriations subcommittees on environmental quality and natural resources, respectively, and the senate and house fiscal agencies with an annual report on estimated restricted fund balances, projected revenues, and expenditures for the fiscal years ending September 30, 2009 and September 30, 2010.

(2) Estimates of restricted fund revenues for the fiscal year ending September 30, 2010 shall be reissued on or before September 30, 2009. These revised revenue estimates shall form the basis for determinations of the number of funded positions authorized in this act.

(3) Part 1 of this act provides authorizations to fund 3,701.0 FTE classified positions during the fiscal year ending September 30, 2010. Line-item appropriations include limitations on the number of payroll hours to be funded, on the basis of 2,088 hours per each FTE position. The departments of environmental quality and natural resources shall each report the number of funded FTE positions within 15 days after the effective date of this act. The number of classified employees compensated through each line item is limited by the authorized FTE positions indicated in this act, as adjusted for the number of reported funded FTE positions. Each report shall be provided to the house and senate appropriations subcommittees on environmental quality and natural resources, respectively, and the house and senate fiscal agencies by the deadlines provided in this section.

Sec. 208. (1) From the funds appropriated under this act, the departments of environmental quality and natural resources shall each prepare a report that lists all of the following regarding grant, loan, or grant and loan programs administered by the respective department for the fiscal year ending on September 30, 2010:

- (a) The name of each program.
- (b) The goals, criteria, filing fees, nominating procedures, eligibility requirements, processes, and deadlines for each program.
- (c) The maximum and minimum grant and loan available and whether there is a match requirement for each program.
- (d) The amount of any required match, and whether in-kind contributions may be used as part or all of a required match.
- (e) Information pertaining to the application process, the timeline for each program, and the contact people within the department.
- (f) The source of funds for each program, including the citation of pertinent authorizing acts.
- (g) Information regarding plans for the next fiscal year for the phaseout, expansion, or changes for each program.
- (h) A listing of all recipients of grants or loans awarded by the department by type and amount of grant or loan during the fiscal year ending September 30, 2009.

(2) The reports required under this section shall be submitted to the state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies by January 1, 2010.

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

Civil service commission	\$ 876,100
Legislative auditor general.....	21,900
Attorney general.....	482,800
Department of management and budget.....	391,200
Department of treasury.....	1,793,300

Sec. 210. Before January 31, 2010, the department of natural resources, in cooperation with the Michigan state waterways commission, shall provide to the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies a list of projects completed by the commission in fiscal year 2008-2009, including the county and municipality in which each project is located.

Sec. 211. Pursuant to section 43703(3) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43703, there is appropriated from the game and fish protection trust fund to the game and fish protection account of the Michigan conservation and recreation legacy fund, \$6,000,000.00 for the fiscal year ending September 30, 2010.

Sec. 212. From the funds appropriated in part 1 for information technology, the departments of environmental quality and natural resources shall pay user fees to the department of information technology for technology-related services and projects. These user fees shall be subject to provisions of an interagency agreement between each respective department and the department of information technology.

Sec. 213. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2010 shall be limited to situations in which 1 or more of the following conditions apply:

- (a) The travel is required by legal mandate or court order or for law enforcement purposes.
- (b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.
- (c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.
- (d) The travel is necessary to comply with federal requirements.
- (e) The travel is necessary to secure specialized training for staff that is not available within this state.
- (f) The travel is financed entirely by federal or nonstate funds.

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

(3) Not later than January 1 of each year, the department of environmental quality and the department of natural resources shall each 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 senate and house of representatives standing committees on appropriations, the senate and house 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. 214. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 215. The directors of the departments of environmental quality and natural resources shall each 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 respective department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 216. Neither the department of environmental quality nor the department of natural resources shall take disciplinary action against an employee for communicating truthfully and factually with a member of the legislature or his or her staff.

Sec. 217. (1) Funds appropriated in part 1 shall not be used by the department of environmental quality or the department of natural resources to adopt a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(2) As used in this section:

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

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

Sec. 218. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 219. The departments of environmental quality and natural resources shall each develop a plan for allocating restricted funds among department administrative support and regulatory activities. Each plan shall be submitted to the house and senate appropriations subcommittees on environmental quality and natural resources, respectively, by January 30, 2010. Each plan shall include a cost allocation plan for financial services support, office space rent and building occupancy charges, and support division service for information systems and technology and a methodology to use information generated through activity reports that identifies the percentage of employee time spent on restricted fund activities.

Sec. 220. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$33,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$200,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,500,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 221. Neither the department of environmental quality nor the department of natural resources shall approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless the professional development conference or training seminar is funded by a federal or private funding source and requires more than 1 person from the department to attend, or the conference or training seminar includes multiple issues in which 1 employee from the department does not have expertise. This section does not apply to meetings or to the purchase of excess federal equipment.

Sec. 222. Beginning December 2009 and every 2 months thereafter, the department of environmental quality and the department of natural resources shall each promptly report on the number of FTEs in pay status as of the first day of that month, by civil service classification. Each department shall submit the report to the house and senate appropriations subcommittees on environmental quality and natural resources, respectively, and the house and senate fiscal agencies.

Sec. 223. The departments of environmental quality and natural resources, in collaboration with the state budget office, shall each submit to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the house and senate policy offices on or before March 1, 2010 a report on appropriated and supportable FTE positions within the enacted budget for the fiscal year ending September 30, 2010. The report shall contain all of the following information for each individual line item contained in the enacted budget:

(a) The number of FTEs to be funded from the line item.

(b) The amount that is proposed to be allocated to salary and wage and fringe benefit costs from the gross appropriation for the line item.

(c) The amount that is proposed to be allocated to salary and wage and fringe benefit costs from the gross appropriation for the line item on which was based the increase in the executive budget proposal from the amount appropriated for the line item in the department budget for the fiscal year ending September 30, 2010, if different from the amount in subdivision (b).

(d) The portion of the amount described in subdivision (b) that is proposed to be taken from each funding source identified in the budget.

(e) The gross salary and wage expenditures for the line item during the fiscal year ending September 30, 2009 and the estimated salary and wage expenditures for the line item during the fiscal year ending September 30, 2010.

(f) The estimated number of FTE positions supportable by the amount described in subdivision (b).

Sec. 224. (1) The department of environmental quality shall report all of the following information relative to allocations made from appropriations for the environmental cleanup and redevelopment program, state cleanup, emergency actions, superfund cleanup, the revitalization revolving loan program, the brownfield grants and loans program, the leaking underground storage tank cleanup program, the contaminated lake and river sediments cleanup program, the refined petroleum product cleanup program, and the environmental protection bond projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies:

(a) The name and location of the site for which an allocation is made.

(b) The nature of the problem encountered at the site.

(c) A brief description of how the problem will be resolved if the allocation is made for a response activity.

(d) The estimated date that site closure activities will be completed.

(e) The amount of the allocation, or the anticipated financing for the site.

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

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

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

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

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

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

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

Sec. 225. (1) The department of environmental quality is authorized to expend amounts remaining from the current and prior fiscal year appropriations to meet funding needs of legislatively approved sites for the environmental cleanup and redevelopment program, the leaking underground storage tank cleanup program, and the refined petroleum product cleanup program.

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

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

(4) Unexpended and unencumbered amounts remaining from appropriations from the clean Michigan initiative fund - response activities contained in 2000 PA 506, 2001 PA 120, 2003 PA 173, 2003 PA 237, 2004 PA 309, 2004 PA 350, 2005 PA 11, 2006 PA 343, and 2007 PA 121 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

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

(6) Unexpended and unencumbered amounts remaining from appropriations from the refined petroleum fund activities contained in 2005 PA 154, 2007 PA 121, and 2008 PA 247 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

Sec. 226. Of the money appropriated from the environmental education fund in part 1, \$5,000.00 shall be allocated to Michigan State University Extension Service - 4-H Youth Programs to fund the Michigan Youth Conservation Council.

Sec. 227. (1) The appropriation for the department of environmental quality in section 102(2) includes \$11,625,100.00 from restricted funds. This funding source shall support the restricted fund requirements, pursuant to subsection (4), for selected line items in the executive operations and administrative support appropriation unit.

(2) The appropriation for the department of environmental quality in section 102(10) includes \$1,163,000.00 from restricted funds. This funding shall support the restricted fund requirements, pursuant to subsection (4), for the criminal investigations appropriations.

(3) The appropriation in section 102(12) includes \$5,577,900.00 from restricted funds. This funding source shall support the restricted fund requirements, pursuant to subsection (3), for the information technology appropriation.

(4) The department of environmental quality shall adopt a cost allocation plan for revenue sources supporting line items listed in section 102(2), (10), and (12).

(5) The department of environmental quality shall provide a report on or before October 31, 2009 to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies of the line item amounts and detailed revenue sources which support the restricted fund appropriations in section 102(2), (10), and (12).

Sec. 228. It is the intent of the legislature that the department of natural resources will be the successor agency to the department of environmental quality created by Executive Reorganization Order No. 1995-16, MCL 324.99903. In addition to the powers and duties provided by law to the department of natural resources, the department of natural resources will have the powers and duties provided to the department of environmental quality in Executive Reorganization Order No. 1995-16, MCL 324.99903, and the powers and duties otherwise provided to the department of environmental quality or the director of the department of environmental quality by law.

Sec. 229. The appropriations in this act assume the issuance and acceptance of an executive order by the governor for the purpose of consolidating the responsibilities and functions of the departments of environmental quality and natural resources. Any efficiency savings realized programs supported by general fund appropriations shall lapse and be credited to the state general fund. The amount of efficiency savings potentially to be realized through the consolidation of field offices and elimination of duplicative positions will be approximately \$2,000,000.00.

Sec. 230. Effective November 1, 2009, expenditures from section 102 shall not be allowed by the director of the department of environmental quality unless a notice of an intent to spend is provided to the speaker of the house of representatives, not later than 30 days before disbursements from allotted funds.

Sec. 231. Any permit application that has been submitted to and pending with the department of environmental quality for a period of 2 years or more shall be considered administratively complete effective January 1, 2010.

Sec. 232. (1) From the funds appropriated in part 1, the departments of environmental quality and natural resources shall each develop, post, and maintain on a user-friendly and publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.

(2) From the funds appropriated in part 1, neither the department of environmental quality nor the department of natural resources shall spend more than \$25,000.00 to implement this section or cause essential services to be diminished.

Sec. 233. The departments of environmental quality and natural resources shall receive and retain copies of all reports funded from appropriations in part 1. These departments shall follow federal and state guidelines for short-term and long-term retention of these reports. To the extent consistent with federal and state guidelines, the requirements of this section are satisfied if the reports funded from appropriations in part 1 are retained in electronic format.

Sec. 234. Unexpended settlement revenues at the end of the fiscal year may be carried forward into the settlement fund in the succeeding fiscal year up to a maximum carryforward of \$2,500,000.00.

Sec. 235. The departments of environmental quality and natural resources shall each annually report by December 31 to the state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies an accounting of all civil and criminal fine revenue collected during the previous fiscal year and post its report on its website.

Sec. 236. Not later than September 30, 2010, the departments of environmental quality and natural resources shall each prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. These reports shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. These reports shall be transmitted to the office of the state budget, the chairpersons of the senate and house appropriations committees, and the senate and house fiscal agencies.

Sec. 237. (1) When managing and regulating best available retrofit technologies ("BART") under part 55 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.5501 to 324.5542, the department of environmental quality shall use proven science and representative data based upon professional peer review standards. If the department of environmental quality requests a permit holder to implement BART review, the department shall cite the specific scientific methods and provide data-based evidence to justify using the BART measure.

(2) If the department of environmental quality requests the permit holder to undertake a feasibility study to determine whether to utilize BART, the department of environmental quality shall reimburse the permit holder all costs associated with conducting the feasibility study. Reimbursement shall be made within 30 days of submission of costs by the permit holder.

Sec. 238. By July 1, 2010, the department of environmental quality shall prepare and submit a report to the state budget director, the legislature, the chairs of the standing committees of the senate and house of representatives with primary responsibility for issues related to natural resources and the environment, and the chairs of the subcommittees of the senate and house appropriations committees with primary responsibility for appropriations for the department, outlining the implementation of the Great Lakes water quality bond provided for in part 197 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19701 to 324.19708, including, but not limited to, the amount of bonds issued and the date they were issued, the number of applications received for loans from the state water pollution control revolving fund created in section 16a of the shared credit rating act, 1985 PA 227, MCL 141.1066a, the total amount of loans requested, a listing of the applicants receiving loans and the total amount of loans provided to those applicants, a listing of applicants whose loan applications were not approved and the reasons why those applications were not approved, the amount of the loans granted that were leveraged from bond proceeds, and the remaining bond proceeds and bond authorization.

Sec. 239. The department of environmental quality shall perform a review of its programs to determine how its programs compare to similar programs in other Great Lakes states. The analysis shall include, but not be limited to, evaluation of permitting time, number of enforcement actions, stringency of the controlling law, and the cost of the relevant permits. The department of environmental quality shall report the findings of this review to the senate and house appropriations committees not later than April 1, 2010.

Sec. 240. The department of environmental quality shall engage in a process to determine efficiencies that can be made in the air permitting program, including renewable operating permits, the NPDES program, and the remediation and redevelopment program. The department of environmental quality shall report the findings of this effort to the senate and house appropriations committees not later than April 1, 2010.

Sec. 241. From the amounts appropriated in part 1, the department of environmental quality shall implement 2008 PA 389.

Sec. 242. Semiannually, the departments of environmental quality and natural resources shall each notify the senate and house appropriations subcommittees with primary responsibility for appropriations to the respective department, the senate and house fiscal agencies, and the state budget director of all requests made of the department under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, during the previous 6 months.

DEPARTMENT OF ENVIRONMENTAL QUALITY

LAND AND WATER MANAGEMENT

Sec. 301. It is the intent of the legislature that the level of funding for the wetland protection program under part 303 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.30301 to 324.30323, for the fiscal year ending September 30, 2010, will be augmented to maintain the level of the previous fiscal year by funds from an appropriate restricted use fund through a supplemental appropriation act.

REMEDICATION AND REDEVELOPMENT

Sec. 302. Revenues remaining in the interdepartmental transfers, laboratory services at the end of the fiscal year shall carry forward into the succeeding fiscal year.

Sec. 303. The unexpended funds appropriated in part 1 for emergency cleanup actions and the refined petroleum product cleanup program are considered work project appropriations and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects to be carried forward is to provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is identified in each line-item appropriation.
- (d) The tentative completion date is September 30, 2014.

Sec. 304. Effective October 1, 2009, surplus funds not to exceed \$1,000,000.00 in the cleanup and redevelopment trust fund are hereby appropriated to the environmental protection fund.

Sec. 305. Effective October 1, 2009, surplus funds not to exceed \$1,000,000.00 in the community pollution prevention fund are hereby appropriated to the environmental protection fund.

Sec. 306. It is the intent of the legislature to repay the refined petroleum fund for the \$70,000,000.00 that was transferred to the environmental protection fund as part of the resolution for the fiscal year 2006-2007 budget.

Sec. 308. The department of environmental quality shall not expend funds appropriated in part 1 if using operational memoranda or other similar documents that are in draft form to impose regulations on individuals or businesses conducting environmental cleanup projects, except as provided in part 213 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21301 to 324.21331, or when there is written consent between the department of environmental quality and the individual or business.

WASTE AND HAZARDOUS MATERIALS

Sec. 401. Effective October 1, 2009, surplus funds not to exceed \$1,500,000.00 in the solid waste management fund perpetual care account are appropriated to the solid waste management fund staff account.

Sec. 402. If a certified health department does not exist in a city, county, or district or does not fulfill its responsibilities under part 117 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11701 to 324.11720, then the department of environmental quality may spend funds appropriated in part 1 under the septage waste compliance program in accordance with section 11716 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11716.

WATER

Sec. 501. By February 1, 2010, the department of environmental quality shall submit a report on the department's use of the national pollutant discharge elimination system fund created in MCL 324.3121 for the previous fiscal year, to the senate and house appropriations subcommittees on environmental quality, the standing committees of the legislature with jurisdiction over issues primarily related to natural resources and the environment, and the senate and house fiscal agencies. The report shall include a summary of how the appropriations in part 1 for the NPDES nonstormwater program were used for the various permissible uses of the fund and shall include specific information on all of the following:

- (a) The number of compliance and complaint inspections completed, by category, the number of on-site compliance inspections conducted, and the number of compliance inspections that were not announced in advance to the permittee or licensee.
- (b) The number and percent of permit and license inspections that found the permittee or licensee to be in significant noncompliance, by category.
- (c) The number of administrative enforcement actions taken for permit or license violations and the results of the enforcement actions, including the amount of fines and penalties collected.

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

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

GRANTS

Sec. 601. Of the funds appropriated in part 1 for scrap tire grants, \$100,000.00 shall be available for grants to communities to cover scrap tire fire suppression costs, provided owner liability bonds and other available funding sources have been exhausted.

DEPARTMENT OF NATURAL RESOURCES

ADMINISTRATIVE SERVICES

Sec. 701. The department of natural resources may charge the appropriations contained in part 1, including all special maintenance and capital projects appropriated for the fiscal year ending September 30, 2010, for engineering services provided, a standard percentage fee to recover actual costs. The department of natural resources may use the revenue derived to support the engineering services charges provided for in part 1.

Sec. 702. The department of natural resources may charge land acquisition projects appropriated for the fiscal year ending September 30, 2010, and for prior fiscal years, a standard percentage fee to recover actual costs, and may use the revenue derived to support the land acquisition service charges provided for in part 1.

Sec. 703. The department of natural resources may charge both application fees and transaction fees related to the exchange or sale of state-owned land or rights in land authorized by part 21 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2101 to 324.2162. The fees shall be set by the director of the department of natural resources at a rate which allows the department to recover its costs for providing these services.

Sec. 704. The department of natural resources shall prominently display in a prominent place in the fishing guide provided to each licensed fisher and paid for from the funds appropriated in part 1, the website address for the department of community health. In addition, the fishing guide shall include information on alternative sources where interested parties without Internet access may find information on fish advisories issued by the department of community health.

Sec. 705. Within 21 days after the end of the fiscal year ending September 30, 2010, the department of natural resources shall submit to the senate and house appropriations subcommittees on natural resources a report on all land transactions approved by the commission in the previous fiscal year. For each land transaction, the report shall include the size of the parcel, the county and municipality in which the parcel is located, the dollar amount of the transaction, the fund source affected by the transaction, and whether the transaction is by purchase, public auction, transfer, exchange, or conveyance.

WILDLIFE MANAGEMENT

Sec. 801. It is the intent of the legislature that, from the funds appropriated in part 1, the department of natural resources shall reimburse the department of agriculture for costs incurred for indemnification payments for livestock losses caused by wolves, coyotes, or cougars under the animal industry act, 1988 PA 466, MCL 287.701 to 287.745.

Sec. 802. From the funds appropriated in part 1, the department of natural resources shall submit semiannual reports to the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies that provide detail about enforcement actions taken to eradicate bovine tuberculosis, the number of infected deer found, new science it is working on to detect bovine tuberculosis, and other relevant information about the department's efforts to address the presence of bovine tuberculosis in this state.

FISHERIES MANAGEMENT

Sec. 901. As a condition of expenditure of fisheries management appropriations under part 1, the department of natural resources shall not impede the certification process for water control structures on Michigan waterways. The department of natural resources shall fund from funds appropriated in part 1 all non-water-quality studies or requirements that the department requests of either of the following:

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

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

Sec. 902. (1) From the appropriation in part 1 for aquatic resource mitigation, not more than \$758,000.00 shall be allocated for grants to watershed councils, resource development councils, soil conservation districts, local governmental units, and other nonprofit organizations for stream habitat stabilization and soil erosion control.

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

PARKS AND RECREATION

Sec. 1001. Pursuant to section 1902(2) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1902, there is appropriated from the Michigan natural resources trust fund to the Michigan state parks endowment fund an amount not to exceed \$10,000,000.00 for the fiscal year ending September 30, 2010.

Sec. 1002. The department of natural resources shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies if it intends to reduce operations or reduce recreation opportunities at any state park or recreation area.

Sec. 1003. The department of natural resources shall not alter or halt operations of the ski hill or demolish buildings related to the ski hill, the assistant manager residence, the 3-unit apartment building, or the carpenter's shop and garage in Porcupine Mountains Wilderness State Park. The department shall collaborate with travel Michigan for the marketing and promotion of the ski hill.

Sec. 1004. From the funds appropriated in part 1, the department shall maintain an appropriate number of defibrillators in state parks. State parks shall accept donations of defibrillators.

MACKINAC ISLAND STATE PARK

Sec. 1101. The funds collected by the Mackinac Island State Park commission for admission fees and store sales shall be deposited in the Mackinac Island State Park operation fund. Any funds remaining at the end of the fiscal year shall not lapse to the general fund, but shall carry forward and be available for appropriation in the subsequent fiscal year.

FOREST, MINERAL, AND FIRE MANAGEMENT

Sec. 1201. In addition to the funds appropriated in part 1, \$350,000.00 is appropriated to the department of natural resources to cover costs related to any declared emergency involving the collapse of any abandoned mine shaft located on state land. This appropriation shall not be expended unless the state budget director recommends the expenditure and the department of natural resources notifies the house and senate committees on appropriations.

Sec. 1202. The department of natural resources shall spend amounts appropriated in part 1 for forest-related activities to employ or contract for additional foresters to mark timber, pursuant to section 1203.

Sec. 1203. Of the funds appropriated in part 1, the department of natural resources shall, subject to the forest certification process, prescribe treatment on 63,000 acres, prepare appropriate treatment for not less than 58,000 acres at the current average rate of 12.5 to 15 cords per acre, and offer those cords for sale in 2010, provided that the

department shall take into consideration the impact of timber harvesting on wildlife habitat and recreation uses. The department of natural resources shall, subject to the forest certification process, increase marking or treatment of hardwood timber for sale and harvest by 10% over 2009 levels. In addition, the department of natural resources shall take into consideration silvicultural analysis and report annually to the legislature on plans and efforts to address factors limiting management of timber. The department of natural resources shall increase the number of prepared acres if it appears that regional market demand requires increased volumes of harvested timber. The department of natural resources shall provide quarterly reports on the number of acres treated, pursuant to this section, to the senate and house appropriations subcommittees on natural resources and the standing committees of the senate and house of representatives with primary responsibility for natural resources issues. The department of natural resources shall complete and deliver these reports no later than 45 days after the end of the fiscal quarter.

Sec. 1204. From the funds appropriated in part 1, the department of natural resources shall provide for a designated snowmobile route connecting the village of Bellaire to the Jordan River Trail across state-owned land with associated reasonable restrictions that mitigate negative impacts on the natural resources.

Sec. 1205. In addition to the money appropriated in this act, the department of natural resources may receive and expend money from federal sources for the purpose of providing response to wildfires as required by a compact with the federal government. If additional expenditure authorization is required, the department of natural resources shall notify the state budget office that expenditure under this section is required. The department of natural resources shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies of the expenditures under this section by November 1, 2010.

Sec. 1206. The department of natural resources shall continue to work cooperatively with horseback riding interests to maximize riding opportunities in the state.

Sec. 1207. The department of natural resources shall work with the commission and stakeholders to review the current bidding process and implement changes as necessary to ensure that it meets state standards and promotes the purchase of state timber and shall report to the legislature on this issue by March 31, 2010.

LAW ENFORCEMENT

Sec. 1301. The appropriation in part 1 for snowmobile law enforcement grants shall be used by the department of natural resources to provide grants to county law enforcement agencies to enforce part 821 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82101 to 324.82160, including rules promulgated under that part and ordinances enacted pursuant to that part. The department of natural resources shall consider the number of enforcement hours and the number of miles of snowmobile trails in each county in allocating these grants. Any funds not distributed to counties revert back to the snowmobile registration fee subaccount created under section 82111 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82111. Counties shall provide semiannual reports to the department of natural resources on the use of grant money received under this section.

Sec. 1302. From the funds appropriated in part 1, not less than 6 months before expiration of a contract or adoption of amendments to an existing contract with the concessionaire at the Island Lake shooting range, the department of natural resources shall notify in the least expensive method possible all residents within 5 miles of the shooting range and the state and local elected officials representing Green Oak Township in Livingston County of the contract expiration date or adoption of amendments to an existing contract. If the department of natural resources intends to extend or amend the contract with the concessionaire, it shall hold 1 public hearing in Livingston County on the matter not less than 60 days before execution.

GRANTS

Sec. 1401. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 for grants to communities - federal oil, gas, and timber payments and that do not require additional state matching funds are appropriated for the purposes intended. By November 30, 2009, the department of natural resources shall report to the senate and house appropriations subcommittees on natural resources, the senate and house fiscal agencies, and the state budget director on all amounts appropriated under this section during the fiscal year ending September 30, 2009.

Sec. 1402. Subject to part 811 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81101 to 324.81150, from the funds appropriated in part 1 for off-road vehicle trail improvements grants, not less than \$980,000.00 shall be spent on the development of new trails in accordance with the off-road vehicle trail expansion plan submitted to the legislature pursuant to section 807 of article 14 of 2005 PA 154.

CAPITAL OUTLAY

Sec. 1501. The appropriation made in this act for the harbors and docks program is for the purpose of participating with the federal government and assisting political entities and subdivisions of this state in the construction and improvement of recreational boating facilities within this state. Subject to the approval of the state administrative board, this money shall be allocated by the department of natural resources to the federal government, or to the political entities or local units of government involved in the particular projects. An allocation shall not exceed the state portion as listed with each project description. The department of natural resources shall take the steps necessary to match federal money available for the construction and improvement of recreational boating facilities within the state, and to meet requirements of the federal government.

Sec. 1502. (1) The director of the department of natural resources shall allocate lump-sum appropriations to the department of natural resources made in this act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

(2) The state budget director may authorize that funds appropriated for lump-sum appropriations shall be available for no more than 3 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 1503. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

MICHIGAN HISTORICAL PROGRAM

Sec. 1601. The federal funds appropriated in part 1 for the historic site preservation grants are for work projects and shall not lapse at the end of the fiscal year but shall continue to be available for expenditure until the projects for which the funds were reserved have been completed or are terminated. The purpose of these work projects is the identification, designation, rehabilitation, and preservation of historic resources. The method used will be to solicit applications, score applications based upon established criteria, and award subgrants. The department of natural resources shall execute a grant agreement with each recipient. The total cost is \$85,000.00, and the tentative completion date is September 30, 2010.

Sec. 1602. Funds collected by the department of natural resources under sections 6, 7, and 7a of 1913 PA 271, MCL 399.6, 399.7, and 399.7a, are appropriated to the department of natural resources for the purposes for which they were received, upon receipt.

Sec. 1603. For the purposes of administering the museum store as provided in section 7a of 1913 PA 271, MCL 399.7a, the department of natural resources is exempt from section 261 of the management and budget act, 1984 PA 431, MCL 18.1261.

Sec. 1604. From the funds appropriated in part 1 for historical administration and services, \$25,000.00 shall be allocated to support the operations of the Michigan freedom trail commission as specified in section 4 of the Michigan freedom trail commission act, 1998 PA 409, MCL 399.84. These funds shall be used to reimburse commission members, to pay for necessary contractual services of the commission, and to hire not more than 1.0 FTE position in the Michigan historical center to support commission operations.

Sec. 1605. Proceeds in excess of costs incurred in the conduct of auctions, sales, or transfers of artifacts no longer considered suitable for the collections of the state historical museum are appropriated to the department of natural resources and may be expended upon receipt for additional material for the collection. The department of natural

resources shall notify the chairpersons, vice chairpersons, and minority vice chairpersons of the senate and house appropriations subcommittees on natural resources 1 week prior to any auctions or sales.

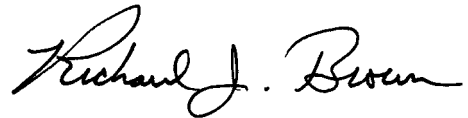
CONSOLIDATION SAVINGS

Sec. 1701. (1) The negative appropriation for department consolidation savings in part 1 shall be satisfied by savings realized through the elimination of duplicative administrative functions, state and private lease space consolidation, and other efficiency savings made possible through a reorganization of the department of environmental quality and the department of natural resources into a single state department.

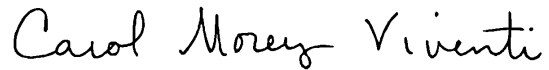
(2) The negative appropriation for consolidation savings in part 1 shall be satisfied by efficiencies and other savings identified by the department director and approved by the state budget director. The director shall submit a plan to satisfy this negative appropriation 30 days after the effective date of an executive order issued for the purpose of creating a single state department from the functions and units of the departments of environmental quality and natural resources.

(3) Appropriation adjustments required due to negative appropriations for consolidation savings shall be made only after legislative approval of transfers pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

Act No. 118
Public Acts of 2009
Approved by the Governor*
October 14, 2009
Filed with the Secretary of State
October 14, 2009
EFFECTIVE DATE: October 14, 2009

*Item Vetoes

**Sec. 103. DEPARTMENT OF NATURAL RESOURCES
(6) WILDLIFE MANAGEMENT**

Cormorant population mitigation program \$ 75,000 (Page 10)

(16) CONSOLIDATION SAVINGS

Consolidation savings..... \$ (350,000) (Page 15)

Sec. 226.

Entire Section. (Page 20)

Sec. 237. (2)

Entire Subsection. (Page 21)

Sec. 1204.

Entire Section. (Page 25)

Sec. 1701.

Entire Section. (Page 27)

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2009**

Introduced by Rep. Lahti

ENROLLED HOUSE BILL No. 4446

AN ACT to make appropriations for the departments of environmental quality and natural resources for the fiscal year ending September 30, 2010; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The People of the State of Michigan enact:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the departments of environmental quality and natural resources for the fiscal year ending September 30, 2010, from the funds indicated in this part. The following is a summary of the appropriations in this part:

TOTAL NATURAL RESOURCE MANAGEMENT AND ENVIRONMENTAL PROTECTION

APPROPRIATION SUMMARY

Full-time equated unclassified positions	11.0		
Full-time equated classified positions.....	3,701.0		
GROSS APPROPRIATION		\$	704,288,100
Interdepartmental grant revenues:			
Total interdepartmental grants and intradepartmental transfers.....			12,322,900
ADJUSTED GROSS APPROPRIATION		\$	691,965,200
Federal revenues:			
Total federal revenues			253,070,700
Special revenue funds:			
Total local revenues.....			0
Total private revenues.....			6,040,000
Total other state restricted revenues			389,180,100
State general fund/general purpose		\$	43,674,400

Sec. 102. DEPARTMENT OF ENVIRONMENTAL QUALITY

(1) APPROPRIATION SUMMARY

Full-time equated unclassified positions	5.0	
Full-time equated classified positions	1,491.1	
GROSS APPROPRIATION		\$ 388,989,600
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		8,520,700
ADJUSTED GROSS APPROPRIATION		\$ 380,468,900
Federal revenues:		
Total federal revenues		180,218,200
Special revenue funds:		
Total local revenues		0
Total private revenues		658,900
Total other state restricted revenues		172,641,300
State general fund/general purpose		\$ 26,950,500

FUND SOURCE SUMMARY

Full-time equated unclassified positions	5.0	
Full-time equated classified positions	1,491.1	
GROSS APPROPRIATION		\$ 388,989,600
Interdepartmental grant revenues:		
IDG-MDOT - Michigan transportation fund		1,087,100
IDG-MSP		898,600
IDT, interdivisional charges		2,053,400
IDT, laboratory services		4,481,600
Total interdepartmental grants and intradepartmental transfers		8,520,700
ADJUSTED GROSS APPROPRIATION		\$ 380,468,900
Federal revenues:		
Federal funds		180,218,200
Total federal revenues		180,218,200
Special revenue funds:		
Total local revenues		0
Private funds		658,900
Total private revenues		658,900
Total local and private revenues		658,900
Aboveground storage tank fees		371,200
Air emissions fees		9,661,700
Campground fund		242,900
Clean Michigan initiative fund - clean water fund		3,770,800
Cleanup and redevelopment fund		6,550,800
Community pollution prevention fund		250,000
Electronic waste recycling fund		245,000
Environmental education fund		251,500
Environmental pollution prevention fund		1,284,200
Environmental protection fund		6,103,300
Environmental response fund		11,584,700
Fees and collections		404,100
Financial instruments		5,000,000
Great Lakes protection fund		1,615,700
Groundwater discharge permit fees		1,260,300
Hazardous material transportation permit fund		224,400
Infrastructure construction fund		404,300
Land and water permit fees		1,695,300
Landfill maintenance trust fund		57,300
Medical waste emergency response fund		246,200
Metallic mining surveillance fee revenue		34,300
Mineral well regulatory fee revenue		175,300
Nonferrous metallic mineral surveillance		22,400
NPDES fees		3,548,600

For Fiscal Year
Ending Sept. 30,
2010

Oil and gas regulatory fund	\$	8,426,800
Orphan well fund		2,060,200
Public swimming pool fund		553,300
Public utility assessments		791,900
Public water supply fees		4,005,000
Publication revenue		76,900
Refined petroleum fund		32,315,600
Restricted funds		18,366,000
Revitalization revolving loan fund		85,800
Revolving loan revenue bonds		11,400,000
Sand extraction fee revenue		74,100
Scrap tire regulatory fund		4,789,400
Septage waste contingency fund		38,600
Septage waste program fund		778,100
Settlement funds		1,884,600
Sewage sludge land application fees		870,300
Soil erosion and sedimentation control training fund		117,300
Solid waste management fund - staff account		4,606,800
Small business pollution prevention revolving loan fund		110,600
Stormwater permit fees		2,861,200
Strategic water quality initiatives fund		10,000,000
Underground storage tank fees		2,170,200
Waste reduction fee revenue		3,988,600
Wastewater operator training fees		175,000
Water analysis fees		3,311,200
Water pollution control revolving fund		3,128,300
Water quality protection fund		100,000
Water use reporting fees		551,200
Total other state restricted revenues		172,641,300
State general fund/general purpose	\$	26,950,500
(2) EXECUTIVE OPERATIONS AND DEPARTMENT SUPPORT		
Full-time equated unclassified positions		5.0
Full-time equated classified positions		81.0
Unclassified salaries—5.0 FTE positions	\$	487,600
Administrative hearings		457,000
Executive direction—17.0 FTE positions		2,100,500
Central operations—57.0 FTE positions		5,276,500
Office of the Great Lakes—7.0 FTE positions		1,028,400
Great Lakes restoration initiative		50,000,000
Automated data processing		2,053,400
Environmental support projects		5,000,000
Building occupancy charges		6,669,000
Rent - privately owned property		2,145,900
GROSS APPROPRIATION	\$	75,218,300
Appropriated from:		
Interdepartmental grant revenues:		
IDG-MSP		113,500
IDT, interdivisional charges		2,053,400
IDT, laboratory services		530,400
Federal revenues:		
Federal funds		50,384,000
Special revenue funds:		
Environmental education fund		251,500
Financial instruments		5,000,000
Great Lakes protection fund		615,700
Restricted funds		11,625,100
Settlement funds		106,700
State general fund/general purpose	\$	4,538,000

(3) AIR QUALITY	
Full-time equated classified positions.....	229.0
Air quality programs—229.0 FTE positions.....	\$ 24,555,800
GROSS APPROPRIATION	\$ 24,555,800
Appropriated from:	
Federal revenues:	
Federal funds.....	6,473,500
Special revenue funds:	
Air emissions fees.....	9,262,000
Environmental response fund	108,900
Fees and collections	307,600
Oil and gas regulatory fund	110,400
Refined petroleum fund.....	2,921,300
State general fund/general purpose	\$ 5,372,100
(4) OFFICE OF POLLUTION PREVENTION AND COMPLIANCE ASSISTANCE	
Full-time equated classified positions.....	47.0
Pollution prevention and technical assistance—47.0 FTE positions	\$ 5,968,000
GROSS APPROPRIATION	\$ 5,968,000
Appropriated from:	
Federal revenues:	
Federal funds.....	818,400
Special revenue funds:	
Private funds	500,000
Air emissions fees.....	399,700
Settlement funds.....	227,200
Small business pollution prevention revolving loan fund.....	110,600
Waste reduction fee revenue	3,912,100
State general fund/general purpose	\$ 0
(5) OFFICE OF GEOLOGICAL SURVEY	
Full-time equated classified positions.....	60.0
Coal and sand dune management—1.0 FTE position	\$ 132,800
Metallic mining reclamation program—1.0 FTE position	34,300
Mineral wells management—2.0 FTE positions	175,300
Nonferrous metallic mining—1.0 FTE position	22,400
Services to oil and gas programs—53.0 FTE positions	8,393,300
Well plugging - orphan wells—2.0 FTE positions	2,060,200
GROSS APPROPRIATION	\$ 10,818,300
Appropriated from:	
Federal revenues:	
Federal funds.....	58,700
Special revenue funds:	
Metallic mining surveillance fee revenue	34,300
Mineral well regulatory fee revenue.....	175,300
Nonferrous metallic mineral surveillance	22,400
Oil and gas regulatory fund	8,316,400
Orphan well fund	2,060,200
Publication revenue	76,900
Sand extraction fee revenue.....	74,100
State general fund/general purpose	\$ 0
(6) LAND AND WATER MANAGEMENT	
Full-time equated classified positions.....	139.1
Land and water interface programs—71.0 FTE positions	\$ 7,880,500
Program direction and project assistance—38.1 FTE positions.....	2,677,300
Wetlands protection—30.0 FTE positions.....	1,845,400
GROSS APPROPRIATION	\$ 12,403,200
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDOT - Michigan transportation fund	1,032,500

Federal revenues:	
Federal funds.....	\$ 3,690,300
Special revenue funds:	
Land and water permit fees	1,140,100
State general fund/general purpose	\$ 6,540,300
(7) REMEDIATION AND REDEVELOPMENT	
Full-time equated classified positions.....	349.0
Federal cleanup project management—60.0 FTE positions.....	\$ 8,517,200
Superfund cleanup	3,000,000
Contaminated site investigations, cleanup and revitalization—230.0 FTE positions	24,007,500
Emergency cleanup action	4,000,000
Refined petroleum product cleanup program.....	20,000,000
Environmental cleanup support.....	1,840,000
Laboratory services—59.0 FTE positions	7,368,700
GROSS APPROPRIATION	\$ 68,733,400
Appropriated from:	
Interdepartmental grant revenues:	
IDT, laboratory services.....	3,800,300
Federal revenues:	
Federal funds.....	8,620,200
Special revenue funds:	
Private funds	158,900
Cleanup and redevelopment fund.....	6,550,800
Environmental protection fund.....	6,103,300
Environmental response fund	11,305,000
Landfill maintenance trust fund	57,300
Public water supply fees	257,200
Refined petroleum fund.....	26,932,700
Revitalization revolving loan fund.....	85,800
Settlement funds.....	1,550,700
Water analysis fees.....	3,311,200
State general fund/general purpose	\$ 0
(8) WASTE AND HAZARDOUS MATERIALS DIVISION	
Full-time equated classified positions.....	170.0
Hazardous waste management program—57.0 FTE positions	\$ 5,987,700
Low-level radioactive waste authority—2.0 FTE positions	791,900
Medical waste program—2.0 FTE positions.....	246,200
Radiological protection program—12.0 FTE positions.....	1,036,800
Scrap tire regulatory program—11.0 FTE positions	1,089,400
Solid waste management program—45.0 FTE positions	4,928,300
Underground storage tank program—33.0 FTE positions	3,588,100
Aboveground storage tank program—8.0 FTE positions	774,600
GROSS APPROPRIATION	\$ 18,443,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDSP.....	757,100
Federal revenues:	
Federal funds.....	4,039,600
Special revenue funds:	
Aboveground storage tank fees	371,200
Electronic waste recycling fund.....	245,000
Environmental pollution prevention fund	1,284,200
Hazardous materials transportation permit fund	224,400
Medical waste emergency response fund	246,200
Public utility assessments	791,900
Refined petroleum fund.....	1,404,500
Scrap tire regulatory fund	1,089,400
Solid waste management fund - staff account.....	4,606,800

For Fiscal Year
Ending Sept. 30,
2010

Underground storage tank fees	\$	2,170,200
Waste reduction fee revenue		76,500
State general fund/general purpose	\$	1,136,000

(9) WATER DIVISION

Full-time equated classified positions.....	396.0	
Drinking water and environmental health—120.0 FTE positions.....	\$	15,220,300
Surface water—106.8 FTE positions		15,331,200
NPDES nonstormwater program—98.2 FTE positions.....		11,253,800
Groundwater discharge—22.0 FTE positions		2,994,500
Municipal assistance—37.0 FTE positions.....		5,334,700
Sewage sludge land application program—6.0 FTE positions		870,300
Water withdrawal assessment program—3.0 FTE positions.....		603,000
Expedited water/wastewater permits—3.0 FTE positions		404,300
Fish contaminant monitoring contracts.....		316,100
GROSS APPROPRIATION	\$	52,328,200

Appropriated from:

Federal revenues:

Federal funds.....		21,781,500
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Special revenue funds:

Campground fund		242,900
Clean Michigan initiative fund - clean water fund		3,770,800
Environmental response fund		170,800
Fees and collections		96,500
Groundwater discharge permit fees.....		1,260,300
Infrastructure construction fund		404,300
Land and water permit fees		555,200
NPDES fees.....		3,548,600
Public swimming pool fund		553,300
Public water supply fees		2,347,800
Refined petroleum fund.....		973,400
Septage waste contingency fund.....		38,600
Septage waste program fund.....		378,100
Sewage sludge land application fees		870,300
Soil erosion and sedimentation control training fund		117,300
Stormwater permit fees		2,861,200
Strategic water quality initiatives fund		400,000
Wastewater operator training fees.....		175,000
Water pollution control revolving fund.....		3,128,300
Water use reporting fees.....		551,200
State general fund/general purpose	\$	8,102,800

(10) CRIMINAL INVESTIGATIONS

Full-time equated classified positions.....	20.0	
Environmental investigations—20.0 FTE positions.....	\$	2,605,100
GROSS APPROPRIATION	\$	2,605,100

Appropriated from:

Federal revenues:

Federal funds.....		684,000
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Special revenue funds:

Restricted funds.....		1,163,000
State general fund/general purpose	\$	758,100

(11) GRANTS

Water pollution control and drinking water revolving funds.....	\$	82,943,000
Noncommunity water grants.....		1,400,000
Grants to counties - air pollution		83,700
Coastal management grants		2,000,000
Federal - nonpoint source water pollution grants.....		6,500,000
Federal - Great Lakes remedial action plan grants.....		700,000
Great Lakes research and protection grants.....		1,000,000

	For Fiscal Year Ending Sept. 30, 2010
Radon grants	\$ 90,000
Drinking water program grants	1,330,000
Pollution prevention local grants	250,000
Septage waste compliance grants	400,000
Scrap tire grants	3,700,000
Strategic water quality initiative loans	9,600,000
Water quality protection grants	100,000
GROSS APPROPRIATION	\$ 110,096,700
Appropriated from:	
Federal revenues:	
Federal funds	82,163,000
Special revenue funds:	
Community pollution prevention fund	250,000
Great Lakes protection fund	1,000,000
Public water supply fees	1,400,000
Refined petroleum fund	83,700
Revolving loan revenue bonds	11,400,000
Scrap tire regulatory fund	3,700,000
Septage waste program fund	400,000
Strategic water quality initiatives fund	9,600,000
Water quality protection fund	100,000
State general fund/general purpose	\$ 0
(12) INFORMATION TECHNOLOGY	
Information technology services and projects	\$ 7,819,600
GROSS APPROPRIATION	\$ 7,819,600
Appropriated from:	
Interdepartmental grant revenues:	
IDT, laboratory services	150,900
IDG from MSP	28,000
IDG from MDOT - Michigan transportation fund	54,600
Federal revenues:	
Federal funds	1,505,000
Special revenue funds:	
Restricted funds	5,577,900
State general fund/general purpose	\$ 503,200

Sec. 103. DEPARTMENT OF NATURAL RESOURCES

(1) APPROPRIATION SUMMARY

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,209.9	
GROSS APPROPRIATION		\$ 315,298,500
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		3,802,200
ADJUSTED GROSS APPROPRIATION		\$ 311,496,300
Federal revenues:		
Total federal revenues		72,852,500
Special revenue funds:		
Total private revenues		5,381,100
Total other state restricted revenues		216,538,800
State general fund/general purpose		\$ 16,723,900

FUND SOURCE SUMMARY

Full-time equated unclassified positions	6.0	
Full-time equated classified positions	2,209.9	
GROSS APPROPRIATION		\$ 315,298,500
Interdepartmental grant revenues:		
IDG, engineering services to work orders		1,972,100
IDG, MacMullan conference center revenue		1,413,100

For Fiscal Year
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IDG, land acquisition services to work orders	\$	417,000
Total interdepartmental grants and intradepartmental transfers.....		3,802,200
ADJUSTED GROSS APPROPRIATION	\$	311,496,300
Federal revenues:		
DAG, federal.....		13,561,900
DOC, federal.....		71,800
DOE, federal.....		1,000
DOI, federal		47,271,000
DHS, federal.....		7,756,900
DOT, federal		3,900,000
EPA, federal		289,900
Total federal revenues		72,852,500
Special revenue funds:		
Private funds		5,268,500
Private - grants and gifts.....		10,000
Private - Mann house trust fund.....		102,600
Total private revenues		5,381,100
Aircraft fees.....		263,000
Cervidae licensing and inspection fees		168,100
Clean Michigan initiative fund		25,500
Commercial forest fund		54,300
Forest recreation account		1,549,600
Forest development fund		32,361,600
Forest land user charges.....		569,300
Game and fish protection fund		56,749,300
Game and fish protection fund - fisheries settlement.....		911,500
Game and fish protection fund - deer habitat reserve.....		3,172,100
Game and fish protection fund - turkey permit fees.....		1,908,800
Game and fish protection fund - waterfowl fees.....		111,200
Game and fish - wildlife resource protection fund.....		1,689,900
Game and fish protection fund - youth hunting and fishing education and outreach		46,700
Land exchange facilitation fund		6,295,500
Mackinac Island state park operation fund.....		167,000
Mackinac Island state park fund.....		1,649,200
Marine safety fund		4,823,500
Michigan civilian conservation corps endowment fund		250,000
Michigan heritage publications fund		701,100
Michigan state parks endowment fund.....		16,844,100
Michigan state waterways fund		23,281,100
Michigan natural resources trust fund		2,855,200
Museum operations fund		513,400
Nongame wildlife fund.....		707,300
Off-road vehicle trail improvement fund.....		4,772,100
Off-road vehicle safety education fund		288,600
Park improvement fund.....		39,019,300
Permanent snowmobile trail easement fund		700,000
Recreation improvement fund.....		1,472,900
Shop fees		67,300
Snowmobile registration fee revenue		2,328,300
Snowmobile trail improvement fund.....		9,964,400
Sportsmen against hunger fund.....		257,600
Total other state restricted revenues		216,538,800
State general fund/general purpose	\$	16,723,900
(2) EXECUTIVE		
Full-time equated unclassified positions		6.0
Full-time equated classified positions.....		85.8
Commission (including travel expense—per diem)	\$	85,400
Unclassified salaries.....		319,800

	For Fiscal Year Ending Sept. 30, 2010
Communications—62.3 FTE positions	\$ 4,873,600
Executive direction—18.0 FTE positions	2,251,100
Legal coordination—5.5 FTE positions	549,100
Great Lakes restoration initiative	15,000,000
GROSS APPROPRIATION	\$ 23,079,000
Appropriated from:	
Federal revenues:	
DHS, federal	45,700
DOI, federal	15,937,200
Special revenue funds:	
Private funds	75,900
Forest development fund	375,500
Forestland user charges	2,100
Forest recreation account	44,000
Game and fish protection fund	2,482,200
Game and fish protection fund - deer habitat reserve.....	81,500
Game and fish protection fund - turkey permit fees.....	33,700
Game and fish protection fund - waterfowl fees	900
Game and fish - wildlife resource protection fund.....	35,100
Game and fish protection fund - youth hunting and fishing education and outreach	46,700
Land exchange facilitation fund	117,400
Marine safety fund	62,400
Michigan natural resources trust fund	54,200
Michigan state parks endowment fund.....	175,700
Michigan state waterways fund	332,200
Nongame wildlife fund.....	18,400
Off-road vehicle trail improvement fund.....	30,800
Park improvement fund.....	2,393,500
Recreation improvement fund.....	19,900
Off-road vehicle safety education fund	50,700
Snowmobile registration fee revenue	58,500
Snowmobile trail improvement fund	56,600
State general fund/general purpose	\$ 548,200
(3) ADMINISTRATIVE SERVICES	
Full-time equated classified positions	46.0
Budget and support services—10.0 FTE positions	\$ 1,172,800
Financial services—23.0 FTE positions	2,453,800
Grants administration—13.0 FTE positions	1,281,100
GROSS APPROPRIATION	\$ 4,907,700
Appropriated from:	
Federal revenues:	
DOI, federal	204,600
Special revenue funds:	
Clean Michigan initiative fund	25,500
Forest development fund	806,400
Forest recreation account	33,500
Game and fish protection fund	883,800
Game and fish protection fund - deer habitat reserve.....	25,100
Game and fish protection fund - turkey permit fees.....	17,100
Game and fish protection fund - waterfowl fees	3,900
Game and fish - wildlife resource protection fund.....	16,400
Land exchange facilitation fund	41,200
Marine safety fund	129,000
Michigan natural resources trust fund	1,008,600
Michigan state parks endowment fund.....	125,400
Michigan state waterways fund	206,300

For Fiscal Year
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2010

Nongame wildlife fund.....	\$	12,600
Off-road vehicle trail improvement fund.....		13,700
Park improvement fund.....		588,700
Recreation improvement fund.....		10,800
Snowmobile registration fee revenue		31,400
Snowmobile trail improvement fund.....		86,900
State general fund/general purpose	\$	636,800

(4) LAND AND FACILITIES

Full-time equated classified positions.....	134.2	
Land and facilities—134.2 FTE positions	\$	20,239,100
GROSS APPROPRIATION	\$	20,239,100

Appropriated from:

Interdepartmental grant revenues:

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

Special revenue funds:

Forest development fund	1,978,600
Forest land user charges.....	13,700
Forest recreation fund.....	11,100
Game and fish protection fund	6,630,700
Game and fish protection fund - deer habitat reserve.....	200,600
Game and fish protection fund - turkey permit fees.....	78,300
Game and fish - wildlife resource protection fund.....	6,200
Land exchange facilitation fund	5,909,600
Marine safety fund	103,900
Michigan natural resources trust fund	5,900
Michigan state parks endowment fund.....	134,500
Michigan state waterways fund	269,800
Off-road vehicle trail improvement fund.....	24,200
Park improvement fund.....	511,000
Snowmobile registration fee revenue	40,600
Snowmobile trail improvement fund.....	79,900
State general fund/general purpose	\$ 438,300

(5) DEPARTMENTAL OPERATION SUPPORT

Building occupancy charges.....	\$ 3,222,100
Rent - privately owned property.....	490,000
Gifts and bequests	500,000
GROSS APPROPRIATION	\$ 4,212,100

Appropriated from:

Special revenue funds:

Private funds	500,000
Forest development fund	583,100
Forest recreation fund.....	14,900
Game and fish protection fund	841,700
Game and fish protection fund - deer habitat reserve.....	19,800
Game and fish protection fund - turkey permit fees.....	18,900
Game and fish - wildlife resource protection fund.....	7,100
Land exchange facilitation fund	70,900
Marine safety fund	32,000
Michigan natural resources trust fund	39,000
Michigan state parks endowment fund.....	199,900
Michigan state waterways fund	107,400
Park improvement fund.....	310,700
Snowmobile trail improvement fund.....	20,300
State general fund/general purpose	\$ 1,446,400

(6) WILDLIFE MANAGEMENT

Full-time equated classified positions.....	205.0	
Cormorant population mitigation program.....	\$	75,000

	For Fiscal Year Ending Sept. 30, 2010
Wildlife management—196.0 FTE positions.....	\$ 28,771,800
Natural resources heritage—9.0 FTE positions	1,263,000
State game and wildlife area maintenance	750,000
GROSS APPROPRIATION	\$ 30,859,800
Appropriated from:	
Federal revenues:	
DAG, federal.....	366,500
DOI, federal	13,812,100
EPA, federal	1,000
Special revenue funds:	
Private funds	114,600
Cervidae licensing and inspection fees	103,000
Forest development fund	65,500
Game and fish protection fund	9,039,300
Game and fish protection fund - deer habitat reserve.....	2,768,300
Game and fish protection fund - turkey permit fees.....	1,693,000
Game and fish protection fund - waterfowl fees	103,600
Nongame wildlife fund.....	641,900
Sportsmen against hunger fund.....	257,600
State general fund/general purpose	\$ 1,893,400
(7) FISHERIES MANAGEMENT	
Full-time equated classified positions.....	232.0
Aquatic resource mitigation—2.0 FTE positions.....	\$ 912,500
Fisheries resource management—170.0 FTE positions	18,323,600
Fish production—60.0 FTE positions	8,300,100
GROSS APPROPRIATION	\$ 27,536,200
Appropriated from:	
Federal revenues:	
DAG, federal.....	134,400
DOE, federal.....	1,000
DOC, federal.....	53,400
DOI, federal	10,067,700
EPA, federal	165,500
Special revenue funds:	
Private funds	116,700
Game and fish protection fund	16,086,000
Game and fish protection fund - fisheries settlement.....	911,500
State general fund/general purpose	\$ 0
(8) PARKS AND RECREATION	
Full-time equated classified positions.....	794.9
State parks—631.4 FTE positions.....	\$ 46,698,700
State park improvement revenue bonds - debt service	1,147,100
Recreational boating—163.5 FTE positions	14,776,100
GROSS APPROPRIATION	\$ 62,621,900
Appropriated from:	
Federal revenues:	
EPA, federal	122,400
Special revenue funds:	
Private funds	370,300
Michigan civilian conservation corps endowment fund	250,000
Michigan state parks endowment fund.....	13,293,200
Michigan state waterways fund	14,776,100
Off-road vehicle trail improvement fund.....	247,400
Park improvement fund.....	33,562,500
State general fund/general purpose	\$ 0
(9) MACKINAC ISLAND STATE PARK COMMISSION	
Full-time equated classified positions.....	39.0
Mackinac Island park operations—24.0 FTE positions	\$ 1,588,200

For Fiscal Year
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Historical facilities system—15.0 FTE positions	\$	1,789,000
GROSS APPROPRIATION	\$	<u>3,377,200</u>
Appropriated from:		
Special revenue funds:		
Mackinac Island state park operation fund.....		167,000
Mackinac Island state park fund.....		1,600,500
State general fund/general purpose	\$	1,609,700
(10) MICHIGAN HISTORICAL PROGRAM		
Full-time equated classified positions.....		62.0
Archives—8.0 FTE positions.....	\$	732,000
Freedom trail commission—1.0 FTE position.....		25,000
Heritage publications—5.0 FTE positions.....		701,200
Historical administration and services—42.0 FTE positions		3,058,200
Museum stores—4.0 FTE positions		513,400
Special programs (Mann house)—1.0 FTE position.....		112,600
Thunder Bay national marine sanctuary and underwater preserve—1.0 FTE position.....		<u>150,100</u>
GROSS APPROPRIATION	\$	<u>5,292,500</u>
Appropriated from:		
Federal revenues:		
DOI, federal		100
Special revenue funds:		
Private - grants and gifts		10,000
Private - Mann house trust fund.....		102,600
Michigan heritage publications fund		701,100
Museum operations fund		513,400
State general fund/general purpose	\$	3,965,300
(11) FOREST, MINERAL, AND FIRE MANAGEMENT		
Full-time equated classified positions.....		383.0
Forest management and timber market development—165.0 FTE positions	\$	20,544,200
Adopt-a-forest program.....		25,000
Wildfire protection—122.0 FTE positions.....		11,451,500
Forest recreation—51.0 FTE positions		4,924,000
Minerals management—23.0 FTE positions.....		2,565,400
Cooperative resource programs—12.0 FTE positions.....		1,034,800
Forest management initiative—10.0 FTE positions		808,900
Forest fire equipment.....		<u>500,000</u>
GROSS APPROPRIATION	\$	<u>41,853,800</u>
Appropriated from:		
Federal revenues:		
DAG, federal.....		2,436,000
DHS, federal.....		255,600
DOI, federal		2,000
EPA, federal		1,000
Special revenue funds:		
Private funds		941,000
Aircraft fees.....		263,000
Commercial forest fund		49,200
Forest development fund		25,730,700
Forestland user charges		536,500
Forest recreation fund.....		1,240,500
Game and fish protection fund		1,481,000
Michigan natural resources trust fund		1,268,100
Michigan state parks endowment fund.....		574,700
Michigan state waterways fund		394,200
Off-road vehicle trail improvement fund.....		742,500
Recreation improvement fund.....		330,200
Off-road vehicle safety education fund		6,200
Shop fees		67,300

	For Fiscal Year Ending Sept. 30, 2010
Snowmobile registration fee revenue	\$ 16,900
Snowmobile trail improvement fund.....	1,629,600
State general fund/general purpose	\$ 3,887,600
(12) LAW ENFORCEMENT	
Full-time equated classified positions.....	228.0
General law enforcement—228.0 FTE positions.....	\$ 28,629,000
GROSS APPROPRIATION	\$ 28,629,000
Appropriated from:	
Federal revenues:	
DHS, federal.....	4,485,600
DOC, federal.....	18,400
DOI, federal.....	563,300
Special revenue funds:	
Cervidae licensing and inspection fees	65,100
Forest recreation account	61,000
Game and fish protection fund	1,467,800
Game and fish protection fund - wildlife resource protection fund	1,566,800
Marine safety fund	1,614,100
Off-road vehicle trail improvement fund.....	1,251,400
Park improvement fund.....	61,000
Off-road vehicle safety education fund	81,700
Snowmobile registration fee revenue	991,100
State general fund/general purpose	\$ 1,401,700
(13) GRANTS	
Accessibility grants	\$ 1,000,000
Federal - clean vessel act grants	400,000
Federal - forest stewardship grants	3,125,000
Federal - land and water conservation fund payments	2,566,900
Federal - rural community fire protection.....	300,000
Federal - urban forestry grants.....	4,000,000
Game and nongame wildlife fund grants.....	10,000
Grant to counties - marine safety	4,275,000
Grants to communities - federal oil, gas, and timber payments	3,450,000
National recreational trails	3,950,000
Off-road vehicle safety training grants.....	150,000
Off-road vehicle trail improvement grants	2,454,000
Recreation improvement fund grants.....	1,100,000
Snowmobile law enforcement grants	1,142,000
Snowmobile local grants program	8,014,000
Trail easements	700,000
GROSS APPROPRIATION	\$ 36,636,900
Appropriated from:	
Federal revenues:	
DAG, federal.....	10,625,000
DHS, USCG.....	1,470,000
DOI, federal.....	3,116,900
DOT, federal.....	3,900,000
Special revenue funds:	
Private funds	1,150,000
Marine safety fund	2,805,000
Nongame wildlife fund.....	10,000
Off-road vehicle trail improvement fund.....	2,454,000
Permanent snowmobile trail easement fund	700,000
Recreation improvement fund.....	1,100,000
Off-road vehicle safety education fund	150,000
Snowmobile registration fee revenue	1,142,000
Snowmobile trail improvement fund.....	8,014,000
State general fund/general purpose	\$ 0

(14) INFORMATION TECHNOLOGY

Information technology services and projects.....	\$	9,412,100
GROSS APPROPRIATION	\$	9,412,100
Appropriated from:		
Special revenue funds:		
Commercial forest fund		5,100
Forest development fund		1,521,800
Forestland user charges		17,000
Forest recreation fund.....		44,600
Game and fish protection fund		2,836,800
Game and fish protection fund - deer habitat reserve.....		76,800
Game and fish protection fund - turkey permit fees.....		67,800
Game and fish protection fund - waterfowl fees		2,800
Game and fish - wildlife resource protection fund.....		58,300
Land exchange facilitation fund.....		156,400
Mackinac Island state park fund.....		48,700
Marine safety fund		77,100
Michigan natural resources trust fund		479,400
Michigan state parks endowment fund.....		340,700
Michigan state waterways fund		671,000
Nongame wildlife fund.....		24,400
Off-road vehicle trail improvement fund.....		8,100
Park improvement fund.....		1,591,900
Recreation improvement fund.....		12,000
Snowmobile registration fee revenue		47,800
Snowmobile trail improvement fund.....		77,100
State general fund/general purpose	\$	1,246,500

(15) CAPITAL OUTLAY

(a) STATE PARK AND FOREST AREA IMPROVEMENTS

State parks repair and maintenance	\$	4,000,000
Forest roads, bridges and facilities		1,400,000
GROSS APPROPRIATION	\$	5,400,000
Appropriated from:		
Special revenue funds:		
Private funds		2,000,000
Forest development fund		1,300,000
Forest recreation account		100,000
Michigan state parks endowment fund.....		2,000,000
State general fund/general purpose	\$	0

(b) WATERWAYS BOATING PROGRAM

Infrastructure improvements - state projects.....	\$	400,000
Land acquisitions.....		1,000,000
Boating program, state boating access sites:		
Sleepy Hollow State Park, boating access site improvements: new access road and entrance, expansion of launch ramp, new parking area, interpretive kiosk for boating safety and fishing information, universal accessibility (total authorized cost \$776,200; Federal share \$582,100; state share \$194,100).....		776,200
Detour, Chippewa County, floating dock repair and replacement (total authorized cost is increased from \$4,000,000 to \$7,500,000; Federal share is increased from \$3,000,000 to \$5,235,000; state share is increased from \$1,000,000 to \$2,265,000).....		3,500,000
Port Austin, Huron County, new floating piers, utility upgrades and breakwall improvements (total authorized cost is increased from \$500,000 to \$5,000,000; Federal share is increased from \$0 to \$1,100,000; state share is increased from \$500,000 to \$3,900,000)		4,000,000
Boating program, state harbors and docks:		
Lac La Belle, Keweenaw County, pilings and pier replacement (total authorized cost \$1,000,000; federal share \$750,000; state share \$250,000)		1,000,000
Boating program, local harbors and docks:		
Naubinway, Mackinac County, breakwater protection, dredging and engineering, phase I (total authorized cost \$210,000; state share \$210,000)		210,000

Leland, Leelanau County, dock replacements, utility upgrades, seawall protection (total authorized cost is increased from \$4,195,000 to \$4,900,000; local share is increased from \$990,000 to \$1,225,000; state share is increased from \$2,970,000 to \$3,675,000).....	\$	705,000
GROSS APPROPRIATION	\$	11,591,200
Appropriated from:		
Federal revenues:		
DHS, federal.....		1,500,000
DOI, federal		3,567,100
Special revenue funds:		
Michigan state waterways fund		6,524,100
State general fund/general purpose	\$	0
(16) CONSOLIDATION SAVINGS		
Consolidation savings.....	\$	(350,000)
GROSS APPROPRIATION	\$	(350,000)
Appropriated from:		
State general fund/general purpose	\$	(350,000)

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2009-2010 is \$432,854,500.00 and state spending from state resources to be paid to local units of government for fiscal year 2009-2010 is \$10,722,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF ENVIRONMENTAL QUALITY

GRANTS

Noncommunity water grants.....	\$	1,400,000
Scrap tire grants.....		1,850,000
Septage waste compliance program.....		400,000
SUBTOTAL FOR DEPARTMENT OF ENVIRONMENTAL QUALITY	\$	3,650,000

DEPARTMENT OF NATURAL RESOURCES

CAPITAL OUTLAY

Waterways boating program	\$	2,415,000
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GRANTS

Grants to counties - marine safety		2,805,000
Off-road vehicle safety training grants.....		150,000
Off-road vehicle trail improvement grants		450,000
Recreation improvement fund grants.....		110,000
Snowmobile law enforcement grants		1,142,000
SUBTOTAL FOR DEPARTMENT OF NATURAL RESOURCES	\$	7,072,000
TOTAL NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION	\$	10,722,000

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) "Commission" means the commission of natural resources.
- (b) "DAG" means the United States department of agriculture.
- (c) "DHS" means the United States department of homeland security.

- (d) "DOC" means the United States department of commerce.
- (e) "DOE" means the United States department of energy.
- (f) "DOI" means the United States department of interior.
- (g) "DOT" means the United States department of transportation.
- (h) "EPA" means the United States environmental protection agency.
- (i) "FTE" means full-time equated.
- (j) "IDG" means interdepartmental grant.
- (k) "IDT" means intradepartmental transfer.
- (l) "MDOT" means the Michigan department of transportation.
- (m) "MDSF" means the Michigan department of state police.
- (n) "NPDES" means national pollution discharge elimination system.

Sec. 204. The civil service commission shall bill departments of environmental quality and natural resources at the end of the first fiscal quarter for charges 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. 206. The departments of environmental quality and natural resources shall use the Internet to fulfill the reporting requirements of this act. This requirement can be met if reports are transmitted via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.

Sec. 207. (1) Within 14 days after the release of the executive budget recommendation, the departments of environmental quality and natural resources shall each provide the state budget director, the senate and house appropriations subcommittees on environmental quality and natural resources, respectively, and the senate and house fiscal agencies with an annual report on estimated restricted fund balances, projected revenues, and expenditures for the fiscal years ending September 30, 2009 and September 30, 2010.

(2) Estimates of restricted fund revenues for the fiscal year ending September 30, 2010 shall be reissued on or before September 30, 2009. These revised revenue estimates shall form the basis for determinations of the number of funded positions authorized in this act.

(3) Part 1 of this act provides authorizations to fund 3,701.0 FTE classified positions during the fiscal year ending September 30, 2010. Line-item appropriations include limitations on the number of payroll hours to be funded, on the basis of 2,088 hours per each FTE position. The departments of environmental quality and natural resources shall each report the number of funded FTE positions within 15 days after the effective date of this act. The number of classified employees compensated through each line item is limited by the authorized FTE positions indicated in this act, as adjusted for the number of reported funded FTE positions. Each report shall be provided to the house and senate appropriations subcommittees on environmental quality and natural resources, respectively, and the house and senate fiscal agencies by the deadlines provided in this section.

Sec. 208. (1) From the funds appropriated under this act, the departments of environmental quality and natural resources shall each prepare a report that lists all of the following regarding grant, loan, or grant and loan programs administered by the respective department for the fiscal year ending on September 30, 2010:

- (a) The name of each program.
- (b) The goals, criteria, filing fees, nominating procedures, eligibility requirements, processes, and deadlines for each program.
- (c) The maximum and minimum grant and loan available and whether there is a match requirement for each program.
- (d) The amount of any required match, and whether in-kind contributions may be used as part or all of a required match.
- (e) Information pertaining to the application process, the timeline for each program, and the contact people within the department.
- (f) The source of funds for each program, including the citation of pertinent authorizing acts.
- (g) Information regarding plans for the next fiscal year for the phaseout, expansion, or changes for each program.
- (h) A listing of all recipients of grants or loans awarded by the department by type and amount of grant or loan during the fiscal year ending September 30, 2009.

(2) The reports required under this section shall be submitted to the state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies by January 1, 2010.

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

Civil service commission	\$	876,100
Legislative auditor general.....		21,900
Attorney general.....		482,800
Department of management and budget.....		391,200
Department of treasury.....		1,793,300

Sec. 210. Before January 31, 2010, the department of natural resources, in cooperation with the Michigan state waterways commission, shall provide to the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies a list of projects completed by the commission in fiscal year 2008-2009, including the county and municipality in which each project is located.

Sec. 211. Pursuant to section 43703(3) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43703, there is appropriated from the game and fish protection trust fund to the game and fish protection account of the Michigan conservation and recreation legacy fund, \$6,000,000.00 for the fiscal year ending September 30, 2010.

Sec. 212. From the funds appropriated in part 1 for information technology, the departments of environmental quality and natural resources shall pay user fees to the department of information technology for technology-related services and projects. These user fees shall be subject to provisions of an interagency agreement between each respective department and the department of information technology.

Sec. 213. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2010 shall be limited to situations in which 1 or more of the following conditions apply:

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

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

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

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

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

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

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

(3) Not later than January 1 of each year, the department of environmental quality and the department of natural resources shall each 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 senate and house of representatives standing committees on appropriations, the senate and house 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. 214. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and comparable quality American goods or services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 215. The directors of the departments of environmental quality and natural resources shall each 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 respective department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 216. Neither the department of environmental quality nor the department of natural resources shall take disciplinary action against an employee for communicating truthfully and factually with a member of the legislature or his or her staff.

Sec. 217. (1) Funds appropriated in part 1 shall not be used by the department of environmental quality or the department of natural resources to adopt a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(2) As used in this section:

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

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

Sec. 218. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 219. The departments of environmental quality and natural resources shall each develop a plan for allocating restricted funds among department administrative support and regulatory activities. Each plan shall be submitted to the house and senate appropriations subcommittees on environmental quality and natural resources, respectively, by January 30, 2010. Each plan shall include a cost allocation plan for financial services support, office space rent and building occupancy charges, and support division service for information systems and technology and a methodology to use information generated through activity reports that identifies the percentage of employee time spent on restricted fund activities.

Sec. 220. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$33,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$200,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,500,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 221. Neither the department of environmental quality nor the department of natural resources shall approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless the professional development conference or training seminar is funded by a federal or private funding source and requires more than 1 person from the department to attend, or the conference or training seminar includes multiple issues in which 1 employee from the department does not have expertise. This section does not apply to meetings or to the purchase of excess federal equipment.

Sec. 222. Beginning December 2009 and every 2 months thereafter, the department of environmental quality and the department of natural resources shall each promptly report on the number of FTEs in pay status as of the first day of that month, by civil service classification. Each department shall submit the report to the house and senate appropriations subcommittees on environmental quality and natural resources, respectively, and the house and senate fiscal agencies.

Sec. 223. The departments of environmental quality and natural resources, in collaboration with the state budget office, shall each submit to the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, and the house and senate policy offices on or before March 1, 2010 a report on appropriated and supportable FTE positions within the enacted budget for the fiscal year ending September 30, 2010. The report shall contain all of the following information for each individual line item contained in the enacted budget:

(a) The number of FTEs to be funded from the line item.

(b) The amount that is proposed to be allocated to salary and wage and fringe benefit costs from the gross appropriation for the line item.

(c) The amount that is proposed to be allocated to salary and wage and fringe benefit costs from the gross appropriation for the line item on which was based the increase in the executive budget proposal from the amount appropriated for the line item in the department budget for the fiscal year ending September 30, 2010, if different from the amount in subdivision (b).

(d) The portion of the amount described in subdivision (b) that is proposed to be taken from each funding source identified in the budget.

(e) The gross salary and wage expenditures for the line item during the fiscal year ending September 30, 2009 and the estimated salary and wage expenditures for the line item during the fiscal year ending September 30, 2010.

(f) The estimated number of FTE positions supportable by the amount described in subdivision (b).

Sec. 224. (1) The department of environmental quality shall report all of the following information relative to allocations made from appropriations for the environmental cleanup and redevelopment program, state cleanup, emergency actions, superfund cleanup, the revitalization revolving loan program, the brownfield grants and loans program, the leaking underground storage tank cleanup program, the contaminated lake and river sediments cleanup program, the refined petroleum product cleanup program, and the environmental protection bond projects under section 19508(7) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19508, to the state budget director, the senate and house appropriations subcommittees on environmental quality, and the senate and house fiscal agencies:

(a) The name and location of the site for which an allocation is made.

(b) The nature of the problem encountered at the site.

(c) A brief description of how the problem will be resolved if the allocation is made for a response activity.

(d) The estimated date that site closure activities will be completed.

(e) The amount of the allocation, or the anticipated financing for the site.

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

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

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

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

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

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

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

Sec. 225. (1) The department of environmental quality is authorized to expend amounts remaining from the current and prior fiscal year appropriations to meet funding needs of legislatively approved sites for the environmental cleanup and redevelopment program, the leaking underground storage tank cleanup program, and the refined petroleum product cleanup program.

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

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

(4) Unexpended and unencumbered amounts remaining from appropriations from the clean Michigan initiative fund - response activities contained in 2000 PA 506, 2001 PA 120, 2003 PA 173, 2003 PA 237, 2004 PA 309, 2004 PA 350, 2005 PA 11, 2006 PA 343, and 2007 PA 121 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

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

(6) Unexpended and unencumbered amounts remaining from appropriations from the refined petroleum fund activities contained in 2005 PA 154, 2007 PA 121, and 2008 PA 247 are appropriated for expenditure for any site listed in this act and any site listed in the public acts referenced in this section.

Sec. 226. Of the money appropriated from the environmental education fund in part 1, \$5,000.00 shall be allocated to Michigan State University Extension Service - 4-H Youth Programs to fund the Michigan Youth Conservation Council.

Sec. 227. (1) The appropriation for the department of environmental quality in section 102(2) includes \$11,625,100.00 from restricted funds. This funding source shall support the restricted fund requirements, pursuant to subsection (4), for selected line items in the executive operations and administrative support appropriation unit.

(2) The appropriation for the department of environmental quality in section 102(10) includes \$1,163,000.00 from restricted funds. This funding shall support the restricted fund requirements, pursuant to subsection (4), for the criminal investigations appropriations.

(3) The appropriation in section 102(12) includes \$5,577,900.00 from restricted funds. This funding source shall support the restricted fund requirements, pursuant to subsection (3), for the information technology appropriation.

(4) The department of environmental quality shall adopt a cost allocation plan for revenue sources supporting line items listed in section 102(2), (10), and (12).

(5) The department of environmental quality shall provide a report on or before October 31, 2009 to the house and senate appropriations subcommittees on environmental quality and the house and senate fiscal agencies of the line item amounts and detailed revenue sources which support the restricted fund appropriations in section 102(2), (10), and (12).

Sec. 228. It is the intent of the legislature that the department of natural resources will be the successor agency to the department of environmental quality created by Executive Reorganization Order No. 1995-16, MCL 324.99903. In addition to the powers and duties provided by law to the department of natural resources, the department of natural resources will have the powers and duties provided to the department of environmental quality in Executive Reorganization Order No. 1995-16, MCL 324.99903, and the powers and duties otherwise provided to the department of environmental quality or the director of the department of environmental quality by law.

Sec. 229. The appropriations in this act assume the issuance and acceptance of an executive order by the governor for the purpose of consolidating the responsibilities and functions of the departments of environmental quality and natural resources. Any efficiency savings realized programs supported by general fund appropriations shall lapse and be credited to the state general fund. The amount of efficiency savings potentially to be realized through the consolidation of field offices and elimination of duplicative positions will be approximately \$2,000,000.00.

Sec. 230. Effective November 1, 2009, expenditures from section 102 shall not be allowed by the director of the department of environmental quality unless a notice of an intent to spend is provided to the speaker of the house of representatives, not later than 30 days before disbursements from allotted funds.

Sec. 231. Any permit application that has been submitted to and pending with the department of environmental quality for a period of 2 years or more shall be considered administratively complete effective January 1, 2010.

Sec. 232. (1) From the funds appropriated in part 1, the departments of environmental quality and natural resources shall each develop, post, and maintain on a user-friendly and publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.

(2) From the funds appropriated in part 1, neither the department of environmental quality nor the department of natural resources shall spend more than \$25,000.00 to implement this section or cause essential services to be diminished.

Sec. 233. The departments of environmental quality and natural resources shall receive and retain copies of all reports funded from appropriations in part 1. These departments shall follow federal and state guidelines for short-term and long-term retention of these reports. To the extent consistent with federal and state guidelines, the requirements of this section are satisfied if the reports funded from appropriations in part 1 are retained in electronic format.

Sec. 234. Unexpended settlement revenues at the end of the fiscal year may be carried forward into the settlement fund in the succeeding fiscal year up to a maximum carryforward of \$2,500,000.00.

Sec. 235. The departments of environmental quality and natural resources shall each annually report by December 31 to the state budget director, the senate and house appropriations committees, and the senate and house fiscal agencies an accounting of all civil and criminal fine revenue collected during the previous fiscal year and post its report on its website.

Sec. 236. Not later than September 30, 2010, the departments of environmental quality and natural resources shall each prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. These reports shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. These reports shall be transmitted to the office of the state budget, the chairpersons of the senate and house appropriations committees, and the senate and house fiscal agencies.

Sec. 237. (1) When managing and regulating best available retrofit technologies ("BART") under part 55 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.5501 to 324.5542, the department of environmental quality shall use proven science and representative data based upon professional peer review standards. If the department of environmental quality requests a permit holder to implement BART review, the department shall cite the specific scientific methods and provide data-based evidence to justify using the BART measure.

(2) If the department of environmental quality requests the permit holder to undertake a feasibility study to determine whether to utilize BART, the department of environmental quality shall reimburse the permit holder all costs associated with conducting the feasibility study. Reimbursement shall be made within 30 days of submission of costs by the permit holder.

Sec. 238. By July 1, 2010, the department of environmental quality shall prepare and submit a report to the state budget director, the legislature, the chairs of the standing committees of the senate and house of representatives with primary responsibility for issues related to natural resources and the environment, and the chairs of the subcommittees of the senate and house appropriations committees with primary responsibility for appropriations for the department, outlining the implementation of the Great Lakes water quality bond provided for in part 197 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.19701 to 324.19708, including, but not limited to, the amount of bonds issued and the date they were issued, the number of applications received for loans from the state water pollution control revolving fund created in section 16a of the shared credit rating act, 1985 PA 227, MCL 141.1066a, the total amount of loans requested, a listing of the applicants receiving loans and the total amount of loans provided to those applicants, a listing of applicants whose loan applications were not approved and the reasons why those applications were not approved, the amount of the loans granted that were leveraged from bond proceeds, and the remaining bond proceeds and bond authorization.

Sec. 239. The department of environmental quality shall perform a review of its programs to determine how its programs compare to similar programs in other Great Lakes states. The analysis shall include, but not be limited to, evaluation of permitting time, number of enforcement actions, stringency of the controlling law, and the cost of the relevant permits. The department of environmental quality shall report the findings of this review to the senate and house appropriations committees not later than April 1, 2010.

Sec. 240. The department of environmental quality shall engage in a process to determine efficiencies that can be made in the air permitting program, including renewable operating permits, the NPDES program, and the remediation and redevelopment program. The department of environmental quality shall report the findings of this effort to the senate and house appropriations committees not later than April 1, 2010.

Sec. 241. From the amounts appropriated in part 1, the department of environmental quality shall implement 2008 PA 389.

Sec. 242. Semiannually, the departments of environmental quality and natural resources shall each notify the senate and house appropriations subcommittees with primary responsibility for appropriations to the respective department, the senate and house fiscal agencies, and the state budget director of all requests made of the department under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, during the previous 6 months.

DEPARTMENT OF ENVIRONMENTAL QUALITY

LAND AND WATER MANAGEMENT

Sec. 301. It is the intent of the legislature that the level of funding for the wetland protection program under part 303 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.30301 to 324.30323, for the fiscal year ending September 30, 2010, will be augmented to maintain the level of the previous fiscal year by funds from an appropriate restricted use fund through a supplemental appropriation act.

REMEDICATION AND REDEVELOPMENT

Sec. 302. Revenues remaining in the interdepartmental transfers, laboratory services at the end of the fiscal year shall carry forward into the succeeding fiscal year.

Sec. 303. The unexpended funds appropriated in part 1 for emergency cleanup actions and the refined petroleum product cleanup program are considered work project appropriations and any unencumbered or unallotted funds are carried forward into the succeeding fiscal year. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

- (a) The purpose of the projects to be carried forward is to provide contaminated site cleanup.
- (b) The projects will be accomplished by contract.
- (c) The total estimated cost of all projects is identified in each line-item appropriation.
- (d) The tentative completion date is September 30, 2014.

Sec. 304. Effective October 1, 2009, surplus funds not to exceed \$1,000,000.00 in the cleanup and redevelopment trust fund are hereby appropriated to the environmental protection fund.

Sec. 305. Effective October 1, 2009, surplus funds not to exceed \$1,000,000.00 in the community pollution prevention fund are hereby appropriated to the environmental protection fund.

Sec. 306. It is the intent of the legislature to repay the refined petroleum fund for the \$70,000,000.00 that was transferred to the environmental protection fund as part of the resolution for the fiscal year 2006-2007 budget.

Sec. 308. The department of environmental quality shall not expend funds appropriated in part 1 if using operational memoranda or other similar documents that are in draft form to impose regulations on individuals or businesses conducting environmental cleanup projects, except as provided in part 213 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21301 to 324.21331, or when there is written consent between the department of environmental quality and the individual or business.

WASTE AND HAZARDOUS MATERIALS

Sec. 401. Effective October 1, 2009, surplus funds not to exceed \$1,500,000.00 in the solid waste management fund perpetual care account are appropriated to the solid waste management fund staff account.

Sec. 402. If a certified health department does not exist in a city, county, or district or does not fulfill its responsibilities under part 117 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11701 to 324.11720, then the department of environmental quality may spend funds appropriated in part 1 under the septage waste compliance program in accordance with section 11716 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11716.

WATER

Sec. 501. By February 1, 2010, the department of environmental quality shall submit a report on the department's use of the national pollutant discharge elimination system fund created in MCL 324.3121 for the previous fiscal year; to the senate and house appropriations subcommittees on environmental quality, the standing committees of the legislature with jurisdiction over issues primarily related to natural resources and the environment, and the senate and house fiscal agencies. The report shall include a summary of how the appropriations in part 1 for the NPDES nonstormwater program were used for the various permissible uses of the fund and shall include specific information on all of the following:

- (a) The number of compliance and complaint inspections completed, by category, the number of on-site compliance inspections conducted, and the number of compliance inspections that were not announced in advance to the permittee or licensee.
- (b) The number and percent of permit and license inspections that found the permittee or licensee to be in significant noncompliance, by category.
- (c) The number of administrative enforcement actions taken for permit or license violations and the results of the enforcement actions, including the amount of fines and penalties collected.

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

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

GRANTS

Sec. 601. Of the funds appropriated in part 1 for scrap tire grants, \$100,000.00 shall be available for grants to communities to cover scrap tire fire suppression costs, provided owner liability bonds and other available funding sources have been exhausted.

DEPARTMENT OF NATURAL RESOURCES

ADMINISTRATIVE SERVICES

Sec. 701. The department of natural resources may charge the appropriations contained in part 1, including all special maintenance and capital projects appropriated for the fiscal year ending September 30, 2010, for engineering services provided, a standard percentage fee to recover actual costs. The department of natural resources may use the revenue derived to support the engineering services charges provided for in part 1.

Sec. 702. The department of natural resources may charge land acquisition projects appropriated for the fiscal year ending September 30, 2010, and for prior fiscal years, a standard percentage fee to recover actual costs, and may use the revenue derived to support the land acquisition service charges provided for in part 1.

Sec. 703. The department of natural resources may charge both application fees and transaction fees related to the exchange or sale of state-owned land or rights in land authorized by part 21 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.2101 to 324.2162. The fees shall be set by the director of the department of natural resources at a rate which allows the department to recover its costs for providing these services.

Sec. 704. The department of natural resources shall prominently display in a prominent place in the fishing guide provided to each licensed fisher and paid for from the funds appropriated in part 1, the website address for the department of community health. In addition, the fishing guide shall include information on alternative sources where interested parties without Internet access may find information on fish advisories issued by the department of community health.

Sec. 705. Within 21 days after the end of the fiscal year ending September 30, 2010, the department of natural resources shall submit to the senate and house appropriations subcommittees on natural resources a report on all land transactions approved by the commission in the previous fiscal year. For each land transaction, the report shall include the size of the parcel, the county and municipality in which the parcel is located, the dollar amount of the transaction, the fund source affected by the transaction, and whether the transaction is by purchase, public auction, transfer, exchange, or conveyance.

WILDLIFE MANAGEMENT

Sec. 801. It is the intent of the legislature that, from the funds appropriated in part 1, the department of natural resources shall reimburse the department of agriculture for costs incurred for indemnification payments for livestock losses caused by wolves, coyotes, or cougars under the animal industry act, 1988 PA 466, MCL 287.701 to 287.745.

Sec. 802. From the funds appropriated in part 1, the department of natural resources shall submit semiannual reports to the state budget director, the senate and house appropriations subcommittees on natural resources, and the senate and house fiscal agencies that provide detail about enforcement actions taken to eradicate bovine tuberculosis, the number of infected deer found, new science it is working on to detect bovine tuberculosis, and other relevant information about the department's efforts to address the presence of bovine tuberculosis in this state.

FISHERIES MANAGEMENT

Sec. 901. As a condition of expenditure of fisheries management appropriations under part 1, the department of natural resources shall not impede the certification process for water control structures on Michigan waterways. The department of natural resources shall fund from funds appropriated in part 1 all non-water-quality studies or requirements that the department requests of either of the following:

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

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

Sec. 902. (1) From the appropriation in part 1 for aquatic resource mitigation, not more than \$758,000.00 shall be allocated for grants to watershed councils, resource development councils, soil conservation districts, local governmental units, and other nonprofit organizations for stream habitat stabilization and soil erosion control.

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

PARKS AND RECREATION

Sec. 1001. Pursuant to section 1902(2) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1902, there is appropriated from the Michigan natural resources trust fund to the Michigan state parks endowment fund an amount not to exceed \$10,000,000.00 for the fiscal year ending September 30, 2010.

Sec. 1002. The department of natural resources shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies if it intends to reduce operations or reduce recreation opportunities at any state park or recreation area.

Sec. 1003. The department of natural resources shall not alter or halt operations of the ski hill or demolish buildings related to the ski hill, the assistant manager residence, the 3-unit apartment building, or the carpenter's shop and garage in Porcupine Mountains Wilderness State Park. The department shall collaborate with travel Michigan for the marketing and promotion of the ski hill.

Sec. 1004. From the funds appropriated in part 1, the department shall maintain an appropriate number of defibrillators in state parks. State parks shall accept donations of defibrillators.

MACKINAC ISLAND STATE PARK

Sec. 1101. The funds collected by the Mackinac Island State Park commission for admission fees and store sales shall be deposited in the Mackinac Island State Park operation fund. Any funds remaining at the end of the fiscal year shall not lapse to the general fund, but shall carry forward and be available for appropriation in the subsequent fiscal year.

FOREST, MINERAL, AND FIRE MANAGEMENT

Sec. 1201. In addition to the funds appropriated in part 1, \$350,000.00 is appropriated to the department of natural resources to cover costs related to any declared emergency involving the collapse of any abandoned mine shaft located on state land. This appropriation shall not be expended unless the state budget director recommends the expenditure and the department of natural resources notifies the house and senate committees on appropriations.

Sec. 1202. The department of natural resources shall spend amounts appropriated in part 1 for forest-related activities to employ or contract for additional foresters to mark timber, pursuant to section 1203.

Sec. 1203. Of the funds appropriated in part 1, the department of natural resources shall, subject to the forest certification process, prescribe treatment on 63,000 acres, prepare appropriate treatment for not less than 58,000 acres at the current average rate of 12.5 to 15 cords per acre, and offer those cords for sale in 2010, provided that the

department shall take into consideration the impact of timber harvesting on wildlife habitat and recreation uses. The department of natural resources shall, subject to the forest certification process, increase marking or treatment of hardwood timber for sale and harvest by 10% over 2009 levels. In addition, the department of natural resources shall take into consideration silvicultural analysis and report annually to the legislature on plans and efforts to address factors limiting management of timber. The department of natural resources shall increase the number of prepared acres if it appears that regional market demand requires increased volumes of harvested timber. The department of natural resources shall provide quarterly reports on the number of acres treated, pursuant to this section, to the senate and house appropriations subcommittees on natural resources and the standing committees of the senate and house of representatives with primary responsibility for natural resources issues. The department of natural resources shall complete and deliver these reports no later than 45 days after the end of the fiscal quarter.

Sec. 1204. From the funds appropriated in part 1, the department of natural resources shall provide for a designated snowmobile route connecting the village of Bellaire to the Jordan River Trail across state-owned land with associated reasonable restrictions that mitigate negative impacts on the natural resources.

Sec. 1205. In addition to the money appropriated in this act, the department of natural resources may receive and expend money from federal sources for the purpose of providing response to wildfires as required by a compact with the federal government. If additional expenditure authorization is required, the department of natural resources shall notify the state budget office that expenditure under this section is required. The department of natural resources shall notify the house and senate appropriations subcommittees on natural resources and the house and senate fiscal agencies of the expenditures under this section by November 1, 2010.

Sec. 1206. The department of natural resources shall continue to work cooperatively with horseback riding interests to maximize riding opportunities in the state.

Sec. 1207. The department of natural resources shall work with the commission and stakeholders to review the current bidding process and implement changes as necessary to ensure that it meets state standards and promotes the purchase of state timber and shall report to the legislature on this issue by March 31, 2010.

LAW ENFORCEMENT

Sec. 1301. The appropriation in part 1 for snowmobile law enforcement grants shall be used by the department of natural resources to provide grants to county law enforcement agencies to enforce part 821 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82101 to 324.82160, including rules promulgated under that part and ordinances enacted pursuant to that part. The department of natural resources shall consider the number of enforcement hours and the number of miles of snowmobile trails in each county in allocating these grants. Any funds not distributed to counties revert back to the snowmobile registration fee subaccount created under section 82111 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.82111. Counties shall provide semiannual reports to the department of natural resources on the use of grant money received under this section.

Sec. 1302. From the funds appropriated in part 1, not less than 6 months before expiration of a contract or adoption of amendments to an existing contract with the concessionaire at the Island Lake shooting range, the department of natural resources shall notify in the least expensive method possible all residents within 5 miles of the shooting range and the state and local elected officials representing Green Oak Township in Livingston County of the contract expiration date or adoption of amendments to an existing contract. If the department of natural resources intends to extend or amend the contract with the concessionaire, it shall hold 1 public hearing in Livingston County on the matter not less than 60 days before execution.

GRANTS

Sec. 1401. Federal pass-through funds to local institutions and governments that are received in amounts in addition to those included in part 1 for grants to communities - federal oil, gas, and timber payments and that do not require additional state matching funds are appropriated for the purposes intended. By November 30, 2009, the department of natural resources shall report to the senate and house appropriations subcommittees on natural resources, the senate and house fiscal agencies, and the state budget director on all amounts appropriated under this section during the fiscal year ending September 30, 2009.

Sec. 1402. Subject to part 811 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.81101 to 324.81150, from the funds appropriated in part 1 for off-road vehicle trail improvements grants, not less than \$980,000.00 shall be spent on the development of new trails in accordance with the off-road vehicle trail expansion plan submitted to the legislature pursuant to section 807 of article 14 of 2005 PA 154.

CAPITAL OUTLAY

Sec. 1501. The appropriation made in this act for the harbors and docks program is for the purpose of participating with the federal government and assisting political entities and subdivisions of this state in the construction and improvement of recreational boating facilities within this state. Subject to the approval of the state administrative board, this money shall be allocated by the department of natural resources to the federal government, or to the political entities or local units of government involved in the particular projects. An allocation shall not exceed the state portion as listed with each project description. The department of natural resources shall take the steps necessary to match federal money available for the construction and improvement of recreational boating facilities within the state, and to meet requirements of the federal government.

Sec. 1502. (1) The director of the department of natural resources shall allocate lump-sum appropriations to the department of natural resources made in this act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

(2) The state budget director may authorize that funds appropriated for lump-sum appropriations shall be available for no more than 3 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 1503. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

MICHIGAN HISTORICAL PROGRAM

Sec. 1601. The federal funds appropriated in part 1 for the historic site preservation grants are for work projects and shall not lapse at the end of the fiscal year but shall continue to be available for expenditure until the projects for which the funds were reserved have been completed or are terminated. The purpose of these work projects is the identification, designation, rehabilitation, and preservation of historic resources. The method used will be to solicit applications, score applications based upon established criteria, and award subgrants. The department of natural resources shall execute a grant agreement with each recipient. The total cost is \$85,000.00, and the tentative completion date is September 30, 2010.

Sec. 1602. Funds collected by the department of natural resources under sections 6, 7, and 7a of 1913 PA 271, MCL 399.6, 399.7, and 399.7a, are appropriated to the department of natural resources for the purposes for which they were received, upon receipt.

Sec. 1603. For the purposes of administering the museum store as provided in section 7a of 1913 PA 271, MCL 399.7a, the department of natural resources is exempt from section 261 of the management and budget act, 1984 PA 431, MCL 18.1261.

Sec. 1604. From the funds appropriated in part 1 for historical administration and services, \$25,000.00 shall be allocated to support the operations of the Michigan freedom trail commission as specified in section 4 of the Michigan freedom trail commission act, 1998 PA 409, MCL 399.84. These funds shall be used to reimburse commission members, to pay for necessary contractual services of the commission, and to hire not more than 1.0 FTE position in the Michigan historical center to support commission operations.

Sec. 1605. Proceeds in excess of costs incurred in the conduct of auctions, sales, or transfers of artifacts no longer considered suitable for the collections of the state historical museum are appropriated to the department of natural resources and may be expended upon receipt for additional material for the collection. The department of natural

resources shall notify the chairpersons, vice chairpersons, and minority vice chairpersons of the senate and house appropriations subcommittees on natural resources 1 week prior to any auctions or sales.

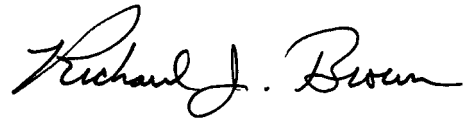
CONSOLIDATION SAVINGS

Sec. 1701. (1) The negative appropriation for department consolidation savings in part 1 shall be satisfied by savings realized through the elimination of duplicative administrative functions, state and private lease space consolidation, and other efficiency savings made possible through a reorganization of the department of environmental quality and the department of natural resources into a single state department.

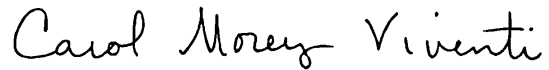
(2) The negative appropriation for consolidation savings in part 1 shall be satisfied by efficiencies and other savings identified by the department director and approved by the state budget director. The director shall submit a plan to satisfy this negative appropriation 30 days after the effective date of an executive order issued for the purpose of creating a single state department from the functions and units of the departments of environmental quality and natural resources.

(3) Appropriation adjustments required due to negative appropriations for consolidation savings shall be made only after legislative approval of transfers pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

Act No. 119
Public Acts of 2009
Approved by the Governor*
October 14, 2009
Filed with the Secretary of State
October 14, 2009
EFFECTIVE DATE: October 14, 2009

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*Item Vetoes

Sec. 107. ENVIRONMENTAL STEWARDSHIP	
Local conservation districts	\$ 236,900 (Page 4)
Sec. 109. AGRICULTURE DEVELOPMENT	
Michigan agricultural surplus system	\$ 540,100 (Page 4)
Sec. 110. FAIRS AND EXPOSITIONS	
Fairs, racing and producer security—9.5 FTE positions.....	\$ 1,168,900 (Page 5)
Premiums - county and state fairs.....	347,800
Building and track improvement - county and state fairs	129,000
Purses and supplements - fairs/licensed tracks.....	1,434,300
Licensed tracks - light horse racing	79,900
Standardbred breeders' awards	586,400
Standardbred purses and supplements - licensed tracks	1,083,000
Standardbred sire stakes	490,100
Standardbred training and stabling	21,800
Thoroughbred owners' awards	75,100
Thoroughbred program.....	1,452,500
Thoroughbred sire stakes.....	502,300
Distribution of outstanding winning tickets	423,600
Sec. 111. OFFICE OF RACING COMMISSIONER	
Office of racing commissioner—30.0 FTE positions.....	\$ 2,500,000 (Page 5)
Sec. 604.	
Entire Section. (Page 11)	
Sec. 702.	
Entire Section. (Page 12)	
Sec. 712.	
Entire Section. (Page 12)	
Sec. 801.	
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Sec. 802.	
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Sec. 803.	
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Sec. 804.	
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Sec. 806.

Entire Section. (Page 13)

Sec. 807.

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Sec. 808.

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Sec. 809.

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Sec. 811.

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Sec. 901.

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Sec. 902.

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Sec. 903.

Entire Section. (Page 14)

Sec. 904.

Entire Section. (Page 14)

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2009**

Introduced by Senator Brown

ENROLLED SENATE BILL No. 237

AN ACT to make appropriations for the department of agriculture for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain 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 department of agriculture for the fiscal year ending September 30, 2010, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF AGRICULTURE

APPROPRIATION SUMMARY

Full-time equated unclassified positions	2.0	
Full-time equated classified positions	591.5	
GROSS APPROPRIATION		\$ 84,630,400
Interdepartmental grant revenues:		
IDG from MDCH, food bank		120,100
IDG from MDELEG (LCC), liquor quality testing fees		191,900
IDG from MDELEG		300,000
IDG from MDEQ, biosolids.....		93,800
IDG from MDEQ, MAEAP		351,600
IDG from MDHS, food bank.....		150,000
IDG from MDNR, cervid fees		75,000
Total interdepartmental grants and intradepartmental transfers.....		1,282,400
ADJUSTED GROSS APPROPRIATION		\$ 83,348,000
Federal revenues:		
DAG, multiple grants.....		11,907,200
EPA, multiple grants		1,586,300
HHS-FDA		1,637,600
United States department of labor		400,000
Total federal revenues		15,531,100

Special revenue funds:	
Total local revenues.....	\$ 0
Private - slow-the-spread foundation.....	152,600
Private - commodity group revenue	90,600
Total private revenues.....	243,200
Agricultural preservation fund.....	3,400,000
Agriculture equine industry development fund.....	7,678,800
Agriculture pollution prevention fund.....	100
Animal welfare fund.....	138,000
Commodity inspection fees	1,117,700
Consumer and industry food safety education fund.....	264,800
Dairy and food safety fund	2,874,300
Freshwater protection fund.....	5,230,600
Gasoline inspection and testing fund.....	2,735,800
Horticulture fund.....	82,000
Industry support funds.....	724,700
Licensing and inspection fees.....	4,142,300
Migrant housing inspection fees	110,000
Migratory labor housing fund.....	25,000
Nonretail liquor fees	682,800
Refined petroleum fund.....	3,454,900
State services fee fund	3,200,700
Testing fees	434,500
Weights and measures regulation fees	688,300
Total other state restricted revenues	36,985,300
State general fund/general purpose	\$ 30,588,400

Sec. 102. EXECUTIVE

Full-time equated unclassified positions	2.0
Full-time equated classified positions.....	41.5
Commissions and boards	\$ 23,800
Unclassified positions—2.0 FTE positions.....	213,300
Executive direction—10.0 FTE positions	973,800
Management services—24.0 FTE positions.....	1,840,900
Statistical reporting service—1.0 FTE position	145,000
Emergency management—6.5 FTE positions.....	747,100
GROSS APPROPRIATION	\$ 3,943,900

Appropriated from:

Federal revenues:	
HHS-FDA	500,000
Special revenue funds:	
Private - commodity group revenue	79,700
Gasoline inspection and testing fund.....	66,300
Industry support funds.....	36,500
Nonretail liquor fees	8,800
Refined petroleum fund.....	54,700
State general fund/general purpose	\$ 3,197,900

Sec. 103. DEPARTMENTWIDE

Rent and building occupancy charges.....	\$ 421,100
GROSS APPROPRIATION	\$ 421,100

Appropriated from:

Federal revenues:	
DAG, multiple grants.....	79,400
EPA, multiple grants	60,900
HHS-FDA	13,100
Special revenue funds:	
Agricultural preservation fund	23,900

	For Fiscal Year Ending Sept. 30, 2010
Freshwater protection fund.....	\$ 9,500
Licensing and inspection fees.....	59,100
Nonretail liquor fees	7,800
Refined petroleum fund.....	114,000
State services fee fund	53,400
State general fund/general purpose	\$ 0
 Sec. 104. FOOD AND DAIRY	
Full-time equated classified positions.....	115.0
Food safety and quality assurance—115.0 FTE positions	\$ 12,539,700
GROSS APPROPRIATION	\$ 12,539,700
Appropriated from:	
Federal revenues:	
DAG, multiple grants.....	58,300
HHS-FDA	412,200
Special revenue funds:	
Consumer and industry food safety education fund.....	264,800
Dairy and food safety fund	2,874,300
State general fund/general purpose	\$ 8,930,100
 Sec. 105. ANIMAL INDUSTRY	
Full-time equated classified positions.....	70.0
Animal health and welfare—21.5 FTE positions	\$ 2,290,800
Bovine tuberculosis program—48.5 FTE positions.....	7,338,300
GROSS APPROPRIATION	\$ 9,629,100
Appropriated from:	
IDG from MDNR, cervid fees	75,000
Federal revenues:	
DAG, multiple grants.....	1,178,200
HHS-FDA	73,000
Special revenue funds:	
Animal welfare fund.....	138,000
Licensing and inspection fees.....	108,000
State general fund/general purpose	\$ 8,056,900
 Sec. 106. PESTICIDE AND PLANT PEST MANAGEMENT	
Full-time equated classified positions.....	134.5
Pesticide and plant pest management—110.0 FTE positions	\$ 11,929,300
Emerald ash borer control program—24.5 FTE positions	3,034,200
GROSS APPROPRIATION	\$ 14,963,500
Appropriated from:	
Interdepartmental grant revenues:	
Federal revenues:	
DAG, multiple grants.....	4,568,300
EPA, multiple grants	919,200
HHS-FDA	96,300
Special revenue funds:	
Private - slow-the-spread foundation.....	152,600
Commodity inspection fees	1,117,700
Horticulture fund.....	82,000
Industry support funds.....	351,600
Licensing and inspection fees.....	3,660,500
State general fund/general purpose	\$ 4,015,300
 Sec. 107. ENVIRONMENTAL STEWARDSHIP	
Full-time equated classified positions.....	51.0
Environmental stewardship—27.0 FTE positions.....	\$ 2,582,500
Groundwater and freshwater protection program—15.0 FTE positions	5,255,100

	For Fiscal Year Ending Sept. 30, 2010
Farmland and open space preservation—9.0 FTE positions.....	\$ 1,006,900
Agriculture pollution prevention program.....	1,000,100
Local conservation districts	236,900
Migrant labor housing.....	425,100
GROSS APPROPRIATION	\$ 10,506,600
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDEQ, biosolids.....	93,800
IDG from MDEQ, MAEAP	351,600
Federal revenues:	
DAG, multiple grants.....	1,000,000
EPA, multiple grants	255,000
United States department of labor	400,000
Special revenue funds:	
Agricultural preservation fund	875,900
Agriculture pollution prevention fund	100
Freshwater protection fund.....	5,221,000
Migrant housing inspection fees	110,000
Migratory labor housing fund.....	25,000
State general fund/general purpose	\$ 2,174,200
 Sec. 108. LABORATORY PROGRAM	
Full-time equated classified positions.....	131.0
Laboratory services—63.0 FTE positions	\$ 5,893,100
USDA monitoring—17.0 FTE positions.....	2,171,700
Consumer protection program—51.0 FTE positions	5,237,400
GROSS APPROPRIATION	\$ 13,302,200
Appropriated from:	
Interdepartmental grant revenues:	
IDG from MDELEG (LCC), liquor quality testing fees	189,100
Federal revenues:	
DAG, multiple programs	2,193,700
EPA, multiple programs.....	351,200
HHS-FDA	543,000
Special revenue funds:	
Agriculture equine industry development fund.....	519,700
Gasoline inspection and testing fund.....	2,562,500
Licensing and inspection fees.....	76,300
Refined petroleum fund.....	3,286,200
Testing fees	434,500
Weights and measures regulation fees	688,300
State general fund/general purpose	\$ 2,457,700
 Sec. 109. AGRICULTURE DEVELOPMENT	
Full-time equated classified positions.....	9.0
Agriculture development—6.0 FTE positions.....	\$ 2,477,000
Grape and wine program—3.0 FTE positions.....	722,200
Michigan agricultural surplus system.....	540,100
GROSS APPROPRIATION	\$ 3,739,300
Appropriated from:	
Interdepartmental grant revenues:	
IDG from DHS, food bank	150,000
IDG from MDCH, food bank	120,100
IDG from MDELEG	300,000
Federal revenues:	
DAG, multiple grants.....	1,579,300
Special revenue funds:	
Private - commodity group revenue	10,900
Industry support funds.....	316,000

	For Fiscal Year Ending Sept. 30, 2010
Nonretail liquor fees	\$ 665,700
State services fee fund	270,000
State general fund/general purpose	\$ 327,300

Sec. 110. FAIRS AND EXPOSITIONS

Full-time equated classified positions.....	9.5	
Fairs, racing and producer security—9.5 FTE positions	\$	1,168,900
Premiums - county and state fairs		347,800
Building and track improvement - county and state fairs		129,000
Purses and supplements - fairs/licensed tracks		1,434,300
Licensed tracks - light horse racing.....		79,900
Standardbred breeders' awards.....		586,400
Standardbred purses and supplements - licensed tracks		1,083,000
Standardbred sire stakes		490,100
Standardbred training and stabling		21,800
Thoroughbred owners' awards.....		75,100
Thoroughbred program		1,452,500
Thoroughbred sire stakes		502,300
Distribution of outstanding winning tickets		<u>423,600</u>
GROSS APPROPRIATION	\$	<u>7,794,700</u>
Appropriated from:		
Special revenue funds:		
Agriculture equine industry development fund.....		6,832,300
Industry support funds.....		20,600
Licensing and inspection fees.....		163,500
State services fee fund		477,300
State general fund/general purpose	\$	301,000

Sec. 111. OFFICE OF RACING COMMISSIONER

Full-time equated classified positions.....	30.0	
Office of racing commissioner—30.0 FTE positions.....	\$	<u>2,500,000</u>
GROSS APPROPRIATION	\$	<u>2,500,000</u>
Appropriated from:		
Special revenue funds:		
Agriculture equine industry development fund.....		100,000
State services fee fund		2,400,000
State general fund/general purpose	\$	0

Sec. 112. INFORMATION AND TECHNOLOGY

Information technology services and projects.....	\$	<u>1,540,300</u>
GROSS APPROPRIATION	\$	<u>1,540,300</u>
Appropriated from:		
Interdepartmental grant revenues:		
IDG from MDELEG (LCC), liquor quality testing fees		2,800
Special revenue funds:		
Agricultural preservation fund		200
Agriculture equine industry development fund.....		226,800
Gasoline inspection testing fund		107,000
Freshwater protection fund.....		100
Licensing and inspection fees.....		74,900
Nonretail liquor fees		500
State general fund/general purpose	\$	1,128,000

Sec. 113. CAPITAL OUTLAY

Farmland and open space development acquisition.....	\$	<u>3,750,000</u>
GROSS APPROPRIATION	\$	<u>3,750,000</u>
Appropriated from:		
Federal revenues:		
DAG, multiple grants.....		1,250,000

Special revenue funds:		
Agriculture preservation fund	\$	2,500,000
State general fund/general purpose	\$	0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2009-2010 is \$67,573,700.00 and state spending from state resources to be paid to local units of government for fiscal year 2009-2010 is \$1,500,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF AGRICULTURE

Groundwater and freshwater protection program	\$	1,500,000
TOTAL.....	\$	1,500,000

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) "DAG" means the United States department of agriculture.
- (b) "Department" means the department of agriculture.
- (c) "Director" means the director of the department.
- (d) "EPA" means the United States environmental protection agency.
- (e) "FTE" means full-time equated.
- (f) "HHS-FDA" means the United States department of health and human services - food and drug administration.
- (g) "IDG" means interdepartmental grant.
- (h) "MAEAP" means the Michigan agriculture environmental assurance program.
- (i) "MDCH" means the Michigan department of community health.
- (j) "MDELEG" means the Michigan department of energy, labor, and economic growth.
- (k) "MDELEG (LCC)" means the Michigan department of energy, labor, and economic growth - liquor control commission.
- (l) "MDEQ" means the Michigan department of environmental quality.
- (m) "MDHS" means the Michigan department of human services.
- (n) "USDA" means the United States department of agriculture.

Sec. 204. The civil service commission shall bill departments and agencies at the end of the first fiscal quarter for the charges 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 state budget director may grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, causes loss of

revenue to the state, would result in the inability of the state to receive federal funds, or would necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house 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, the department shall use the Internet to fulfill the reporting requirements of this act. This requirement shall include transmission of reports via electronic mail to the recipients identified for each reporting requirement and shall 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. In addition, preference should be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

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

Sec. 212. (1) Of the funds appropriated in part 1, the department may provide for indemnity as provided for pursuant to the animal industry act, 1988 PA 466, MCL 287.701 to 287.745, not to exceed \$100,000.00 per order from any line item for the fiscal year ending September 30, 2010. Before the department provides for an indemnification under this section, the department shall report the reason for the indemnification, the amount of the indemnification, and to whom the indemnification is to be paid. The report shall be given to each member of the senate and house appropriations subcommittees on agriculture and to the senate and house fiscal agencies and the state budget director.

(2) The department of agriculture shall make an indemnification payment for the fair market value of livestock killed by a wolf, coyote, or cougar, if the kill is verified by the department of natural resources. The fair market value of the livestock shall be determined pursuant to the indemnification procedures prescribed in the animal industry act, 1988 PA 466, MCL 287.701 to 287.745. In addition to the funds appropriated in part 1, the department of agriculture is authorized to expend the funds received from the department of natural resources to reimburse the department of agriculture for all indemnification payments made pursuant to this subsection.

Sec. 214. Of the funds appropriated in part 1 that are other than line-item grants, the department shall not provide grants to local government agencies, institutions of higher education, or nonprofit organizations unless the department provides notice of the grant to the senate and house appropriations subcommittees on agriculture at least 10 days before the grant is issued. The grants shall be used to support research or other related activities for the purpose of enhancing the agricultural industries in this state.

Sec. 215. From the funds appropriated in part 1, the department shall use an amount not to exceed \$10,000.00 to develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made. The department shall not be required to hire additional employees to comply with this section.

Sec. 219. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of information technology for technology-related services and projects. The user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 220. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 223. (1) Due to the current budgetary problems in this state, out-of-state travel 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) 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 senate and house appropriations committees, the senate and house 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. 224. The department shall not take disciplinary action against an employee for truthfully to the best of his or her knowledge communicating with a member of the legislature or his or her staff.

Sec. 228. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$6,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

Sec. 229. (1) The department shall report no later than April 1, 2010 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the senate and house appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.

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

(3) As used in this section:

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

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

Sec. 230. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 231. From the funds appropriated in part 1 for salaries and benefits, the department shall provide funding in the pesticide and plant pest management, food and dairy, animal industry, environmental stewardship and laboratory divisions for not less than 315 employees who provide direct service to the public or substantially support the work of

those who provide direct service. Expenditures shall be made so that these divisions continue to provide service to protect the public health, safety, and welfare and environment.

Sec. 232. From the funds appropriated in part 1, the director shall implement continuous improvement efficiency mechanisms in the programs administered by the department. The continuous improvement efficiency mechanisms shall identify changes made in programs to increase efficiency and reduce expenditures in the programs. On March 31, 2010 and September 30, 2010, the director shall submit a report to the state budget director, the senate and house appropriations subcommittees, and the senate and house fiscal agencies on the progress made toward increased efficiencies in departmental programs. At a minimum, each report shall include information on the program review process, the type of improvement mechanisms implemented, and actual and projected expenditure savings as a result of the increased program efficiencies.

Sec. 234. The department shall not approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless the professional development conference or training seminar is funded by a federal or private funding source and requires more than 1 person from a department to attend, or the conference or training seminar includes multiple issues in which 1 employee from the department does not have expertise.

Sec. 235. Available funds from the appropriation in part 1 may be provided to the C.S. Mott group for sustainable food systems at Michigan State University to plan for and coordinate a matched savings tool for Michigan's emerging farmers and to leverage federal funds for the purpose of developing and enhancing local markets for Michigan agricultural products.

Sec. 236. All appropriations in part 1 from the agriculture equine industry development fund shall be spent for equine-related purposes.

Sec. 237. Not later than September 30, 2010, the department shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house appropriations committees, and the senate and house fiscal agencies.

Sec. 238. On a bimonthly basis, the department shall report on the number of FTEs in pay status by civil service classification to the house and senate appropriations subcommittees on agriculture and the house and senate fiscal agencies.

EXECUTIVE

Sec. 302. (1) The department may receive and expend revenue and use that revenue to cover necessary expenses related to publications, audit and licensing functions, livestock sales, certification of nursery stock, bean inspection services, and laboratory analyses as specified in the following:

- (a) Management services publications.
- (b) Management services audit and licensing functions.
- (c) Pesticide and plant pest management propagation and certification of virus-free foundation stock.
- (d) Pesticide and plant pest management bean inspection and grading services.
- (e) Laboratory support testing for testing horses in draft horse pulling contests at county fairs when local jurisdictions request state assistance.
- (f) Laboratory support analyses to determine foreign substances in horses engaged in racing or pulling contests at tracks.
- (g) Laboratory support analyses of food, livestock, and agricultural products for disease, foreign products for disease, toxic materials, foreign substances, and quality standards.
- (h) Laboratory support test samples for other agencies and organizations.
- (i) Fruit and vegetable inspection at shipping and termination points and processing plants.

(2) The department shall notify the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies 30 days prior to proposing changes in fees authorized under this section or under section 5 of 1915 PA 91, MCL 285.35.

(3) Annually, before February 1, the department shall provide a report to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies detailing all the fees charged by the department under the authorization provided in this section, including, but not limited to, rates, number of individuals paying each fee, and the revenue generated by each fee in the previous fiscal year.

Sec. 304. (1) To ensure motor fuel quality and quantity, the department shall maintain the motor fuel quality program and shall not reduce program level of effort below that of the 2006-2007 fiscal year. Notwithstanding the provisions of section 205, the department shall maintain field and laboratory staff for the motor fuel quality program.

(2) On or before January 1 and every 6 months thereafter, the department shall report to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies the results of both complaint-based and random-based inspections, including the number of inspections performed, samples collected, and compliance rates.

Sec. 306. From the funds appropriated in section 102, private funds for agricultural statistics shall be used to match state funds at not less than 50% of study costs.

FOOD AND DAIRY

Sec. 401. The department shall monitor restaurant inspection and licensing functions carried out by local health departments to ensure uniform application and enforcement of minimum program requirements.

Sec. 402. Not later than April 1, 2010, the department shall provide a report to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies describing significant food-borne outbreaks and emergencies, including any enforcement actions taken related to food safety during the 2008-2009 fiscal year.

Sec. 404. From the funds appropriated in section 104 for food safety and quality assurance, not less than \$150,000.00 from the consumer and industry food safety education fund shall be expended for purposes required under section 4117 of the food law of 2000, 2000 PA 92, MCL 289.4117, including the statewide training and education to consumers on food safety and the training and education on food safety to food service establishment employees and department employees and agents who enforce section 4117 of the food law of 2000, 2000 PA 92, MCL 289.4117.

Sec. 406. Notwithstanding the provisions of section 205, the department is authorized to fill open positions in the food and dairy inspection program.

Sec. 407. Of the funds appropriated in part 1 for food safety and quality assurance, no less than \$3,098,000.00 shall be expended for dairy inspections.

ANIMAL INDUSTRY

Sec. 450. From the funds appropriated in section 105 for the bovine tuberculosis program, the department shall reimburse the department of natural resources for those costs associated with monitoring and testing wildlife for bovine tuberculosis that are necessary to support the department goals and are jointly agreed to by the department and the department of natural resources to be in excess of efforts necessary to effectively plan and execute the eradication of bovine tuberculosis from Michigan's wild free-ranging deer herd.

Sec. 451. From the funds appropriated in section 105 for bovine tuberculosis, the department shall pay for all whole herd testing costs and individual animal testing costs in the modified accredited zone to maintain split-state status requirements. These costs include indemnity and compensation for injury causing death or downer to animals.

Sec. 452. The department shall apply for all federal and private funds for which it is eligible that can be used to support the bovine tuberculosis program.

Sec. 454. The department shall use its resources to collaborate with the United States department of agriculture to obtain TB-free status for the area of the Lower Peninsula that is zoned as modified accredited advanced. The department shall also aggressively work toward eradicating bovine TB in the modified accredited zone.

Sec. 455. The department shall prepare a plan to provide for cattle without official identification that may arrive at a saleyard. If an animal arrives untagged at a saleyard without official identification, the saleyard may charge a fee for the tag and for application. The tag may be purchased by and identified to the saleyard. The saleyard shall maintain records for all animals tagged on its premises. The department plan shall be in compliance with the "Michigan Bovine TB Eradication Program - Application for TB-Free/Modified Accredited Status", April 2007.

Sec. 456. Of the funds appropriated in part 1, no funds shall be used to enforce the mandatory electronic animal identification program for any domestic animals other than cattle until specific procedures and guidelines for electronic animal identification are outlined in statute.

Sec. 457. On or before October 15, 2009, and on a quarterly basis thereafter, the department shall report to the senate and house agriculture committees, the senate and house appropriations subcommittees on agriculture, and the senate and house fiscal agencies on the department's progress toward meeting the USDA requirements as outlined in the March 2007 bovine TB program review. The report shall include, but is not limited to, information and data on: wildlife risk mitigation plan implementation in the modified accredited zone; implementation of a movement certificate process; progress toward annual surveillance test requirements set out in the June 2007 MOU; compliance efforts and rates for animals crossing the Mackinac Bridge; efforts to work with slaughter facilities in Michigan, as well as those that slaughter a significant number of animals from Michigan; educational programs and information for Michigan's livestock community; any other item the legislature should be aware of that will promote or hinder efforts to achieve bovine TB-free status for Michigan.

Sec. 458. From the funds appropriated in section 105 for animal industry, the department shall provide inspection and testing of aquaculture facilities and aquaculture researchers as provided under the Michigan aquaculture development act, 1996 PA 199, MCL 286.877. It is the intent of the legislature that the department shall work with aquaculture facilities and aquaculture researchers to identify, contain, and eradicate viral hemorrhagic septicemia in this state.

Sec. 459. Notwithstanding the provisions of section 205, the department is authorized to fill open positions in the bovine tuberculosis program.

Sec. 460. Of the appropriation in section 105 for animal health and welfare, budgetary reductions for the fiscal year ending September 30, 2010 shall not be taken from the aquaculture program, but shall be taken from other programs funded in the animal health and welfare appropriation line item.

PESTICIDE AND PLANT PEST MANAGEMENT

Sec. 551. It is the intent of the legislature that the department work with the fruit and vegetable industry to ensure the development of a sustainable system of third-party inspections of fruits and vegetables.

ENVIRONMENTAL STEWARDSHIP

Sec. 603. The department shall apply for all federal funds for which it is eligible that can be used to support the migrant labor housing program.

Sec. 604. The department shall work with the conservation districts on the most effective and efficient use of the funding provided in section 107. Funds should be used to help draw down federal funding and support land conservation projects.

Sec. 606. The department shall actively search for all possible funding sources to be used to match federal funds in the USDA environmental quality incentives program.

Sec. 607. It is the intent of the legislature that the department continue its activities in support of intercounty drainage districts as provided in chapter 5 of the drain code of 1956, 1956 PA 40, MCL 280.101 to 280.106.

Sec. 608. Of the appropriation in section 107 for environmental stewardship, budgetary reductions for the fiscal year ending September 30, 2010 shall not be taken from the right-to-farm program, but shall be taken from other programs funded in the environmental stewardship appropriation line item.

Sec. 609. It is the intent of the legislature that the department work with industry to develop a fee for migrant worker housing inspections. The proposed fee shall not exceed \$5.00 per worker and should be designed to become effective no later than April 1, 2010.

Sec. 610. From the appropriation in section 107 for environmental stewardship, the appropriation of \$130,000.00 from the general fund for water withdrawal assessment shall be contingent upon the department inputting the data received in compliance with water use reporting requirements as provided for under MCL 324.32708(3).

AGRICULTURE DEVELOPMENT

Sec. 702. In any given year when insufficient amounts of Michigan surplus products are offered to the food bank council and accepted for distribution, unused funds may be applied by the food bank council for the direct purchase of foods from Michigan growers, manufacturers, or wholesalers.

Sec. 705. The appropriation in section 109 for the export market development program shall be used to coordinate state participation in the federal market access program and to leverage federal and private funds for the purpose of developing new and enhancing existing export markets for Michigan agricultural products.

Sec. 706. Not later than April 1, 2010, the department shall provide a report to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies describing the department's agriculture development and export market development activities. The report shall identify grants awarded during the prior fiscal year, including a description of federal or private funds made available as a result of department activities.

Sec. 707. In awarding grants from the agricultural development fund created under the Julian-Stille value-added act, 2000 PA 322, MCL 285.301 to 285.304, the department shall give due consideration to the diversity of Michigan agriculture and its economic importance.

Sec. 709. (1) Not later than April 1, 2010, the department shall provide a report to the senate and house appropriations subcommittees on agriculture and the senate and house fiscal agencies describing the activities of the grape and wine industry council established under section 303 of the Michigan liquor control act of 1998, 1998 PA 58, MCL 436.1303.

(2) The report shall include all of the following:

(a) Council activities and accomplishments for the previous fiscal year.

(b) Council expenditures for the previous fiscal year by category of administration, industry support, research and education grants, and promotion and consumer education.

(c) Grants awarded during the prior fiscal year and the results of research grant projects completed during the prior fiscal year.

Sec. 710. The department may match external funding for domestic and international marketing programs for the purpose of developing new and enhancing existing export markets for Michigan agricultural products.

Sec. 711. In accordance with chapter 8B of the Michigan strategic fund act, 1984 PA 270, MCL 125.2089 to 125.2089d, it is the intent of the legislature that the Michigan strategic fund, its employees, contract employees, and individuals working on its behalf collaborate with the Michigan department of agriculture to promote business development of Michigan agricultural products to achieve outcomes that include, but are not limited to, increases in export sales, increases in the number of retailers carrying Michigan commodities both within and outside of this state, and increased sales of Michigan products at chain grocers.

Sec. 712. The funds appropriated in part 1 from MDELEG for agriculture development and export market development program shall be used to foster and promote growth in the food and agriculture sector. By September 30, 2010, the department shall report to the senate and house appropriations subcommittees on agriculture and economic development, the senate and house fiscal agencies, and the state budget director on the use of these funds and how the funds facilitated growth in the food and agriculture sector.

Sec. 713. Of the funds appropriated in part 1 for agricultural development, \$100,000.00 shall be expended for the purpose of agricultural export market development.

FAIRS AND EXPOSITIONS

Sec. 801. Within 60 days of the close of each fiscal quarter, the department shall report to the state budget director, the senate and house subcommittees on agriculture, and the senate and house fiscal agencies on the agriculture equine industry development fund established in section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431.320. The report shall do all of the following:

(a) Identify actual revenue through the preceding fiscal quarter and projected revenue and fund balance through the end of the fiscal year.

(b) Identify simulcast racing revenue generated by each licensed track, revenue from license fees, revenue generated from the casino wagering tax, and revenue from other sources.

(c) Identify the spending targets or budgeted amounts from the fund by line item for the fiscal year and compare the spending targets to the appropriated amounts for each line item.

Sec. 802. From the amount appropriated in section 110 for purses and supplements - fairs/licensed tracks, \$220,000.00 is to be used for state purse supplements at state licensed pari-mutuel tracks for races comprised only of Michigan-bred horses segregated into a 4-year-old colt trot division, a 4-year-old filly trot division, a 4-year-old colt pace division, and a 4-year-old filly pace division.

Sec. 803. Included in the appropriation made in section 110 for the thoroughbred program is \$23,500.00 for the Michigan united thoroughbred breeders and owners association to conduct a thoroughbred yearling show. The Michigan united thoroughbred breeders and owners association shall submit to the department an itemized list of expenses showing that the expenses of the yearling show were paid.

Sec. 804. From the funds appropriated in section 110 for thoroughbred owners' awards, awards shall be distributed pursuant to section 20 of the horse racing law of 1995, 1995 PA 279, MCL 431.320.

Sec. 805. All appropriations from the agriculture equine industry development fund shall be reduced proportionately if revenues to the agriculture equine industry development fund decline during the fiscal year ending September 30, 2010 to a level lower than the amount appropriated in part 1.

Sec. 806. A county fair, district fair, 4-H fair, or state fair receiving funds in section 110 to be used for prizes or awards, in whole or in part, as a condition precedent to the receiving of the funds for those purposes, shall publish the rules relative to the prizes, awards, and deadlines for entries eligible for the funds in their official premium books or lists relative to the prizes or awards. An aggrieved exhibitor may make a written complaint to the fair within 10 days after the fair ends. If the fair has not satisfactorily settled the grievance within 45 days after it is submitted to the fair, the aggrieved person may file the complaint with the department and the department shall investigate the complaint and make a finding of fact regarding the complaint and take appropriate action regarding the complaint.

Sec. 807. Of the amount appropriated in section 110 for purses and supplements - fairs/licensed tracks, a sufficient amount is appropriated to provide for overnight purse supplements pursuant to the horse racing law of 1995, 1995 PA 279, MCL 431.301 to 431.336.

Sec. 808. Of the amount appropriated in section 110 for premiums - county and state fairs, \$91,400.00 shall be expended to reimburse up to 75% premiums paid to large livestock and equine exhibitors in shows or exhibitions held by statewide associations as defined by the department. Livestock expositions shall be limited to participation in this program and prohibited from participation in any state-funded premium programs. The Michigan horse show association fall youth show shall be included.

Sec. 809. From the appropriations for premiums - county and state fairs in section 110, \$40,000.00 shall be awarded through a competitive grant program to local, regional, or state fairs or youth education programs to promote youth involvement and adult exhibitions in the animal agriculture industry.

Sec. 811. The funds appropriated in section 110 for distribution of outstanding winning tickets are not available for expenditure until they are deposited in the Michigan agriculture equine industry development fund pursuant to section 2 of 1951 PA 90, MCL 431.252. These funds shall be expended in accordance with section 2 of 1951 PA 90, MCL 431.252. The department shall provide notice to the senate and house appropriations subcommittees on agriculture at least 10 days before the funds are expended. This notice shall include the amount that each program receives from the outstanding winning ticket revenue deposited in the Michigan agriculture equine industry development fund.

Sec. 812. The fairs, exhibitions, and racing division shall make payments from the agriculture equine industry development fund in a timely manner to persons or organizations that are approved for such payments.

OFFICE OF RACING COMMISSIONER

Sec. 901. The racing commissioner may pay rewards of not more than \$5,800.00 to a person who provides information that results in the arrest and conviction on a felony or misdemeanor charge for a crime that involves the horse racing industry. A reward paid pursuant to this section shall be paid out of the office of racing commissioner line item.

Sec. 902. In the event there is no live thoroughbred race meet in 2009 or 2010, all purse money and program money appropriated for the thoroughbred industry in fiscal year 2008-2009 and fiscal year 2009-2010 shall be held in escrow for a period not to exceed 18 months, or until a thoroughbred race meet license is applied for and granted by the office of racing commissioner. In the event there is no thoroughbred meet in 2009 or 2010, the purse pool distribution order to be issued by the office of racing commissioner in 2010 that delineates distribution between the thoroughbred meet that has been held at Great Lakes Downs and the joint thoroughbred/quarterhorse meet held in Mt. Pleasant shall be the same distribution formula as issued in 2009, with the thoroughbred portion being held in escrow.

Sec. 903. The office of racing commissioner shall provide each certified horsemen's organization a minimum of 30 days' notice before submitting a request for rule-making with the state office of administrative hearings and rules. The notice shall include all information as is required by the request for rule-making with the state office of administrative hearings and rules.

Sec. 904. It is the intent of the legislature that the office of racing commissioner no longer be designated as a type I agency and be administered as part of the department for budgetary savings.

CAPITAL OUTLAY

Sec. 1001. Of the amounts appropriated in part 1 for farmland and open space development acquisition, the funds shall be used for the purchase of development rights and the awarding of grants by the agriculture preservation fund board under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106.

Sec. 1002. (1) The director shall allocate lump-sum appropriations made in this act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

(2) The state budget director may authorize that funds appropriated for lump-sum appropriations shall be available for no more than 3 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 1003. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Richard J. Brown

Clerk of the House of Representatives

Approved

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Governor