

**SUBSTITUTE FOR
SENATE BILL NO. 234**

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2008; 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
4 the department of labor and economic growth, subject to the
5 conditions set forth in this act, for the fiscal year ending

Senate Bill No. 234 as amended August 22, 2007

September 30, 2008, from the funds identified in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

APPROPRIATION SUMMARY:

Full-time equated unclassified positions..... 58.5

Full-time equated classified positions... <<4,277.5>>

GROSS APPROPRIATION..... \$ <<1,294,045,000>>

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 34,472,800

ADJUSTED GROSS APPROPRIATION..... \$ <<1,259,572,200>>

Federal revenues:

Total federal revenues..... <<820,712,500>>

Special revenue funds:

Total local revenues..... 15,884,700

Total private revenues..... 2,314,300

Total other state restricted revenues..... <<374,025,100>>

State general fund/general purpose..... \$ <<46,635,600>>

Sec. 102. DEPARTMENTAL ADMINISTRATION

Full-time equated unclassified positions..... 58.5

Full-time equated classified positions..... 179.0

Unclassified salaries..... \$ 5,349,400

Executive director programs--53.0 FTE positions 6,622,100

Regulatory efficiency improvements/backlog reduction

initiative 475,600

Property management..... 10,519,200

Rent..... <<17,015,600>>

Senate Bill No. 234 as amended August 22, 2007

1	Worker's compensation.....	1,381,000
2	Special project advances.....	940,000
3	HR optimization charges.....	259,700
4	Administrative services--126.0 FTE positions.....	<u><<13,059,500>></u>
5	GROSS APPROPRIATION.....	\$ <<55,622,100>>
6	Appropriated from:	
7	Interdepartmental grant revenues:	
8	IDG from department of community health.....	300,000
9	Federal revenues:	
10	DED-OEERE, multiple grants.....	9,300
11	DED-OSERS, rehabilitation services, vocational	
12	rehabilitation of state grants.....	4,902,300
13	DOL-ETA, unemployment insurance.....	13,570,600
14	DOL-ETA, workforce investment act.....	882,100
15	DOL, federal funds.....	2,334,500
16	DOL, multiple grants for safety and health.....	776,900
17	Federal revenues.....	<<578,000>>
18	HHS, temporary assistance for needy families.....	347,000
19	HHS, titles XVIII and XIX.....	34,100
20	Special revenue funds:	
21	Private - special project advances.....	940,000
22	Local revenues.....	131,300
23	Bank fees.....	540,800
24	Boiler fees.....	254,000
25	Construction code fund.....	1,071,700
26	Consumer finance fees.....	177,600
27	Contingent fund, penalty and interest account.....	861,400

1	Contingent fund, regular penalty and interest	4,100
2	Corporation fees	5,132,100
3	Credit union fees	350,800
4	Elevator fees	268,600
5	Fees and collections/asbestos	76,200
6	Fire service fees	792,500
7	Insurance licensing and regulation fees	1,910,800
8	Insurance regulatory fees	1,098,400
9	Land sales fees	15,000
10	Licensing and regulation fees	822,600
11	Liquor license revenue	100,000
12	Liquor purchase revolving fund	5,536,700
13	Manufactured housing commission fees	263,600
14	Michigan state housing development authority fees	
15	and charges	4,021,500
16	Motor carrier fees	185,200
17	Public utility assessments	2,171,300
18	Private occupational school license fees	14,000
19	Rehabilitation services fees	90,300
20	Safety education and training fund	572,100
21	Second injury fund	257,000
22	Securities fees	2,409,700
23	Self-insurers security fund	87,300
24	Silicosis and dust disease fund	111,300
25	Tax tribunal fees	189,300
26	State general fund/general purpose	\$ 1,430,100
27	Sec. 103. OFFICE OF FINANCIAL AND INSURANCE	

1 **SERVICES**

2	Full-time equated classified positions.....	288.0	
3	Administration--21.0 FTE positions.....		\$ 4,162,400
4	Policy conduct and consumer assistance--86.0 FTE		
5	positions		14,177,900
6	Financial evaluation--181.0 FTE positions.....		<u>27,073,000</u>
7	GROSS APPROPRIATION.....		\$ 45,413,300
8	Appropriated from:		
9	Federal revenues:		
10	Federal regulatory project revenue.....		50,400
11	Special revenue funds:		
12	Bank fees.....		7,469,200
13	Consumer finance fees.....		4,891,500
14	Credit union fees.....		5,404,000
15	Deferred presentment service transaction fees.....		1,307,400
16	Insurance continuing education fees.....		903,400
17	Insurance licensing and regulation fees.....		3,912,600
18	Insurance regulatory fees.....		19,231,000
19	Multiple employer welfare arrangement.....		72,300
20	Securities fees.....		2,171,500
21	State general fund/general purpose.....		\$ 0
22	Sec. 104. PUBLIC SERVICE COMMISSION		
23	Full-time equated classified positions.....	170.0	
24	Administration, planning and regulation--159.0 FTE		
25	positions		\$ 21,797,600
26	Energy office--9.0 FTE positions.....		5,342,100
27	Children's protection registry administration--2.0		

1	FTE positions		<u>271,200</u>
2	GROSS APPROPRIATION.....	\$	27,410,900
3	Appropriated from:		
4	Federal revenues:		
5	DOE-OEERE, multiple grants.....		4,828,100
6	DOT-RSPA, gas pipeline safety.....		984,900
7	Special revenue funds:		
8	Private - oil overcharge.....		30,000
9	Children's protection registry fund.....		271,200
10	Motor carrier fees.....		2,220,100
11	Public utility assessments.....		18,076,600
12	Video franchise assessments.....		1,000,000
13	State general fund/general purpose.....	\$	0
14	Sec. 105. LIQUOR CONTROL COMMISSION		
15	Full-time equated classified positions.....	152.0	
16	Management support services--28.0 FTE positions.....	\$	3,403,100
17	Liquor licensing and enforcement--124.0 FTE positions		<u>12,175,000</u>
18	GROSS APPROPRIATION.....	\$	15,578,100
19	Appropriated from:		
20	Special revenue funds:		
21	Liquor license revenue.....		6,362,200
22	Liquor purchase revolving fund.....		9,215,900
23	State general fund/general purpose.....	\$	0
24	Sec. 106. MICHIGAN STATE HOUSING DEVELOPMENT		
25	AUTHORITY		
26	Full-time equated classified positions.....	266.0	
27	Payments on behalf of tenants.....	\$	140,000,000

Senate Bill No. 234 as amended August 22, 2007

1	Housing and rental assistance program--266.0 FTE	
2	positions	<u><<37,256,600>></u>
3	GROSS APPROPRIATION.....	\$ <<177,256,600>>
4	Appropriated from:	
5	Federal revenues:	
6	HUD, lower income housing assistance program.....	140,000,000
7	Special revenue funds:	
8	Michigan state housing development authority fees	
9	and charges	<<37,256,600>>
10	State general fund/general purpose.....	\$ 0
11	Sec. 107. OCCUPATIONAL REGULATION	
12	Full-time equated classified positions.....	421.0
13	Boiler inspection program--25.0 FTE positions	\$ 2,764,400
14	Fire marshal program--5.0 FTE positions	448,200
15	Fire fighters training council--8.0 FTE positions	1,743,400
16	Fire safety program funding--44.0 FTE positions	<<4,633,200>>
17	Code enforcement--120.0 FTE positions	12,328,100
18	Commercial services--156.0 FTE positions	17,651,200
19	Elevator inspection program--30.0 FTE positions	2,938,800
20	Local manufactured housing communities inspections ...	250,000
21	Manufactured housing and land resources	
22	program--22.0 FTE positions	3,191,800
23	Property development group--11.0 FTE positions	<u>1,559,400</u>
24	GROSS APPROPRIATION.....	\$ <<47,508,500>>
25	Appropriated from:	
26	IDG from department of community health, inspection	
27	contract	68,500

Senate Bill No. 234 as amended August 22, 2007

1	IDG from department of state police, homeland security	754,300
2	FEMA.....	28,000
3	DOT.....	47,000
4	HHS, titles XVIII and XIX.....	700,000
5	Accountancy enforcement fund.....	103,600
6	Boiler fee revenue.....	3,166,300
7	Construction code fund.....	12,222,000
8	Corporation fees.....	5,857,900
9	Elevator fees.....	3,313,000
10	Fire alarm fees.....	99,000
11	Fire service fees.....	1,706,600
12	Homeowner construction lien recovery fund.....	1,537,900
13	Licensing and regulation fees.....	10,050,100
14	Manufactured housing commission fees.....	2,771,800
15	Michigan boxing fund.....	45,000
16	Property development fees.....	272,900
17	Real estate appraiser continuing education fund.....	47,000
18	Real estate education fund.....	272,100
19	Remonumentation fees.....	709,500
20	Security business fund.....	314,600
21	State general fund/general purpose.....	\$ <<3,421,400>>
22	Sec. 108. MICHIGAN OCCUPATIONAL SAFETY AND HEALTH	
23	ADMINISTRATION	
24	Full-time equated classified positions.....	229.0
25	Occupational safety and health--229.0 FTE positions ..	\$ <u>26,198,200</u>
26	GROSS APPROPRIATION.....	\$ 26,198,200
27	Appropriated from:	

1	Federal revenues:		
2	DOL, multiple grants for safety and health.....		12,197,000
3	Special revenue funds:		
4	Corporation fees.....		2,279,600
5	Fees and collections/asbestos.....		863,300
6	Licensing and regulation fees.....		1,174,800
7	Safety education and training fund.....		7,848,700
8	Securities fees.....		1,834,800
9	State general fund/general purpose.....	\$	0
10	Sec. 109. BUREAU OF WORKER'S AND UNEMPLOYMENT		
11	COMPENSATION		
12	Full-time equated classified positions.....	1,246.0	
13	Administration--91.6 FTE positions.....	\$	9,896,800
14	Board of magistrates and appellate commission--19.4		
15	FTE positions		3,270,900
16	Wage and hour division--35.0 FTE positions.....		3,090,100
17	Insurance funds administration--28.0 FTE positions...		4,590,200
18	Supplemental benefit fund.....		820,000
19	Unemployment programs--1,002.7 FTE positions.....		90,640,500
20	Advocacy assistance program.....		1,500,000
21	Special audit and collections program--34.0 FTE		
22	positions		2,879,700
23	Training program for agency staff--2.1 FTE positions .		1,807,300
24	Expanded fraud control program--33.2 FTE positions ...		<u>3,184,900</u>
25	GROSS APPROPRIATION.....	\$	121,680,400
26	Appropriated from:		
27	Federal revenues:		

1	DOL-ETA, employment and training administration	677,400
2	DOL-ETA, unemployment insurance	93,347,500
3	Federal Reed act funds	4,487,500
4	Special revenue funds:	
5	Corporation fees	2,346,200
6	Contingent fund, regular penalty and interest account	10,759,400
7	Licensing and regulation fees	789,700
8	Second injury fund	2,471,200
9	Securities fees	2,346,900
10	Self-insurers security fund	1,168,300
11	Silicosis and dust disease fund	950,700
12	Worker's compensation administrative revolving fund ..	2,335,600
13	State general fund/general purpose	\$ 0
14	Sec. 110. STATE OFFICE OF ADMINISTRATIVE HEARINGS	
15	AND RULES	
16	Full-time equated classified positions	163.0
17	Administrative hearings and rules--163.0 FTE positions	\$ <u>21,788,000</u>
18	GROSS APPROPRIATION	\$ 21,788,000
19	Appropriated from:	
20	Interdepartmental grant revenues:	
21	IDG from department of community health	1,704,200
22	IDG from department of corrections	3,801,800
23	IDG from department of education	1,064,200
24	IDG from department of environmental quality	522,000
25	IDG from department of human services	3,338,000
26	IDG from department of management and budget	42,000
27	Federal revenues:	

Senate Bill No. 234 as amended August 22, 2007

1	DOL-ETA, unemployment insurance.....	6,336,700
2	DOL, multiple grants for safety and health.....	202,700
3	Special revenue funds:	
4	Construction code fund.....	292,900
5	Corporation fees.....	365,700
6	Insurance regulatory fees.....	347,000
7	Licensing and regulation fees.....	1,074,000
8	Liquor purchase revolving fund.....	119,800
9	Manufactured housing commission fees.....	143,300
10	Public utility assessments.....	1,272,800
11	Safety education and training fund.....	195,600
12	Securities fees.....	888,600
13	Tax tribunal fees.....	76,700
14	State general fund/general purpose.....	\$ 0
15	Sec. 111. INFORMATION TECHNOLOGY	
16	Information technology services and projects.....	\$ <<42,799,100>>
17	GROSS APPROPRIATION.....	\$ <<42,799,100>>
18	Appropriated from:	
19	Federal revenues:	
20	DOL-ETA, unemployment insurance.....	21,091,700
21	DOL, multiple grants for safety and health.....	273,700
22	Federal revenues.....	<<5,877,400>>
23	HHS, temporary assistance for needy families.....	176,300
24	Special revenue funds:	
25	Bank fees.....	487,100
26	Boiler fee revenue.....	327,200
27	Construction code fund.....	944,600

1	Consumer finance fees.....	198,700
2	Corporation fees.....	1,797,300
3	Credit union fees.....	274,600
4	Elevator fees.....	259,700
5	Fees and collections/asbestos.....	11,000
6	Fire service fees.....	520,700
7	Insurance regulatory fees.....	711,500
8	Land bank fast track fund.....	204,500
9	Licensing and regulation fees.....	1,168,000
10	Liquor purchase revolving fund.....	3,212,000
11	Manufactured housing commission fees.....	74,200
12	Michigan state housing development authority fees	
13	and charges	2,038,000
14	Motor carrier fees.....	118,600
15	Public utility assessments.....	890,900
16	Safety education and training fund.....	352,700
17	Second injury fund.....	149,200
18	Securities fees.....	1,509,200
19	Self-insurers security fund.....	70,100
20	Silicosis and dust disease fund.....	60,200
21	State general fund/general purpose.....	\$ 0
22	Sec. 112. WORKFORCE DEVELOPMENT	
23	Full-time equated classified positions.....	965.5
24	Employment services--246.0 FTE positions.....	\$ 48,523,600
25	Jobs education training pilot--31.0 FTE positions....	9,401,100
26	Jobs education training statewide expansion--62.0	
27	FTE positions	13,476,700

1	Labor market information--52.0 FTE positions	6,340,200
2	Michigan rehabilitation services--513.5 FTE positions	70,737,800
3	Workforce programs administration--61.0 FTE positions	<u>12,749,400</u>
4	GROSS APPROPRIATION.....	\$ 161,228,800
5	Appropriated from:	
6	Interdepartmental grant revenues:	
7	IDG from department of human services	22,877,800
8	Federal revenues:	
9	DAG, employment and training	178,700
10	DED-OPSE, multiple grants	1,222,900
11	DED-OSERS, centers for independent living	58,200
12	DED-OSERS, rehabilitation long-term training	316,900
13	DED-OSERS, rehabilitation services, vocational	
14	rehabilitation of state grants	53,247,500
15	DED-OSERS, state grants for technical related	
16	assistance	56,000
17	DOL-ETA, workforce investment act	7,539,200
18	DOL, federal funds	48,273,400
19	DOL, ODEP	225,000
20	HHS-SSA, supplemental security income	3,763,300
21	HHS, temporary assistance for needy families	3,320,200
22	Special revenue funds:	
23	Private - gifts, bequests, and donations	816,000
24	Local revenue	4,269,600
25	Local vocational rehabilitation match	3,054,000
26	Contingent fund, penalty and interest account	1,809,900
27	Rehabilitation services fees	1,347,000

Senate Bill No. 234 as amended August 22, 2007

1	Second injury fund.....	51,500
2	Student fees.....	308,000
3	Training materials fees.....	256,400
4	State general fund/general purpose.....	\$ 8,237,300
5	Sec. 113. CAREER EDUCATION PROGRAMS	
6	Full-time equated classified positions.....	<<30.0>>
7	<<	>>
8	Postsecondary education--14.0 FTE positions.....	2,691,200
9	Adult education--16.0 FTE positions.....	<u>2,494,300</u>
10	GROSS APPROPRIATION.....	\$ <<5,185,500>>
11	Appropriated from:	
12	Federal revenues:	
13	<<	>>
14	Federal revenues.....	<<3,789,900>>
15	Special revenue funds:	
16	Private occupational school license fees.....	432,800
17	Defaulted loan collection fees.....	100,000
18	State general fund/general purpose.....	\$ <<862,800>>
19	Sec. 114. DEPARTMENT GRANTS	
20	Adult basic education.....	\$ 20,000,000
21	Carl D. Perkins grants.....	<<19,000,000>>
22	Focus: HOPE.....	5,860,200
23	Gear-up program grants.....	3,000,000
24	Workforce training programs subgrantees.....	<<188,937,800>>
25	Personal assistance services.....	459,500
26	Vocational rehabilitation client services/facilities.	55,549,500
27	Vocational rehabilitation independent living.....	<<3,079,800>>

Senate Bill No. 234 as amended August 22, 2007

1	Welfare-to-work programs.....	107,798,600
2	Fire protection grants.....	<<10,910,500>>
3	Low-income energy efficiency assistance.....	80,000,000
4	Liquor law enforcement grants.....	6,100,000
5	Remonumentation grants.....	14,000,000
6	Michigan nursing corps.....	<u>100</u>
7	GROSS APPROPRIATION.....	\$<<514,696,000>>
8	Appropriated from:	
9	Federal revenues:	
10	DAG, employment and training.....	7,000,000
11	DED-OESE, gear-up.....	3,000,000
12	DED-OSERS, centers for independent living.....	450,200
13	DED-OSERS, rehabilitation services, vocational	
14	rehabilitation of state grants.....	35,797,900
15	DED-OSERS, rehabilitation services facilities.....	2,272,500
16	DED-OSERS, supported employment.....	1,541,300
17	DED-OSERS, state grants for technical related	
18	assistance	2,240,800
19	DED-OVAE, adult education.....	20,000,000
20	DED-OVAE, basic grants to states.....	<<19,000,000>>
21	DOL-ETA, workforce investment act.....	<<181,602,700>>
22	DOL, federal funds.....	17,985,100
23	HHS, temporary assistance for needy families.....	72,299,000
24	HHS-SSA, supplemental security income.....	3,480,600
25	Special revenue funds:	
26	Private - gifts, bequests, and donations.....	400,000
27	Local vocational rehabilitation match.....	6,630,500

Senate Bill No. 234 as amended August 22, 2007

1	Local vocational rehabilitation facilities match.....	1,278,300
2	Contingent fund, penalty and interest account.....	1,000,000
3	Low-income energy efficiency fund.....	80,000,000
4	Fire protection fund.....	<<8,500,000>>
5	Liquor purchase revolving fund.....	<<2,410,500>>
6	Liquor license revenue.....	6,100,000
7	Remonumentation fees.....	14,000,000
8	State general fund/general purpose.....	\$ <<27,706,600>>
9	Sec. 115. BOARDS, AUTHORITIES AND COMMISSIONS	
10	Full-time equated classified positions..... 168.0	
11	MES board of review program--18.0 FTE positions.....	\$ 2,307,500
12	Rights-of-way oversight authority--5.0 FTE positions .	560,500
13	Land bank fast track authority--6.0 FTE positions	1,431,300
14	Commission on Spanish-speaking affairs--2.0 FTE	
15	positions	251,600
16	Commission on disability concerns--7.0 FTE positions .	1,068,900
17	Commission for the blind--94.0 FTE positions	19,830,900
18	Utility consumer representation.....	950,000
19	Youth low vision program.....	241,800
20	Tax tribunal--15.0 FTE positions.....	2,006,900
21	Employment relations--21.0 FTE positions	<u>3,243,800</u>
22	GROSS APPROPRIATION.....	\$ 31,893,200
23	Appropriated from:	
24	Federal revenues:	
25	Federal revenues.....	14,992,600
26	DOL-ETA, unemployment insurance.....	2,307,500
27	EEOC, federal funds.....	10,000

Senate Bill No. 234 as amended August 22, 2007

1	Special revenue funds:		
2	Private revenues.....		128,300
3	Local revenues.....		521,000
4	Corporation fees.....		220,500
5	Land bank fast track funds.....		1,431,300
6	METRO authority fund.....		560,500
7	Securities fees.....		3,533,200
8	State restricted revenues.....		560,200
9	Tax tribunal fees.....		1,487,000
10	Utility consumer representation fund.....		950,000
11	State general fund/general purpose.....	\$	5,191,100
	<<Sec. 116. BUDGETARY SAVINGS		
	Budgetary savings.....	\$	(213,700)
	GROSS APPROPRIATION.....	\$	(213,700)
	Appropriated from:		
	State general fund/general purpose.....	\$	(213,700)>>

12 PART 2

13 PROVISIONS CONCERNING APPROPRIATIONS

14 GENERAL SECTIONS

15 Sec. 201. Pursuant to section 30 of article IX of the state
 16 constitution of 1963, total state spending from state resources
 17 under part 1 for fiscal year 2007-2008 is <<\$420,660,700.00>> and state
 18 spending from state resources to be paid to local units of
 19 government for fiscal year 2007-2008 is <<\$51,470,500.00>>. The
 20 itemized statement below identifies appropriations from which
 21 spending to units of local government will occur:

22 DEPARTMENT OF LABOR AND ECONOMIC GROWTH

23	Fire protection grants.....	\$	<<10,910,500>>
24	Liquor law enforcement.....		6,100,000
25	Local manufactured housing inspections.....		250,000

Senate Bill No. 234 as amended August 22, 2007

1	Remonumentation grants.....	14,000,000
2	Fire fighters training council.....	1,710,400
3	Welfare to work.....	<u>18,499,600</u>
4	Total department of labor and economic	
5	growth.....	\$ <<51,470,500>>

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

9 Sec. 203. As used in this act:

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

11 (b) "DED" means the United States department of education.

12 (c) "DED-OESE" means the DED office of elementary and
 13 secondary education.

14 (d) "DED-OPSE" means the DED office of postsecondary
 15 education.

16 (e) "DED-OSERS" means the DED office of special education
 17 rehabilitation services.

18 (f) "DED-OVAE" means the DED office of vocational and adult
 19 education.

20 (g) "Department" means the department of labor and economic
 21 growth, including the Michigan strategic fund.

22 (h) "Director" means the director of the department of labor
 23 and economic growth.

24 (i) "DOE" means the United States department of energy.

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

27 (k) "DOL" means the United States department of labor.

1 (l) "DOL-ETA" means the DOL employment and training
2 administration.

3 (m) "DOL-ODEP" means the DOL office of disability employment
4 policy.

5 (n) "DOT" means the United States department of
6 transportation.

7 (o) "DOT-RSPA" means the DOT research and special programs
8 administration.

9 (p) "EEOC" means equal employment opportunity commission.

10 (q) "FEMA" means federal emergency management agency.

11 (r) "Fiscal agencies" means Michigan house fiscal agency and
12 Michigan senate fiscal agency.

13 (s) "FTE" means full-time equated.

14 (t) "HHS" means the United States department of health and
15 human services.

16 (u) "HHS-SSA" means HHS social security administration.

17 (v) "HUD" means the United States department of housing and
18 urban development.

19 (w) "IDG" means interdepartmental grant.

20 (x) "MES" means Michigan employment security.

21 (y) "MIOSHA" means Michigan occupational safety and health
22 administration.

23 (z) "SOAHR" means the state office of administrative hearings
24 and rules.

25 (aa) "Subcommittees" means all members of the subcommittees of
26 the house and senate appropriations committees with jurisdiction
27 over the budget for the department.

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

6 <<Sec. 205. (1) A hiring freeze is imposed on the state classified
7 civil service. State departments and agencies are prohibited from hiring
8 employees into the classified state civil service or unclassified
9 positions within the executive branch of state government; creating new
10 positions within the classified state civil service or new unclassified
11 positions; and filling new or existing vacant positions by external hire
12 from outside of state government, transfer or promotion between state
13 departments or agencies, or internal promotions within a department or
14 agency. The hiring freeze described in this section applies regardless of
15 the fund source financing the position but does not apply to appointments
16 required by law.

17 (2) The state budget director may grant exceptions to the hiring
18 freeze if 1 or more of the following apply:

19 (a) The creation of a position or filling a vacant position by any
20 method is required by legal mandate, federal mandate, or court order.

21 (b) The creation of a position or filling a vacant position by any
22 method is necessary to protect the health or safety of Michigan citizens.

23 (c) The creation of a position or filling a vacant position by any
method is necessary to produce budgetary savings or to protect existing
state revenue or secure additional state revenue.

 (d) The creation of a position or filling a vacant position by any
method is necessary to provide for the basic daily living requirements of
residents of a state institution or facility.

 (3) The state budget director shall report quarterly to the
chairpersons of the senate and house of representatives standing
committees on appropriations and the respective fiscal agencies the
number of exceptions to the hiring freeze approved for each state
department or agency during the immediately preceding quarter and the
reasons to justify the exception.

Senate Bill No. 234 as amended August 22, 2007

(4) The attorney general and secretary of state may grant exceptions to the hiring freeze for their respective departments under the same criteria that the state budget director is able to grant exceptions.>>

24 Sec. 208. The department shall use the Internet to fulfill the
25 reporting requirements of this act. This requirement may include
26 transmission of reports via electronic mail to the recipients
27 identified for each reporting requirement or it may include

Senate Bill No. 234 as amended August 22, 2007

1 placement of reports on the Internet or Intranet site.

2 <<Sec. 209. Funds appropriated in part 1 shall not be used for the
3 purchase of foreign goods or services, or both, if competitively priced
4 and of comparable quality American goods or services, or both, are
5 available. Preference should be given to goods or services, or both,
6 manufactured or provided by Michigan businesses, if they are
7 competitively priced and of comparable quality. In addition, preference
8 should be given to goods or services, or both, that are manufactured or
provided by Michigan businesses owned and operated by veterans, if they
are competitively priced and of comparable quality.>>

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

16 Sec. 212. The department shall receive and retain copies of
17 all reports funded from appropriations in part 1. The department
18 shall follow federal and state guidelines for short-term and long-
19 term retention of these reports and records.

20 Sec. 213. From the funds appropriated in part 1 for
21 information technology, the department shall have the authority to
22 issue contracts for information technology projects and services.
23 The director may select the department of information technology or
24 a qualified low bidder to provide information technology services
25 and projects. For services and projects conducted by the department
26 of information technology, the department shall pay user fees to
27 the department of information technology for technology-related

1 services and projects. Such user fees shall be subject to
2 provisions of an interagency agreement between the department and
3 the department of information technology.

4 Sec. 214. Amounts appropriated in part 1 for information
5 technology services or projects conducted by the department of
6 information technology or other qualified low bidder may be
7 designated as work projects and carried forward to support
8 technology projects under the direction of the department. Funds
9 designated in this manner are not available for expenditure until
10 approved as work projects under section 451a of the management and
11 budget act, 1984 PA 431, MCL 18.1451a.

12 Sec. 215. (1) The department shall report no later than April
13 1, 2008 on each specific policy change made to implement enacted
14 legislation to the senate and house appropriations subcommittees on
15 the department budget, the senate and house standing committees on
16 the department budget, the chairperson of the joint committee on
17 administrative rules, and the senate and house fiscal agencies and
18 policy offices.

19 (2) Funds appropriated in part 1 shall not be used to prepare
20 regulatory plans or promulgate rules that fail to reduce the
21 disproportionate economic impact on small businesses pursuant to
22 section 40 of the administrative procedures act of 1969, 1969 PA
23 306, MCL 24.240.

24 Sec. 216. It is the intent of the legislature that all revenue
25 sources for funds appropriated in part 1 shall not be aggregated
26 into general categories and shall be specifically identified and
27 detailed as much as possible.

1 Sec. 217. (1) Due to the current budgetary problems in this
2 state, out-of-state travel shall be limited to situations in which
3 1 or more of the following conditions apply:

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

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

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

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

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

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

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

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

1 submitted to the chairs and members of the house and senate
2 appropriations committees, the fiscal agencies, and the state
3 budget director. The report shall include the following
4 information:

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

7 (b) The destination of each travel occurrence.

8 (c) The dates of each travel occurrence.

9 (d) A brief statement of the reason for each travel
10 occurrence.

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

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

18 Sec. 219. The department shall not take disciplinary action
19 against an employee for communicating with a member of the
20 legislature or his or her staff.

21 Sec. 220. The department may carry into the succeeding fiscal
22 year unexpended federal pass-through funds to local institutions
23 and governments that do not require additional state matching
24 funds. Federal pass-through funds to local institutions and
25 governments that are received in amounts in addition to those
26 included in part 1 and that do not require additional state
27 matching funds are appropriated for the purposes intended.

Senate Bill No. 234 as amended August 22, 2007

1 Sec. 221. Funds appropriated in part 1 shall not be used by a
2 principal executive department, state agency, or authority to hire
3 a person to provide legal services that are the responsibility of
4 the attorney general.

<<Sec. 222. Appropriation authorization adjustments required due to
negative appropriations for budgetary savings shall be made only after
the approval of transfers by the legislature under section 393(2) of the
management and budget act, 1984 PA 431, MCL 18.1393.>>

5 REGULATORY

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

11 Sec. 302. The funds collected by the office of financial and
12 insurance services in connection with a conservatorship pursuant to
13 section 32 of the mortgage brokers, lenders, and servicers
14 licensing act, 1987 PA 173, MCL 445.1682, shall be appropriated for
15 all expenses necessary to provide for the required services. Funds
16 are available for expenditure when they are received by the
17 department of treasury and shall not lapse to the general fund at
18 the end of the fiscal year.

19 Sec. 303. The funds collected by the department from
20 corporations being liquidated pursuant to the insurance code of
21 1956, 1956 PA 218, MCL 500.100 to 500.8302, shall be appropriated
22 for all expenses necessary to provide for the required services.
23 Funds are available for expenditure when they are received by the
24 department of treasury and shall not lapse to the general fund at
25 the end of the fiscal year.

26 Sec. 304. The department may make available to interested

1 entities otherwise unavailable customized listings of
2 nonconfidential information in its possession, such as names and
3 addresses of licensees, and charge for this information as follows:
4 base fee for 1 to 1,000 records at the cost to the department;
5 1,001 to 10,000 records at 2.5 cents per record; and 10,001 or more
6 records at .5 cents per record. The revenue received from this
7 service may be used to offset expenses of programs as appropriated
8 in part 1. The balance of this revenue collected and unexpended at
9 the end of the fiscal year shall revert to the appropriate
10 restricted revenue account or fund or, in absence of such an
11 account or fund, to the general fund. The department shall submit
12 an annual report on or before December 1 of each year to the state
13 budget office and the subcommittees that states the amount of
14 revenue received from the sale of information.

15 Sec. 306. The Michigan state housing development authority
16 shall annually present a report to the state budget office and the
17 subcommittees on the status of the authority's housing production
18 goals under all financing programs established or administered by
19 the authority. The report shall give special attention to efforts
20 to raise affordable multifamily housing production goals.

21 Sec. 308. The funds collected by the department for licenses,
22 permits, and other elevator regulation fees set forth in R 408.8151
23 of the Michigan administrative code and as determined under section
24 8 of 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL
25 408.816, that are unexpended at the end of the fiscal year shall
26 carry forward to the subsequent fiscal year. The department shall
27 submit a report on an annual basis to the state budget office and

1 the subcommittees on the amount of funds available under this
2 section.

3 Sec. 310. Money appropriated under this act for the bureau of
4 fire services shall not be expended unless, in accordance with
5 section 2c of the fire prevention code, 1941 PA 207, MCL 29.2c,
6 inspection and plan review fees will be charged according to the
7 following schedule:

8 Operation and maintenance inspection fee

9 <u>Facility type</u>	<u>Facility size</u>	<u>Fee</u>
10 Hospitals	Any	\$8.00 per bed

11 Plan review and construction inspection fees for
12 hospitals and schools

13 <u>Project cost range</u>	<u>Fee</u>
14 \$101,000.00 or less	minimum fee of \$155.00
15 \$101,001.00 to \$1,500,000.00	\$1.60 per \$1,000.00
16 \$1,500,001.00 to \$10,000,000.00	\$1.30 per \$1,000.00
17 \$10,000,001.00 or more	\$1.10 per \$1,000.00
18	or a maximum fee of \$60,000.00.

19 Sec. 313. If the revenue collected by the department from
20 licensing and regulation fees collected by the office of commercial
21 services exceeds the amount appropriated in part 1, the revenue may
22 be carried forward into the subsequent fiscal year. The revenue
23 carried forward under this section shall be used as the first
24 source of funds in the subsequent fiscal year.

25 Sec. 314. Funds earned or authorized by the United States
26 department of labor in excess of the gross appropriation in part 1
27 for the unemployment insurance agency and the employment service

1 agency from the United States department of labor are appropriated
2 and may be expended for staffing and related expenses incurred in
3 the operation of its programs. These funds may be spent after the
4 department notifies the state budget office and the subcommittees
5 of the purpose and amount of each grant award.

6 Sec. 315. The department shall sell documents at a price not
7 to exceed the cost of production and distribution. Money received
8 from the sale of these documents shall revert to the department.
9 The funds are available for expenditure when they are received by
10 the department of treasury and may only be used for costs directly
11 related to the continued updating and distribution of the documents
12 pursuant to this section. This section applies only for the
13 following documents:

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

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

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

22 (d) The mobile home commission act, 1987 PA 96, MCL 125.2301
23 to 125.2349; the business corporation act, 1972 PA 284, MCL
24 450.1101 to 450.2098; the nonprofit corporation act, 1982 PA 162,
25 MCL 450.2101 to 450.3192; and the uniform securities act, 1964 PA
26 265, MCL 451.501 to 451.818.

27 (e) Labor law books.

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

2 (g) Construction code manuals.

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

4 Sec. 317. The department, MIOSHA, shall provide an annual
5 report by February 1 of each year to the state budget office, the
6 fiscal agencies, and the subcommittees on the number of individuals
7 killed and the number of individuals injured on the job within
8 industries regulated by the bureau during the most recent year for
9 which data are available.

10 Sec. 319. (1) Of the funds appropriated in part 1, no funds
11 shall be used to support the development and enforcement of, or
12 activities that promote the development and enforcement of,
13 guidelines, standards, protocols, audit procedures, or other
14 similar mandates that place additional measures on professional
15 employment organizations than currently prescribed by statute.

16 (2) From the funds appropriated in part 1 for the bureau of
17 worker's and unemployment compensation, the department shall
18 allocate funds to administer the current section 22b of the
19 Michigan employment security act, 1936 (Ex Sess) PA 1, MCL 421.22b.

20 (3) As used in this section, a professional employer
21 organization is defined as an organization that provides the
22 management and administration of the human resources and employer
23 risk of another entity by contractually assuming substantial
24 employer rights, responsibilities, and risk through a professional
25 employer agreement that establishes an employer relationship with
26 the leased officers or employees assigned to the other entity by
27 doing all of the following:

1 (a) Maintaining the right of direction and control of the
2 employees' work, although this responsibility may be shared with
3 the other entity.

4 (b) Paying wages and employment taxes of the employees out of
5 its own accounts.

6 (c) Reporting, collecting, and depositing state and federal
7 employment taxes for the employees.

8 (d) Retaining the right to hire and fire employees.

9 Sec. 326. (1) The appropriation in part 1 for the Michigan
10 commission for the blind includes funds for case services. These
11 funds may be used for tuition payments for blind clients.

12 (2) Revenue collected by the Michigan commission for the blind
13 and from private and local sources that is unexpended at the end of
14 the fiscal year may carry forward to the subsequent fiscal year.

15 Sec. 335. The public service commission shall report by June 1
16 of each year to the subcommittees, the state budget office, and the
17 fiscal agencies on the distribution of funds appropriated in part 1
18 for the low-income/energy efficiency assistance program.

19 Sec. 336. The department shall provide the subcommittees,
20 fiscal agencies, and state budget director with a report on or
21 before December 1 outlining actual expenditures for the last
22 completed fiscal year for each division within the office of
23 financial and insurance services.

24 Sec. 337. The department shall not expend funds from the
25 appropriations in part 1 for the office of financial and insurance
26 services for the purpose of implementing prohibitions on the use of
27 credit scoring in establishing insurance premiums by insurance

1 companies until the legislature has, by statute, authorized such a
2 prohibition.

3 Sec. 340. The office of financial and insurance services shall
4 provide copies of the quarterly and annual financial filings of
5 health maintenance organizations to the fiscal agencies on a timely
6 basis. Reports can be transmitted electronically if available in
7 that format.

8 Sec. 350. (1) The department shall allocate funds to promote
9 awareness of the right of a policyholder, subscriber, member,
10 enrollee, or other individual participating in a health benefit
11 plan, after the covered person has exhausted the health carrier's
12 internal grievance process provided for by law, to request an
13 external review for an adverse determination.

14 (2) As used in this section, "covered person" means that term
15 as defined in section 3 of the patient's right to independent
16 review act, 2000 PA 251, MCL 550.1903.

17 Sec. 352. From the funds appropriated in part 1 for
18 unclassified salaries, the department shall provide funding for 5
19 worker's compensation appellate commissioners and 26 worker's
20 compensation board of magistrates. Expenditures shall be made so
21 that the 2 bodies shall decide worker's compensation cases in a
22 timely manner.

23 Sec. 355. (1) Of the funds appropriated in part 1, no funds
24 shall be used to support the development of, staffing of, or
25 activities promoting the development of guidelines, rules,
26 standards, protocols, or other similar mandates that are more
27 stringent than federal voluntary ergonomics guidelines. This

1 section does not prohibit any person from adopting, or working with
2 the state to develop, voluntary ergonomics standards.

3 (2) On March 1, 2008 and September 1, 2008, the department
4 shall provide a report to the fiscal agencies and appropriations
5 subcommittees of any staffing time or activities regarding the
6 development of a voluntary or mandatory, or both, ergonomic
7 standard, whether contained in rules, guidelines, policy
8 directives, or bulletins.

9 Sec. 356. The Michigan commission for the blind shall work
10 collaboratively with service organizations to identify qualified
11 match dollars to maximize use of available federal funds.

12 Sec. 357. From the funds appropriated in part 1 for commercial
13 services, the department shall allocate not more than \$50,000.00
14 for the resumption of printing the real estate law and rules book
15 (red book). The red book shall include, but is not limited to, real
16 estate laws and regulations and related statutes. The red book will
17 be provided at no charge to actively licensed real estate brokers,
18 associate brokers, and salespersons. Any other party seeking a copy
19 of the red book may purchase the book from the bureau of commercial
20 services at the bureau's cost to produce the book or they may print
21 the bureau's Internet version of the red book at no cost.

22 Sec. 358. The real estate education fund created in section 37
23 of the state license fee act, 1979 PA 152, MCL 338.2237, and
24 administered by the department shall allow prelicensure and
25 postlicensure education to be delivered through on-line courses by
26 a community college, university, or private school, after licensure
27 and approval by the department. Expenditures from this fund may

1 also be made to support department grants for educational providers
2 to establish on-line courses that would be made available to
3 students throughout the year.

4 Sec. 361. In addition to the amounts appropriated in part 1
5 for the administration of the land bank fast track authority, the
6 authority may expend revenues received under the land bank fast
7 track act, 2003 PA 258, MCL 124.751 to 124.774, for the purposes
8 authorized by the act including, but not limited to, the
9 acquisition, lease, management, demolition, maintenance, or
10 rehabilitation of real or personal property, payment of debt
11 service for notes or bonds issued by the authority, and other
12 expenses to clear or quiet title property held by the authority.

13 Sec. 362. Of the funds appropriated in part 1 for the
14 department, \$200,000.00 may be used for administration and
15 enforcement of boxing regulation in Michigan.

16 Sec. 364. The department and MSHDA shall report to the
17 appropriations subcommittees and the fiscal agencies by January 1
18 on the status of the loans entered into by the Michigan broadband
19 development authority.

20 Sec. 365. From the funds appropriated in part 1 for Michigan
21 occupational safety and health consultation education and training
22 (CET) grants, not less than \$40,000.00 shall be allocated to
23 nonprofit organizations representing the aggregate industry in
24 Michigan.

25 Sec. 366. It is the intent of the legislature to fund the
26 workers' compensation administration with general fund money.

27 Sec. 368. Funds collected by the department under sections 55,

Senate Bill No. 234 as amended August 22, 2007

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

9 Sec. 369. The video franchise assessment fund is created and
10 shall exist in the state treasury and shall receive revenue as
11 provided in the uniform video services local franchise act, 2006 PA
12 480, MCL 484.3301 to 484.3314. All interest and earnings of the
13 fund may be retained by the fund per the direction of the state
14 treasurer. Money in the fund at the close of the fiscal year may
15 carry forward to the new fiscal year and be used as the first
16 source of funds in the subsequent fiscal year.

17 Sec. 370. <<(1)>> MSHDA shall provide a report to the
18 appropriations
19 subcommittees by December 15 on the cities of promise blight
20 elimination program. The report shall include:

- 21 (a) Those cities designated as cities of promise.
22 (b) The amount awarded to each designated city.
23 (c) A description of the projects in each designated city.
24 (d) The amount of private or local funds that were used as
25 match for these projects.

<<(2) It is the intent of the legislature that MSHDA allocate
\$750,000.00 from the cities of promise blight elimination program for the
city of Saginaw for building demolition.>>

26 Sec. 371. It is the intent of the legislature to review the
27 services provided by the bureau of fire services to public and
state-owned buildings in relation to the existing fire service fee

1 structure included in section 310 of this act.

2 Sec. 372. (1) The office of financial and insurance services
3 shall report to the legislature, fiscal agencies, and office of the
4 auditor general quarterly, beginning January 1, 2008, with a
5 summary of final decisions or recommendations, or both, rendered by
6 SOAHR administrative law judges, SOAHR administrative law managers,
7 and hearing officers for cases under the jurisdiction of the office
8 of financial and insurance services.

9 (2) The report shall be organized by case types.

10 (3) The report shall indicate whether the SOAHR administrative
11 law judge, SOAHR administrative law manager, or hearing officer
12 made a final decision or recommended a decision in favor of the
13 office of financial and insurance services in whole or in part, or
14 if the parties negotiated a settlement. The report shall also
15 delineate if the director agreed or disagreed with the
16 recommendation of the SOAHR administrative law judges, SOAHR
17 administrative law manager, or hearing officer.

18 (4) The report shall include how long each case took from the
19 date of the original filing until the issuance of a decision or
20 recommendation by the SOAHR administrative law judge, SOAHR
21 administrative law manager, or hearing officer.

22 Sec. 373. The department shall report by November 1 to the
23 appropriations subcommittees, the fiscal agencies, and the state
24 budget director on the number of employer and employee inquiries by
25 quarter for the fiscal year 2006-2007 concerning changes in the
26 minimum wage as a result of the 2006 amendment to section 4 of the
27 minimum wage law of 1964, 1964 PA 154, MCL 408.384.

Senate Bill No. 234 as amended August 22, 2007

1 Sec. 374. Of the funds appropriated in part 1, no funds shall
2 be used to support the development of, staffing of, or activities
3 promoting the development of guidelines, rules, standards,
4 protocols, or other similar mandates that are more stringent than
5 the current voluntary pay guidelines for the workers' compensation
6 agency.

7 Sec. 375. The public service commission shall implement a
8 process for the low-income energy efficiency fund grants that shall
9 require an application deadline of May 1 and the award
10 announcements on October 1 of each year.

<<Sec. 376. By November 15, 2007, the liquor control commission, in
conjunction with the authorized distribution agents shall submit a report
to the house and senate appropriations subcommittees with an estimate on
how much state revenue is lost due to spirits being purchased from other
states and brought into Michigan for individual consumption or illegal
re-sale. The report shall include the estimated cost of increasing the
number of law enforcement officers needed to reduce the amount of out-of-
state spirits being transported and sold in Michigan illegally.>>

11 **WORKFORCE AND CAREER DEVELOPMENT**

12 Sec. 401. The Michigan career and technical institute may
13 receive equipment and in-kind contributions for the direct support
14 of staff services through the Pine Lake fund, the Delton-Kellogg
15 school district or other local or intermediate school district, or
16 any combination of local or intermediate school districts in
17 addition to those authorized in part 1.

18 Sec. 402. The Michigan rehabilitation service shall make every
19 effort to ensure that all sources of matching funds in this state
20 are used to obtain federal vocational rehabilitation funds. All
21 sources include, but are not limited to, privately raised funds to
22 support public nonprofit rehabilitation centers as permitted by the
23 rehabilitation act of 1973, Public Law 93-112, 29 USC 701 to 718,
24 720 to 751, 760 to 765, 771 to 776, 780 to 785, 791 to 794e, 795 to
25 795n, and 796 to 796l.

26 Sec. 403. The local match requirements for vocational
S01435'07 (S-1)

1 rehabilitation facilities establishment grants shall not exceed
2 21.3% for the fiscal year ending September 30.

3 Sec. 404. (1) Of the funds appropriated in part 1 for
4 vocational rehabilitation independent living, all general
5 fund/general purpose revenue not used to match federal funds shall
6 be used for the support of centers for independent living that are
7 in compliance with federal standards for such centers, for
8 technical assistance to centers, and for projects to build capacity
9 of centers to deliver independent living services. Applications for
10 such funds shall be reviewed in accordance with criteria and
11 procedures established by the statewide independent living council,
12 the Michigan rehabilitation services unit within the department,
13 and the Michigan commission for the blind. Funds must be used in a
14 manner consistent with the priorities established in the state plan
15 for independent living. The department is directed to work with the
16 Michigan association of centers for independent living and the
17 local workforce development boards to identify other competitive
18 sources of funding.

19 (2) As a condition of receipt of funds appropriated in part 1,
20 the statewide independent living council and the Michigan
21 association of centers for independent living shall jointly produce
22 a biennial report providing the following information:

23 (a) Results in terms of enhanced statewide access to
24 independent living services to individuals who do not have access
25 to such services through other existing public agencies, including
26 measures by which these results can be monitored over time. These
27 measures shall include:

1 (i) Total number of persons assisted by the centers and a
2 comparison to the number assisted in the previous year.

3 (ii) Number of persons moved out of nursing homes into
4 independent living situations and a comparison to the number
5 assisted in the previous year.

6 (iii) Number of persons for whom accommodations were provided to
7 enable independent living or access to employment and a comparison
8 to the number assisted in the previous year.

9 (iv) The total number of disabled individuals served by
10 personal care attendants and the number of personal care attendants
11 provided through the use of any funds appropriated in part 1
12 administered by a center for independent living and a comparison to
13 the number served in the previous year.

14 (b) Information from each center for independent living
15 receiving funding through appropriations in part 1 detailing their
16 total budget for their most recently completed fiscal year as well
17 as the amount within that budget funded through the vocational
18 rehabilitation independent living grant program referenced in part
19 1, the total amount funded through other state agencies, the amount
20 funded through federal sources, and the amount funded through local
21 and private sources.

22 (c) Savings to state taxpayers in other specific areas that
23 can be shown to be the direct result of activities funded from the
24 vocational rehabilitation independent living grant program during
25 the most recently completed state fiscal year.

26 (3) The report required in subsection (2) shall be submitted
27 to the subcommittees, the fiscal agencies, and the state budget

1 director on or before January 30.

2 Sec. 405. The department shall administer the work first
3 program in accordance with the requirements of the social security
4 act, title IV, section 407(d), the state social welfare act, 1939
5 PA 280, MCL 400.1 to 400.119b, and all other applicable laws and
6 regulations.

7 Sec. 406. (1) Using all relevant state data sources, the
8 department shall conduct a 3-year longitudinal study of all former
9 work first participants, whose department of human services program
10 cases closed due to earnings during fiscal year 1999 and in
11 succeeding fiscal years. The data will include the following:

12 (a) The number and percentage employed.

13 (b) The average hourly wage of those employed.

14 (c) The current hourly wage of those employed.

15 (d) The range of wages earned by those employed.

16 (e) The number of individuals that earned each wage amount.

17 (f) The number and percentage receiving health care benefits
18 from their employer.

19 (g) The number and percentage receiving tuition reimbursement
20 from their employer.

21 (h) The number and percentage receiving training benefits from
22 their employer.

23 (i) The type of jobs obtained by former participants in
24 general categories.

25 (j) The length of time former participants have retained their
26 jobs, or if participants have had more than 1 job, the length of
27 time employed at each job.

1 (k) The number and percentage continuing to receive any type
2 of public assistance.

3 (l) If the former recipient has children, whether the children
4 are enrolled in and attending school.

5 (m) The extent to which the former participant feels that they
6 and their family are better off now than when they were on cash
7 assistance with regard to household income, housing, food and
8 nutritional needs, child health care, and access to health
9 insurance coverage.

10 (2) The department shall notify the subcommittees, fiscal
11 agencies, and state budget director electronically by March 15 of
12 the location of the Internet site where the report containing the
13 identified data is located.

14 (3) The department shall cooperate with the department of
15 human services in formulating and acquiring the identified data.

16 (4) The department may retain a third party to conduct the
17 studies to obtain the data identified under this section.

18 Sec. 407. State and federal funds allocated to local workforce
19 development boards for disbursement shall not be expended unless
20 the local workforce development boards maintain a partnership with
21 governmental agencies, public school districts, and public colleges
22 located within the local service delivery area. Each board shall
23 appoint an education advisory group made up of high-level
24 administrators within local educational institutions, workforce
25 development board members, other employers, labor, academic
26 educators, and parents of public school pupils.

27 Sec. 410. (1) The department shall make available in person or

1 by telephone a disabled veterans outreach program specialist or
2 local veterans employment representative to each Michigan works!
3 service center during hours of operation.

4 (2) The department shall ensure that each Michigan works!
5 service center shall have the necessary equipment to allow the
6 disabled veterans outreach specialist or local veterans employment
7 representative to perform his or her duties.

8 (3) The department shall require each Michigan works! service
9 center to have an employee available to ask each individual who
10 requires intensive services beyond core services, as defined by
11 section 34 of the workforce investment act of 1998, 29 USC 2864,
12 whether that individual is a veteran and to refer each veteran to
13 the disabled veterans outreach program specialist or local veterans
14 employment representative on duty at the time.

15 (4) The department shall require that each Michigan works!
16 service center shall have posted in a conspicuous place within the
17 office a notice advising veterans that a disabled veterans outreach
18 program specialist or a local veterans employment representative is
19 available to assist him or her.

20 (5) The department shall require each Michigan works! service
21 center to provide free mediated services to employers wishing to
22 hire a veteran.

23 (6) The department shall continue to make the appropriate
24 placement of veterans and disabled veterans a priority.

25 Sec. 415. Of the amounts appropriated in part 1 for
26 postsecondary education, private occupational school license fees
27 shall fund related administrative costs of the proprietary schools

1 oversight unit within the department.

2 Sec. 417. The department is appropriated an amount not to
3 exceed \$100,000.00 from collection of defaulted loans under the
4 future faculty program in the Martin Luther King, Jr. - Cesar
5 Chavez - Rosa Parks programs to offset costs of administering the
6 loan collections. Continuation of this program is contingent upon
7 the determination that this program is in compliance with section
8 26 of article I of the state constitution of 1963.

9 Sec. 418. From the funds appropriated in part 1 for
10 postsecondary education, the department shall compile data from
11 each university that receives funding for the future faculty
12 program within the King-Chavez-Parks initiative on employment
13 outcomes for program participants. The report shall be distributed
14 to the house and senate appropriations committees, the fiscal
15 agencies, and the state budget office by February 1 of each year.
16 The report shall include data from each participating university
17 covering the most recently completed fiscal year. The data shall
18 include all of the following:

19 (a) The number of participants receiving support under the
20 program.

21 (b) The number of participants obtaining full-time employment.

22 (c) The number of participants obtaining full-time employment
23 in college faculty positions.

24 (d) The number of participants obtaining full-time employment
25 in college faculty positions within the university through which
26 they received future faculty program support for graduate studies.
27 Continuation of this program is contingent upon the determination

1 that these programs are in compliance with proposal 06-02.

2 Sec. 421. The King-Chavez-Parks initiative shall be marketed
3 by the department to Michigan parents and high school and college
4 students, to promote the benefits and the availability of the
5 college day, select student support services, college/university
6 partnership, visiting professors, Morris Hood, Jr. educator
7 development, and future faculty programs. The department shall
8 provide electronic notification of the location of the report on
9 the Internet to the subcommittees by December 30 of each year,
10 identifying all efforts taken to market these programs, including,
11 but not limited to, the amount of funding allocated for this
12 purpose, the fund source, and any expenditures or encumbrances
13 relating to this marketing effort. Continuation of this program is
14 contingent upon the determination that this program is in
15 compliance with section 26 of article I of the state constitution
16 of 1963.

17 Sec. 427. The youth low-vision program is considered the payer
18 of last resort. Other available public or private insurance
19 coverage, including Medicaid or MICHild, and special education
20 funds, shall be exhausted prior to using any funds appropriated in
21 part 1 to purchase low-vision devices or equipment for an
22 individual.

23 Sec. 429. (1) As a condition for receipt of the funds
24 appropriated in part 1, Focus: HOPE shall submit a report on the
25 use of the grant's funds appropriated in part 1 to the chairs of
26 the subcommittees, the fiscal agencies, and the state budget office
27 that includes, but is not limited to, the following:

1 (a) Detailed expenditures for administration including
2 salaries and wages of employees.

3 (b) Amount allocated for education and training programs
4 including number of students served by each program.

5 (c) Amount allocated for job search assistance and career
6 planning including the number of students served by each program.

7 (d) Detailed expenditures for any contracts entered into with
8 the use of these funds.

9 (e) Detailed expenditures for any program enhancements
10 including number of new hires and capital expenditures.

11 (2) The report shall be submitted on or before January 31.

12 Sec. 430. Funding in part 1 for the jobs, education and
13 training (JET) statewide expansion in fiscal year 2008 shall not be
14 allocated and released by the state budget director until savings
15 are achieved and documented from the fiscal year 2007 JET program
16 implementation in 50% of the state. The method for documenting JET
17 savings for fiscal year 2007 shall be proposed by the department of
18 human services and approved by the state budget director.

19 Sec. 431. It is the intent of the legislature to create a
20 nurse faculty expansion program that includes 2 pilot projects, 1
21 rural and 1 urban. The purpose of the program is to increase
22 classroom capacity and the number of nursing graduates in these
23 areas. It is also the intent of the legislature to review the
24 recommendations made in the report prepared by the Michigan
25 community college association in accordance with 2006 PA 341 in
26 achieving the goal of reducing the nursing shortage in the state.

27 Sec. 432. Of the funds appropriated in part 1 for the

1 workforce training programs subgrantees, a portion shall be
2 allocated to fund the no worker left behind free tuition program.

3 Sec. 433. (1) The department shall use all relevant data
4 sources available to compile data on participants in the JET pilot
5 program and the 50% expansion of that program that was implemented
6 January 1, 2007. The report shall include the following:

7 (a) How many participants were enrolled in training.

8 (b) How many participants completed training.

9 (c) How many participants completed training and were employed
10 as a result of that training.

11 (d) How many cases were closed.

12 (e) How many cases were referred to Michigan rehabilitation
13 services.

14 (2) Data collection for the report shall be for the period
15 January 15, 2007 through December 30, 2007.

16 (3) The report shall be submitted by March 1 to the
17 appropriations subcommittees and the fiscal agencies.

18 (4) The department shall cooperate with the department of
19 human services in formulating and acquiring the identified data.

20 (5) The department may retain a third party to conduct the
21 studies to obtain data identified under this section.

22 Sec. 434. (1) The department shall collaborate with the state
23 board of education, the department of human services, the
24 department of community health, and the department of history,
25 arts, and libraries to extend the duration of the Michigan after-
26 school partnership, and oversee its efforts to implement the policy
27 recommendations and strategic next steps identified in the Michigan

1 after-school initiative's report of December 15, 2003.

2 (2) From the funds appropriated in part 1, \$25,000.00 may be
3 used to support the Michigan after-school partnership. Funds shall
4 be used to leverage other private and public funding to engage the
5 public and private sectors in building and sustaining high-quality
6 out-of-school-time programs and resources. The cochairs,
7 representing the department, the state board of education, the
8 department of human services, <<the department of history, arts, and
libraries>> and the department of community
9 health shall name a fiduciary agent and may authorize the fiduciary
10 to expend funds and hire people to accomplish the work of the
11 Michigan after-school partnership.

12 (3) Participation in the Michigan after-school partnership
13 shall be expanded beyond the membership of the initial Michigan
14 after-school initiative to increase the representation of parents,
15 youth, foundations, employers, and others with experience in
16 education, child care, after-school and youth development services,
17 and crime and violence prevention, and to include representation
18 from the department. Each year, on or before December 31, the
19 Michigan after-school partnership shall report its progress in
20 reaching the recommendations set forth in the Michigan after-school
21 initiative's report to the legislature and governor.

22 Sec. 435. The department shall ensure that school districts
23 and career preparation programs operated by school districts are
24 eligible education providers under the no worker left behind
25 program and programs funded by the federal workforce investment
26 act.

<<Sec. 436. (1) From the funds appropriated in part 1, the
department shall allocate an amount not to exceed \$0.00 for a statewide
before- or after-school program for children and youth. Before-school
programs are limited to school-aged children as defined in 2005 PA 202.
This allocation will be distributed via grants to counties based

Senate Bill No. 234 as amended August 22, 2007

upon demonstrated need. No single county shall receive any more than 20% of the total allocation and priority for distribution of this funding shall be granted to programs that have secured additional governmental and non-governmental matching funds.

(2) The department shall share the administrative duties of operating this program with the department of human services, department of community health, department of history, arts and libraries, and the state board of education.

(3) Funding referenced in subsection (1) shall be reserved for programs that use curriculum focused upon improving academic performance, healthy behavior, including abstinence from abuse of alcohol and illegal drugs.>>