

SENATE 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,

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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.....	4,193.4	
7	GROSS APPROPRIATION.....	\$	546,327,800
8	Interdepartmental grant revenues:		
9	Total interdepartmental grants and intradepartmental		
10	transfers.....		109,200
11	ADJUSTED GROSS APPROPRIATION.....	\$	546,218,600
12	Federal revenues:		
13	Total federal revenues.....		237,786,000
14	Special revenue funds:		
15	Total local revenues.....		0
16	Total private revenues.....		745,900
17	Total other state restricted revenues.....		208,996,700
18	State general fund/general purpose.....	\$	98,690,000
19	Sec. 102. EXECUTIVE DIRECTION		
20	Full-time equated unclassified positions.....	64.5	
21	Full-time equated classified positions.....	94.0	
22	Unclassified salaries.....	\$	5,511,000
23	Executive director programs--13.0 FTE positions.....		2,091,400
24	Policy development--10.0 FTE positions.....		1,442,000
25	Utility consumer representation.....		550,000
26	Regulatory efficiency improvements/backlog reduction		
27	initiative.....		750,000

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1	MES board of review program--21.0 FTE positions.....	1,703,400
2	Bureau of hearings--41.0 FTE positions.....	4,236,700
3	Energy office--9.0 FTE positions.....	<u>2,558,800</u>
4	GROSS APPROPRIATION..... \$	18,843,300
5	Appropriated from:	
6	Federal revenues:	
7	DOE-OEERE, multiple grants.....	2,127,900
8	DOL-ETA, unemployment insurance.....	2,109,300
9	DOL, multiple grants for safety and health.....	154,300
10	Special revenue funds:	
11	Bank fees.....	177,800
12	Boiler fees.....	84,600
13	Construction code fund.....	406,700
14	Consumer finance fees.....	91,500
15	Corporation fees.....	305,200
16	Credit union fees.....	136,100
17	Elevator fees.....	38,600
18	Fees and collections/asbestos.....	10,900
19	Fire service fees.....	23,800
20	Health professions regulatory fund.....	1,330,600
21	Health systems fees and collections.....	66,000
22	Insurance regulatory fees.....	629,700
23	Licensing and regulation fees.....	451,100
24	Liquor license fees.....	100,000
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.....	1,973,300
6	Safety education and training fund.....	199,300
7	Second injury fund.....	68,100
8	Securities fees.....	170,500
9	Self-insurers security fund.....	17,900
10	Silicosis and dust disease fund.....	26,100
11	Utility consumer representation fund.....	550,000
12	Worker's compensation administrative revolving fund..	60,100
13	State general fund/general purpose..... \$	5,810,800
14	Sec. 103. COUNCIL FOR ARTS AND CULTURAL AFFAIRS	
15	Full-time equated classified positions.....9.0	
16	Administration--9.0 FTE positions..... \$	887,500
17	Arts and cultural grants.....	<u>31,548,800</u>
18	GROSS APPROPRIATION..... \$	32,436,300
19	Appropriated from:	
20	Federal revenues:	
21	NFAH-NEA, promotion of the arts, state and regional	
22	programs.....	700,000
23	State restricted revenues:	
24	State general fund/general purpose..... \$	31,736,300
25	Sec. 104. FIRE SAFETY	
26	Full-time equated classified positions.....57.0	

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1	Office of fire safety--57.0 FTE positions.....	\$	<u>4,885,800</u>
2	GROSS APPROPRIATION.....	\$	4,885,800
3	Appropriated from:		
4	Interdepartmental grant revenues:		
5	IDG from department of community health, inspection		
6	contract.....		109,200
7	Federal revenues:		
8	Federal funds.....		1,298,300
9	Special revenue funds:		
10	Fire alarm regulation fees.....		89,300
11	Fire services fees.....		1,802,500
12	State general fund/general purpose.....	\$	1,586,500
13	Sec. 105. MANAGEMENT SERVICES		
14	Full-time equated classified positions.....178.0		
15	Administrative services--84.0 FTE positions.....	\$	5,884,100
16	Technology support--94.0 FTE positions.....		13,724,200
17	Health services information systems.....		750,000
18	Insurance automation.....		750,000
19	Rent and building occupancy charges.....		13,827,300
20	Worker's compensation.....		1,055,000
21	Special project advances.....		<u>740,000</u>
22	GROSS APPROPRIATION.....	\$	36,730,600
23	Appropriated from:		
24	Federal revenues:		
25	DOL-ETA, unemployment insurance.....		296,300
26	DOL, multiple grants for safety and health.....		549,900

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1	Federal funds.....	426,700
2	HHS, federal funds.....	37,000
3	Special revenue funds:	
4	Private - special project advances.....	740,000
5	Bank fees.....	356,300
6	Boiler fee revenue.....	227,100
7	Construction code fund.....	1,165,300
8	Consumer finance fees.....	148,600
9	Corporation fees.....	1,938,000
10	Credit union fees.....	250,800
11	Elevator fees.....	267,000
12	Fees and collections/asbestos.....	88,200
13	Fire service fees.....	31,700
14	Health professions regulatory fund.....	4,350,800
15	Health systems fees and collections.....	464,700
16	Insurance regulatory fees.....	2,441,300
17	Licensing and regulation fees.....	2,031,800
18	Liquor purchase revolving fund.....	7,931,400
19	Manufactured housing commission fees.....	121,800
20	Michigan state housing development authority fees and	
21	charges.....	2,560,900
22	Motor carrier fees.....	198,600
23	Property development fees.....	29,000
24	Public utility assessments.....	2,323,700
25	Safety education and training fund.....	677,900
26	Second injury fund.....	303,300

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1	Securities fees.....	666,300
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	Sec. 106. CORPORATION AND LAND DEVELOPMENT BUREAU	
8	Full-time equated classified positions.....101.0	
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--12.0 FTE positions.....	1,104,500
14	Local manufactured housing communities inspections...	250,000
15	Property development group--13.0 FTE positions.....	1,420,400
16	Remonumentation grants.....	<u>5,000,000</u>
17	GROSS APPROPRIATION..... \$	14,315,300
18	Appropriated from:	
19	Special revenue funds:	
20	Corporation fees.....	6,555,900
21	Limited liability partnership revenue.....	10,000
22	Manufactured housing commission fees.....	1,916,800
23	Property development fees.....	237,400
24	Remonumentation fees.....	5,595,200
25	State general fund/general purpose..... \$	0
26	Sec. 107. OFFICE OF FINANCIAL AND INSURANCE SERVICES	

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1	Full-time equated classified positions.....	278.0	
2	Administration--27.0 FTE positions.....	\$	3,203,200
3	Policy and consumer services--37.0 FTE positions.....		2,956,900
4	Securities regulation--18.0 FTE positions.....		1,511,200
5	Bank regulation--50.0 FTE positions.....		5,362,000
6	Credit union regulation--43.0 FTE positions.....		3,713,900
7	Consumer finance regulation--21.0 FTE positions.....		1,909,300
8	Insurance financial evaluation--46.0 FTE positions...		5,553,800
9	Insurance licensing and enforcement--36.0 FTE		
10	positions.....		<u>3,477,500</u>
11	GROSS APPROPRIATION.....	\$	27,687,800
12	Appropriated from:		
13	Federal revenues:		
14	Federal funds.....		50,600
15	Special revenue funds:		
16	Private - travel funds.....		5,900
17	Bank fees.....		6,224,800
18	Consumer finance fees.....		2,255,700
19	Credit union fees.....		4,451,300
20	Insurance continuing education fees.....		532,400
21	Insurance licensing and regulation fees.....		2,619,500
22	Insurance regulatory fees.....		9,504,200
23	Multiple employer welfare arrangement.....		66,000
24	Securities fees.....		1,977,400
25	State general fund/general purpose.....	\$	0
26	Sec. 108. PUBLIC SERVICE COMMISSION		

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

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1	Sec. 110. MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY		
2	Full-time equated classified positions.....	234.0	
3	Payments on behalf of tenants.....	\$	70,000,000
4	Housing and rental assistance program--227.0 FTE		
5	positions.....		22,662,700
6	Automatic data processing--7.0 FTE positions.....		989,600
7	Homeless program.....		<u>5,290,800</u>
8	GROSS APPROPRIATION.....	\$	98,943,100
9	Appropriated from:		
10	Federal revenues:		
11	HUD, lower income housing assistance program.....		84,272,800
12	Special revenue funds:		
13	Michigan state housing development authority fees and		
14	charges.....		14,670,300
15	State general fund/general purpose.....	\$	0
16	Sec. 111. TAX TRIBUNAL		
17	Full-time equated classified positions.....	14.0	
18	Operations--14.0 FTE positions.....	\$	<u>1,638,700</u>
19	GROSS APPROPRIATION.....	\$	1,638,700
20	Appropriated from:		
21	Special revenue funds:		
22	Tax tribunal fees.....		629,400
23	State general fund/general purpose.....	\$	1,009,300
24	Sec. 112. GRANTS		
25	Fire protection grants.....	\$	8,675,000
26	Saginaw Valley naval ship museum.....		500,000

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1	Regional communications emergency operations mobile		
2	command post.....	50,000	
	Combined regional emergency services training center.	2,000,000	
	Fire and emergency services training center.....	1,000,000	
3	GROSS APPROPRIATION.....	\$	12,225,000
4	Appropriated from:		
5	Special revenue funds:		
6	Liquor purchase revolving fund.....		8,675,000
7	State general fund/general purpose.....	\$	3,550,000
8	Sec. 113. HEALTH REGULATORY SYSTEMS		
9	Full-time equated classified positions.....	344.5	
10	Health systems administration--181.0 FTE positions...	\$	16,768,400
11	Nursing home quality incentives grants--3.0 FTE		
12	positions.....		15,000,000
13	Emergency medical services program state staff--7.0		
14	FTE positions.....		888,600
15	Radiological health administration and projects--24.0		
16	FTE positions.....		1,948,900
17	Substance abuse program administration--4.0 FTE		
18	positions.....		401,500
19	Emergency medical services grants and contracts.....		1,062,100
20	Health services--125.5 FTE positions.....		<u>13,027,800</u>
21	GROSS APPROPRIATION.....	\$	49,097,300
22	Appropriated from:		
23	Federal revenues:		
24	Federal funds.....		19,635,500
25	Special revenue funds:		
26	Controlled substance license fees.....		1,343,300

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1	Health professions regulatory fund.....	10,422,800
2	Health systems fees and collections.....	3,687,100
3	Nurse professional fund.....	450,000
4	State general fund/general purpose..... \$	13,558,600
5	Sec. 114. REGULATORY SERVICES	
6	Full-time equated classified positions.....313.0	
7	AFC, children's welfare and day care licensure--313.0	
8	FTE positions..... \$	<u>25,581,400</u>
9	GROSS APPROPRIATION..... \$	25,581,400
10	Appropriated from:	
11	Federal revenues:	
12	HHS, federal funds.....	9,594,200
13	Special revenue funds:	
14	Health systems fees and collections.....	152,700
15	Licensing fees.....	482,800
16	State general fund/general purpose..... \$	15,351,700
17	Sec. 115. OCCUPATIONAL REGULATION	
18	Full-time equated classified positions.....237.5	
19	Commissions and boards..... \$	41,900
20	Code enforcement--99.0 FTE positions.....	7,724,700
21	Code enforcement flexibility.....	1,155,500
22	Boiler inspection program--18.0 FTE positions.....	1,509,700
23	Elevator inspection program--23.0 FTE positions.....	1,817,500
24	Commercial services--97.5 FTE positions.....	<u>9,056,700</u>
25	GROSS APPROPRIATION..... \$	21,306,000
26	Appropriated from:	

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1	Special revenue funds:	
2	Boiler fee revenue.....	1,653,800
3	Construction code fund.....	8,672,200
4	Elevator fees.....	1,923,300
5	Homeowner construction lien recovery fund.....	1,528,900
6	Licensing and regulation fees.....	7,003,300
7	Real estate appraiser continuing education fund.....	45,000
8	Real estate education fund.....	217,500
9	State general fund/general purpose..... \$	262,000
10	Sec. 116. EMPLOYMENT RELATIONS	
11	Full-time equated classified positions.....28.0	
12	Fact finding and arbitration..... \$	154,300
13	Employment and labor relations--28.0 FTE positions...	<u>2,935,500</u>
14	GROSS APPROPRIATION..... \$	3,089,800
15	Appropriated from:	
16	Federal revenues:	
17	EEOC, federal funds.....	30,000
18	Special revenue funds:	
19	Publication revenue.....	10,000
20	State general fund/general purpose..... \$	3,049,800
21	Sec. 117. SAFETY AND REGULATION	
22	Full-time equated classified positions.....293.0	
23	Commissions and boards..... \$	27,700
24	Employment standards enforcement--38.0 FTE positions.	2,539,800
25	Subgrantees.....	1,076,900
26	Occupational safety and health--255.0 FTE positions..	<u>23,153,200</u>

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1	GROSS APPROPRIATION.....	\$	26,797,600
2	Appropriated from:		
3	Federal revenues:		
4	DOL, multiple grants for safety and health.....		12,252,300
5	Special revenue funds:		
6	Fees and collections/asbestos.....		694,200
7	Safety education and training fund.....		5,838,200
8	State general fund/general purpose.....	\$	8,012,900
9	Sec. 118. WORKER'S DISABILITY COMPENSATION		
10	Full-time equated classified positions.....	171.4	
11	Administration--119.0 FTE positions.....	\$	8,345,700
12	Board of magistrates administration--8.0 FTE		
13	positions.....		1,822,500
14	Appellate commission administration--11.4 FTE		
15	positions.....		847,400
16	Supplemental benefit fund.....		1,300,000
17	Insurance funds administration--33.0 FTE positions...		10,175,900
18	Automatic data processing.....		506,000
19	Grant to the department of career development - hire		
20	the handicapped program.....		50,000
21	Uninsured employers security fund.....		<u>100</u>
22	GROSS APPROPRIATION.....	\$	23,047,600
23	Appropriated from:		
24	Special revenue funds:		
25	Second injury fund.....		6,471,300
26	Self-insurers security fund.....		1,724,900

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1	Silicosis and dust disease fund.....	2,535,700
2	Worker's compensation administrative revolving fund..	2,093,100
3	State general fund/general purpose..... \$	10,222,600
4	Sec. 119. UNEMPLOYMENT AGENCY	
5	Full-time equated classified positions.....1,519.0	
6	Worker's compensation..... \$	765,000
7	Rent and building occupancy charges.....	9,812,800
8	Unemployment programs--1,441.7 FTE positions.....	94,742,800
9	Advocacy assistance program--8.0 FTE positions.....	1,536,200
10	Special audit and collections program--34.0 FTE	
11	positions.....	2,157,400
12	Training program for agency staff--2.1 FTE positions.	2,779,600
13	Expanded fraud control program--33.2 FTE positions...	<u>2,468,100</u>
14	GROSS APPROPRIATION..... \$	114,261,900
15	Appropriated from:	
16	Federal revenues:	
17	DOL, employment and training administration.....	518,600
18	DOL, unemployment insurance.....	99,163,400
19	Federal Reed act funds.....	4,148,800
20	Special revenue funds:	
21	Contingent fund, penalty and interest account.....	10,431,100
22	State general fund/general purpose..... \$	0
23		
24		

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1 PART 2

2 PROVISIONS CONCERNING APPROPRIATIONS

3 GENERAL SECTIONS

4 Sec. 201. (1) Pursuant to section 30 of article IX of the state
5 constitution of 1963, total state spending from state resources under
6 part 1 for fiscal year 2000-2001 is \$307,136,600.00 and state spending
7 from state resources to be paid to local units of government for fiscal
8 year 2000-2001 is \$35,175,000.00. The itemized statement below identi-
9 fies appropriations from which spending to units of local government will
10 occur:

11 DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

12 Arts and cultural grants.....	\$	15,000,000
13 Fire protection grants.....		8,675,000
14 Liquor law enforcement.....		6,000,000
15 Local manufactured housing inspections.....		250,000
16 Remonumentation grants.....		5,000,000
17 Subgrantees.....		<u>250,000</u>
18 Total department of consumer and industry services...	\$	35,175,000

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

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

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

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

3 (b) "Department" means the department of consumer and industry
4 services.

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

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

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

9 (f) "DOL-OSHA" means the DOL occupational safety and health
10 administration.

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

12 (h) "DOT-RSPA" means the DOT research and special programs
13 administration.

14 (i) "Fiscal agencies" means Michigan house fiscal agency and
15 Michigan senate fiscal agency.

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

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

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

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

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

23 (o) "IDG" means interdepartmental grant.

24 (p) "MIOSHA" means the Michigan occupational safety and health
25 administration.

26 (q) "NFAH" means the national foundation of the arts and the
27 humanities.

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

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

7 Sec. 205. (1) Beginning October 1, a hiring freeze is imposed on
8 the state classified civil service. State departments and agencies are
9 prohibited from hiring any new full-time state classified civil service
10 employees and prohibited from filling any vacant state classified civil
11 service positions. This hiring freeze does not apply to internal trans-
12 fers of classified employees from 1 position to another within a depart-
13 ment or to positions that are funded with 80% or more federal or
14 restricted funds.

15 (2) The state budget director shall grant exceptions to this hiring
16 freeze when the state budget director believes that the hiring freeze
17 will result in rendering a state department or agency unable to deliver
18 basic services. The state budget director shall report by the thirtieth
19 of each month to the chairpersons of the senate and house of representa-
20 tives standing committees on appropriations the number of exceptions to
21 the hiring freeze approved during the previous month and the justifica-
22 tion for the exception.

23 Sec. 206. (1) In addition to the funds appropriated in part 1,
24 there is appropriated an amount not to exceed \$23,500,000.00 for federal
25 contingency funds. These funds are not available for expenditure until
26 they have been transferred to another line item in this act pursuant to

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1 section 393(2) of the management and budget act, 1984 PA 431,
2 MCL 18.1393.

3 (2) In addition to the funds appropriated in part 1, there is appro-
4 priated an amount not to exceed \$12,200,000.00 for state restricted con-
5 tingency funds. These funds are not available for expenditure until they
6 have been transferred to another line item in this act pursuant to sec-
7 tion 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

13 (4) In addition to the funds appropriated in part 1, there is appro-
14 priated an amount not to exceed \$50,000.00 for private contingency
15 funds. These funds are not available for expenditure until they have
16 been transferred to another line item in this act pursuant to section
17 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

26 Sec. 208. The department shall continue to pilot the use of the
27 Internet to fulfill the reporting requirements of this act. This may

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1 include transmission of reports via electronic mail to the recipients
2 identified for each reporting requirement or it may include placement of
3 reports on the Internet or legislative Intranet site. All members of the
4 senate and house of representatives appropriations subcommittees and
5 senate and house fiscal agencies shall be notified in writing of the
6 Internet or Intranet site of any such report. Quarterly, the department
7 shall provide a cumulative listing of the reports submitted during the
8 most recent 3-month period along with the Internet or Intranet site of
9 each report, and a list of those reports expected to be transmitted in
10 the following quarter.

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

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

22 Sec. 211. Of the funds appropriated in part 1 that are in units
23 other than the grants unit, the department shall not provide grants to
24 local government agencies, institutions of higher education, or nonprofit
25 organizations unless the department or the fund provides notice of the
26 grant to all members of the appropriations subcommittees of the house and

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1 senate at least 10 days before the grant is issued or at least 72 hours
2 before any announcement to local governmental units or the public.

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

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

21 **DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

22 Sec. 301. The appropriation in part 1 for fire protection grants
23 from the liquor purchase revolving fund shall be appropriated to cities,
24 villages, and townships with state-owned facilities for fire services,

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1 instead of taxes, in accordance with 1977 PA 289, MCL 141.951 to
2 141.956.

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

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

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

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1 and senate appropriations committees that states the amount of revenue
2 received from the sale of information.

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

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

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

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

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1 villages, townships, community foundations, and organizations may apply
2 for the following categories of grants:

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

7 (b) Arts projects program.

8 (c) Arts and learning program.

9 (d) Artists in schools program.

10 (e) Arts organization development program.

11 (f) Capitol improvement projects for cities, villages, and townships
12 (CTV) program.

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

14 (h) Regional regranting program.

15 (i) Partnership program.

16 (j) Discretionary grants program.

17 (k) Rural arts and cultural projects.

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

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

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1 (a) A written rationale as to why the potential applicant was
2 considered ineligible or why the applicant's grant was not funded.

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

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

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

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

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

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

1 council shall receive proof of the entire amount of the matching funds,
2 services, materials, or equipment by the end of the award period. The
3 council shall submit a report to all members of the appropriate subcom-
4 mittees of the house and senate appropriations committees regarding those
5 counties, cities, villages, townships, community foundations, and organi-
6 zations failing to meet their matching requirements by the end of the
7 award period.

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

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

26 (9) The department shall submit a report to all members of the
27 appropriate house and senate appropriations subcommittees and the fiscal

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1 agencies by October 1, 2000, listing the grant applicants under this
2 section. The report shall include the following:

3 (a) The amount requested by the applicant.

4 (b) Any amount awarded to the applicant.

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

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

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

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

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

12 (10) By September 1, 2001, the department shall submit to the fiscal
13 agencies and to all members of the appropriate house and senate appropri-
14 ations subcommittees a summary of the regranted awards made by regranteeing
15 organizations from funds appropriated in part 1. For each regranteeing
16 organization, the report shall include the following:

17 (a) The name of each grantee.

18 (b) The amount received by the grantee.

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

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

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

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 all members of the appropriate subcommittees of the house
13 and senate appropriations committees for review. These awardees shall
14 also submit the information in subdivision (a) on a quarterly basis for
15 the immediately preceding quarter due on January 7, April 7, July 7, and
16 October 7 of each year.

17 (12) 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 all members of the
20 appropriate subcommittees of the house and senate appropriations commit-
21 tees and each legislator whose district is receiving a grant with a list
22 of grant awardees.

23 (13) 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 (14) 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 (15) 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 (16) 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 (17) 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 (15), 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 (18) The council shall make available to an awardee any written com-
5 ments that are available regarding that awardee's application and peer
6 review process.

7 (19) The council shall provide for fair, equitable, and efficient
8 distribution of funds granted through the regional regranting program.
9 The council shall provide for an annual assessment of grant management
10 and distribution of mini-grant awards by designated regional regranting
11 agencies and review the methodology employed and report these findings to
12 all members of the appropriate house and senate subcommittees of the
13 appropriations committee.

14 (20) The council shall establish a local arts agencies and services
15 program which provides funding for organizations that deliver services to
16 cultural groups and individual artists in all disciplines and that foster
17 long-term development of a community or region. Projects and programs
18 funded through this program shall be designed to strengthen Michigan fam-
19 ilies and communities by ensuring full public access to quality arts and
20 cultural activities, promoting cultural tourism, and providing for qual-
21 ity arts and cultural education.

22 (21) The council shall use its best efforts to provide total grant
23 awards in the anchor organization program at a level not to exceed 65% of
24 the total amount appropriated for arts and cultural grants.

25 (22) The council shall establish a special cultural organization
26 pilot initiative in fiscal year 2000-2001 to provide project and program
27 funding and technical assistance to cultural organizations statewide.

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1 Cultural organizations shall include zoos, history museums, science
2 centers, and festivals.

3 (23) The council shall assess its granting processes and procedures
4 to strengthen consumer and industry access to arts and cultural informa-
5 tion, services, and funding opportunities and shall explore new technol-
6 ogy applications. The council shall report these findings to all members
7 of the appropriate subcommittees of the house and senate appropriations
8 committee.

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

17 Sec. 308. The Michigan state housing development authority shall
18 annually present a report to all members of the appropriate subcommittees
19 of the house and senate appropriations committees on the status of the
20 authority's housing production goals under all financing programs estab-
21 lished or administered by the authority. The report shall give special
22 attention to efforts to raise affordable multifamily housing production
23 goals.

24 Sec. 309. The department shall assess and collect fees in the
25 licensing and regulation of child care organizations as defined in 1973
26 PA 116, MCL 722.111 to 722.128, and adult foster care facilities as
27 defined in the adult foster care facility licensing act, 1979 PA 218,

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1 MCL 400.701 to 400.737. Fees collected by the department shall not
2 exceed the deducts in part 1 and shall be used exclusively for the pur-
3 pose of licensing and regulating child care organizations and adult
4 foster care facilities.

5 Sec. 310. The appropriation in part 1 for the department, bureau of
6 safety and regulation, safety education and training division, includes
7 funding for on-site consultation and education and training programs.
8 The appropriation in part 1 anticipates that 90% of the on-site consulta-
9 tion program costs and 50% of the education and training program costs
10 will be supported by federal OSHA funds and the remaining 10% and 50%
11 respectively will be supported by safety education and training funds.
12 If federal OSHA funding does not become available to cover up to 90% of
13 the program costs for on-site consultation and 50% for education and
14 training, up to 50% of the program costs for on-site consultation and 90%
15 of the program costs for education and training may be paid from the
16 safety education and training fund as a match for available federal
17 funds.

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

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1 Sec. 312. If the revenue collected by the department for
2 occupational safety and health, health systems administration, or
3 radiological health administration and projects from fees and collections
4 exceeds the amount appropriated in part 1, the revenue may be carried
5 forward into the subsequent fiscal year. The revenue carried forward
6 under this section shall be used as the first source of funds in the sub-
7 sequent fiscal year.

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

12 Operation and maintenance inspection fee

13 Facility type	Facility	Fee
14	size	
15 Hospitals	Any	\$8.00 per bed
16 <u>Plan review and construction inspection fees for hospitals and schools</u>		
17 <u>Project cost range</u>		<u>Fee</u>
18 \$101,000.00 or less		minimum fee of \$125.00
19 \$101,001.00 to \$1,500,000.00		\$1.24 per \$1,000.00
20 \$1,500,001.00 to \$10,000,000.00		\$0.90 per \$1,000.00
21 \$10,000,001.00 or more		\$0.70 per \$1,000.00
22		or a maximum fee of \$50,000.00.
23		

24 Sec. 314. The department shall furnish the clerk of the house, the
25 secretary of the senate, and all members of the house and senate appro-
26 priations committees with a summary of any evaluation reports and subse-
27 quent approvals or disapprovals of juvenile residential facilities oper-
28 ated by the family independence agency, as required by 1973 PA 116,
29 MCL 722.116. If no evaluations are conducted during the fiscal year, the
30 department shall notify the fiscal agencies and all members of the

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1 appropriate subcommittees of the house and senate appropriation
2 committees.

3 Sec. 315. (1) From the amount appropriated in part 1 to health sys-
4 tems administration, the department shall provide funding for not less
5 than 113 inspectors to annually survey and investigate the care and serv-
6 ices delivered in nursing homes, county medical care facilities, and hos-
7 pital long-term care units in accordance with provisions in the public
8 health code, 1978 PA 368, MCL 333.1101 to 333.25211, and federal Medicare
9 and Medicaid certification standards.

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

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

20 Sec. 317. Funds earned or authorized by the United States depart-
21 ment of labor in excess of the gross appropriation in part 1 for the
22 Michigan unemployment agency from the United States department of labor
23 are appropriated and may be expended for staffing and related expenses
24 incurred in the operation of its programs. These funds may be spent
25 after the department notifies all members of the appropriate subcommit-
26 tees of the house and senate appropriations committees of the purpose and
27 amount of each grant award.

1 Sec. 319. The department shall sell documents at a price not to
2 exceed the cost of production and distribution. Money received from the
3 sale of these documents shall revert to the department. The funds are
4 available for expenditure when they are received by the department of
5 treasury and may only be used for costs directly related to the continued
6 updating and distribution of the documents pursuant to this section.
7 This section applies only for the following documents:

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

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

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

15 (d) The mobile home commission act, 1987 PA 96, MCL 125.2301 to
16 125.2349; the business corporation act, 1972 PA 284, MCL 450.1101 to
17 450.2098; the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to
18 450.3192; and the uniform securities act, 1964 PA 265, MCL 451.501 to
19 451.818.

20 (e) Labor law books.

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

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

23 Sec. 320. (1) The department shall develop a nursing home quality
24 care incentive program. The purpose of the program will be to provide
25 financial incentives for nursing homes to develop high quality care
26 services. Grants shall be awarded to nursing homes that can demonstrate
27 an existing commitment to providing high quality care.

1 (2) The department shall develop the specific criteria for the
2 awarding of these grants. At a minimum, these criteria shall include
3 some measure of resident satisfaction with the level of care provided.
4 The criteria may also include the results of the facility's annual survey
5 conducted by the department. The department shall post criteria for this
6 grant program on the Internet and shall make the criteria available in
7 written format upon request.

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

10 Sec. 321. The department shall report to the fiscal agencies and
11 all members of the appropriations subcommittees on March 1, 2001 and
12 September 1, 2001 on the initial and follow-up surveys conducted on all
13 nursing homes in this state. The report shall include all of the follow-
14 ing information:

15 (a) The number of surveys conducted.

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

17 (c) The number referred to the Michigan public health institute for
18 remediation.

19 (d) The number of citations per home.

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

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

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

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

26 (i) The number and percentage of citations overturned and/or
27 modified.

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39

1 Sec. 322. The department, bureau of safety and regulation, shall
2 provide an annual report by February 1 of each year to the fiscal agen-
3 cies and to all members of the appropriate house and senate appropria-
4 tions subcommittees on the number of individuals killed and the number of
5 individuals injured on the job within industries regulated by the bureau
6 during the preceding calendar year.

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

12 Sec. 324. As a condition for receiving the general fund/general
13 purpose appropriations in part 1 for health systems administration, the
14 department shall provide assistance to any person making an oral request
15 for a nursing home investigation in putting his or her request into writ-
16 ing, shall initiate investigations on all written nursing home complaints
17 filed with the department within 15 days of receipt of the complaint, and
18 shall provide a written response to the complainant within 30 days of
19 receipt of the written complaint.

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

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. (1) 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 (2) The director shall report to all members of the appropriate
17 house and senate appropriations subcommittee by February 1, 2001 regard-
18 ing the expenditures for the previous fiscal year from insurance regula-
19 tory fees for the following:

20 (a) The executive direction unit.

21 (b) The management services unit.

22 (c) The salary and expenditures of the commissioner of financial and
23 insurance services.

24 Sec. 330. In response to recent changes in the administrative rules
25 governing day care facilities, the appropriation in part 1 for AFC,
26 children's welfare and day care licensure, shall allow the department to
27 add up to 20 additional consultants above the level appropriated as of

1 September 30, 2000. These new positions shall support day care licensing
2 activities that promote a higher quality environment for children in day
3 care facilities.

4 Sec. 331. (1) The department in consultation with nursing home pro-
5 vider groups, the department of community health, the state long-term
6 care ombudsman, and the federal health care finance administration shall
7 clarify the following terms as those terms are used in title XVIII and
8 title XIX and applied by the department to provide more consistent regu-
9 lation of nursing homes in Michigan:

10 (a) Immediate jeopardy.

11 (b) Harm.

12 (c) Potential harm.

13 (d) Avoidable.

14 (e) Unavoidable.

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

21 Sec. 332. From the appropriations in part 1 for occupational safety
22 and health, the department shall provide funding for 36 general industry
23 safety inspectors, 25 construction industry safety inspectors, and 32
24 industrial hygienists.

25

26

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

6 Sec. 334. (1) The appropriation in part 1 for the Saginaw Valley
7 naval ship museum shall be considered a work project and shall be made
8 available for expenditure, if the conditions in subsection (2) are met,
9 until October 1, 2002.

10 (2) As a condition of receiving the appropriation identified in
11 subsection (1), the Saginaw Valley naval ship museum committee must docu-
12 ment to the director of the department not later than October 1, 2002
13 that not less than \$1,500,000.00 has been secured by the committee as a
14 match to the appropriation for this purpose. The director of the depart-
15 ment shall release the appropriation once the \$1,500,000.00 has been
16 secured by the committee and documented to the department.

17 Sec. 335. The funding appropriated in part 1 for the regional com-
18 munications emergency operations mobile command post shall be provided to
19 the Oakland County sheriff's department and shall be matched on an equal
20 dollar for dollar basis.

21 Sec. 336. The unemployment agency shall maintain a staff presence
22 during normal business hours in each 1-stop center.

 Sec. 337. The funding appropriated in part 1 for the combined regional
emergency services training center shall at a minimum be matched on an equal
dollar-for-dollar basis. The department shall receive proof of the match
amount before releasing this appropriation.

 Sec. 338. The funding appropriated in part 1 for the fire and
emergency services training center shall at a minimum be matched on an equal
dollar-for-dollar basis. The department shall receive proof of the match
amount before releasing this appropriation.

 Sec. 339. The department shall post on the Internet the executive
summary of the latest inspection for both licensed nursing homes and
licensed day care centers.