



HOUSE BILL No. 5584

February 14, 1996, Introduced by Reps. Middleton, Bobier, LeTarte, Johnson, Geiger, Oxender, Gilmer, McNutt, Jellema and Bankes and referred to the Committee on Appropriations.

EXECUTIVE BUDGET BILL

A bill to make appropriations for the department of agriculture for the fiscal years ending September 30, 1996, and September 30, 1997; 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:

Sec. 101. There is appropriated for the department of agriculture for the fiscal year ending September 30, 1997, from the following funds:

DEPARTMENT OF AGRICULTURE

1	APPROPRIATIONS SUMMARY:	
2	Full-time equated unclassified positions . . .	6.0
3	Full-time equated classified positions . . .	574.5
4	GROSS APPROPRIATION	\$ 64,478,200
5	Interdepartmental grant revenues:	
6	Total interdepartmental grants and	
7	intradepartmental transfers	573,900
8	ADJUSTED GROSS APPROPRIATION	\$ 63,904,300
9	Federal revenues:	
10	Total federal revenues	5,211,000
11	Special revenue funds:	
12	Total local revenues	0
13	Total private revenues	815,900
14	Total other state restricted revenues	21,274,200
15	State general fund/general purpose	\$ 36,603,200
16	EXECUTIVE	
17	Full-time equated unclassified positions . . .	6.0
18	Full-time equated classified positions	23.0
19	Commissions and boards	\$ 48,500
20	Unclassified positions	453,100
21	Executive direction--7.0 FTE positions	688,600
22	Statistical reporting service--5.0 FTE positions .	413,400
23	DAG data collection program--11.0 FTE	
24	positions	1,088,000
25	Future farmers of America	<u>28,500</u>
26	GROSS APPROPRIATION	\$ 2,720,100
27	Appropriated from:	
28	Federal revenues:	
29	Federal revenue	1,088,000

1	Special revenue funds:	
2	State restricted revenue	25,800
3	State general fund/general purpose	\$ 1,606,300
4	ADMINISTRATIVE SERVICES	
5	Full-time equated classified positions	72.5
6	Communications and emergency management--	
7	8.5 FTE positions	\$ 712,400
8	Management services--64.0 FTE positions	<u>5,839,700</u>
9	GROSS APPROPRIATION	\$ 6,552,100
10	Appropriated from:	
11	Special revenue funds:	
12	Total state restricted revenues	113,600
13	State general fund/general purpose	\$ 6,438,500
14	PESTICIDE AND PLANT PEST MANAGEMENT	
15	Full-time equated classified positions	145.8
16	Groundwater and freshwater protection	
17	program--10.0 FTE positions	\$ 3,500,900
18	Pesticide and plant pest management--	
19	135.8 FTE positions	11,940,100
20	Michigan State University	<u>210,000</u>
21	GROSS APPROPRIATION	\$ 15,651,000
22	Appropriated from:	
23	Federal revenues:	
24	Total federal revenues	3,455,000
25	Special revenue funds:	
26	Total state restricted revenues	6,494,900
27	State general fund/general purpose	\$ 5,701,100
28	ANIMAL INDUSTRY	
29	Full-time equated classified positions	28.0

1	Animal health and welfare--28.0 FTE positions . . .	\$	<u>2,205,000</u>
2	GROSS APPROPRIATION	\$	2,205,000
3	Appropriated from:		
4	Federal revenues:		
5	Federal revenue		15,100
6	Special revenues funds:		
7	Total state restricted revenues		98,000
8	State general fund/general purpose	\$	2,091,900
9	DAIRY		
10	Full-time equated classified positions		39.0
11	Dairy--39.0 FTE positions	\$	<u>2,998,300</u>
12	GROSS APPROPRIATION	\$	2,998,300
13	Appropriated from:		
14	Federal revenues:		
15	Federal revenue		22,500
16	Special revenue funds:		
17	State restricted revenue		87,900
18	State general fund/general purpose	\$	2,887,900
19	FOOD AND PRODUCT ASSURANCE		
20	Full-time equated classified positions		107.5
21	Food and product assurance--91.0 FTE positions . . .	\$	6,307,000
22	Motor fuels quality and purity program--		
23	16.5 FTE positions		<u>1,392,500</u>
24	GROSS APPROPRIATION	\$	7,699,500
25	Appropriated from:		
26	Federal revenues:		
27	Federal revenue		183,600
28	Special revenue funds:		
29	Private revenue		295,000

1	Total state restricted revenues	2,531,500
2	State general fund/general purpose \$	4,689,400
3	LABORATORY SUPPORT	
4	Full-time equated classified positions	79.5
5	Laboratory support services--79.5 FTE positions . \$	<u>5,841,900</u>
6	GROSS APPROPRIATION \$	5,841,900
7	Appropriated from:	
8	Interdepartmental grant revenues:	
9	IDG from commerce (LCC) - liquor quality	
10	testing fees	151,600
11	Federal revenues:	
12	Federal revenue	20,700
13	Special revenue funds:	
14	Total state restricted revenues	974,100
15	State general fund/general purpose \$	4,695,500
16	FARMLAND SERVICES	
17	Full-time equated classified positions	22.5
18	Farmland services--22.5 FTE positions \$	1,552,300
19	Local soil conservation districts/clean water	
20	incentive program	1,400,000
21	Energy conservation program/local soil	
22	conservation districts	263,100
23	Forest stewardship program	<u>200,000</u>
24	GROSS APPROPRIATION \$	3,415,400
25	Appropriated from:	
26	Federal revenues:	
27	Federal revenue	200,000
28	Special revenue funds:	
29	Private revenue	314,700

1	State general fund/general purpose	\$	2,900,700
2	MARKET DEVELOPMENT		
3	Full-time equated classified positions	15.0	
4	Market development--7.0 FTE positions	\$	1,245,400
5	Upper Peninsula state fair--8.0 FTE positions		1,007,600
6	Southwestern Michigan tourist council -		
7	taste of Michigan		60,400
8	Food bank		500,000
9	Northwest Michigan horticultural research		
10	station		41,800
11	Grown in Michigan		100,000
12	Michigan 4-H foundation		485,000
13	Michigan festivals		<u>50,000</u>
14	GROSS APPROPRIATION	\$	3,490,200
15	Appropriated from:		
16	Interdepartmental grant revenues:		
17	IDG from commerce (LCC) - nonretail liquor		
18	license fees		422,300
19	Federal revenues:		
20	Total federal revenues		226,100
21	Special revenue funds:		
22	Total state restricted revenues		868,600
23	State general fund/general purpose	\$	1,973,200
24	AGRICULTURE EQUINE INDUSTRY DEVELOPMENT		
25	Full-time equated classified positions	41.7	
26	Office of racing commissioner--41.7 FTE positions	\$	3,824,900
27	Equine monitoring system		88,300
28	Great lakes draft horse show		78,800
29	Building and track improvement-county and		

1	state fairs	627,700
2	Premiums-county and state fairs	1,611,200
3	Purses and supplements-fairs	2,653,700
4	Fedele fauri futurity	77,000
5	Michigan futurity	77,000
6	Quarterhorse programs	43,300
7	Licensed tracks-light horse racing	84,000
8	Breeders' awards	1,201,500
9	Purses and supplements-licensed	
10	tracks	292,100
11	Training and stabling	47,800
12	Thoroughbred program	1,973,400
13	Sire stakes programs	<u>1,224,000</u>
14	GROSS APPROPRIATION \$	13,904,700
15	Appropriated from:	
16	Special revenue funds:	
17	Private revenue	206,200
18	State restricted revenue	10,079,800
19	State general fund/general purpose \$	3,618,700
20	Sec. 102. There is appropriated for the department of agriculture	
21	to supplement former appropriations for the fiscal year ending	
22	September 30, 1996, from the following funds:	
23	DEPARTMENT OF AGRICULTURE	
24	APPROPRIATIONS SUMMARY:	
25	Full-time equated classified positions	4.0
26	GROSS APPROPRIATION \$	280,000
27	Interdepartmental grant revenues:	
28	Total interdepartmental grants and	
29	intradepartmental transfers	0

1	ADJUSTED GROSS APPROPRIATION	\$	280,000
2	Federal revenues:		
3	Total federal revenues		0
4	Special revenue funds:		
5	Total local revenues		0
6	Total private revenues		280,000
7	Total other state restricted revenues		0
8	State general fund/general purpose	\$	0
9	FOOD AND CONSUMER PROTECTION		
10	Full-time equated classified positions	4.0	
11	Motor fuels quality and purity program--		
12	4.0 FTE positions	\$	<u>280,000</u>
13	GROSS APPROPRIATION	\$	280,000
14	Appropriated from:		
15	Special revenue funds:		
16	Private revenue		280,000
17	State general fund/general purpose	\$	0
18	GENERAL SECTIONS FY96/97		
19	Sec. 201. (1) Pursuant to section 30 of article IX of the state		
20	constitution of 1963, total state spending from state sources for		
21	fiscal year 1996-97 is estimated at \$57,877,400.00 in this bill and		
22	state spending from state sources paid to local units of government for		
23	fiscal year 1996-97 is estimated at \$1,400,000.00. The itemized		
24	statement below identifies appropriations from which spending to units		
25	of local government will occur:		
26	DEPARTMENT OF AGRICULTURE		
27	Grants to soil conservation districts	\$	1,400,000
28	TOTAL	\$	1,400,000
29	(2) If it appears to the principal executive officer of a		

1 department or branch that state spending to local units of government
2 will be less than the amount that was projected to be expended under
3 subsection (1), the principal executive officer shall immediately give
4 notice of the approximate shortfall to the department of management and
5 budget.

6 Sec. 202. The expenditures and funding sources authorized under
7 this bill are subject to the management and budget act, Act No. 431 of
8 the Public Acts of 1984, being sections 18.1101 to 18.1594 of the
9 Michigan Compiled Laws.

10 Sec. 203. (1) In addition to the funds appropriated in section 101,
11 there is appropriated an amount not to exceed \$2,000,000.00 for federal
12 contingency funds. These funds are not available for expenditure until
13 they have been transferred to another line item in this act pursuant to
14 section 393(2) of the management and budget act, Act No. 431 of the
15 Public Acts of 1984, being section 18.1393 of the Michigan Compiled
16 Laws.

17 (2) In addition to the funds appropriated in section 101, there is
18 appropriated an amount not to exceed \$700,000.00 for state restricted
19 contingency funds. These funds are not available for expenditure until
20 they have been transferred to another line item in this act pursuant to
21 section 393(2) of the management and budget act, Act No. 431 of the
22 Public Acts of 1984, being section 18.1393 of the Michigan Compiled
23 Laws.

24 (3) In addition to the funds appropriated in section 101, there is
25 appropriated an amount not to exceed \$25,000.00 for local and private
26 contingency funds. These funds are not available for expenditure until
27 they have been transferred to another line item in this act pursuant to
28 section 393(2) of the management and budget act, Act No. 431 of the
29 Public Acts of 1984, being section 18.1393 of the Michigan Compiled
30 Laws.

1 Sec. 204. (1) Beginning October 1, 1996, there is a hiring freeze
2 imposed on the state classified civil service. State departments and
3 agencies are prohibited from hiring any new full-time state classified
4 civil service employees or prohibited from filling any vacant state
5 classified civil service positions. This hiring freeze does not apply
6 to internal transfers of classified employees from 1 position to
7 another within a department or to positions that are 80% or more
8 federal or restricted funds.

9 (2) The director of the department of management and budget shall
10 grant exceptions to this hiring freeze when the director believes that
11 the hiring freeze will result in the state department or agency being
12 unable to deliver basic services. The director of the department of
13 management and budget shall report by the fifteenth of each month to
14 the chairpersons of the senate and house appropriations committees the
15 number of exclusions to the hiring freeze approved during the previous
16 month and the justification for the exclusion.

17 Sec. 205. The department of civil service shall bill departments
18 and/or agencies at the end of the first fiscal quarter for the 1%
19 charges authorized by section 5 of article XI of the state constitution
20 of 1963. Payments shall be made for the total amount of the billing by
21 the end of the second fiscal quarter.

22 Sec. 206.(1) Departments and state agencies that receive funds
23 under this bill may receive and expend federal funds for purposes
24 allowed by the federal government and these funds are appropriated, if
25 the funds are provided as block grants or other similar replacements
26 for or consolidations of prior federal funding sources.

27 (2) Departments and state agencies may use the funds described in
28 subsection (1) to continue existing programs and shall not establish
29 new programs utilizing these funds unless the legislature has enacted
30 modifications to the existing program or enacted a new program.

1 Sec. 207. As used in this act:

2 (a) "DAG" means the United States department of agriculture.

3 (b) "Department" means the department of agriculture.

4 (c) "Director" means the director of the department.

5 (d) "FTE" means full-time equated.

6 (e) "IDG" means interdepartmental grant.

7 (f) "LCC" means liquor control commission.

8 Sec. 208. (1) The unexpended and unobligated balance of any state
9 restricted fund or account remaining at the end of the fiscal year
10 shall revert back to the state restricted fund or account from which
11 appropriated and be available for reappropriation for the next fiscal
12 year. Appropriations which revert to a state restricted fund or
13 account pursuant to this section shall not revert to the general fund
14 of the state.

15 (2) A state restricted revenue fund or account which receives
16 revenues in excess of appropriations made from that state restricted
17 revenue fund or account shall not have the excess revenue revert to the
18 general fund of the state.

19 Sec. 209. (1) Of the funds appropriated in section 101, the
20 department may provide for indemnity as provided for pursuant to the
21 animal industry act of 1987, Act No. 466 of the Public Acts of 1988,
22 being sections 287.701 to 287.747 of the Michigan Compiled Laws, not to
23 exceed \$10,000.00 per order, from any line item for the fiscal year
24 ending September 30, 1997. Before the department provides for an
25 indemnification under this section, the department shall report the
26 reason for the indemnification, the amount of the indemnification, and
27 to whom the indemnification is to be paid. The report shall be given to
28 each member of the senate and house appropriations subcommittees on
29 agriculture and to the senate and house fiscal agencies.

30 (2) The department may make indemnification for the fair market

value of livestock which is killed by a wolf. The kill shall be verified by the department of natural resources. The fair market value of the livestock shall be made in accordance with indemnification procedures prescribed in Act No. 466 of the Public Acts of 1988, as amended, being sections 287.714 to 287.715 of the Michigan Compiled Laws. The indemnification shall be paid pursuant to subsection (1).

Sec. 210. At the end of each quarter, the department of agriculture shall submit to the department of management and budget and the house and senate fiscal agencies a report listing all federal, local, private, and other state restricted revenues the department receives, which are incorporated into section 101. The report shall also include for each, monthly revenue collected for the quarter being reported, a total for each quarter preceding the quarter being reported, and a year-to-date revenue balance.

EXECUTIVE

Sec. 301. The appropriations in section 101 may be used for per diem payments to members of boards, committees, and commissions for a full day's board, committee, or commission work at which a quorum is present; for attending a hearing as authorized by the respective board, committee, or commission; or for performing official business as authorized by the respective board, committee, or commission. The per diem payments shall be at a rate as follows:

(a) Commission of agriculture	\$ 75.00 per day
(b) Upper Peninsula state fair board	\$ 50.00 per day
(c) Agricultural marketing and bargaining board	\$ 35.00 per day

Sec. 302. 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

1 in the following:

2 (a) Management services publications.

3 (b) Management services audit and licensing functions.

4 (c) Upper Peninsula state fair livestock sales.

5 (d) Pesticide and plant pest management propagation and
6 certification of virus free foundation stock.

7 (e) Pesticide and plant pest management bean inspection and grading
8 services.

9 (f) Laboratory support testing for testing horses in draft horse
10 pulling contests at county fairs when local jurisdictions request state
11 assistance.

12 (g) Laboratory support analyses to determine foreign substances in
13 horses engaged in racing or pulling contests at tracks.

14 (h) Laboratory support analysis of food, livestock, and
15 agricultural products for disease, toxic materials, foreign products
16 for disease, toxic materials, foreign substances, and quality
17 standards.

18 (i) Laboratory support analysis of liming samples.

19 (j) Laboratory support analysis of feed and fertilizer samples.

20 (k) Laboratory support test samples for other agencies and
21 organizations.

22 (l) Fruit and vegetable inspection at shipping and termination
23 points and processing plants.

24 Sec. 303. Of the funds appropriated in section 101 for statistical
25 reporting service, \$120,000.00 shall be used for ongoing rotational
26 crop surveys of fruits, vegetables, and nursery stock, including
27 Christmas trees and ornamental plants. The survey shall begin with
28 fruits in the first year, vegetables in the second year, and nursery
29 stock in the third year. The rotational cycle of the survey shall
30 continue in the fourth and subsequent years. The survey shall include

1 existing plantings/acreage, new plantings/acreage, production, and
2 number of growers.

3 Sec. 304. Indirect costs may not be charged against a grant in
4 section 101 by any administering agency.

5 **PESTICIDE AND PLANT PEST MANAGEMENT**

6 Sec. 401. Of the funds appropriated in section 101 to the pesticide
7 and plant pest management division, up to \$100,000.00 may be made
8 available to the Michigan cooperative extension service for the purpose
9 of training of applicators. Reimbursement shall be based on actual
10 expenditures and revenue availability.

11 Sec. 402. (1) From the amount appropriated in section 101 for the
12 gypsy moth program, \$100,000.00 may be allocated to Michigan State
13 University for a gypsy moth education program.

14 (2) Any unexpended balance which is allocated pursuant to this
15 section shall be carried forward as a work project. The project shall
16 provide public information regarding gypsy moth infestation. The
17 project shall be managed by Michigan State University through a
18 contract which shall be completed by September 30, 1998 for fiscal year
19 1996-97.

20 **FARMLAND SERVICES**

21 Sec. 501. From the amount appropriated in section 101 for energy
22 conservation program/local soil conservation districts, \$50,000.00
23 shall be allocated to Michigan State University for improved technology
24 for energy conservation in Michigan.

25 Sec. 502. The amount appropriated in section 101 for grants to
26 local soil conservation districts shall be used for providing financial
27 assistance to all soil conservation districts in order to permit the
28 districts to engage in programs that conserve soil resources and
29 prevent and control soil erosion. All grants to local soil conservation
30 districts shall be allocated according to a formula approved by the

1 commission of agriculture. Any soil conservation district that allows
2 payment for expenses to the district associate directors shall be
3 considered ineligible to receive grant money.

4 Sec. 503. From the section 101 appropriations for local soil
5 conservation districts/clean water incentive program, \$300,000.00 shall
6 be allocated for district forestry programs to assist private forest
7 land development. Allocations to districts will be made in accordance
8 with a plan developed by the department of agriculture in cooperation
9 with the forest management division of the department of natural
10 resources.

11 **MARKET DEVELOPMENT**

12 Sec. 601. Within the appropriations in section 101 for market
13 development, \$422,300.00 is for the grape and wine industry council,
14 from which the department may provide grants for the purposes as
15 described in section 16b of the Michigan liquor control act, Act No. 8
16 of the Public Acts of the Extra Session of 1933, being section 436.16b
17 of the Michigan Compiled Laws.

18 Sec. 602. In any given year when insufficient amounts of Michigan
19 surplus products are offered to the food bank council and accepted for
20 distribution, unused funds may be applied by the food bank council for
21 the direct purchase of foods from Michigan growers, manufacturers, or
22 wholesalers.

23 Sec. 603. (1) The \$100,000.00 appropriated in section 101 for the
24 grown in Michigan program is to provide competitive grants to Michigan
25 nonprofit organizations to raise in-state consumer awareness of
26 Michigan grown commodities.

27 (2) The grants are to be made by the Michigan commission of
28 agriculture on a competitive basis considering the following order of
29 priority:

30 (a) Cooperative efforts by recognized, statewide, grower funded

1 organizations.

2 (b) The number of Michigan residents made aware of the benefits of
3 Michigan grown commodities.

4 (c) The number of Michigan grown products encompassed in the
5 proposal.

6 (d) The amount of the match.

7 (3) A grant made under this section shall not be less than
8 \$10,000.00 or more than \$25,000.00.

9 (4) Each grant shall be matched equally with grantees' funds.
10 In-kind contributions shall not be considered as match.

11 **AGRICULTURE EQUINE INDUSTRY DEVELOPMENT**

12 Sec. 701. The racing commissioner may pay rewards of not more than
13 \$5,800.00 to a person who provides information which results in the
14 arrest and conviction on a felony or misdemeanor charge for a crime
15 which involves the horse racing industry. A reward paid pursuant to
16 this section shall be paid out of the office of racing commissioner
17 line item.

18 Sec. 702. The department shall submit a report each month for the
19 fiscal year ending September 30, 1997, to the senate and house
20 appropriations committees and to the senate and house fiscal agencies
21 that sets forth the simulcasting revenues generated in the preceding
22 month by each licensed track.

23 Sec. 703. Of the \$78,800.00 appropriated in section 101 for the
24 Great Lakes draft horse show, \$28,300.00 shall be made available for
25 the Michigan dynamometers association, \$46,700.00 shall be made
26 available for the Michigan draft horse breeders association, and
27 \$3,800.00 shall be used for advertisement and promotion of an annual
28 Great Lakes international draft horse show.

29 Sec. 704. A county fair, district fair, 4-H fair, or state fair
30 receiving funds under this act to be used for prizes or awards, in

1 whole or in part, as a condition precedent to the receiving of the
 2 funds for those purposes, shall publish the rules relative to the
 3 prizes, awards, and deadlines for entries eligible for the funds in
 4 their official premium books or lists relative to the prizes or awards.
 5 An aggrieved exhibitor may make a written complaint to the fair within
 6 10 days after the fair ends. If the fair has not satisfactorily settled
 7 the grievance within 45 days after it is submitted to the fair, the
 8 aggrieved person may file the complaint with the department and the
 9 department shall investigate the complaint and make a finding of fact
 10 regarding the complaint and take appropriate action regarding the
 11 complaint.

12 Sec. 705. (1) The appropriation of \$292,100.00 in section 101 for
 13 purses and supplements - licensed tracks is intended to provide state
 14 purse supplements for four races at state licensed pari-mutuel horse
 15 racing tracks. The purse supplements are to be used for races
 16 comprised only of Michigan bred horses segregated into a 4-year-old
 17 colt trot division, a 4-year-old filly trot division, a 4-year-old colt
 18 pace division, and a 4-year-old filly pace division.

19 (2) The appropriation in section 101 for licensed tracks - light
 20 horse racing shall be allocated as follows:

21 Arabian and Appaloosa horse racing	\$ 20,900.
22 Quarter horse racing	\$ 63,100

23 Sec. 706. Of the amount appropriated in section 101 for purses and
 24 supplements-fairs, a sufficient amount is appropriated to provide for
 25 overnight purse supplements in accordance with the horse racing law,
 26 Public Act 279 of 1995, being section 431.320 of the Michigan Compiled
 27 Laws.

28 Sec. 707. Of the amount appropriated in section 101 for premiums,
 29 \$11,400.00 shall be expended as a grant for the Michigan horse show
 30 association-fall youth show at the Michigan exposition and fairgrounds.

1 Sec. 708. Included in the appropriation made in section 101 for the
2 thoroughbred program is \$30,500.00 for the Michigan united thoroughbred
3 breeders and owners association to conduct a thoroughbred yearling
4 show. The Michigan united thoroughbred breeders and owners association
5 shall submit to the department an itemized list of expenses showing
6 that the expenses of the yearling show were paid.

7 Sec. 709. From the appropriations for premiums-county and state
8 fairs, \$140,000.00 shall be awarded through a competitive grant program
9 to local, regional, or state fairs, or expositions to promote youth
10 involvement and adult exhibitions in the animal agriculture industry.
11 Appropriate exhibition classes for youth shall be developed that
12 encourage a production exhibit for which premium awards may be paid.
13 The age for youth exhibitors shall be determined by the standards of
14 the association requesting the grant or, if standards do not exist, the
15 age for youth exhibitors shall be ages 9 through 21. Implementation of
16 the latest technologies into the evaluation of the animals shall be
17 encouraged in the production exhibit. Adult exhibitions should focus
18 on the performance or end product, or both, with the appropriate
19 technologies used to enhance placing and the awarding of premiums.

20 Sec. 710. Revenues collected and deposited in the Michigan
21 agriculture equine development fund pursuant to the horse racing law,
22 Public Act 279 of 1995, being section 431.320 of the Michigan Compiled
23 Laws, that are in excess of appropriations contained in section 101 for
24 agriculture and equine development programs are appropriated for
25 support of the office of racing commissioner in place of general fund
26 appropriations.

27 **GENERAL SECTIONS FY95/96**

28 Sec. 1201. (1) Pursuant to section 30 of article IX of the state
29 constitution of 1963, total state spending from state sources for
30 fiscal year 1995-96 is estimated at \$0.00 in this bill and state

1 spending from state sources paid to local units of government for
2 fiscal year 1995-96 is estimated at \$0.00.

3 (2) If it appears to the principal executive officer of a
4 department or branch that state spending to local units of government
5 will be less than the amount that was projected to be expended under
6 subsection (1), the principal executive officer shall immediately give
7 notice of the approximate shortfall to the department of management and
8 budget.

9 Sec. 1202. The funds appropriated in section 102 from the oil
10 company overcharge settlement funds for the purpose of carrying out the
11 duties and responsibilities to implement ozone contingency measures in
12 the southeast Michigan ozone maintenance area as specified in Public
13 Act 44 of 1984, as amended, being section 290.643 and 290.650d of the
14 Michigan Compiled Laws are considered work project appropriations and
15 any unencumbered funds are carried forward into the succeeding fiscal
16 year. The following is in compliance with section 451(3) of the
17 management and budget act, Act No. 431 of the Public Acts of 1984, as
18 amended, being section 18.1451 of the Michigan Compiled Laws:

19 (a) The purpose of the project to be carried forward is to implement
20 ozone contingency measures in the southeast Michigan ozone maintenance
21 area as specified in P.A. 44 of 1984, as amended.

22 (b) The project will be accomplished with substantial involvement of
23 state employees as well as equipment procured from the private sector.

24 (c) The total estimated cost is \$1,000,000.00.

25 (d) The tentative completion date is September 30, 1998.