

**SUBSTITUTE FOR
SENATE BILL NO. 190**

A bill to make appropriations for the department of licensing and regulatory affairs and certain other state purposes for the fiscal year ending September 30, 2014; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1
LINE-ITEM APPROPRIATIONS
FOR FISCAL YEAR 2013-2014
Sec. 101. The amounts listed in this part are appropriated for

the department of licensing and regulatory affairs, subject to the conditions set forth in this act, for the fiscal year ending September 30, 2014, from the funds identified in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

APPROPRIATION SUMMARY

Full-time equated unclassified positions..... 57.5

Full-time equated classified positions..... 2,920.0

GROSS APPROPRIATION..... \$ 495,278,400

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 14,228,200

ADJUSTED GROSS APPROPRIATION..... \$ 481,050,200

Federal revenues:

Total federal revenues..... 195,560,000

Special revenue funds:

Total local revenues..... 656,500

Total private revenues..... 2,011,800

Total other state restricted revenues..... 259,957,300

State general fund/general purpose..... \$ 22,864,600

State general fund/general purpose schedule:

Ongoing state general fund/general

purpose 22,864,600

One-time state general fund/general

purpose 0

Sec. 102. DEPARTMENTAL ADMINISTRATION

1	Full-time equated unclassified positions.....	57.5	
2	Full-time equated classified positions.....	124.0	
3	Unclassified salaries--57.5 FTE positions.....		\$ 4,652,400
4	Executive director programs--33.0 FTE positions.....		4,704,300
5	Property management.....		10,007,300
6	Rent.....		7,673,600
7	Worker's compensation.....		612,300
8	Special project advances.....		200,000
9	Administrative services--87.0 FTE positions.....		8,725,000
10	Office of regulatory reinvention--4.0 FTE positions ..		<u>477,000</u>
11	GROSS APPROPRIATION.....		\$ 37,051,900
12	Appropriated from:		
13	Interdepartmental grant revenues:		
14	Federal revenues:		
15	DOL, multiple grants for safety and health.....		891,600
16	DOL-ETA, unemployment insurance.....		10,126,600
17	Federal revenues.....		834,000
18	Title XVIII Medicare.....		452,000
19	Title XIX Medicaid.....		21,700
20	Title XIX Medicaid, facility certification fees.....		272,700
21	Special revenue funds:		
22	Local revenues.....		127,500
23	Private - special project advances.....		200,000
24	Aboveground storage tank fees.....		56,100
25	Accountancy enforcement fund.....		25,000
26	Boiler fee revenue.....		254,700
27	Builder enforcement fund.....		56,900

1	Construction code fund.....	1,401,400
2	Contingent fund, regular penalty and interest	39,900
3	Corporation fees.....	4,101,300
4	Elevator fees.....	276,500
5	Fees and collections/asbestos.....	104,200
6	Fire service fees.....	621,900
7	Health professions regulatory fund.....	1,491,700
8	Health systems fees.....	208,800
9	Licensing and regulation fees.....	1,113,400
10	Liquor purchase revolving fund.....	4,437,300
11	Medical marihuana fund.....	214,600
12	Mobile home code fund.....	344,400
13	Motor carrier fees.....	221,100
14	Private occupational school license fees	39,000
15	Public utility assessments.....	2,405,300
16	Radiological health fees.....	95,600
17	Safety education and training fund.....	839,100
18	Second injury fund.....	264,500
19	Securities fees.....	3,159,800
20	Self-insurers security fund.....	97,300
21	Silicosis and dust disease fund.....	118,900
22	Survey and remonumentation fund.....	53,000
23	Tax tribunal fund.....	1,038,200
24	Video franchise assessments.....	4,000
25	Workers' compensation administrative revolving fund..	100,000
26	State general fund/general purpose.....	\$ 941,900
27	Sec. 103. PUBLIC SERVICE COMMISSION	

1	Full-time equated classified positions.....	193.0	
2	Public service commission--190.0 FTE positions		\$ 30,219,900
3	METRO authority--3.0 FTE positions		<u>377,200</u>
4	GROSS APPROPRIATION.....		\$ 30,597,100
5	Appropriated from:		
6	Interdepartmental grant revenues:		
7	Federal revenues:		
8	DOE-OEERE, multiple grants		56,700
9	DOT, gas pipeline safety		1,188,700
10	Special revenue funds:		
11	Children's protection registry fund		272,600
12	Motor carrier fees		2,520,300
13	Public utility assessments		25,623,300
14	Restructuring mechanism assessments		535,500
15	Video franchise assessments		400,000
16	State general fund/general purpose		\$ 0
17	Sec. 104. LIQUOR CONTROL COMMISSION		
18	Full-time equated classified positions.....	152.0	
19	Management support services--28.0 FTE positions		\$ 4,508,500
20	Liquor licensing and enforcement--124.0 FTE positions		<u>14,909,900</u>
21	GROSS APPROPRIATION.....		\$ 19,418,400
22	Appropriated from:		
23	Interdepartmental grant revenues:		
24	Federal revenues:		
25	Special revenue funds:		
26	Direct shipper enforcement revolving fund		123,100
27	Liquor license revenue		7,710,000

1	Liquor purchase revolving fund.....	11,585,300
2	State general fund/general purpose.....	\$ 0
3	Sec. 105. OCCUPATIONAL REGULATION	
4	Full-time equated classified positions.....	872.0
5	Boiler inspection program--23.0 FTE positions.....	\$ 3,241,300
6	Bureau of fire services--97.0 FTE positions.....	12,031,800
7	Bureau of construction codes--104.7 FTE positions....	8,977,200
8	Corporations, securities and commercial licensing	
9	bureau--192.0 FTE positions	26,560,800
10	Elevator inspection program--30.0 FTE positions.....	3,647,500
11	Bureau of health professions--151.0 FTE positions....	27,260,800
12	Medical marihuana program--9.0 FTE positions.....	4,200,000
13	Bureau of health systems--211.4 FTE positions.....	28,034,900
14	Radiological health administration--21.4 FTE positions	3,419,300
15	Background check program--5.5 FTE positions.....	2,615,000
16	Manufactured housing and land resources	
17	program--18.0 FTE positions	2,932,900
18	Property development group--9.0 FTE positions.....	<u>1,792,700</u>
19	GROSS APPROPRIATION.....	\$ 124,714,200
20	Appropriated from:	
21	Interdepartmental grant revenues:	
22	IDG from department of community health, inspection	
23	contract	100,000
24	Federal revenues:	
25	Clinical lab improvement.....	395,000
26	DOT.....	60,000
27	Federal revenues.....	1,255,300

1	FEMA.....	28,000
2	Mammography quality standards.....	760,400
3	Title XVIII Medicare.....	11,615,200
4	Title XIX Medicaid.....	718,100
5	Title XIX Medicaid, facility certification fees.....	7,466,600
6	Special revenue funds:	
7	Private - civil monetary penalties.....	200,000
8	Aboveground storage tank fees.....	441,100
9	Accountancy enforcement fund.....	404,800
10	Boiler fee revenue.....	3,719,000
11	Builder enforcement fund.....	461,000
12	Construction code fund.....	7,272,400
13	Corporation fees.....	6,846,700
14	Elevator fees.....	4,069,300
15	Fire alarm fees.....	125,400
16	Fire safety standard and enforcement fund.....	40,000
17	Fire service fees.....	2,419,400
18	Fireworks safety fund.....	673,700
19	Health professions regulatory fund.....	23,326,800
20	Health systems fees.....	3,300,100
21	Licensing and regulation fees.....	11,268,800
22	Liquor purchase revolving fund.....	3,110,800
23	Medical marihuana fund.....	4,200,000
24	Mobile home code fund.....	2,947,200
25	Nurse professional fees.....	1,923,600
26	Pain management fees.....	1,808,500
27	Private occupational school license fees.....	809,400

1	Property development fees.....	318,100
2	Radiological health fees.....	2,656,600
3	Real estate appraiser continuing education fund.....	57,200
4	Real estate education fund.....	338,100
5	Real estate enforcement fund.....	694,300
6	Securities fees.....	4,881,000
7	Securities investor education and training fund.....	1,000,000
8	Security business fund.....	340,100
9	Survey and remonumentation fund.....	830,100
10	Unarmed combat fund.....	134,900
11	Underground storage tank fees.....	2,484,700
12	State general fund/general purpose.....	\$ 9,212,500
13	Sec. 106. MICHIGAN OCCUPATIONAL SAFETY AND HEALTH	
14	ADMINISTRATION	
15	Full-time equated classified positions.....	249.0
16	Occupational safety and health--217.0 FTE positions ..	\$ 28,325,100
17	Wage and hour division--32.0 FTE positions ..	<u>3,615,300</u>
18	GROSS APPROPRIATION.....	\$ 31,940,400
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	Federal revenues:	
22	DOL, multiple grants for safety and health.....	11,722,600
23	Special revenue funds:	
24	Corporation fees.....	4,359,200
25	Fees and collections/asbestos.....	1,010,400
26	Safety education and training fund.....	9,284,000
27	Securities fees.....	3,432,200

1	State general fund/general purpose.....	\$	2,132,000
2	Sec. 107. EMPLOYMENT SERVICES		
3	Full-time equated classified positions.....		1,088.0
4	Worker's compensation administration--66.0 FTE		
5	positions	\$	7,823,600
6	Insurance funds administration--25.0 FTE positions ...		5,202,500
7	Compensation supplement fund.....		820,000
8	Unemployment insurance agency--792.7 FTE positions ...		89,303,000
9	Advocacy assistance program.....		1,500,000
10	Special audit and collections program--34.0 FTE		
11	positions		3,374,300
12	Training program for agency staff--2.1 FTE positions .		1,850,600
13	Expanded fraud control program--33.2 FTE positions ...		3,974,100
14	Bureau of services for blind persons--113.0 FTE		
15	positions		23,725,200
16	Employment and labor relations--22.0 FTE positions ...		<u>4,125,800</u>
17	GROSS APPROPRIATION.....	\$	141,699,100
18	Appropriated from:		
19	Interdepartmental grant revenues:		
20	Federal revenues:		
21	DOL, employment and training administration.....		828,900
22	DOL-ETA, unemployment insurance.....		92,858,400
23	Federal revenues.....		17,133,400
24	Special revenue funds:		
25	Local revenues.....		529,000
26	Private revenues.....		111,800
27	Contingent fund, regular penalty and interest		5,314,700

1	Corporation fees.....	1,900,900
2	Michigan commission for the blind business	
3	enterprise program fund	562,000
4	Second injury fund.....	2,800,700
5	Securities fees.....	5,012,800
6	Self-insurers security fund.....	1,324,100
7	Silicosis and dust disease fund.....	1,077,700
8	Special fraud control fund.....	1,000,000
9	Workers' compensation administrative revolving fund..	2,438,000
10	State general fund/general purpose.....	\$ 8,806,700
11	Sec. 108. MICHIGAN ADMINISTRATIVE HEARING SYSTEM	
12	Full-time equated classified positions.....	242.0
13	Michigan administrative hearing system--211.0 FTE	
14	positions	\$ 37,161,000
15	Michigan compensation appellate commission--31.0 FTE	
16	positions	<u>4,386,000</u>
17	GROSS APPROPRIATION.....	\$ 41,547,000
18	Appropriated from:	
19	Interdepartmental grant revenues:	
20	IDG - administrative hearings.....	14,128,200
21	Federal revenues:	
22	DOL-ETA, unemployment insurance.....	4,064,600
23	Federal revenue - administrative hearings and rules ..	9,154,300
24	Special revenue funds:	
25	State restricted revenue - administrative hearings	
26	and rules	12,865,800
27	Workers' compensation administrative revolving fund..	321,400

1	State general fund/general purpose	\$	1,012,700
2	Sec. 109. INFORMATION TECHNOLOGY		
3	Information technology services and projects	\$	<u>41,392,800</u>
4	GROSS APPROPRIATION	\$	41,392,800
5	Appropriated from:		
6	Interdepartmental grant revenues:		
7	Federal revenues:		
8	DOL, multiple grants for safety and health		273,700
9	DOL-ETA, unemployment insurance		21,896,500
10	Federal revenues		555,000
11	Title XVIII Medicare		610,000
12	Title XIX Medicaid, facility certification fees		320,000
13	Special revenue funds:		
14	Aboveground storage tank fees		24,500
15	Boiler fee revenue		291,800
16	Construction code fund		1,182,700
17	Corporation fees		4,868,000
18	Elevator fees		304,600
19	Fees and collections/asbestos		45,300
20	Fire service fees		289,800
21	Health professions regulatory fund		1,157,700
22	Health systems fees		217,900
23	Licensing and regulation fees		1,802,400
24	Liquor purchase revolving fund		2,873,600
25	Mobile home code fund		256,500
26	Motor carrier fees		191,300
27	Pain management fees		171,300

1	Public utility assessments.....		1,550,800
2	Radiological health fees.....		140,000
3	Safety education and training fund.....		678,400
4	Second injury fund.....		158,900
5	Securities fees.....		973,900
6	Self-insurers security fund.....		80,800
7	Silicosis and dust disease fund.....		70,800
8	Tax tribunal fund.....		210,000
9	Underground storage tank fees.....		131,400
10	State general fund/general purpose.....	\$	65,200
11	Sec. 110. DEPARTMENT GRANTS		
12	Fire protection grants.....	\$	9,273,900
13	Liquor law enforcement grants.....		7,200,000
14	Remonumentation grants.....		7,300,000
15	Private grant programs.....		1,500,000
16	Subregional libraries state aid.....		451,800
17	Utility consumer representation.....		950,000
18	Youth low-vision program.....		<u>241,800</u>
19	GROSS APPROPRIATION.....	\$	26,917,500
20	Appropriated from:		
21	Interdepartmental grant revenues:		
22	Federal revenues:		
23	Special revenue funds:		
24	Private revenues.....		1,500,000
25	Fire protection fund.....		8,500,000
26	Liquor license revenue.....		7,200,000
27	Liquor purchase revolving fund.....		773,900

1	Survey and remonumentation fund.....	7,300,000
2	Utility consumer representation fund.....	950,000
3	State general fund/general purpose.....	\$ 693,600

4 PART 2

5 PROVISIONS CONCERNING APPROPRIATIONS

6 FOR FISCAL YEAR 2013-2014

7 GENERAL SECTIONS

8 Sec. 201. Pursuant to section 30 of article IX of the state

9 constitution of 1963, total state spending from state resources

10 under part 1 for fiscal year 2013-2014 is \$282,821,900.00 and state

11 spending from state resources to be paid to local units of

12 government for fiscal year 2013-2014 is \$25,417,500.00. The

13 itemized statement below identifies appropriations from which

14 spending to local units of government will occur:

15 DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

16	Fire protection grants.....	\$ 9,273,900
17	Liquor law enforcement.....	7,200,000
18	Remonumentation grants.....	7,300,000
19	Subregional libraries state aid.....	451,800
20	Utility consumer representation.....	950,000
21	Youth low-vision program.....	<u>241,800</u>
22	Total department of licensing and regulatory	
23	affairs	\$ 25,417,500

24 Sec. 202. The appropriations authorized under this act are

25 subject to the management and budget act, 1984 PA 431, MCL 18.1101

1 to 18.1594.

2 Sec. 203. As used in this act:

3 (a) "Department" means the department of licensing and
4 regulatory affairs.

5 (b) "Director" means the director of the department.

6 (c) "DOL" means the United States department of labor.

7 (d) "Fiscal agencies" means Michigan house fiscal agency and
8 Michigan senate fiscal agency.

9 (e) "MAHS" means Michigan administrative hearing system.

10 (f) "MARVIN" means Michigan's automated response voice
11 interactive network.

12 (g) "Subcommittees" means all members of the subcommittees of
13 the house and senate appropriations committees with jurisdiction
14 over the budget for the department.

15 Sec. 208. Unless otherwise specified, the department shall use
16 the Internet to fulfill the reporting requirements of this act.
17 This requirement may include transmission of reports via electronic
18 mail to the recipients identified for each reporting requirement,
19 or it may include placement of reports on an Internet or Intranet
20 site.

21 Sec. 209. Funds appropriated in part 1 shall not be used for
22 the purchase of foreign goods or services, or both, if
23 competitively priced and of comparable quality American goods or
24 services, or both, are available. Preference shall be given to
25 goods or services, or both, manufactured or provided by Michigan
26 businesses, if they are competitively priced and of comparable
27 quality. In addition, preference shall be given to goods or

1 services, or both, that are manufactured or provided by Michigan
2 businesses owned and operated by veterans, if they are
3 competitively priced and of comparable quality.

4 Sec. 212. The department and agencies receiving appropriations
5 in part 1 shall receive and retain copies of all reports funded
6 from appropriations in part 1. Federal and state guidelines for
7 short-term and long-term retention of records shall be followed.
8 The department may electronically retain copies or reports unless
9 otherwise required by federal and state guidelines.

10 Sec. 215. The department shall not take disciplinary action
11 against an employee for communicating with a member of the
12 legislature or his or her staff.

13 Sec. 216. Not later than November 30, the department shall
14 work with the state budget office to prepare and transmit a report
15 that provides for estimates of the total general fund/general
16 purpose appropriation lapses at the close of the prior fiscal year.
17 This report shall summarize the projected year-end general
18 fund/general purpose appropriation lapses by major departmental
19 program or program areas. The report shall be transmitted to the
20 state budget office, the chairpersons of the senate and house
21 appropriations committees, and the senate and house fiscal
22 agencies.

23 Sec. 217. (1) Due to the current budgetary problems in this
24 state, out-of-state travel shall be limited to situations in which
25 1 or more of the following conditions apply:

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

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

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

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

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

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

13 (2) The department shall not approve the travel of more than 1
14 departmental employee to a specific professional development
15 conference or training seminar that is located outside of this
16 state unless a professional development conference or training
17 seminar is funded by a federal or private funding source and
18 requires more than 1 person from a department to attend, or the
19 conference or training seminar includes multiple issues in which 1
20 employee from the department does not have expertise.

21 (3) Not later than January 1, each department shall prepare a
22 travel report listing all travel by classified and unclassified
23 employees outside this state in the immediately preceding fiscal
24 year that was funded in whole or in part with funds appropriated in
25 the department's budget. The report shall be submitted to the
26 senate and house appropriations committees, the senate and house
27 fiscal agencies, and the state budget director. The report shall

1 include the following information:

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

4 (b) The destination of each travel occurrence.

5 (c) The dates of each travel occurrence.

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

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

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

15 Sec. 220. The department may carry into the succeeding fiscal
16 year unexpended federal pass-through funds to local institutions
17 and governments that do not require additional state matching
18 funds. Federal pass-through funds to local institutions and
19 governments that are received in amounts in addition to those
20 included in part 1 and that do not require additional state
21 matching funds are appropriated for the purposes intended. Within
22 14 days after the receipt of federal pass-through funds, the
23 department shall notify the house and senate chairpersons of the
24 subcommittees, the fiscal agencies, and the state budget director
25 of pass-through funds appropriated under this section.

26 Sec. 221. Funds appropriated in part 1 shall not be used by a
27 principal executive department, state agency, or authority to hire

1 a person to provide legal services that are the responsibility of
2 the attorney general. This prohibition does not apply to legal
3 services for bonding activities and for those outside services that
4 the attorney general authorizes.

5 Sec. 223. (1) In addition to the funds appropriated in part 1,
6 there is appropriated an amount not to exceed \$19,000,000.00 for
7 federal contingency funds. These funds are not available for
8 expenditure until they have been transferred to another line item
9 in this act under section 393(2) of the management and budget act,
10 1984 PA 431, MCL 18.1393.

11 (2) In addition to the funds appropriated in part 1, there is
12 appropriated an amount not to exceed \$25,000,000.00 for state
13 restricted contingency funds. These funds are not available for
14 expenditure until they have been transferred to another line item
15 in this act under section 393(2) of the management and budget act,
16 1984 PA 431, MCL 18.1393.

17 (3) In addition to the funds appropriated in part 1, there is
18 appropriated an amount not to exceed \$7,800,000.00 for local
19 contingency funds. These funds are not available for expenditure
20 until they have been transferred to another line item in this act
21 under section 393(2) of the management and budget act, 1984 PA 431,
22 MCL 18.1393.

23 (4) In addition to the funds appropriated in part 1, there is
24 appropriated an amount not to exceed \$400,000.00 for private
25 contingency funds. These funds are not available for expenditure
26 until they have been transferred to another line item in this act
27 under section 393(2) of the management and budget act, 1984 PA 431,

1 MCL 18.1393.

2 Sec. 225. Within 10 days after the receipt of a grant
3 appropriated in the private grant funded projects line item in part
4 1, the department shall notify the house and senate chairpersons of
5 the subcommittees, the fiscal agencies, and the state budget
6 director of the receipt of the grant, including the funding source,
7 purpose, and amount of the grant.

8 Sec. 227. (1) The department shall sell documents at a price
9 not to exceed the cost of production and distribution. Money
10 received from the sale of these documents shall revert to the
11 department. In addition to the funds appropriated in part 1, these
12 funds are available for expenditure when they are received by the
13 department of treasury. This subsection applies only for the
14 following documents:

15 (a) Corporation and securities division documents, reports,
16 and papers required or permitted by law pursuant to section 1060(5)
17 of the business corporation act, 1972 PA 284, MCL 450.2060.

18 (b) The subdivision control manual, the state boundary
19 commission operations manual, and other local government assistance
20 manuals.

21 (c) The Michigan liquor control code of 1998, 1998 PA 58, MCL
22 436.1101 to 436.2303.

23 (d) The mobile home commission act, 1987 PA 96, MCL 125.2301
24 to 125.2349; the business corporation act, 1972 PA 284, MCL
25 450.1101 to 450.2098; the nonprofit corporation act, 1982 PA 162,
26 MCL 450.2101 to 450.3192; and the uniform securities act (2002),
27 2008 PA 551, MCL 451.2101 to 451.2703.

1 (e) Worker's compensation health care services rules.

2 (f) Construction code manuals.

3 (g) Copies of transcripts from administrative law hearings.

4 (2) In addition to the funds appropriated in part 1, funds
5 collected by the department under sections 55, 57, 58, and 59 of
6 the administrative procedures act of 1969, 1969 PA 306, MCL 24.255,
7 24.257, 24.258, and 24.259, and section 203 of the legislative
8 council act, 1986 PA 268, MCL 4.1203, are appropriated for all
9 expenses necessary to provide for the cost of publication and
10 distribution. The funds appropriated under this section are
11 allotted for expenditure when they are received by the department
12 of treasury and shall not lapse to the general fund at the end of
13 the fiscal year.

14 Sec. 228. Unless prohibited by law, the department may accept
15 credit card or other electronic means of payment for licenses,
16 fees, or permits.

17 Sec. 229. The department shall maintain, on a publicly
18 accessible website, a department scorecard that identifies, tracks,
19 and regularly updates key metrics that are used to monitor and
20 improve the department's performance.

21 Sec. 231. The department shall cooperate with the department
22 of technology, management, and budget to maintain a searchable
23 website accessible by the public at no cost that includes, but is
24 not limited to, all of the following for each department or agency:

25 (a) Fiscal year-to-date expenditures by category.

26 (b) Fiscal year-to-date expenditures by appropriation unit.

27 (c) Fiscal year-to-date payments to a selected vendor,

1 including the vendor name, payment date, payment amount, and
2 payment description.

3 (d) The number of active department employees by job
4 classification.

5 (e) Job specifications and wage rates.

6 Sec. 232. The department shall not develop or produce any
7 television or radio productions.

8 Sec. 234. Within 14 days after the release of the executive
9 budget recommendation, the department shall cooperate with the
10 state budget office to provide the senate and house appropriations
11 chairs, the senate and house appropriations subcommittees chairs,
12 and the senate and house fiscal agencies with an annual report on
13 estimated state restricted fund balances, state restricted fund
14 projected revenues, and state restricted fund expenditures for the
15 fiscal years ending September 30, 2013 and September 30, 2014.

16 **REGULATORY**

17 Sec. 301. (1) The appropriation in part 1 for fire protection
18 grants shall be appropriated to cities, villages, and townships
19 with state-owned facilities for fire services, instead of taxes, in
20 accordance with 1977 PA 289, MCL 141.951 to 141.956.

21 (2) Cities, villages, and townships with state-owned
22 facilities shall report to the department no later than January 1
23 on a form developed by the department in order to be eligible to
24 receive funds appropriated in part 1 for fire protection grants.
25 The report shall indicate all of the following:

26 (a) The ability to respond to state facilities in their

1 service area.

2 (b) The cost for being prepared and able to respond to fire
3 service situations during the most recent fiscal year.

4 (c) The fire-related activities of police and fire departments
5 on state property.

6 (d) The costs of these activities.

7 (e) The expenditures from fire protection grants.

8 (3) The department shall prepare a summary of the local
9 submissions and provide it to the subcommittees, fiscal agencies,
10 and the state budget director by March 31.

11 Sec. 302. Money appropriated under this act for the bureau of
12 fire services shall not be expended unless, in accordance with
13 section 2c of the fire prevention code, 1941 PA 207, MCL 29.2c,
14 inspection and plan review fees will be charged according to the
15 following schedule:

<u>Operation and maintenance inspection fee</u>		
<u>Facility type</u>	<u>Facility size</u>	<u>Fee</u>
Hospitals	Any	\$8.00 per bed
<u>Plan review and construction inspection fees for</u>		
<u>hospitals and schools</u>		
<u>Project cost range</u>	<u>Fee</u>	
\$101,000.00 or less	minimum fee of \$155.00	
\$101,001.00 to \$1,500,000.00	\$1.60 per \$1,000.00	
\$1,500,001.00 to \$10,000,000.00	\$1.30 per \$1,000.00	
\$10,000,001.00 or more	\$1.10 per \$1,000.00	
	or a maximum fee of \$60,000.00.	

27 Sec. 303. The funds collected by the department for licenses,

1 permits, and other elevator regulation fees set forth in the
2 Michigan administrative code and as determined under section 8 of
3 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL
4 408.816, that are unexpended at the end of the fiscal year shall
5 carry forward to the subsequent fiscal year.

6 Sec. 304. The department may make available to interested
7 entities otherwise unavailable customized listings of
8 nonconfidential information in its possession, such as names and
9 addresses of licensees. The department may establish and collect a
10 reasonable charge to provide this service. The revenue received
11 from this service shall be used to offset expenses to provide the
12 service. Any balance of this revenue collected and unexpended at
13 the end of the fiscal year shall revert to the appropriate
14 restricted fund.

15 Sec. 320. If the revenue collected by the department from
16 licensing and regulation fees collected by the bureau of commercial
17 services exceeds the amount expended from appropriations in part 1,
18 the revenue may be carried forward into the subsequent fiscal year.
19 The revenue carried forward under this section shall be used as the
20 first source of funds in the subsequent fiscal year.

21 Sec. 330. Funds earned or authorized by the DOL in excess of
22 the gross appropriation in part 1 for the unemployment insurance
23 agency from the DOL are appropriated and may be expended for
24 staffing and related expenses incurred in the operation of its
25 programs. These funds may be spent after the department notifies
26 the state budget director and the subcommittees of the purpose and
27 amount of each grant award.

Senate Bill No. 190 as amended April 30, 2013

1 Sec. 332. Until the integrated system project is complete, the
2 unemployment insurance agency shall provide the subcommittees,
3 fiscal agencies, and state budget office with quarterly status
4 reports on the development of the agency's integrated system
5 project. The quarterly status reports shall include, but not be
6 limited to, a summary of the expenditures for the project, project
7 budget information, a summary of the tasks completed and milestones
8 reached to date, the percentage of the total project completed to
9 date, and a summary of the tasks anticipated to be completed in the
10 subsequent quarter.

11 Sec. 333. The department shall report quarterly to the members
12 of the house and senate committees on appropriations, the fiscal
13 agencies, and the state budget director on the percentage of
14 unemployment claimants that meet the certification requirements for
15 receiving benefits by using the Internet MARVIN system or any
16 application developed for that purpose. The department shall
17 implement improvements to the Internet MARVIN system that promote
18 greater ease of access and security with a goal of reaching 50% of
19 users certifying by using the Internet MARVIN system or another
20 system that reduces staff face time and MARVIN telephone system
21 usage.

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25 Sec. 368. No later than March 1, the department shall submit a
26 report to the state budget office, the fiscal agencies, and the
27 subcommittees, providing expenditure and revenue data and

1 statistical data on licensing and regulatory activities of the
2 bureau of commercial services and the bureau of construction codes
3 during the previous fiscal year. To the extent possible, the data
4 required shall be reported for each individual occupation, trade,
5 or industry regulated.

6 Sec. 380. Funds remaining in the homeowner construction lien
7 recovery fund are appropriated to the department for payment of
8 court-ordered homeowner construction lien recovery fund judgments
9 entered prior to August 23, 2010. Pursuant to available funds, the
10 payment of final judgments shall be made in the order in which the
11 final judgments were entered and began accruing interest.

12 Sec. 390. (1) The Michigan tax tribunal within the Michigan
13 administrative hearing system shall submit a report containing all
14 of the following for the previous fiscal year:

15 (a) The number of cases heard and the number of cases decided
16 by MAHS hearings officers, contractual hearings officers, and
17 tribunal members during the fiscal year.

18 (b) The number of case filings and dispositions and the number
19 of active and pending cases before the small claims division and
20 the entire tribunal.

21 (c) The average and maximum time elapsed, both tolled and
22 untolled, between case filings and final dispositions.

23 (d) The amount and percentage of tax tribunal fees generated
24 by motions to amend.

25 (2) The report required under subsection (1) shall be
26 submitted to the subcommittees, fiscal agencies, and state budget
27 office not later than November 1.

1 **BUREAU OF SERVICES FOR BLIND PERSONS**

2 Sec. 610. (1) The appropriation in part 1 for the bureau of
3 services for blind persons includes funds for case services. These
4 funds may be used for tuition payments for blind clients.

5 (2) Revenue collected by the bureau of services for blind
6 persons and from private and local sources that is unexpended at
7 the end of the fiscal year may carry forward to the subsequent
8 fiscal year.

9 Sec. 611. The bureau of services for blind persons shall work
10 collaboratively with service organizations and government entities
11 to identify qualified match dollars to maximize use of available
12 federal vocational rehabilitation funds.

13 Sec. 613. (1) The funds appropriated in part 1 for a regional
14 or subregional library shall not be released until a budget for
15 that regional or subregional library has been approved by the
16 department for expenditures for library services directly serving
17 the blind and persons with disabilities.

18 (2) In order to receive subregional state aid as appropriated
19 in part 1, a regional or subregional library's fiscal agency shall
20 agree to maintain local funding support at the same level in the
21 current fiscal year as in the fiscal agency's preceding fiscal
22 year. If a reduction in expenditures equally affects all agencies
23 in a local unit of government that is the regional or subregional
24 library's fiscal agency, that reduction shall not be interpreted as
25 a reduction in local support and shall not disqualify a regional or
26 subregional library from receiving state aid under part 1. If a

1 reduction in income affects a library cooperative or district
2 library that is a regional or subregional library's fiscal agency
3 or a reduction in expenditures for the regional or subregional
4 library's fiscal agency, a reduction in expenditures for the
5 regional or subregional library shall not be interpreted as a
6 reduction in local support and shall not disqualify a regional or
7 subregional library from receiving state aid under part 1.

8 HEALTH REGULATION

9 Sec. 714. (1) The department shall report by April 1 to the
10 subcommittees, fiscal agencies, and state budget director on the
11 timeliness of nursing facility complaint investigations and the
12 number of allegations that are substantiated on an annual basis.
13 The report shall consist of the number of allegations filed by
14 consumers and the number of facility-reported incidents. The
15 department shall make every effort to contact every complainant and
16 the subject of a complaint during an investigation.

17 (2) The department shall gather information on its most
18 frequently cited complaint deficiencies for the prior 3 fiscal
19 years and include that information in the report required under
20 subsection (1). The department shall determine whether there is an
21 increase in the number of citations from 1 year to the next and
22 assess the cause of the increase, if any, and whether education and
23 training of nursing facility staff or department staff are needed.

24 (3) The department shall make the report required under this
25 section available to the public at no cost on its website.

26 Sec. 726. (1) The department shall submit a report by January

1 to the standing committees on appropriations of the senate and house of representatives, the fiscal agencies, and the state budget director that includes all of the following information for the prior fiscal year regarding the medical marihuana program under the Michigan medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430:

(a) The number of initial applications received.

(b) The number of initial applications approved and the number of initial applications denied.

(c) The average amount of time, from receipt to approval or denial, to process an initial application.

(d) The number of renewal applications received.

(e) The number of renewal applications approved and the number of renewal applications denied.

(f) The average amount of time, from receipt to approval or denial, to process a renewal application.

(g) The percentage of initial applications not approved or denied within the time requirements established in section 6 of the Michigan medical marihuana act, 2008 IL 1, MCL 333.26426.

(h) The percentage of renewal applications not approved or denied within the time requirements established in section 6 of the Michigan medical marihuana act, 2008 IL 1, MCL 333.26426.

(i) The percentage of registry cards for approved initial applications not issued within the time requirements established in section 6 of the Michigan medical marihuana act, 2008 IL 1, MCL 333.26426.

(j) The percentage of registry cards for approved renewal

1 applications not issued within the time requirements established in
2 section 6 of the Michigan medical marihuana act, 2008 IL 1, MCL
3 333.26426.

4 (k) The amount collected from the medical marihuana program
5 application and renewal fees authorized in section 5 of the
6 Michigan medical marihuana act, 2008 IL 1, MCL 333.26425.

7 (l) The costs of administering the medical marihuana program
8 under the Michigan medical marihuana act, 2008 IL 1, MCL 333.26421
9 to 333.26430.

10 (2) If the required fees are shown to be insufficient to
11 offset all expenses of implementing and administering the medical
12 marihuana program, the department shall review and revise the
13 application and renewal fees accordingly to ensure that all
14 expenses of implementing and administering the medical marihuana
15 program are offset as is permitted under section 5 of the Michigan
16 medical marihuana act, 2008 IL 1, MCL 333.26425.

17 Sec. 727. If the revenue collected by the department for
18 health systems administration or radiological health administration
19 and projects from fees and collections exceeds the amount
20 appropriated in part 1, the revenue may be carried forward into the
21 subsequent fiscal year. The revenue carried forward under this
22 section shall be used as the first source of funds in the
23 subsequent fiscal year.

24 Sec. 728. (1) Not later than November 30, the department shall
25 prepare a report that provides the number of registry
26 identification cards issued to or renewed for patients residing in
27 each county during the fiscal year ending September 30, 2013, under

1 the Michigan medical marihuana act, 2008 IL 1, MCL 333.26421 to
2 333.26430. The department shall submit this report to the state
3 budget director, the senate and house appropriations committees,
4 and the fiscal agencies.

5 (2) After submitting the report under subsection (1), the
6 department may expend up to \$3,000,000.00 of the funds appropriated
7 in part 1 for the Michigan medical marihuana program for
8 discretionary grants to county law enforcement departments for
9 education about and enforcement of the Michigan medical marihuana
10 program. These discretionary grants, if issued, shall be
11 distributed proportionately based on the number of registry
12 identification cards issued to or renewed for the residents of each
13 county. In order to be eligible to receive a grant under this
14 subsection, a county law enforcement department must agree to
15 report how the grant was spent and provide that report to the
16 department no later than July 31, 2014. The department shall submit
17 a report by September 30, 2014 to the state budget director, the
18 senate and house appropriations committees, and the fiscal agencies
19 detailing the amounts, the recipients, and the reported uses of
20 these discretionary grants.

21 Sec. 731. (1) The bureau of health systems shall prepare a
22 report detailing the number of facilities, locations, and beds for
23 each type of health facility licensed, certified, inspected, or
24 otherwise regulated by the bureau. The report shall also include
25 the bureau's cost to license, certify, inspect, or otherwise
26 regulate each type of facility. The data required by this
27 subsection shall be collected and reported on acute care hospitals,

1 home health agencies, hospices, hospice residences, psychiatric
2 units in general hospitals, psychiatric hospitals, partial
3 hospitalization psychiatric programs, outpatient surgical
4 facilities, freestanding surgical outpatient facilities,
5 laboratories, end stage renal disease facilities, rural health
6 clinics, substance abuse programs, long-term care facilities
7 including nursing homes, hospital long-term care units, county
8 medical care facilities, and radiation machines.

9 (2) By February 1, the bureau of health systems shall provide
10 the governor and the legislature an updated schedule of fees to be
11 charged by the bureau for regulating health facilities. The updated
12 fee schedule proposed by the bureau shall be based on the schedule
13 submitted previously, but include updated figures from the prior
14 fiscal year. It shall also bear a direct relationship to the cost
15 of the service or act, including overhead expenses. The report
16 shall also recommend the necessary statutory and administrative
17 rule changes necessary to implement the recommended fee schedule.

18 Sec. 732. From the appropriations made in part 1 for the
19 bureau of health systems, at least \$530,000.00 must be expended for
20 activities related to the inspection and licensing of freestanding
21 surgical outpatient facilities.

22 PART 2A

23 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

24 FOR FISCAL YEAR 2014-2015

25 GENERAL SECTIONS

1 Sec. 1201. It is the intent of the legislature to provide
2 appropriations for the fiscal year ending on September 30, 2015 for
3 the line items listed in part 1. The fiscal year 2014-2015
4 appropriations are anticipated to be the same as those for fiscal
5 year 2013-2014, except that the line items will be adjusted for
6 changes in caseload and related costs, federal fund match rates,
7 economic factors, and available revenue. These adjustments will be
8 determined after the January 2014 consensus revenue estimating
9 conference.

10 Sec. 1202. It is the intent of the legislature that the
11 department identify the amounts for normal retirement costs and
12 legacy retirement costs for the fiscal year ending on September 30,
13 2015 for the line items listed in part 1.