

**SUBSTITUTE FOR  
HOUSE BILL NO. 5275**

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2001; 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:**

1 PART 1

2 LINE-ITEM APPROPRIATIONS

3 Sec. 101. The amounts listed in this part are appropriated for the  
4 department of consumer and industry services, subject to the conditions  
5 set forth in this act, for the fiscal year ending September 30, 2001,

# HB5275, As Passed House, March 21, 2000

Sub. H.B. 5275 (H-1) as amended March 21, 2000  
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For Fiscal Year Ending  
September 30, 2001

1 from the funds identified in this part. The following is a summary of  
2 the appropriations in this part:

## 3 DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

### 4 APPROPRIATION SUMMARY:

5	Full-time equated unclassified positions.....	64.5	
6	Full-time equated classified positions.....	[4,189.4]	
7	GROSS APPROPRIATION.....	\$	[542,186,600]
8	Interdepartmental grant revenues:		
9	Total interdepartmental grants and intradepartmental		
10	transfers.....		109,200
11	ADJUSTED GROSS APPROPRIATION.....	\$	[542,077,400]
12	Federal revenues:		
13	Total federal revenues.....		238,951,500
14	Special revenue funds:		
15	Total local revenues.....		0
16	Total private revenues.....		745,900
17	Total other state restricted revenues.....		[208,496,700]
18	State general fund/general purpose.....	\$	[93,883,300]
19	<b>Sec. 102. EXECUTIVE DIRECTION</b>		
20	Full-time equated unclassified positions.....	64.5	
21	Full-time equated classified positions.....	94.0	
22	Unclassified salaries.....	\$	5,511,000
23	Energy office--9.0 FTE positions.....		2,558,800
24	Executive director programs--13.0 FTE positions.....		2,091,400
25	Policy development--10.0 FTE positions.....		1,442,000
26	Utility consumer representation.....		550,000

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1	Regulatory efficiency improvements/backlog reduction	
2	initiative.....	750,000
3	MES board of review program--21.0 FTE positions.....	1,703,400
4	Office of legal affairs--41.0 FTE positions.....	<u>4,236,700</u>
5	GROSS APPROPRIATION.....	\$ 18,843,300
6	Appropriated from:	
7	Federal revenues:	
8	DOE-OEERE, multiple grants.....	2,127,900
9	DOL-ETA, unemployment insurance.....	2,109,300
10	DOL-multiple grants for safety and health.....	154,300
11	Special revenue funds:	
12	Bank fees.....	177,800
13	Boiler fee revenue.....	34,600
14	Construction code fund.....	306,700
15	Consumer finance fees.....	41,500
16	Corporations and securities fees.....	275,700
17	Credit union fees.....	86,100
18	Elevator fees.....	38,600
19	Fees and collections/asbestos.....	10,900
20	Fire service fees.....	23,800
21	Health professions regulatory fund.....	1,905,600
22	Health systems fees and collections.....	66,000
23	Insurance regulatory fees.....	579,700
24	Licensing and regulation fees.....	451,100
25	Liquor purchase revolving fund.....	1,222,200
26	Manufactured housing commission fees.....	155,000

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1	Michigan state housing development authority fees and	
2	charges.....	313,800
3	Motor carrier fees.....	27,600
4	Property development fees.....	4,500
5	Public utility assessments.....	1,998,300
6	Safety education and training fund.....	199,300
7	Second injury fund.....	68,100
8	Self-insurers' security fund.....	17,900
9	Silicosis and dust disease fund.....	26,100
10	Utility consumer representation fund.....	550,000
11	Worker's compensation administrative revolving fund..	60,100
12	State general fund/general purpose..... \$	5,810,800
13	<b>Sec. 103. COUNCIL FOR ARTS AND CULTURAL AFFAIRS</b>	
14	Full-time equated classified positions.....9.0	
15	Administration--9.0 FTE positions..... \$	887,500
16	Arts and cultural grants.....	<u>31,548,700</u>
17	GROSS APPROPRIATION..... \$	32,436,200
18	Appropriated from:	
19	Federal revenues:	
20	NFAH-NEA, promotion of the arts, state and regional	
21	programs.....	700,000
22	State restricted revenues:	
23	State general fund/general purpose..... \$	31,736,200
24	<b>Sec. 104. FIRE SAFETY</b>	
25	Full-time equated classified positions.....57.0	
26	Office of fire safety--57.0 FTE positions..... \$	<u>4,885,800</u>

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1	GROSS APPROPRIATION.....	\$	4,885,800
2	Appropriated from:		
3	Interdepartmental grant revenues:		
4	IDG from department of community health, inspection		
5	contract.....		109,200
6	Federal revenues:		
7	Federal funds.....		1,298,300
8	Special revenue funds:		
9	Fire alarm regulation fees.....		174,300
10	Fire service fees.....		1,717,500
11	State general fund/general purpose.....	\$	1,586,500
12	<b>Sec. 105. MANAGEMENT SERVICES</b>		
13	Full-time equated classified positions.....	178.0	
14	Administrative services--84.0 FTE positions.....	\$	5,884,100
15	Technology support--94.0 FTE positions.....		13,724,200
16	Insurance automation.....		750,000
17	Health services information systems.....		750,000
18	Rent.....		7,143,900
19	Building occupancy charges - property development		
20	services.....		6,683,400
21	Worker's compensation.....		1,055,000
22	Special project advances.....		<u>740,000</u>
23	GROSS APPROPRIATION.....	\$	36,730,600
24	Appropriated from:		
25	Federal revenues:		
26	DOL-ETA, unemployment insurance.....		296,300

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1	DOL, multiple grants for safety and health.....	549,900
2	Federal funds.....	426,700
3	HHS, federal funds.....	37,000
4	Special revenue funds:	
5	Private-special project advances.....	740,000
6	Bank fees.....	356,300
7	Boiler fee revenue.....	227,100
8	Construction code fund.....	1,165,300
9	Consumer finance fees.....	148,600
10	Corporations and securities fees.....	2,604,300
11	Credit union fees.....	250,800
12	Elevator fees.....	267,000
13	Fees and collections/asbestos.....	88,200
14	Fire service fees.....	31,700
15	Health professions regulatory fund.....	4,350,800
16	Health systems fees and collections.....	464,700
17	Insurance regulatory fees.....	2,441,300
18	Licensing and regulation fees.....	2,031,800
19	Liquor purchase revolving fund.....	7,931,400
20	Manufactured housing commission fees.....	121,800
21	Michigan state housing development authority fees and	
22	charges.....	2,560,900
23	Motor carrier fees.....	198,600
24	Property development fees.....	29,000
25	Public utility assessments.....	2,323,700
26	Safety education and training fund.....	677,900

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1	Second injury fund.....	303,300
2	Self-insurers' security fund.....	79,000
3	Silicosis and dust disease fund.....	113,100
4	Tax tribunal fees.....	41,000
5	Worker's compensation administrative revolving fund..	1,333,600
6	State general fund/general purpose..... \$	4,539,500
7	<b>Sec. 106. FINANCIAL SERVICES AND CORPORATIONS</b>	
8	Full-time equated classified positions.....379.0	
9	Manufactured housing commission, per diem \$50.00..... \$	7,800
10	Manufactured housing and land resources program--15.0	
11	FTE positions.....	1,502,400
12	Corporate services--61.0 FTE positions.....	5,030,200
13	Investment oversight--29.0 FTE positions.....	2,615,700
14	Local manufactured housing communities inspections...	250,000
15	Property development group--13.0 FTE positions.....	1,420,400
16	Remonumentation grants.....	5,000,000
17	Financial institutions administration--18.0 FTE	
18	positions.....	1,347,900
19	Bank regulation--50.0 FTE positions.....	5,336,700
20	Credit union regulation--43.0 FTE positions.....	3,688,600
21	Financial institutions consumer protection--21.0 FTE	
22	positions.....	1,909,300
23	Financial institutions policy and legislation--5.0	
24	FTE positions.....	384,800
25	Federal regulatory projects.....	50,600
26	Insurance bureau administration -- 18.0 FTE positions	2,205,300

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1	Insurance financial standards -- 49.0 FTE positions..	6,053,800
2	Insurance licensing and enforcement -- 30.0 FTE	
3	positions.....	2,627,500
4	Insurance market standards and consumer services--	
5	27.0 FTE positions.....	<u>2,572,100</u>
6	GROSS APPROPRIATION..... \$	42,003,100
7	Appropriated from:	
8	Federal revenues:	
9	Federal regulatory project revenues.....	50,600
10	Special revenue funds:	
11	Private-travel funds.....	5,900
12	Bank fees.....	6,194,300
13	Consumer finance fees.....	2,171,100
14	Corporations and securities fees.....	8,067,100
15	Credit union fees.....	4,301,900
16	Insurance continuing education fees.....	432,400
17	Insurance licensing and regulation fees.....	3,252,500
18	Insurance regulatory fees.....	9,636,000
19	Limited liability partnership revenue.....	10,000
20	Manufactured housing commission fees.....	1,916,800
21	Multiple employer welfare arrangement.....	131,900
22	Property development fees.....	237,400
23	Remonumentation fees.....	5,595,200
24	State general fund/general purpose..... \$	0
25	<b>Sec. 107. PUBLIC SERVICE COMMISSION</b>	
26	Full-time equated classified positions.....143.0	

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1	Administration, planning and regulation--143.0 FTE		
2	positions.....	\$	<u>15,411,200</u>
3	GROSS APPROPRIATION.....	\$	15,411,200
4	Appropriated from:		
5	Federal revenues:		
6	DOE-OEERE, multiple grants.....		146,000
7	DOT-RSPA, gas pipeline safety.....		274,100
8	Special revenue funds:		
9	Motor carrier fees.....		1,849,500
10	Public utility assessments.....		13,141,600
11	State general fund/general purpose.....	\$	0
12	<b>Sec. 108. LIQUOR CONTROL COMMISSION</b>		
13	Full-time equated classified positions.....		179.0
14	Management support services--39.0 FTE positions.....	\$	2,873,900
15	Liquor licensing and enforcement--140.0 FTE positions		10,698,000
16	Liquor law enforcement grants.....		6,000,000
17	Grant to department of agriculture for wine industry		
18	council.....		<u>457,200</u>
19	GROSS APPROPRIATION.....	\$	20,029,100
20	Appropriated from:		
21	Special revenue funds:		
22	Liquor license revenue.....		10,953,100
23	Liquor purchase revolving fund.....		8,618,800
24	Nonretail liquor license revenue.....		457,200
25	State general fund/general purpose.....	\$	0
26	<b>Sec. 109. MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY</b>		

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1	Full-time equated classified positions.....	234.0	
2	Payments on behalf of tenants.....	\$	70,000,000
3	Housing and rental assistance program--227.0 FTE		
4	positions.....		22,662,700
5	Automatic data processing--7.0 FTE positions.....		989,600
6	Homeless program.....		<u>5,290,800</u>
7	GROSS APPROPRIATION.....	\$	98,943,100
8	Appropriated from:		
9	Federal revenues:		
10	HUD, lower income housing assistance program.....		84,272,800
11	Special revenue funds:		
12	Michigan state housing development authority fees and		
13	charges.....		14,670,300
14	State general fund/general purpose.....	\$	0
15	<b>Sec. 110. TAX TRIBUNAL</b>		
16	Full-time equated classified positions.....	14.0	
17	Operations--14.0 FTE positions.....	\$	<u>1,638,700</u>
18	GROSS APPROPRIATION.....	\$	1,638,700
19	Appropriated from:		
20	Special revenue funds:		
21	Tax tribunal fees.....		629,400
22	State general fund/general purpose.....	\$	1,009,300
23	<b>Sec. 111. GRANTS</b>		
24	Fire protection grants.....	\$	<u>8,175,000</u>
25	GROSS APPROPRIATION.....	\$	8,175,000
26	Appropriated from:		

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1	Special revenue funds:	
2	Liquor purchase revolving fund.....	8,175,000
3	State general fund/general purpose..... \$	0
4	<b>Sec. 112. HEALTH REGULATORY SYSTEMS</b>	
5	Full-time equated classified positions.....340.0	
6	Health systems administration--181.0 FTE positions... \$	16,768,400
7	Nursing home quality incentive grants.....	15,000,000
8	Emergency medical services program state staff--7.0	
9	FTE positions.....	888,600
10	Radiological health administration and projects--24.0	
11	FTE positions.....	1,948,900
12	Substance abuse program administration--4.0 FTE	
13	positions.....	401,500
14	Emergency medical services grants and contracts.....	1,062,100
15	Health services--124.0 FTE positions.....	<u>13,027,800</u>
16	GROSS APPROPRIATION..... \$	49,097,300
17	Appropriated from:	
18	Federal revenues:	
19	Federal funds.....	20,852,000
20	Special revenue funds:	
21	Controlled substance license fees.....	1,343,300
22	Health professions regulatory fund.....	10,422,800
23	Health systems fees and collections.....	3,687,100
24	Nurse professional fund.....	450,000
25	State general fund/general purpose..... \$	12,342,100
26	<b>Sec. 113. REGULATORY SERVICES</b>	

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1	Full-time equated classified positions.....	313.0		
2	AFC, children's welfare and day care licensure--	313.0		
3	FTE positions.....		\$	<u>25,580,400</u>
4	GROSS APPROPRIATION.....		\$	25,580,400
5	Appropriated from:			
6	Federal revenues:			
7	HHS, federal funds.....			9,593,200
8	Special revenue funds:			
9	Health systems fees and collections.....			152,700
10	Licensing fees.....			482,800
11	State general fund/general purpose.....		\$	15,351,700
12	<b>Sec. 114. OCCUPATIONAL REGULATION</b>			
13	Full-time equated classified positions.....	239.0		
14	Commissions and boards.....		\$	41,900
15	Code enforcement--99.0 FTE positions.....			7,724,700
16	Code enforcement flexibility.....			1,155,500
17	Boiler inspection program--18.0 FTE positions.....			1,509,700
18	Elevator inspection program--23.0 FTE positions.....			1,817,500
19	Commercial services--99.0 FTE positions.....			<u>9,056,700</u>
20	GROSS APPROPRIATION.....		\$	21,306,000
21	Appropriated from:			
22	Special revenue funds:			
23	Boiler fee revenue.....			1,653,800
24	Construction code fund.....			8,672,200
25	Elevator fees.....			1,923,300
26	Health professions regulatory fund.....			228,700

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13		September 30, 2001
1	Homeowner construction lien recovery fund.....	1,528,900
2	Licensing and regulation fees.....	6,774,600
3	Real estate appraiser continuing education fund.....	45,000
4	Real estate education fund.....	217,500
5	State general fund/general purpose..... \$	262,000
6	<b>Sec. 115. EMPLOYMENT RELATIONS</b>	
7	Full-time equated classified positions.....28.0	
8	Fact finding and arbitration..... \$	154,300
9	Employment and labor relations--28.0 FTE positions...	<u>2,935,500</u>
10	GROSS APPROPRIATION..... \$	3,089,800
11	Appropriated from:	
12	Federal revenues:	
13	EEOC, federal funds.....	30,000
14	Special revenue funds:	
15	Publication revenue.....	10,000
16	State general fund/general purpose..... \$	3,049,800
17	<b>Sec. 116. SAFETY AND REGULATION</b>	
18	Full-time equated classified positions.....[292.0]	
19	Commissions and boards..... \$	27,700
20	Employment standards enforcement--38.0 FTE positions.	2,539,800
21	Subgrantees.....	1,026,900
22	Occupational safety and health--[254.0] FTE positions..	<u>[23,113,200]</u>
23	GROSS APPROPRIATION..... \$	[26,707,600]
24	Appropriated from:	
25	Federal revenues:	
26	DOL, multiple grants for safety and health.....	12,202,300

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1	Special revenue funds:	
2	Fees and collections/asbestos.....	694,200
3	Safety education and training fund.....	[5,838,200]
4	State general fund/general purpose..... \$	[7,972,900]
5	<b>Sec. 117. WORKER'S DISABILITY COMPENSATION</b>	
6	Full-time equated classified positions.....171.4	
7	Administration--119.0 FTE positions..... \$	8,345,700
8	Board of magistrates administration--8.0 FTE	
9	positions.....	1,822,500
10	Appellate commission administration--11.4 FTE	
11	positions.....	847,400
12	Supplemental benefit fund.....	1,300,000
13	Insurance funds administration--33.0 FTE positions...	10,175,900
14	Automatic data processing.....	506,000
15	Grant to department of career development, hire the	
16	handicapped program.....	<u>50,000</u>
17	GROSS APPROPRIATION..... \$	23,047,500
18	Appropriated from:	
19	Special revenue funds:	
20	Second injury fund.....	6,471,300
21	Self-insurers' security fund.....	1,724,900
22	Silicosis and dust disease fund.....	2,535,700
23	Worker's compensation administrative revolving fund..	2,093,100
24	State general fund/general purpose..... \$	10,222,500
25	<b>Sec. 118. UNEMPLOYMENT AGENCY</b>	
26	Full-time equated classified positions.....1,519.0	

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1	Worker's compensation.....	\$	765,000
2	Rent.....		6,087,000
3	Building occupancy charges - property development		
4	service.....		3,725,800
5	Unemployment program--1,441.7 FTE positions.....		94,742,800
6	Advocacy assistance program--8.0 FTE positions.....		1,536,200
7	Special audit and collections program--34.0 FTE		
8	positions.....		2,157,400
9	Testing program for agency staff--2.1 FTE positions..		2,779,600
10	Expanded fraud control program--33.2 FTE positions...		<u>2,468,100</u>
11	GROSS APPROPRIATION.....	\$	114,261,900
12	Appropriated from:		
13	Federal revenues:		
14	DOL, employment and training administration.....		518,600
15	DOL, unemployment insurance.....		99,163,400
16	Federal reed act funds.....		4,148,800
17	Special revenue funds:		
18	Contingent fund, penalty and interest account.....		10,431,100
19	State general fund/general purpose.....	\$	0

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### PART 2

23

### PROVISIONS CONCERNING APPROPRIATIONS

### 24 GENERAL SECTIONS

25

26

27

Sec. 201. (1) Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2000-2001 is [\$302,380,000.00] and state spending

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1 from state resources to be paid to local units of government for fiscal  
2 year 2000-2001 is \$29,425,000.00. The itemized statement below identi-  
3 fies appropriations from which spending to units of local government will  
4 occur:

5 DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

6 Arts and cultural grants.....	\$	15,000,000
7 Fire protection grants.....		8,175,000
8 Liquor law enforcement.....		6,000,000
9 Local manufactured housing inspections.....		<u>250,000</u>
10 Total department of consumer and industry services...	\$	29,425,000

11 (2) If it appears to the principal executive officer of a department  
12 or branch that state spending to local units of government will be less  
13 than the amount that was projected to be expended under subsection (1),  
14 the principal executive officer shall immediately give notice of the  
15 approximate shortfall to the state budget director, the house and senate  
16 appropriations committees, and the fiscal agencies.

17 Sec. 202. The appropriations authorized under this act are subject  
18 to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

19 Sec. 203. As used in this appropriation act:

20 (a) "AFC" means adult foster care.

21 (b) "Department" means the department of consumer and industry  
22 services.

23 (c) "DOE" means the United States department of energy.

24 (d) "DOE-OEERE" means the DOE office of energy efficiency and  
25 renewable energy.

26 (e) "DOL" means the United States department of labor.



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1 (f) "DOL-OSHA" means the DOL occupational safety and health  
2 administration.

3 (g) "DOT" means the United States department of transportation.

4 (h) "DOT-RSPA" means the DOT research and special programs  
5 administration.

6 (i) "Fiscal agencies" means Michigan house fiscal agency and  
7 Michigan senate fiscal agency.

8 (j) "FTE" means full-time equated.

9 (k) "HHS" means the United States department of health and human  
10 services.

11 (l) "HHS-HCFA" means the HHS health care financing administration.

12 (m) "HHS-SSA" means HHS social security administration.

13 (n) "HUD" means the United States department of housing and urban  
14 development.

15 (o) "IDG" means interdepartmental grant.

16 (p) "MIOSHA" means the Michigan occupational safety and health  
17 administration.

18 (q) "NFAH" means the national foundation of the arts and the  
19 humanities.

20 (r) "NFAH-NEA" means the NFAH national endowment for the arts.

21 Sec. 204. The department of civil service shall bill departments  
22 and agencies at the end of the first fiscal quarter for the 1% charge  
23 authorized by section 5 of article XI of the state constitution of 1963.  
24 Payments shall be made for the total amount of the billing by the end of  
25 the second fiscal quarter.

26 Sec. 205. (1) Beginning October 1, a hiring freeze is imposed on  
27 the state classified civil service. State departments and agencies are

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1 prohibited from hiring any new full-time state classified civil service  
2 employees and prohibited from filling any vacant state classified civil  
3 service positions. This hiring freeze does not apply to internal trans-  
4 fers of classified employees from 1 position to another within a depart-  
5 ment or to positions that are funded with 80% or more federal or  
6 restricted funds.

7 (2) The state budget director shall grant exceptions to this hiring  
8 freeze when the state budget director believes that the hiring freeze  
9 will result in rendering a state department or agency unable to deliver  
10 basic services. The state budget director shall report by the thirtieth  
11 of each month to the chairpersons of the senate and house of representa-  
12 tives standing committees on appropriations the number of exceptions to  
13 the hiring freeze approved during the previous month and the justifica-  
14 tion for the exception.

15 Sec. 207. At least 60 days before beginning any effort to privati-  
16 ze, the department shall submit a complete project plan to the appropri-  
17 ate senate and house of representatives appropriations subcommittees and  
18 the senate and house fiscal agencies. The plan shall include the cri-  
19 teria under which the privatization initiative will be evaluated. The  
20 evaluation shall be completed and submitted to the appropriate senate and  
21 house of representatives appropriations subcommittees and the senate and  
22 house fiscal agencies within 30 months.

23 Sec. 208. The department shall continue to pilot the use of the  
24 Internet to fulfill the reporting requirements of this act. This may  
25 include transmission of reports via electronic mail to the recipients  
26 identified for each reporting requirement or it may include placement of  
27 reports on the Internet or legislative Intranet site. The senate and

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1 house of representatives appropriations subcommittees and senate and  
2 house fiscal agencies shall be notified in writing of the Internet or  
3 Intranet site of any such report. Quarterly, the department shall pro-  
4 vide a cumulative listing of the reports submitted during the most recent  
5 3-month period along with the Internet or Intranet site of each report,  
6 and a list of those reports expected to be transmitted in the following  
7 quarter. The department shall continue to distribute all of these  
8 reports to the legislature in the current printed format.

9       Sec. 209. Funds appropriated in part 1 shall not be used for the  
10 purchase of foreign goods or services, or both, if competitively priced  
11 and of comparable quality American goods or services, or both, are  
12 available.

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

20       Sec. 211. Of the funds appropriated in part 1 that are in units  
21 other than the grants unit, the department shall not provide grants to  
22 local government agencies, institutions of higher education, or nonprofit  
23 organizations unless the department or the fund provides notice of the  
24 grant to the appropriations subcommittees of the house and senate at  
25 least 10 days before the grant is issued or at least 72 hours before any  
26 announcement to local governmental units or the public.

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1       Sec. 212. The department shall provide a report prepared by the  
2 department's internal auditor on the activities of the internal auditor  
3 for the prior fiscal year. This report shall include a listing of each  
4 audit or investigation performed by the internal auditor pursuant to  
5 sections 486(4) and 487 of the management and budget act, 1984 PA 431,  
6 MCL 18.1486 and 18.1487. The report shall identify the proportion of  
7 time spent on each of the statutory responsibilities listed in  
8 sections 485(4), 486(4), and 487 of the management and budget act, 1984  
9 PA 431, MCL 18.1485, 18.1486, and 18.1487, and the time spent on all  
10 other activities performed in the internal audit function. The first  
11 report shall be due March 1, 2000, and biennially thereafter beginning on  
12 May 1 and shall be submitted to the governor, auditor general, the senate  
13 and house appropriations committees, the fiscal agencies, and the  
14 director.

15       Sec. 213. The department shall establish and maintain affirmative  
16 action programs based on guidelines developed by the state equal opportu-  
17 nity workforce planning council which was created by Executive Order  
18 No. 1996-13 in order to receive general fund/general purpose dollars.

### 19 DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

20       Sec. 301. The appropriation in part 1 for fire protection grants  
21 from the liquor purchase revolving fund shall be appropriated to cities,  
22 villages, and townships with state-owned facilities for fire services,  
23 instead of taxes, in accordance with 1977 PA 289, MCL 141.951 to  
24 141.956.

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1       Sec. 302. The funds collected by the financial institutions bureau  
2 in connection with a conservatorship pursuant to section 32 of the  
3 mortgage brokers, lenders, and servicers licensing act, 1987 PA 173,  
4 MCL 445.1682, shall be appropriated for all expenses necessary to provide  
5 for the required services. Funds are available for expenditure when they  
6 are received by the department of treasury and shall not lapse to the  
7 general fund at the end of the fiscal year.

8       Sec. 303. The funds collected by the department from corporations  
9 being liquidated pursuant to the insurance code of 1956, 1956 PA 218,  
10 MCL 500.100 to 500.8302, shall be appropriated for all expenses necessary  
11 to provide for the required services. Funds are available for expendi-  
12 ture when they are received by the department of treasury and shall not  
13 lapse to the general fund at the end of the fiscal year.

14       Sec. 304. The department may make available to interested entities  
15 otherwise unavailable customized listings of nonconfidential information  
16 in its possession, such as names and addresses of licensees, and charge  
17 for this information as follows: base fee for 1 to 1,000 records at the  
18 cost to the department; 1,001 to 10,000 records at 2.5 cents per record;  
19 and 10,001 or more records at .5 cents per record. The revenue received  
20 from this service may be used to offset expenses of programs as appropri-  
21 ated in part 1. The balance of this revenue collected and unexpended at  
22 the end of the fiscal year shall revert to the appropriate restricted  
23 revenue account or fund or, in absence of such an account or fund, to the  
24 general fund. The department shall submit an annual report on or before  
25 June 1, 2001 to the regulatory subcommittees of the house and senate  
26 appropriations committees that states the amount of revenue received from  
27 the sale of information.

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1       Sec. 305. The appropriation in part 1 may be used for per diem  
2 payments to the members of commissions or boards for a full day of com-  
3 mittee work at which a quorum is present or for performing official busi-  
4 ness as authorized by each respective commission or board. The per diem  
5 payments shall be at a rate as follows:

6	(a) Michigan board of chiropractic medicine.....	\$50.00 per day
7	(b) Michigan board of dentistry.....	\$50.00 per day
8	(c) Michigan board of medicine.....	\$50.00 per day
9	(d) Board of nursing.....	\$50.00 per day
10	(e) Michigan board of optometry.....	\$50.00 per day
11	(f) Michigan board of osteopathic medicine and	
12	surgery.....	\$50.00 per day
13	(g) Michigan board of pharmacy.....	\$50.00 per day
14	(h) Michigan board of podiatric medicine and	
15	surgery.....	\$50.00 per day
16	(i) Michigan board of psychology.....	\$50.00 per day
17	(j) Michigan board of physical therapy.....	\$50.00 per day
18	(k) Physicians' assistants task force.....	\$50.00 per day
19	(l) Michigan board of veterinary medicine.....	\$50.00 per day
20	(m) Michigan board of occupational therapists....	\$50.00 per day
21	(n) Michigan board of professional counselors....	\$50.00 per day
22	(o) Health occupations council.....	\$50.00 per day
23	(p) Board of accountancy.....	\$50.00 per day
24	(q) Board of architects.....	\$50.00 per day
25	(r) Athletic board of control.....	\$50.00 per day
26	(s) Board of barber examiners.....	\$50.00 per day

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1	(t) Residential builders' and maintenance and	
2	alteration contractor's board.....	\$50.00 per day
3	(u) Carnival-amusement safety board.....	\$50.00 per day
4	(v) Collection practices board.....	\$50.00 per day
5	(w) Board of cosmetology.....	\$50.00 per day
6	(x) Employment agency board.....	\$50.00 per day
7	(y) Board of professional engineers.....	\$50.00 per day
8	(z) Board of land surveyors.....	\$50.00 per day
9	(aa) Board of landscape architects.....	\$50.00 per day
10	(bb) Board of marriage counselors.....	\$50.00 per day
11	(cc) Board of examiners in mortuary science.....	\$50.00 per day
12	(dd) Nursing home administrators' board.....	\$50.00 per day
13	(ee) Board of real estate brokers and	
14	salespersons.....	\$50.00 per day
15	(ff) Ski area safety board.....	\$50.00 per day
16	(gg) Board of examiners of social workers.....	\$50.00 per day
17	(hh) Commission on professional and occupational	
18	licensure.....	\$50.00 per day
19	(ii) Board of real estate appraisers.....	\$50.00 per day
20	(jj) Utility consumer participation board.....	\$50.00 per day
21	(kk) Construction code commission.....	\$50.00 per day
22	(ll) Plumbing board.....	\$50.00 per day
23	(mm) Electrical board.....	\$50.00 per day
24	(nn) Barrier free design board.....	\$50.00 per day
25	(oo) Mechanical board.....	\$50.00 per day
26	(pp) Boiler board.....	\$50.00 per day

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1	(qq) Elevator board.....	\$50.00 per day
2	(rr) General industry safety standards commission	\$50.00 per day
3	(ss) General industry safety standards advisory	
4	committees.....	\$50.00 per day
5	(tt) Construction safety standards commission....	\$50.00 per day
6	(uu) Construction safety standards advisory	
7	committees.....	\$50.00 per day
8	(vv) Board of health and safety compliance	
9	appeals.....	\$50.00 per day
10	(ww) Occupation health standards commission.....	\$50.00 per day
11	(xx) Fire safety board.....	\$50.00 per day
12	(yy) Occupational health standards advisory	
13	committee.....	\$50.00 per day
14	Sec. 306. (1) The Michigan council for arts and cultural affairs in	
15	the department shall administer the arts and cultural grants appropriated	
16	in part 1. The council shall provide for fair and independent decisions	
17	on arts and cultural grant requests based upon published criteria to	
18	evaluate program quality. This criteria shall include a prohibition of	
19	art projects that include displays of human wastes on religious symbols,	
20	displays of sex acts, and depictions of flag desecration. The council	
21	shall seek to award grants on an equitable geographic basis to the extent	
22	possible given the quality of grant applications received. Priority	
23	shall be given to projects that serve multiple counties and that leverage	
24	significant additional public and private investment. Counties, cities,	
25	villages, townships, community foundations, and organizations may apply	
26	for the following categories of grants:	

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1 (a) Anchor organization program for organizations that serve a  
2 statewide audience. Anchor organizations shall demonstrate a commitment  
3 to education, to mentoring smaller organizations, and to reaching under-  
4 served audiences.

5 (b) Arts projects program.

6 (c) Arts and learning program.

7 (d) Artists in schools program.

8 (e) Arts organization development program.

9 (f) Arts and cultural projects for cities, villages, and townships  
10 (CTV) program.

11 (g) Local, regional, or statewide arts agencies services program.

12 (h) Regional regranting program.

13 (i) Partnership program.

14 (j) Discretionary grants program.

15 (2) The council shall establish a regional services provider subcat-  
16 egory within the arts projects program to serve mid-level and larger  
17 organizations that serve a regional audience. Organizations receiving  
18 grants within this subcategory shall demonstrate that they have regional  
19 impact as well as a commitment to education, to mentoring smaller organi-  
20 zations, and to reaching underserved audiences.

21 (3) Potential applicants, including anchor organizations, that are  
22 considered ineligible to apply for grants and applicants that are unsuc-  
23 cessful in obtaining a grant shall be provided by the council with the  
24 following:

25 (a) A written rationale as to why the potential applicant was con-  
26 sidered ineligible or why the applicant's grant was not funded.

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1 (b) A description of actions the potential applicant or applicant  
2 needs to take in order to become eligible or to receive funding in future  
3 years.

4 (4) The council shall distribute the funds appropriated in part 1 in  
5 a manner which achieves the following criteria:

6 (a) Supports the development of the regional services provider sub-  
7 category and provides sufficient funding to organizations meeting the  
8 criteria for this subcategory as described in subsection (2) and the  
9 council's guidelines.

10 (b) Preserves the funding capacity for the council to provide suffi-  
11 cient funding to new applicants for the anchor organization program that  
12 meet the criteria for this category as described in subsection (1)(a) and  
13 the council's guidelines.

14 (5) Funds allocated outside of the categories described in subsec-  
15 tion (4)(a) and (b) shall be allocated to the remaining grant categories  
16 in the same general proportions as the council has allocated funding to  
17 these categories in recent fiscal years.

18 (6) Applications for arts and cultural grants shall be received by  
19 the department, Michigan council for arts and cultural affairs, not later  
20 than October 1, 2000.

21 (7) The appropriation for arts and cultural grants in part 1 and  
22 disbursed under this section shall, at a minimum, be matched on an equal  
23 dollar-for-dollar basis from local and private contributions paid and  
24 received by each awardee receiving grants under this section. The  
25 dollar-for-dollar match may include the reasonable value of services,  
26 materials, and equipment as allowed under the federal internal revenue  
27 code for charitable contributions subject also to the preapproval of such

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1 a match by the Michigan council for arts and cultural affairs. The  
2 council shall receive proof of the entire amount of the matching funds,  
3 services, materials, or equipment by the end of the award period. The  
4 council shall submit a report to the regulatory subcommittees of the  
5 house and senate appropriations committees regarding those counties,  
6 cities, villages, townships, community foundations, and organizations  
7 failing to meet their matching requirements by the end of the award  
8 period.

9 (8) Before any amount appropriated for arts and cultural grants in  
10 part 1 may be expended for a grant to eligible applicants for the pur-  
11 poses in this section, the department shall execute a grant agreement  
12 with each grantee. The grant agreement shall specify the criteria  
13 included in this section with which the application complies. The grant  
14 agreement shall include a list of the projects funded and the amount of  
15 funds each subgrantee, if applicable, will receive for those projects.  
16 The appropriate subcommittees of the house and senate appropriations com-  
17 mittees shall receive a summary of the projects funded for each grant  
18 recipient by November 1, 2000.

19 (9) By February 1, 2001, the department shall report to the appro-  
20 priate subcommittees of the house and senate appropriations committees on  
21 how the council intends to implement the arts and cultural grants program  
22 for the following fiscal year, including the process for evaluating  
23 organization quality, efforts to achieve an equitable geographic distri-  
24 bution of grants, and a summary of any revisions to the guidelines for  
25 the council's grant programs. The department shall submit copies of the  
26 guidelines for each grant category to the appropriate subcommittees by  
27 February 1, 2001.

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1       (10) The department shall submit a report to the appropriate house  
2 and senate appropriations subcommittees and the fiscal agencies by  
3 October 1, 2000, listing the grant applicants under this section. The  
4 report shall include the following:

5       (a) The amount requested by the applicant.

6       (b) Any amount awarded to the applicant.

7       (c) The grant category under which the applicant applied.

8       (d) The county in which the organization resides.

9       (e) The expected number of patrons during the grant period.

10       (f) The amount of matching funds proposed to be contributed by the  
11 applicant.

12       (g) The organization's score as determined by the relevant peer  
13 review panel during the application evaluation process.

14       (11) By September 1, 2001, the department shall submit a summary of  
15 the regranted awards made by regranteeing organizations from funds appro-  
16 priated in part 1. For each regranteeing organization, the report shall  
17 include the following:

18       (a) The name of each grantee.

19       (b) The amount received by the grantee.

20       (c) The county in which the grantee resides.

21       (12) Counties, cities, villages, townships, community foundations,  
22 and organizations receiving funds under this section shall provide the  
23 following reports to the Michigan council for arts and cultural affairs  
24 and to the appropriate subcommittees of the house and senate appropria-  
25 tions committees and the fiscal agencies:

26       (a) A final report covering the grant period and due within 30 days  
27 after the end of the grant period indicating at least the following:

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1       (i) Revenues and expenditures, indicating whether revenues are from  
2 private donations or fees.

3       (ii) Number of employees.

4       (iii) Number of new hires.

5       (iv) Number of patrons attracted during the grant period.

6       (b) For awardees receiving grants greater than \$100,000.00, a copy  
7 of the awardee's annual report and audit report for the fiscal year in  
8 which the majority of the grant took place due within 90 days after the  
9 end of the awardee's fiscal year. The audit report shall include an  
10 audit of grant funds. A representative sampling of grant agreements  
11 shall be audited by the state auditor general. The audit report shall be  
12 submitted to the regulatory subcommittees of the house and senate appro-  
13 priations committees for review. These awardees shall also submit the  
14 information in subdivision (a) on a quarterly basis for the immediately  
15 preceding quarter due on January 7, April 7, July 7, and October 7 of  
16 each year.

17       (13) The recipients of grant funds under this section shall be  
18 announced by the department by October 1, 2000. The department shall,  
19 within 1 day following the final council vote, provide the appropriate  
20 subcommittees of the house and senate appropriations committees and each  
21 legislator whose district is receiving a grant with a list of grant  
22 awardees.

23       (14) A grant awarded under this section and the matching funds which  
24 conferred eligibility for the grant award shall be used by the recipient  
25 of the grant award and shall not be redistributed by that recipient to  
26 any other entity unless specifically provided for in the grant agreement

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1 between the funded grant awardee and the Michigan council for arts and  
2 cultural affairs.

3       (15) The applicants for arts and cultural grant funds shall be  
4 charged a nonrefundable application fee of \$100.00 or 1% of the grant,  
5 whichever is less. The application fee may be used by the department to  
6 recover direct and indirect costs as appropriated in part 1.

7       (16) It is the intent of the legislature that the Michigan council  
8 for arts and cultural affairs continue to take appropriate steps to  
9 ensure that all organizations receiving state arts anchor organization  
10 grants have combined grant awards, as defined above, of no more than  
11 15.0% of operating revenue for the fiscal year ending September 30, 2005  
12 and beyond. As used in this subsection, "operating revenue" is defined  
13 in the same manner as it was defined during the fiscal year 2000 state  
14 arts anchor organization application process.

15       (17) The council shall continue and expand its efforts to encourage  
16 and support nonprofit arts and cultural organizations transitioning from  
17 solely volunteer-based organizations to professional directed  
18 operations. This includes the provision of funds and services from the  
19 arts organization development, partnership, arts projects, regional serv-  
20 ices provider, and regional regranting programs as well as the rural arts  
21 and culture initiative to support professional development within these  
22 organizations. Criteria for support include the requirement of collabo-  
23 ration between these organizations and other community organizations.

24       (18) Any organizations receiving grants within the anchor organiza-  
25 tion program category in excess of 10.0% of their operating revenue, as  
26 defined in subsection (16), for the fiscal year ending September 30,  
27 2000, shall not receive a combined grant award from all grant categories,

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1 except the partnership program, that is greater than the combined grant  
2 award from these categories that the organization received for the fiscal  
3 year ending September 30, 2000.

4       Sec. 307. The department may receive and expend contributions from  
5 public, private, and federal sources, except state agencies, for the pur-  
6 pose of acquiring or constructing art objects or promoting or preserving  
7 the arts in or on state properties. Expenditures of any funds received  
8 shall be consistent with the purposes of the Faxon-McNamee art in public  
9 places act, 1980 PA 105, MCL 18.71 to 18.81. Any funds received under  
10 this section are considered a work project account and may be carried  
11 forward into the succeeding fiscal year.

12       Sec. 308. The Michigan state housing development authority shall  
13 annually present a report to the regulatory subcommittees of the house  
14 and senate appropriations committees on the status of the authority's  
15 housing production goals under all financing programs established or  
16 administered by the authority. The report shall give special attention  
17 to efforts to raise affordable multifamily housing production goals.

18       Sec. 309. The department shall assess and collect fees in the  
19 licensing and regulation of child care organizations as defined in 1973  
20 PA 116, MCL 722.111 to 722.128, and adult foster care facilities as  
21 defined in the adult foster care facility licensing act, 1979 PA 218,  
22 MCL 400.701 to 400.737. Fees collected by the department shall not  
23 exceed the deducts in part 1 and shall be used exclusively for the pur-  
24 pose of licensing and regulating child care organizations and adult  
25 foster care facilities.

26       Sec. 310. The appropriation in part 1 for the department, bureau of  
27 safety and regulation, safety education and training division, includes

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1 funding for on-site consultation and education and training programs.  
2 The appropriation in part 1 anticipates that 90% of the on-site consulta-  
3 tion program costs and 50% of the education and training program costs  
4 will be supported by federal OSHA funds and the remaining 10% and 50%  
5 respectively will be supported by safety education and training funds.  
6 If federal OSHA funding does not become available to cover up to 90% of  
7 the program costs for on-site consultation and 50% for education and  
8 training, up to 50% of the program costs for on-site consultation and 90%  
9 of the program costs for education and training may be paid from the  
10 safety education and training fund as a match for available federal  
11 funds.

12       Sec. 311. The funds collected by the department for licenses, per-  
13 mits, and other elevator regulation fees set forth in R 408.8151 of the  
14 Michigan administrative code and as determined under section 8 of 1976  
15 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL 408.816, that  
16 are unexpended at the end of the fiscal year shall carry forward to the  
17 subsequent fiscal year. The department shall submit a report on an  
18 annual basis to the regulatory subcommittees of the house and senate  
19 appropriations committees on the amount of funds available under this  
20 section.

21       Sec. 312. If the revenue collected by the department for occupa-  
22 tional safety and health, health systems administration, or radiological  
23 health administration and projects from fees and collections exceeds the  
24 amount appropriated in part 1, the revenue may be carried forward into  
25 the subsequent fiscal year. The revenue carried forward under this sec-  
26 tion shall be used as the first source of funds in the subsequent fiscal  
27 year.



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Sec. 313. Money appropriated under this act for fire safety programs shall not be expended unless, in accordance with section 2c of the fire prevention code, 1941 PA 207, MCL 29.2c, inspection and plan review fees will be charged according to the following schedule:

Operation and maintenance inspection fee

<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 hospitals and schools</u>		
<u>Project cost range</u>		<u>Fee</u>
\$101,000.00 or less		minimum fee of \$125.00
\$101,001.00 to \$1,500,000.00		\$1.24 per \$1,000.00
\$1,500,001.00 to \$10,000,000.00		\$0.90 per \$1,000.00
\$10,000,001.00 or more		\$0.70 per \$1,000.00
		or a maximum fee of \$50,000.00.

Sec. 314. The department shall furnish the clerk of the house, the secretary of the senate, and the members of the house and senate appropriations committees with a summary of any evaluation reports and subsequent approvals or disapprovals of juvenile residential facilities operated by the family independence agency, as required by 1973 PA 116, MCL 722.116. If no evaluations are conducted during the fiscal year, the department shall notify the subcommittees and the fiscal agencies.

Sec. 315. (1) From the amount appropriated in part 1 to health systems administration, the department shall provide funding for not less than 113 inspectors to annually survey and investigate the care and services delivered in nursing homes, county medical care facilities, and hospital long-term care units in accordance with provisions in the public health code, 1978 PA 368, MCL 333.1101 to 333.25211, and federal Medicare and Medicaid certification standards.

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1       (2) The department, in keeping with the severity of the allegations,  
2 shall investigate complaints alleging poor care and services occurring on  
3 nights or weekends in nursing homes, county medical care facilities, and  
4 hospital long-term care units by conducting on-site investigations on  
5 nights or weekends.

6       Sec. 316. If the revenue collected by the department from licensing  
7 and regulation fees exceeds the amount appropriated in part 1, the reve-  
8 nue may be carried forward into the subsequent fiscal year. The revenue  
9 carried forward under this section shall be used as the first source of  
10 funds in the subsequent fiscal year.

11       Sec. 317. Funds earned or authorized by the United States depart-  
12 ment of labor in excess of the gross appropriation in part 1 for the  
13 Michigan unemployment agency from the United States department of labor  
14 are appropriated and may be expended for staffing and related expenses  
15 incurred in the operation of its programs. These funds may be spent  
16 after the department notifies the regulatory subcommittees of the house  
17 and senate appropriations committees of the purpose and amount of each  
18 grant award.

19       Sec. 318. (1) In addition to the funds appropriated in part 1,  
20 there is appropriated an amount not to exceed \$23,500,000.00 for federal  
21 contingency funds. These funds are not available for expenditure until  
22 they have been transferred to another line item in this act pursuant to  
23 section 393(2) of the management and budget act, 1984 PA 431,  
24 MCL 18.1393.

25       (2) In addition to the funds appropriated in part 1, there is appro-  
26 priated an amount not to exceed \$12,200,000.00 for state restricted  
27 contingency funds. These funds are not available for expenditure until

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1 they have been transferred to another line item in this act pursuant to  
2 section 393(2) of the management and budget act, 1984 PA 431,  
3 MCL 18.1393.

4 (3) In addition to the funds appropriated in part 1, there is appro-  
5 priated an amount not to exceed \$180,800.00 for local contingency funds.  
6 These funds are not available for expenditure until they have been trans-  
7 ferred to another line item in this act pursuant to section 393(2) of the  
8 management and budget act, 1984 PA 431, MCL 18.1393.

9 (4) In addition to the funds appropriated in part 1, there is appro-  
10 priated an amount not to exceed \$50,000.00 for private contingency  
11 funds. These funds are not available for expenditure until they have  
12 been transferred to another line item in this act pursuant to section  
13 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

14 Sec. 319. The department shall sell documents at a price not to  
15 exceed the cost of production and distribution. Money received from the  
16 sale of these documents shall revert to the department. The funds are  
17 available for expenditure when they are received by the department of  
18 treasury and may only be used for costs directly related to the continued  
19 updating and distribution of the documents pursuant to this section.  
20 This section applies only for the following documents:

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

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

26 (c) The Michigan liquor control code of 1998, 1998 PA 58,  
27 MCL 436.1101 to 436.2303, with amendments.

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1 (d) The mobile home commission act, 1987 PA 96, MCL 125.2301 to  
2 125.2349; the business corporation act, 1972 PA 284, MCL 450.1101 to  
3 450.2098; the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to  
4 450.3192; and the uniform securities act, 1964 PA 265, MCL 451.501 to  
5 451.818.

6 (e) Labor law books.

7 (f) Worker's compensation health care services rules.

8 (g) Minimum design standards for health care facilities.

9 Sec. 320. (1) The department shall develop a nursing home quality  
10 care incentive program. The purpose of the program will be to provide  
11 financial incentives for nursing homes to develop high quality care  
12 services. Grants shall be awarded to nursing homes that can demonstrate  
13 an existing commitment to providing high quality care.

14 (2) The department shall develop the specific criteria for the  
15 awarding of these grants. At a minimum, these criteria shall include  
16 some measure of resident satisfaction with the level of care provided.  
17 The criteria may also include the results of the facility's annual survey  
18 conducted by the department.

19 (3) The department shall both notify nursing home care providers of  
20 the criteria to be used in awarding grants by January 1, 2001.

21 Sec. 321. The department shall report to the appropriations subcom-  
22 mittees and the fiscal agencies on March 1, 2001 and September 1, 2001 on  
23 the initial and follow-up surveys conducted on all nursing homes in this  
24 state. The report shall include all of the following information:

25 (a) The number of surveys conducted.

26 (b) The number requiring follow-up surveys.

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1 (c) The number referred to the Michigan public health institute for  
2 remediation.

3 (d) The number of citations per home.

4 (e) The number of night and weekend complaints filed.

5 (f) The number of night and weekend responses to complaints con-  
6 ducted by the department.

7 (g) The average length of time for the department to respond to a  
8 complaint filed against a nursing home.

9 (h) The number and percentage of citations appealed.

10 (i) The number and percentage of citations overturned and/or  
11 modified.

12 Sec. 322. The department, bureau of safety and regulation, shall  
13 provide an annual report by February 1 of each year to the appropriate  
14 house and senate appropriations subcommittees and the fiscal agencies on  
15 the number of individuals killed and the number of individuals injured on  
16 the job within industries regulated by the bureau during the preceding  
17 calendar year.

18 Sec. 323. The department shall report by November 1, 2000 to the  
19 legislature and the fiscal agencies the status of the nursing home com-  
20 plaint investigation backlog and any suggested revisions to current stat-  
21 ute or promulgated rules that will assist in improving the effectiveness  
22 of the nursing home survey and complaint investigation process.

23 Sec. 324. As a condition for receiving the general fund/general  
24 purpose appropriations in part 1 for health systems administration, the  
25 department shall provide assistance to any person making an oral request  
26 for a nursing home investigation in putting his or her request into  
27 writing, shall initiate investigations on all written nursing home

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1 complaints filed with the department within 15 days of receipt of the  
2 complaint, and shall provide a written response to the complainant within  
3 30 days of receipt of the written complaint.

4       Sec. 325. Of the funds appropriated in part 1 for insurance bureau  
5 administration, the insurance bureau may utilize up to \$15,000.00 in  
6 insurance regulatory and licensing fee revenue to pay for legislators  
7 designated by the senate majority leader and speaker of the house of rep-  
8 resentatives to participate in insurance activities coordinated by insur-  
9 ance and legislative associations including the national association of  
10 insurance commissioners and the national council of insurance legislators  
11 in accordance with section 225 of the insurance code of 1956, 1956  
12 PA 218, MCL 500.225. The insurance commissioner shall maintain a list of  
13 the names of and amounts provided to individual legislators pursuant to  
14 this section.

15       Sec. 326. It is the intent of the legislature that the unemployment  
16 agency, during its transition to the remote initial claims system, oper-  
17 ate a sufficient number of unemployment agency offices, including itiner-  
18 ant or satellite offices, within Michigan's Upper Peninsula to ensure  
19 that the citizens of the Upper Peninsula can access these offices without  
20 excessive travel or, in cases where unemployment claims are filed or  
21 renewed by phone, without excessive long distance toll charges.

22       Sec. 327. The department shall provide for the updating of all rel-  
23 evant files and lists maintained by the Michigan child care  
24 clearinghouse. The department shall provide a report to the appropriate  
25 house and senate appropriations subcommittees on the costs involved with  
26 complying with this section by September 30, 2001.

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1       Sec. 328. The department shall continue to work with grantees  
2 supported through the appropriation in part 1 for emergency medical  
3 services grants and contracts to ensure that a sufficient number of qual-  
4 ified emergency medical services personnel exist to serve rural areas of  
5 the state.

6       Sec. 329. Of the funds appropriated in part 1 to the office of  
7 financial and insurance services created under Executive Order No. 4 of  
8 2000, the funds allocated to the office of financial and insurance serv-  
9 ices and the commissioner of the office of financial and insurance serv-  
10 ices under the insurance code of 1956, 1956 PA 218, MCL 500.100 to  
11 500.8302, shall be accounted for separately by the department from any  
12 other funds of the office of financial and insurance services and shall  
13 be separated and allocated as restricted funds to be held and expended  
14 only in the manner provided for under section 225 of the insurance code  
15 of 1956, 1956 PA 218, MCL 500.225, and this act.

16       Sec. 330. In response to recent changes in the administrative rules  
17 governing day care facilities, the appropriation in part 1 for AFC,  
18 children's welfare and day care licensure, shall allow the department to  
19 add up to 20 additional staff above the level employed as of September  
20 30, 2000. These new positions shall support day care licensing activi-  
21 ties that promote a higher quality environment for children in day care  
22 facilities.

23       Sec. 331. (1) The department in consultation with nursing home pro-  
24 vider groups, the department of community health, the state long-term  
25 care ombudsman, and the federal health care finance administration shall  
26 clarify the following terms as those terms are used in title XVIII and

1 title XIX and applied by the department to provide more consistent  
2 regulation of nursing homes in Michigan:

3 (a) Immediate jeopardy.

4 (b) Harm.

5 (c) Potential harm.

6 (d) Avoidable.

7 (e) Unavoidable.

8 (2) The department shall semiannually provide for joint training  
9 with nursing home surveyors and providers on at least 1 of the 10 most  
10 frequently issued federal citations in this state during the past calen-  
11 dar year. The department shall provide a mechanism to measure the effect  
12 of the training and shall report to the legislature on the effect of the  
13 training by January 15, 2001.

[Sec. 332. From the appropriations in part 1 for occupational safety and health, the department shall provide funding for 5 general industry safety inspectors, 5 construction industry safety inspectors, and 5 industrial hygienists. These positions shall be in addition to any existing positions already filled by the department in each of these areas as of the effective date of this act.]

Sec. 333. Of the funds appropriated in part 1 for nursing home quality incentive grants, no funds shall be distributed to a nursing home under the program unless that nursing home posts the executive summary of the nursing home's last annual inspection in a conspicuous place within the nursing home for public review.]