

FIRST CONFERENCE REPORT

The Committee of Conference on the matters of difference between the two Houses concerning

House Bill No. 5884, entitled

A bill to make appropriations for the department of energy, labor, and economic growth and certain other state purposes for the fiscal year ending September 30, 2011; 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.

Recommends:

First: That the House and Senate agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

(attached)

Second: That the House and Senate agree to the title of the bill to read as follows:

A bill to make appropriations for the department of energy, labor, and economic growth and certain other state purposes for the fiscal year ending September 30, 2011; 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.

Richard Hammel

Mark Jansen

Jon Switalski

Thomas M. George

Bill Rogers

Martha G. Scott

Conferees for the House

Conferees for the Senate

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5884**

A bill to make appropriations for the department of energy, labor, and economic growth and certain other state purposes for the fiscal year ending September 30, 2011; 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
2
3

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. The amounts listed in this part are appropriated for

the department of energy, labor, and economic growth, subject to the conditions set forth in this act, for the fiscal year ending September 30, 2011, from the funds identified in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

APPROPRIATION SUMMARY

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

Full-time equated classified positions..... 4,359.5

GROSS APPROPRIATION..... \$ 1,278,178,200

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 13,246,300

ADJUSTED GROSS APPROPRIATION..... \$ 1,264,931,900

Federal revenues:

Total federal revenues..... 845,292,500

Special revenue funds:

Total local revenues..... 16,020,400

Total private revenues..... 6,085,000

Total other state restricted revenues..... 349,926,100

State general fund/general purpose..... \$ 47,607,900

Sec. 102. DEPARTMENTAL ADMINISTRATION

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

Full-time equated classified positions..... 153.0

Unclassified salaries..... \$ 4,625,200

Executive director programs--49.0 FTE positions 5,559,500

Property management..... 11,161,300

Rent..... 12,675,800

1	Worker's compensation.....	851,700
2	Special project advances.....	940,000
3	Administrative services--104.0 FTE positions.....	<u>10,534,600</u>
4	GROSS APPROPRIATION.....	\$ 46,348,100
5	Appropriated from:	
6	Interdepartmental grant revenues:	
7	IDG from department of community health.....	300,000
8	Federal revenues:	
9	DED-OSERS, rehabilitation services, vocational	
10	rehabilitation of state grants.....	4,171,900
11	DOE-OEERE, multiple grants.....	68,700
12	DOL-ETA, unemployment insurance.....	11,314,800
13	DOL-ETA, workforce investment act.....	902,900
14	DOL, federal funds.....	1,680,000
15	DOL, multiple grants for safety and health.....	753,900
16	Federal revenues.....	615,600
17	HHS, titles XVIII and XIX.....	55,000
18	HHS, temporary assistance for needy families.....	332,400
19	Special revenue funds:	
20	Local revenues.....	131,300
21	Private - special project advances.....	940,000
22	Bank fees.....	342,900
23	Boiler fee revenue.....	244,400
24	Construction code fund.....	1,085,000
25	Consumer finance fees.....	73,400
26	Contingent fund, penalty and interest account.....	872,300
27	Corporation fees.....	4,470,600

1	Credit union fees.....	355,400
2	Deferred presentment service transaction fees.....	24,900
3	Elevator fees.....	251,500
4	Fees and collections/asbestos.....	98,200
5	Fire service fees.....	748,700
6	Insurance licensing and regulation fees.....	1,772,400
7	Insurance bureau fund.....	492,400
8	Licensing and regulation fees.....	972,700
9	Liquor purchase revolving fund.....	4,688,600
10	MBLSLA fund.....	84,200
11	Mobile home code fund.....	252,300
12	Motor carrier fees.....	203,600
13	Private occupational school license fees.....	14,000
14	Public utility assessments.....	2,251,600
15	Retired engineers technical assistance program fund..	234,700
16	Safety education and training fund.....	725,800
17	Second injury fund.....	247,500
18	Securities fees.....	2,400,700
19	Self-insurers security fund.....	88,300
20	Silicosis and dust disease fund.....	109,900
21	Tax tribunal fund.....	176,500
22	Video franchise assessments.....	4,000
23	Workers compensation administrative revolving fund...	100,000
24	State general fund/general purpose.....	\$ 1,695,100
25	Sec. 103. OFFICE OF FINANCIAL AND INSURANCE	
26	REGULATION	
27	Full-time equated classified positions.....	370.0

1	Administration--35.0 FTE positions	\$	7,136,000
2	Financial evaluation--225.0 FTE positions		33,212,600
3	Regulatory compliance and consumer assistance--110.0		
4	FTE positions		<u>18,068,200</u>
5	GROSS APPROPRIATION	\$	58,416,800
6	Appropriated from:		
7	Federal revenues:		
8	Federal regulatory project revenue		50,400
9	Federal revenues		2,000,000
10	Special revenue funds:		
11	Bank fees		8,091,000
12	Captive insurance regulatory and supervision fund		247,800
13	Consumer finance fees		4,061,700
14	Credit union fees		5,953,800
15	Deferred presentment service transaction fees		2,562,500
16	Insurance bureau fund		20,017,600
17	Insurance continuing education fees		1,000,000
18	Insurance licensing and regulation fees		4,579,300
19	MBLSLA fund		4,577,500
20	Multiple employer welfare arrangement		72,600
21	Securities fees		4,202,600
22	Securities investor education and training fund		1,000,000
23	State general fund/general purpose	\$	0
24	Sec. 104. PUBLIC SERVICE COMMISSION AND ENERGY		
25	SYSTEMS		
26	Full-time equated classified positions		213.0
27	Public service commission--190.0 FTE positions	\$	26,380,500

1	Bureau of energy systems--18.0 FTE positions	12,068,600
2	METRO authority--5.0 FTE positions	<u>334,900</u>
3	GROSS APPROPRIATION.....	\$ 38,784,000
4	Appropriated from:	
5	Federal revenues:	
6	DOE-OEERE, multiple grants.....	9,680,600
7	DOT-RSPA, gas pipeline safety.....	430,000
8	Special revenue funds:	
9	Private - oil overcharge.....	30,000
10	Children's protection registry fund.....	272,600
11	Motor carrier fees.....	1,689,100
12	Public utility assessments.....	24,239,700
13	Restructuring mechanism assessment.....	440,000
14	Retired engineers technical assistance program fund..	1,602,000
15	Video franchise assessments.....	400,000
16	State general fund/general purpose.....	\$ 0
17	Sec. 105. LIQUOR CONTROL COMMISSION	
18	Full-time equated classified positions..... 158.0	
19	Management support services--28.0 FTE positions	\$ 3,670,700
20	Liquor licensing and enforcement--130.0 FTE positions	<u>14,178,600</u>
21	GROSS APPROPRIATION.....	\$ 17,849,300
22	Appropriated from:	
23	Special revenue funds:	
24	Direct shipper enhancement revolving fund.....	120,000
25	Liquor license revenue.....	6,813,600
26	Liquor purchase revolving fund.....	10,915,700
27	State general fund/general purpose.....	\$ 0

1 **Sec. 106. OCCUPATIONAL REGULATION**

2	Full-time equated classified positions.....	435.0	
3	Boiler inspection program--25.0 FTE positions		\$ 2,883,000
4	Bureau of fire services--57.0 FTE positions		5,559,000
5	Code enforcement--120.0 FTE positions		13,726,700
6	Commercial services--170.0 FTE positions		18,384,600
7	Elevator inspection program--30.0 FTE positions		3,102,200
8	Manufactured housing and land resources program--22.0		
9	FTE positions		2,651,600
10	Property development group--11.0 FTE positions		<u>1,658,300</u>
11	GROSS APPROPRIATION.....		\$ 47,965,400
12	Appropriated from:		
13	Interdepartmental grant revenues:		
14	IDG from department of community health, inspection		
15	contract		100,000
16	Federal revenues:		
17	DOT.....		60,000
18	FEMA.....		28,000
19	HHS, title XVIII and XIX.....		700,000
20	Special revenue funds:		
21	Accountancy enforcement fund.....		408,100
22	Boiler fee revenue.....		3,306,500
23	Builder enforcement fund.....		415,600
24	Construction code fund.....		12,908,800
25	Corporation fees.....		6,149,000
26	Elevator fees.....		3,496,600
27	Fire alarm fees.....		111,300

1	Fire safety standard and enforcement fund.....	40,000
2	Fire service fees.....	1,919,700
3	Land sales fees.....	55,600
4	Licensing and regulation fees.....	10,914,500
5	Mobile home code fund.....	2,651,600
6	Property development fees.....	298,900
7	Real estate appraiser continuing education fund.....	47,000
8	Real estate education fund.....	283,800
9	Real estate enforcement fund.....	350,400
10	Security business fund.....	312,000
11	Survey and remonumentation fund.....	749,600
12	Unarmed combat fund.....	58,400
13	State general fund/general purpose.....	\$ 2,600,000
14	Sec. 107. MICHIGAN OCCUPATIONAL SAFETY AND HEALTH	
15	ADMINISTRATION	
16	Full-time equated classified positions..... 229.0	
17	Occupational safety and health--229.0 FTE positions ..	\$ <u>27,750,500</u>
18	GROSS APPROPRIATION.....	\$ 27,750,500
19	Appropriated from:	
20	Federal revenues:	
21	DOL, multiple grants for safety and health.....	12,946,600
22	Special revenue funds:	
23	Corporation fees.....	3,664,400
24	Fees and collections/asbestos.....	893,200
25	Safety education and training fund.....	8,289,900
26	Securities fees.....	1,956,400
27	State general fund/general purpose.....	\$ 0

1	Sec. 108. BUREAU OF WORKER'S AND UNEMPLOYMENT		
2	COMPENSATION		
3	Full-time equated classified positions.....	1,551.0	
4	Worker's compensation administration--96.6 FTE		
5	positions		\$ 9,417,400
6	Board of magistrates and appellate commission--19.4		
7	FTE positions		2,881,000
8	Insurance funds administration--28.0 FTE positions ...		4,816,700
9	Supplemental benefit fund.....		820,000
10	Unemployment programs--1,302.7 FTE positions		135,180,200
11	Advocacy assistance program.....		1,500,000
12	Expanded fraud control program--33.2 FTE positions ...		3,428,400
13	Special audit and collections program--34.0 FTE		
14	positions		2,993,200
15	Training program for agency staff--2.1 FTE positions .		1,821,400
16	Wage and hour division--35.0 FTE positions		<u>3,346,800</u>
17	GROSS APPROPRIATION.....		\$ 166,205,100
18	Appropriated from:		
19	Federal revenues:		
20	DOL-ETA, employment and training administration		1,173,800
21	DOL-ETA, unemployment insurance.....		137,754,900
22	Federal Reed act funds.....		4,494,500
23	Special revenue funds:		
24	Corporation fees.....		3,389,900
25	Contingent fund, regular penalty and interest account		1,500,000
26	Second injury fund.....		2,593,000
27	Securities fees.....		2,535,300

1	Self-insurers security fund.....	1,226,100
2	Silicosis and dust disease fund.....	997,600
3	Worker's compensation administrative revolving fund..	2,790,400
4	State general fund/general purpose.....	\$ 7,749,600
5	Sec. 109. STATE OFFICE OF ADMINISTRATIVE HEARINGS	
6	AND RULES	
7	Full-time equated classified positions.....	178.0
8	Administrative hearings and rules--178.0 FTE positions	\$ <u>24,910,100</u>
9	GROSS APPROPRIATION.....	\$ 24,910,100
10	Appropriated from:	
11	Interdepartmental grant revenues:	
12	IDG - administrative hearings and rules.....	12,846,300
13	Federal revenues:	
14	Federal revenue - administrative hearings and rules..	7,296,900
15	Special revenue funds:	
16	State restricted revenue - administrative hearings and	
17	rules	4,766,900
18	State general fund/general purpose.....	\$ 0
19	Sec. 110. INFORMATION TECHNOLOGY	
20	Information technology services and projects	\$ <u>42,296,300</u>
21	GROSS APPROPRIATION.....	\$ 42,296,300
22	Appropriated from:	
23	Federal revenues:	
24	DOL-ETA, unemployment insurance.....	21,554,000
25	DOL, multiple grants for safety and health.....	273,700
26	Federal revenues.....	6,454,300
27	HHS, temporary assistance for needy families.....	176,300

1	Special revenue funds:	
2	Bank fees.....	219,500
3	Boiler fee revenue.....	320,500
4	Construction code fund.....	1,027,500
5	Consumer finance fees.....	95,100
6	Corporation fees.....	2,833,700
7	Credit union fees.....	192,100
8	Deferred presentment service transaction fees.....	85,700
9	Elevator fees.....	271,300
10	Fees and collections/asbestos.....	11,000
11	Fire service fees.....	553,500
12	Insurance bureau fund.....	545,500
13	Insurance continuing education fees.....	26,700
14	Insurance licensing and regulation fees.....	330,000
15	Licensing and regulation fees.....	1,148,400
16	Liquor purchase revolving fund.....	2,630,900
17	MBLSLA fund.....	104,100
18	Mobile home code fund.....	152,800
19	Motor carrier fees.....	148,900
20	Public utility assessments.....	979,100
21	Retired engineers technical assistance program fund..	23,200
22	Safety education and training fund.....	624,700
23	Second injury fund.....	143,600
24	Securities fees.....	923,500
25	Self-insurers security fund.....	71,500
26	Silicosis and dust disease fund.....	61,500
27	Tax tribunal fund.....	210,000

1	State general fund/general purpose	\$	103,700
2	Sec. 111. WORKFORCE DEVELOPMENT		
3	Full-time equated classified positions.....	872.5	
4	Employment services--246.0 FTE positions	\$	49,389,600
5	Labor market information--52.0 FTE positions		6,564,400
6	Michigan rehabilitation services--513.5 FTE positions		73,641,400
7	Workforce programs administration--61.0 FTE positions		<u>13,176,000</u>
8	GROSS APPROPRIATION.....	\$	142,771,400
9	Appropriated from:		
10	Federal revenues:		
11	DAG, employment and training.....		178,700
12	DED-OPSE, multiple grants.....		1,222,900
13	DED-OSERS, centers for independent living.....		58,200
14	DED-OSERS, rehabilitation long-term training.....		316,900
15	DED-OSERS, rehabilitation services, vocational		
16	rehabilitation of state grants.....		56,890,000
17	DED-OSERS, state grants for technical related		
18	assistance		59,200
19	DOL-ETA, workforce investment act.....		7,890,000
20	DOL, federal funds.....		49,477,500
21	HHS, temporary assistance for needy families.....		3,337,600
22	HHS-SSA, supplemental security income.....		3,770,800
23	Special revenue funds:		
24	Local revenue.....		4,405,300
25	Local vocational rehabilitation match.....		2,684,500
26	Private - gifts, bequests, and donations.....		816,000
27	Contingent fund, penalty and interest account		1,853,100

1	Rehabilitation services fees.....		1,350,300
2	Second injury fund.....		51,500
3	State general fund/general purpose.....	\$	8,408,900
4	Sec. 112. CAREER EDUCATION PROGRAMS		
5	Full-time equated classified positions.....	30.0	
6	Postsecondary education--14.0 FTE positions.....	\$	3,038,300
7	Adult education--16.0 FTE positions.....		<u>2,570,700</u>
8	GROSS APPROPRIATION.....	\$	5,609,000
9	Appropriated from:		
10	Federal revenues:		
11	Federal revenues.....		3,942,200
12	Special revenue funds:		
13	Defaulted loan collection fees.....		100,000
14	Private occupational school license fees.....		662,000
15	State general fund/general purpose.....	\$	904,800
16	Sec. 113. DEPARTMENT GRANTS		
17	Adult basic education.....	\$	20,000,000
18	Carl D. Perkins grants.....		19,000,000
19	Gear-up program grants.....		3,000,000
20	Workforce training programs subgrantees.....		296,153,600
21	Personal assistance services.....		459,500
22	Vocational rehabilitation customer support.....		57,986,700
23	Independent living.....		4,908,600
24	Welfare-to-work programs.....		96,923,800
25	Fire protection grants.....		10,910,500
26	Low-income energy efficiency assistance.....		95,000,000
27	Liquor law enforcement grants.....		6,600,000

1	Remonumentation grants.....	5,300,000
2	Private grant programs.....	3,000,000
3	Michigan nursing corps.....	500,000
4	Subregional libraries state aid.....	<u>451,800</u>
5	GROSS APPROPRIATION.....	\$ 620,194,500
6	Appropriated from:	
7	Federal revenues:	
8	DAG, employment and training.....	7,000,000
9	DED-OESE, gear-up.....	3,000,000
10	DED-OSERS, centers for independent living.....	450,200
11	DED-OSERS, rehabilitation services, vocational	
12	rehabilitation of state grants.....	37,056,700
13	DED-OSERS, rehabilitation services facilities.....	2,272,500
14	DED-OSERS, supported employment.....	1,541,300
15	DED-OSERS, state grants for technical related	
16	assistance	2,240,800
17	DED-OVAE, adult education.....	20,000,000
18	DED-OVAE, basic grants to states.....	19,000,000
19	DOL-ETA, workforce investment act.....	225,227,700
20	DOL, federal funds.....	81,425,900
21	HHS-SSA, supplemental security income.....	5,868,400
22	HHS, temporary assistance for needy families.....	64,699,000
23	Special revenue funds:	
24	Local vocational rehabilitation facilities match.....	1,278,300
25	Local vocational rehabilitation match.....	7,000,000
26	Private - gifts, bequests, and donations.....	400,000
27	Private revenue.....	3,000,000

1	Contingent fund, penalty and interest account	1,000,000
2	Low-income energy efficiency fund	95,000,000
3	Fire protection fund	8,500,000
4	Liquor purchase revolving fund	2,410,500
5	Liquor license revenue	6,600,000
6	Survey and remonumentation fund	5,300,000
7	State general fund/general purpose	\$ 19,923,200
8	Sec. 114. BOARDS, AUTHORITIES, AND COMMISSIONS	
9	Full-time equated classified positions	170.0
10	MES board of review program--18.0 FTE positions	\$ 2,378,700
11	Hispanic/Latino commission--2.0 FTE positions	267,300
12	Commission on disability concerns--7.0 FTE positions .	1,190,500
13	Commission for the blind--107.0 FTE positions	26,819,700
14	Utility consumer representation	950,000
15	Youth low vision program	241,800
16	Tax tribunal operations--15.0 FTE positions	2,867,900
17	Employment and labor relations--21.0 FTE positions ...	<u>3,591,800</u>
18	GROSS APPROPRIATION	\$ 38,307,700
19	Appropriated from:	
20	Federal revenues:	
21	Federal revenues	21,008,100
22	EEOC, federal funds	10,000
23	DOL-ETA, unemployment insurance	2,378,700
24	Special revenue funds:	
25	Private revenues	129,000
26	Local revenues	521,000
27	Division on deafness fund	93,400

1	Securities fees.....	3,581,800
2	State restricted revenues.....	545,200
3	Tax tribunal fund.....	2,867,900
4	Utility consumer representation fund.....	950,000
5	State general fund/general purpose.....	\$ 6,222,600
6	Sec. 115. CAPITAL OUTLAY	
7	Kalamazoo training center renovations.....	\$ <u>770,000</u>
8	GROSS APPROPRIATION.....	\$ 770,000
9	Appropriated from:	
10	Special revenue funds:	
11	Private revenues.....	770,000
12	State general fund/general purpose.....	\$ 0

13 PART 2

14 PROVISIONS CONCERNING APPROPRIATIONS

15 **GENERAL SECTIONS**

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

17 constitution of 1963, total state spending from state resources

18 under part 1 for fiscal year 2010-2011 is \$397,534,000.00 and state

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

20 government for fiscal year 2010-2011 is \$39,850,100.00. The

21 itemized statement below identifies appropriations from which

22 spending to local units of government will occur:

23 DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

24	Fire protection grants.....	\$ 10,910,500
25	Liquor law enforcement.....	6,600,000

1	Remonumentation grants.....	5,300,000
2	Firefighters training council.....	1,363,000
3	Welfare-to-work programs.....	15,224,800
4	Subregional state aid.....	<u>451,800</u>
5	Total department of energy, labor, and economic	
6	growth	\$ 39,850,100

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

10 Sec. 203. As used in this act:

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

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

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

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

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

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

21 (g) "Department" means the department of energy, labor, and
22 economic growth.

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

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

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

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

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

4 (m) "DOT" means the United States department of
5 transportation.

6 (n) "DOT-RSPA" means the DOT research and special programs
7 administration.

8 (o) "EEOC" means equal employment opportunity commission.

9 (p) "FEMA" means federal emergency management agency.

10 (q) "Fire safety standard and enforcement fund" means fire
11 safety standard and firefighter protection act enforcement fund
12 created in section 9 of the fire safety standard and firefighter
13 protection act, 2009 PA 56, MCL 29.499.

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

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

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

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

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

22 (w) "IDG" means interdepartmental grant.

23 (x) "MARVIN" means Michigan's automated response voice
24 interactive network.

25 (y) "MBLSLA" means mortgage brokers, lenders, and servicers
26 licensing act.

27 (z) "MES" means Michigan employment security.

1 (aa) "METRO" means metropolitan extension telecommunications
2 rights-of-way oversight.

3 (bb) "MIOSHA" means Michigan occupational safety and health
4 administration.

5 (cc) "SOAHR" means the state office of administrative hearings
6 and rules.

7 (dd) "Subcommittees" means all members of the subcommittees of
8 the house and senate appropriations committees with jurisdiction
9 over the budget for the department.

10 Sec. 204. The civil service commission shall bill departments
11 and agencies at the end of the first fiscal quarter for the 1%
12 charge authorized by section 5 of article XI of the state
13 constitution of 1963. Payments shall be made for the total amount
14 of the billing by the end of the second fiscal quarter.

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

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

1 businesses owned and operated by veterans, if they are
2 competitively priced and of comparable quality.

3 Sec. 210. The director shall take all reasonable steps to
4 ensure that businesses in deprived and depressed communities
5 compete for and perform contracts to provide services or supplies,
6 or both. The director shall strongly encourage firms with which the
7 department contracts to subcontract with certified businesses in
8 depressed and deprived communities for services, supplies, or both.

9 Sec. 211. The department shall establish and maintain
10 affirmative action programs based on the guidelines developed by
11 the state equal opportunity and diversity council which was created
12 by Executive Order No. 2008-22 in order to receive general
13 fund/general purpose dollars in compliance with section 26 of
14 article I of the state constitution of 1963.

15 Sec. 213. From the funds appropriated in part 1 for
16 information technology, departments and agencies shall pay user
17 fees to the department of technology, management, and budget for
18 technology-related services and projects. Such user fees shall be
19 subject to provisions of an interagency agreement between the
20 departments and agencies and the department of technology,
21 management, and budget.

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

26 Sec. 217. (1) Due to the current budgetary problems in this
27 state, out-of-state travel shall be limited to situations in which

1 1 or more of the following conditions apply:

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

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

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

10 (d) The travel is necessary to comply with federal
11 requirements.

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

14 (f) The travel is financed entirely by federal or nonstate
15 funds.

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

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

1 the department's budget. The report shall be submitted to the
2 senate and house of representatives standing committees on
3 appropriations, the senate and house fiscal agencies, and the state
4 budget director. The report shall include the following
5 information:

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

8 (b) The destination of each travel occurrence.

9 (c) The dates of each travel occurrence.

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

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

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

19 Sec. 220. The department may carry into the succeeding fiscal
20 year unexpended federal pass-through funds to local institutions
21 and governments that do not require additional state matching
22 funds. Federal pass-through funds to local institutions and
23 governments that are received in amounts in addition to those
24 included in part 1 and that do not require additional state
25 matching funds are appropriated for the purposes intended. Within
26 14 days after the receipt of federal pass-through funds, the
27 department shall notify the house and senate chairpersons of the

1 subcommittees, the fiscal agencies, and the state budget director
2 of pass-through funds appropriated under this section.

3 Sec. 221. Funds appropriated in part 1 shall not be used by a
4 principal executive department, state agency, or authority to hire
5 a person to provide legal services that are the responsibility of
6 the attorney general. This prohibition does not apply to legal
7 services for bonding activities and for those activities that the
8 attorney general authorizes.

9 Sec. 223. (1) In addition to the funds appropriated in part 1,
10 there is appropriated an amount not to exceed \$45,000,000.00 for
11 federal contingency funds. These funds are not available for
12 expenditure until they have been transferred to another line item
13 in this act under section 393(2) of the management and budget act,
14 1984 PA 431, MCL 18.1393.

15 (2) In addition to the funds appropriated in part 1, there is
16 appropriated an amount not to exceed \$31,000,000.00 for state
17 restricted contingency funds. These funds are not available for
18 expenditure until they have been transferred to another line item
19 in this act under section 393(2) of the management and budget act,
20 1984 PA 431, MCL 18.1393.

21 (3) In addition to the funds appropriated in part 1, there is
22 appropriated an amount not to exceed \$8,000,000.00 for local
23 contingency funds. These funds are not available for expenditure
24 until they have been transferred to another line item in this act
25 under section 393(2) of the management and budget act, 1984 PA 431,
26 MCL 18.1393.

27 (4) In addition to the funds appropriated in part 1, there is

1 appropriated an amount not to exceed \$600,000.00 for private
2 contingency funds. These funds are not available for expenditure
3 until they have been transferred to another line item in this act
4 under section 393(2) of the management and budget act, 1984 PA 431,
5 MCL 18.1393.

6 Sec. 225. (1) Within 10 days after the receipt of a grant
7 appropriated in the private grant funded projects line item in part
8 1, the department shall notify the house and senate chairpersons of
9 the subcommittees, the fiscal agencies, and the state budget
10 director of the receipt of the grant, including the funding source,
11 purpose, and amount of the grant.

12 (2) The department shall report to the house and senate
13 chairpersons of the subcommittees, the fiscal agencies, and the
14 state budget director by January 15 on the amount and uses of the
15 federal energy program grants appropriated in part 1 in the line
16 item for the bureau of energy systems.

17 Sec. 226. Not later than October 15, the department shall
18 prepare and transmit a report that provides for estimates of the
19 total general fund/general purpose appropriation lapses at the
20 close of the fiscal year. This report shall summarize the projected
21 year-end general fund/general purpose appropriation lapses by major
22 departmental program or program areas. The report shall be
23 transmitted to the office of the state budget, the chairpersons of
24 the senate and house appropriations committees, and the fiscal
25 agencies.

26 Sec. 227. The department shall sell documents at a price not
27 to exceed the cost of production and distribution. Money received

1 from the sale of these documents shall revert to the department. In
2 addition to the funds appropriated in part 1, these funds are
3 available for expenditure when they are received by the department
4 of treasury and may only be used for costs directly related to the
5 continued updating and distribution of the documents pursuant to
6 this section. This section applies only for the following
7 documents:

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

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

14 (c) The Michigan liquor control code of 1998, 1998 PA 58, MCL
15 436.1101 to 436.2303.

16 (d) The mobile home commission act, 1987 PA 96, MCL 125.2301
17 to 125.2349; the business corporation act, 1972 PA 284, MCL
18 450.1101 to 450.2098; the nonprofit corporation act, 1982 PA 162,
19 MCL 450.2101 to 450.3192; and the uniform securities act (2002),
20 2008 PA 551, MCL 451.2101 to 451.2703.

21 (e) Labor law books.

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

23 (g) Construction code manuals.

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

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

1 Sec. 231. (1) On a quarterly basis, the department shall
2 report on the number of FTEs in pay status by civil service
3 classification to the senate and house appropriations subcommittees
4 on economic development and the senate and house fiscal agencies.

5 (2) From the funds appropriated in part 1, the department
6 shall develop, post, and maintain on a user-friendly and publicly
7 accessible Internet website all expenditures made by the department
8 within a fiscal year. The posting must include the purpose for
9 which each expenditure is made. Funds appropriated in part 1 from
10 the federal American recovery and reinvestment act shall also be
11 included on a publicly accessible website maintained by the
12 Michigan economic recovery office. The department shall not provide
13 financial information on its website under this section if doing so
14 would violate a federal or state law, rule, regulation, or
15 guideline that establishes private or security standards applicable
16 to that section.

17 (3) The department shall not expend more than \$10,000.00 from
18 the appropriations in part 1 to implement the requirements of this
19 section.

20 **REGULATORY**

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

26 Sec. 301a. (1) Cities, villages, and townships receiving fire

protection grant funds in accordance with 1977 PA 289, MCL 141.951 to 141.956, shall submit a report to the department detailing the expenditures made by the local unit from fire protection grant funds, the fire-related activities of the local unit's police and fire departments on state property, and the costs of such activities. The local unit shall provide a report no later than January 1, covering the state fiscal years ending September 30, 2010.

(2) The department shall provide a standard template for use by local units of government when submitting a report to the department.

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

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

Operation and maintenance inspection fee

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

Plan review and construction inspection fees for
hospitals and schools

<u>Project cost range</u>	<u>Fee</u>
\$101,000.00 or less	minimum fee of \$155.00

1	\$101,001.00 to \$1,500,000.00	\$1.60 per \$1,000.00
2	\$1,500,001.00 to \$10,000,000.00	\$1.30 per \$1,000.00
3	\$10,000,001.00 or more	\$1.10 per \$1,000.00
4	or a maximum fee of \$60,000.00.	

5 Sec. 302a. In addition to the funds appropriated in part 1,
6 the funds credited to the cigarette fire safety standard and
7 firefighter protection act fund created in section 13 of the fire
8 safety standard and firefighter protection act, 2009 PA 56, MCL
9 29.503, shall be appropriated to be expended for the purposes
10 provided for in the fire safety standard and firefighter protection
11 act, 2009 PA 56, MCL 29.491 to 29.513. These funds are appropriated
12 for expenditure when they are received.

13 Sec. 303. The funds collected by the department for licenses,
14 permits, and other elevator regulation fees set forth in the
15 Michigan administrative code and as determined under section 8 of
16 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL
17 408.816, that are unexpended at the end of the fiscal year shall
18 carry forward to the subsequent fiscal year.

19 Sec. 304. The department may make available to interested
20 entities otherwise unavailable customized listings of
21 nonconfidential information in its possession, such as names and
22 addresses of licensees, and charge for this information as follows:
23 base fee for 1 to 1,000 records at the cost to the department;
24 1,001 to 10,000 records at 2.5 cents per record; and 10,001 or more
25 records at .5 cents per record. The revenue received from this
26 service may be used to offset expenses of programs as appropriated
27 in part 1. The balance of this revenue collected and unexpended at

1 the end of the fiscal year shall revert to the appropriate
2 restricted revenue account or fund or, in absence of such an
3 account or fund, to the general fund.

4 Sec. 320. If the revenue collected by the department from
5 licensing and regulation fees collected by the bureau of commercial
6 services exceeds the amount expended from appropriations in part 1,
7 the revenue may be carried forward into the subsequent fiscal year.
8 The revenue carried forward under this section shall be used as the
9 first source of funds in the subsequent fiscal year.

10 Sec. 321. The department may resume printing the real estate
11 law and rules book (red book). The red book shall include, but is
12 not limited to, real estate laws and regulations and related
13 statutes. The red book will be provided at no charge to actively
14 licensed real estate brokers, associate brokers, and salespersons.
15 Any other party seeking a copy of the red book may purchase the
16 book from the bureau of commercial services at the bureau's cost to
17 produce the book or may print the bureau's Internet version of the
18 red book at no cost.

19 Sec. 323. Of the funds appropriated in part 1 for the
20 department, up to \$200,000.00 may be used for administration and
21 enforcement of unarmed combat regulation in Michigan.

22 Sec. 330. Funds earned or authorized by the United States
23 department of labor in excess of the gross appropriation in part 1
24 for the unemployment insurance agency and the employment service
25 agency from the United States department of labor are appropriated
26 and may be expended for staffing and related expenses incurred in
27 the operation of its programs. These funds may be spent after the

1 department notifies the state budget director and the subcommittees
2 of the purpose and amount of each grant award.

3 Sec. 332. Not later than April 11, 2011, the department shall
4 have a contract in place to modernize, improve, and integrate the
5 unemployment insurance agency computer system.

6 Sec. 333. The department shall report quarterly to the members
7 of the house and senate committees on appropriations, the fiscal
8 agencies, and the state budget director on the percentage of
9 unemployment claimants that meet the certification requirements for
10 receiving benefits by using the Internet MARVIN system. The
11 department shall implement improvements to the Internet MARVIN
12 system that promote greater ease of access and security with a goal
13 of reaching 50% of users certifying by using the Internet MARVIN
14 system.

15 Sec. 340. MIOSHA shall provide an annual report by February 1
16 of each year to the state budget director, the fiscal agencies, and
17 the subcommittees on the number of individuals killed and the
18 number of individuals injured on the job within industries
19 regulated by the bureau during the most recent year for which data
20 are available.

21 Sec. 341. (1) Of the funds appropriated in part 1, no funds
22 shall be used to support the development of, staffing of, or
23 activities promoting the development of guidelines, rules,
24 standards, protocols, or other similar mandates that are more
25 stringent than federal voluntary ergonomics guidelines. This
26 section does not prohibit any person from adopting, or working with
27 the state to develop, voluntary ergonomics standards.

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

6 (3) The directions in this section are given in accordance
7 with OAG, 2009, No. 7,225 (February 27, 2009).

8 Sec. 342. From the funds appropriated in part 1 for Michigan
9 occupational safety and health consultation education and training
10 (CET) grants, not less than \$80,000.00 shall be allocated to
11 nonprofit organizations representing the aggregate industry in
12 Michigan.

13 Sec. 350. In addition to the funds appropriated in part 1,
14 funds collected by the department under sections 55, 57, 58, and 59
15 of the administrative procedures act of 1969, 1969 PA 306, MCL
16 24.255, 24.257, 24.258, and 24.259, and section 203 of the
17 legislative council act, 1986 PA 268, MCL 4.1203, are appropriated
18 for all expenses necessary to provide for the cost of publication
19 and distribution. The funds appropriated under this section are
20 allotted for expenditure when they are received by the department
21 of treasury and shall not lapse to the general fund at the end of
22 the fiscal year.

23 Sec. 361. (1) The public service commission shall implement a
24 process for the low-income energy efficiency fund grants that shall
25 require an application deadline of May 1 and the award
26 announcements on October 1 of each year.

27 (2) The public service commission shall report by November 1

1 to the subcommittees, the state budget office, and the fiscal
2 agencies on the distribution of funds appropriated in part 1 for
3 the low-income/energy efficiency assistance program.

4 (3) The funds collected from public utilities for low-income
5 energy efficiency fund grants as provided under orders issued by
6 the public service commission pursuant to 1939 PA 3, MCL 460.1 to
7 460.11, that are unexpended at the end of the fiscal year may carry
8 forward to the subsequent fiscal year.

9 Sec. 368. No later than March 1, the department shall submit a
10 report to the state budget office, the fiscal agencies, and the
11 subcommittees, providing expenditure and revenue data and
12 statistical data on licensing and regulatory activities of the
13 bureau of commercial services and the bureau of construction codes
14 during the previous fiscal year. To the extent possible, the data
15 required shall be reported for each individual occupation, trade,
16 or industry regulated.

17 Sec. 370. (1) Local units of government receiving liquor law
18 enforcement grant funds in accordance with section 543 of the
19 Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1543,
20 shall submit a report to the liquor control commission detailing
21 the expenditures made by the local unit in enforcing the Michigan
22 liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303,
23 and rules promulgated under that act. Local units shall also
24 provide a report to the liquor control commission listing, for the
25 local unit's most recently completed fiscal year, each liquor-
26 related fee imposed by the local unit and the amount of revenue
27 generated by each fee. Both reports required by this section shall

1 be due to the liquor control commission not later than February 15.

2 (2) The liquor control commission shall provide a standard
3 template for use by the local units of government when submitting a
4 report to the commission.

5 (3) The liquor control commission shall provide a summary of
6 the local reports to the house and senate chairpersons of the
7 subcommittees, the fiscal agencies, and the state budget director
8 by March 31.

9 Sec. 371. (1) From the funds appropriated in part 1 for liquor
10 licensing and enforcement, the liquor control commission shall
11 coordinate its investigation and enforcement activities concerning
12 the illegal sale, delivery, and importation of spirits with the
13 investigation and enforcement activities of the department of state
14 police concerning tobacco taxes and other illegal cash
15 transactions.

16 (2) The commission shall provide an annual report to the
17 subcommittees, the fiscal agencies, and the state budget office
18 summarizing its investigation and enforcement activities concerning
19 the illegal sale, delivery, and importation of spirits. As the
20 commission considers appropriate, the report may include
21 information concerning the number and value of products seized, the
22 number of arrests, the amount of penalties imposed, and the amount
23 of additional taxes imposed and collected.

24 **OFFICE OF FINANCIAL AND INSURANCE REGULATION**

25 Sec. 401. In addition to the funds appropriated in part 1, the
26 funds collected by the office of financial and insurance regulation

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

8 Sec. 402. In addition to the funds appropriated in part 1, the
9 funds collected by the department from corporations being
10 liquidated pursuant to the insurance code of 1956, 1956 PA 218, MCL
11 500.100 to 500.8302, shall be appropriated for all expenses
12 necessary to provide for the required services. These funds are
13 appropriated for expenditure when they are received by the
14 department of treasury and shall not lapse to the general fund at
15 the end of the fiscal year.

16 Sec. 403. (1) The department shall allocate funds to promote
17 awareness of the right of a policyholder, subscriber, member,
18 enrollee, or other individual participating in a health benefit
19 plan, after the covered person has exhausted the health carrier's
20 internal grievance process provided for by law, to request an
21 external review for an adverse determination.

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

25 MICHIGAN REHABILITATION SERVICES AND MICHIGAN COMMISSION FOR THE
26 BLIND

1 Sec. 601. The Michigan career and technical institute may
2 receive equipment and in-kind contributions for the direct support
3 of staff services through the Pine Lake fund, the Delton-Kellogg
4 school district or other local or intermediate school district, or
5 any combination of local or intermediate school districts in
6 addition to those authorized in part 1.

7 Sec. 602. The Michigan rehabilitation service shall make every
8 effort to ensure that all sources of matching funds in this state
9 are used to obtain federal vocational rehabilitation funds. All
10 sources include, but are not limited to, privately raised funds to
11 support public nonprofit rehabilitation centers as permitted by the
12 rehabilitation act of 1973, Public Law 93-112.

13 Sec. 603. The local match requirements for vocational
14 rehabilitation facilities establishment grants shall not exceed
15 21.3% for the fiscal year ending September 30.

16 Sec. 604. All funds appropriated in part 1 for independent
17 living shall be used for the support of centers for independent
18 living in compliance with federal rules and regulations for such
19 centers, by existing centers in serving underserved areas, and for
20 projects to build capacity of centers to deliver independent living
21 services. Applications for such funds shall be reviewed in
22 accordance with criteria and procedures established by the
23 department. Funds must be used in a manner consistent with the
24 state plan for independent living.

25 Sec. 610. (1) The appropriation in part 1 for the Michigan
26 commission for the blind includes funds for case services. These
27 funds may be used for tuition payments for blind clients.

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

4 Sec. 611. The Michigan commission for the blind shall work
5 collaboratively with service organizations and government entities
6 to identify qualified match dollars to maximize use of available
7 federal funds.

8 Sec. 612. The youth low-vision program is considered the payer
9 of last resort. Other available public or private insurance
10 coverage, including Medicaid or MICHild, and special education
11 funds, shall be exhausted prior to using any funds appropriated in
12 part 1 to purchase low-vision devices or equipment for an
13 individual.

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

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

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

8 Sec. 615. The department may provide and enter into agreements
9 to provide general services, training, meetings, information,
10 special equipment, software, facility use, and technical consulting
11 services to other principal executive departments, state agencies,
12 local units of government, the judicial branch of government, other
13 organizations, and patrons of department facilities. The department
14 may charge fees for these services that are reasonably related to
15 the cost of providing the services. In addition to the funds
16 appropriated in part 1, funds collected by the department for these
17 services are appropriated for all expenses necessary. The funds
18 appropriated under this section are allotted for expenditure when
19 they are received by the department of treasury.

20 CAREER EDUCATION

21 Sec. 701. From the appropriations in part 1, the department is
22 appropriated an amount not to exceed \$100,000.00 from collection of
23 defaulted loans under the future faculty program in the Martin
24 Luther King, Jr. - Cesar Chavez - Rosa Parks programs to offset
25 costs of administering the loan collections.

26 Sec. 704. (1) The department shall collaborate with the state

1 board of education, the department of human services, and the
2 department of community health, to extend the duration of the
3 Michigan after-school partnership, and oversee its efforts to
4 implement the policy recommendations and strategic next steps
5 identified in the Michigan after-school initiative's report of
6 December 15, 2003.

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

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

27 Sec. 710a. From the funds appropriated in part 1 for workforce

1 programs subgrantees, the department may allocate funding for
2 grants to nonprofit organizations that offer programs to WIA-
3 eligible youth focusing on entrepreneurship, work-readiness skills,
4 job shadowing, and financial literacy. Organizations eligible for
5 funding under this section must have the capacity to provide
6 similar programs in urban areas, as determined by the United States
7 bureau of the census according to the most recent federal decennial
8 census. Additionally, programs eligible for funding under this
9 section must include the participation of local business partners.
10 The department shall develop other appropriate eligibility
11 requirements to ensure compliance with applicable federal rules and
12 regulations.

13 Sec. 719. From the funds appropriated in part 1, the
14 department may allocate no more than \$100,000.00 for the Michigan
15 talent bank for a customized career center. The career center will
16 be used to enhance the Michigan talent bank for job seekers and job
17 providers and to increase the opportunities for job seekers in
18 gaining employment. The career center shall use real-time data for
19 job opportunities and shall use technology that will also provide
20 users with job opportunities that match a job seeker's resume. The
21 center shall be serviced by a Michigan-based customer service
22 center and shall also contain a mobile component to allow for job
23 searches on personal digital assistance or smart phone devices.

24 Sec. 733. The department shall publish the "activities
25 classification structure data book" for Michigan community colleges
26 on or before March 1.

27 Sec. 734. The department shall compile the information

1 received from community colleges on North American Indian tuition
2 waivers granted pursuant to 1976 PA 174, MCL 390.1251 to 390.1253,
3 and shall submit this compilation to the house and senate
4 appropriations subcommittees on community colleges, the fiscal
5 agencies, and the state budget director by February 15.

6 Sec. 735. The department shall compile the information
7 received from community colleges on the number and types of
8 associate degrees and other certificates awarded during the
9 previous fiscal year and shall submit this compilation to the house
10 and senate appropriations subcommittees on community colleges, the
11 fiscal agencies, and the state budget director by January 7.

12 WORKFORCE DEVELOPMENT

13 Sec. 801. The department shall administer the jobs, education,
14 and training program in accordance with the requirements of section
15 407(d) of title IV of the social security act, 42 USC 607, the
16 state social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and
17 all other applicable laws and regulations.

18 Sec. 802. (1) Using all relevant state data sources, the
19 department shall conduct a 3-year longitudinal study of all former
20 work first and jobs, education, and training participants, whose
21 department of human services program cases closed due to earnings
22 during fiscal year 1999 and in succeeding fiscal years. The data
23 will include the following:

24 (a) The number and percentage employed.

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

26 (c) The range of wages earned by those employed.

1 (d) The number and percentage receiving health care benefits
2 from their employer.

3 (e) The type of jobs obtained by former participants in
4 general categories.

5 (f) The length of time former participants have retained their
6 jobs, or if participants have had more than 1 job, the length of
7 time employed at each job.

8 (g) The number and percentage continuing to receive any type
9 of public assistance.

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. 810. 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, parents of public school pupils, and, at the board's
27 discretion, representatives of organizations that provide school-

1 based curriculum and youth programs focusing on entrepreneurship,
2 work-readiness skills, and financial literacy.

3 Sec. 811. (1) The department shall make available, in person
4 or by telephone, 1 disabled veterans outreach program specialist or
5 local veterans employment representative to Michigan works! service
6 centers, as resources permit, during hours of operation.

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

11 (3) The department shall require each Michigan works! service
12 center to have an employee available to ask each individual who
13 requires intensive services beyond core services, as defined by
14 section 134 of the workforce investment act of 1998, 29 USC 2864,
15 whether that individual is a veteran. The employee shall refer any
16 veteran needing or requesting veterans services to the disabled
17 veterans outreach program specialist or local veterans employment
18 representative assigned to the center.

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

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

27 (6) The department shall continue to make the appropriate

1 placement of veterans and disabled veterans a priority.

2 Sec. 812. (1) In addition to the funds appropriated in part 1,
3 any unencumbered and unrestricted federal workforce investment act
4 or trade adjustment assistance funds available from prior fiscal
5 years are appropriated for the purposes originally intended.

6 (2) The department shall report by January 15 to the
7 subcommittees, the fiscal agencies, and the state budget office on
8 the amount by fiscal year of federal workforce investment act funds
9 appropriated under this section.

10 Sec. 813. Of the funds appropriated in part 1 for workforce
11 training program subgrantees, up to \$200,000.00 shall be allocated
12 for grants to 2 work force development programs, meeting the
13 following criteria:

14 (a) Up to \$100,000.00 shall be allocated to 1 nonprofit
15 organization to expand an existing innovative, employer-led,
16 public/private workforce development program. Grant funds may be
17 used for program operating expenses such as staffing, rent,
18 equipment, and other expenses. To be eligible for funding under
19 this subdivision, a program must meet the following criteria:

20 (i) Provide program participants with early intervention
21 services that promote employment stabilization and alleviate
22 barriers to job attainment, retention, or advancement, including
23 assistance with transportation, language barriers, childcare,
24 housing, and facilitating access to services available through
25 public agencies and community-based organizations.

26 (ii) Provide program participants with training in basic job
27 skills, basic life skills, and career exploration.

1 (iii) Provide program participants with opportunities for
2 advancement within the network of partnering employers by
3 facilitating incumbent worker training programs.

4 (iv) Demonstrate a quantifiable return on investment for
5 participating employers, as evidenced by costs savings achieved
6 through pooled training/workforce development activities, and
7 increases in employee retention, attendance, satisfaction, and
8 productivity.

9 (v) Have a regional impact across more than 3 counties.

10 (b) Up to \$100,000.00 shall be allocated to 1 nonprofit
11 organization to expand an existing workforce development program
12 operated collaboratively with local businesses and educational
13 institutions to link unemployed and dislocated workers with new
14 market industries and to spur the development of small businesses.
15 To be eligible for funding under this subdivision, a program must
16 meet the following criteria:

17 (i) Provide low-wage, unemployed, and dislocated workers
18 assistance in developing career pathways that provide education and
19 career options for program participants to meet the workforce needs
20 of new markets and in-demand occupations.

21 (ii) Provide educational programs and seminars that provide an
22 introduction to the values and basic entrepreneurial skills
23 necessary to successfully start a new business.

24 (iii) Provide programs that provide business incubation and
25 support services, including entrepreneurial education and access to
26 capital.

27 (iv) Provide program participants with job placement

1 assistance, including on-the-job training, apprenticeships, and
2 internships.

3 Sec. 815. Local Michigan works! agencies may utilize a portion
4 of the funds received under part 1 for services provided by local
5 libraries that serve as access points, service centers, or local
6 partners serving high-demand service areas or underserved areas.

7 Sec. 816. From the funds appropriated in part 1 in the line
8 item for workforce training programs subgrantees, not less than
9 \$5,860,200.00 of federal funds shall be allocated to Focus: HOPE.

10 Sec. 817. It is the intent of the legislature that a portion
11 of the workforce investment act, statewide activities funds be
12 allocated to support coordinated efforts between local Michigan
13 works! agencies and police and sheriff departments to create
14 programs that offer gang diversion activities and support services
15 to at-risk youth in Wyoming, Benton Harbor, Saginaw, Mt. Morris
16 Charter Township, and Detroit.

17 Sec. 818. From the funds appropriated in part 1 for workforce
18 training program subgrantees, \$150,000.00 may be allocated for not
19 more than 1 grant for a job training and job preparation program
20 that meets the following criteria:

21 (a) Involves prospective employers as community partners.

22 (b) Retrains displaced workers for health care industry jobs
23 including pharmacy technician and medical coding in programs that
24 require participants to complete at least 90 hours of field
25 experience.

26 (c) Provides training at either no cost to participants or at
27 a cost to participants of not more than 25% of the per student cost

1 of offering the training program.

2 (d) Demonstrates a placement rate of 80% or more.

3 Sec. 821. (1) From the appropriation in part 1 for the
4 Michigan nursing corps, grants shall be awarded to Michigan
5 institutions of higher education consisting of public 4-year
6 institutions, public 2-year institutions, independent colleges and
7 universities, and tribally controlled community colleges with
8 existing, accredited nursing baccalaureate or postgraduate
9 education programs. The purpose of the grants is to prepare
10 registered nurses and increase the number of nursing faculty. The
11 department may also award grants on a cash or in-kind matching
12 basis to licensed hospitals that agree to provide nurse educators
13 and related clinical training to additional student nurses in
14 partnership with institutions of higher education described in this
15 subsection. Awards shall be made in a manner and form as determined
16 by the department, in collaboration with the department of
17 community health.

18 (2) One or more grants may be awarded to educational
19 institutions for preparation of additional nurse faculty in
20 programs that meet 1 or more of the following:

21 (a) Preparation of master's-degreed nursing faculty in a
22 nationally accredited, accelerated program. Grants for this program
23 may include program tuition, a stipend for student living expenses,
24 and other education-related costs.

25 (b) Preparation of doctoral-degreed nursing faculty in an
26 accelerated program within an existing, accredited doctor of
27 philosophy in nursing program or doctorate of nursing practice

1 program. Participants must be currently enrolled doctoral students
2 who will be able to complete their doctoral degree program within 2
3 years. Grants for this program may include program tuition, a
4 stipend for student living expenses, and other education-related
5 costs.

6 (c) Preparation of clinical instructors for nursing education
7 programs. The program shall include classroom instruction plus a
8 practicum with students and patients. This program shall require
9 collaborative agreements between nursing education programs and
10 hospitals. It is expected that each graduate will provide clinical
11 instruction for at least 1 cohort of nursing students per year.

12 (3) A program receiving a grant under subsection (2) shall
13 provide that eligible participating students under subsection (2)
14 are registered nurses willing to participate full-time in
15 accredited programs and become employed in Michigan as nursing
16 faculty or clinical instructors for a minimum number of years, as
17 determined by the department of community health, upon completion
18 of the program. The department of community health shall establish
19 procedures for recovery of funds from students who do not remain
20 employed in Michigan for the prescribed time period.

21 (4) One or more grants may be awarded for preparation of
22 registered nurses in accredited, accelerated bachelor's in nursing
23 programs. These programs shall be targeted toward Michigan workers
24 who have been displaced from employment and who possess a
25 bachelor's degree in a science-related area. Grants for this
26 program may include program tuition, a stipend for student living
27 expenses, and other education-related costs.

1 (5) One or more grants may be awarded to health care research,
2 training, or development agencies for the purpose of development,
3 implementation, or training related to educational technologies,
4 including simulation or other virtual educational methods for the
5 purpose of building capacity to educate a continuous supply of
6 nurses for Michigan's workforce.

7 (6) Program management, data management, and evaluation for
8 these projects shall be the responsibility of the department of
9 community health, in collaboration with the department.

10 (7) The department and the department of community health
11 shall work to increase the amount of federal funds for nurse
12 education available to the state, eligible grantees described in
13 subsection (1), and nursing students.

14 (8) The funds appropriated in part 1 for the Michigan nursing
15 corps are designated as work project appropriations and shall not
16 lapse at the end of the fiscal year. Any unencumbered and
17 unexpended funds shall continue to be available for the expenditure
18 of grants until the project has been completed. The total cost of
19 the work project is estimated at \$500,000.00 and the tentative
20 completion date is September 30, 2012. These funds shall be used in
21 accordance with the requirements of the workforce investment act of
22 1998, Public Law 105-220.

23 Sec. 830. (1) Of the funds appropriated in part 1 for the
24 workforce training programs subgrantees, the department shall
25 provide a report by December 15 to the house and senate chairs of
26 the subcommittees, the state budget director, and the fiscal
27 agencies on the status of the no-worker-left-behind program. The

1 report shall include the following:

2 (a) The amount of funding allocated to each Michigan works!
3 agency and the total funding allocated to the no-worker-left-behind
4 program statewide by fund source.

5 (b) The number of participants enrolled in the program by each
6 Michigan works! agency.

7 (c) The average duration of training for program participants
8 by each Michigan works! agency.

9 (d) The number of participants enrolled in remedial education
10 programs and the number of participants enrolled in literacy
11 programs.

12 (e) The number of participants enrolled in programs at 2-year
13 institutions.

14 (f) The number of participants enrolled in 4-year
15 institutions.

16 (g) The number of participants enrolled in proprietary schools
17 or other technical training programs.

18 (h) The number of participants that have completed education
19 or training programs.

20 (i) The number of participants who secured employment in
21 Michigan within 1 year of completing a no-worker-left-behind
22 training program.

23 (j) The number of participants who completed a no-worker-left-
24 behind training program and secured employment in a field related
25 to their training.

26 (k) The average wage earned by participants who completed a
27 no-worker-left-behind training program and secured employment

1 within 1 year.

2 (2) Data collection for the report shall be for the period
3 October 1, 2010 through September 30, 2011.

4 Sec. 832. The department shall ensure that school districts
5 and career preparation programs operated by school districts are
6 eligible education providers under the no-worker-left-behind
7 program and programs funded by the federal workforce investment
8 act.

9 **CAPITAL OUTLAY**

10 Sec. 901. (1) The director shall allocate lump-sum
11 appropriations made in this act consistent with statutory
12 provisions and the purposes for which funds were appropriated.
13 Lump-sum allocations shall address priority program or facility
14 needs and may include, but are not limited to, design,
15 construction, remodeling and addition, special maintenance, major
16 special maintenance, energy conservation, and demolition.

17 (2) The state budget director may authorize that funds
18 appropriated for lump-sum appropriations shall be available for no
19 more than 3 fiscal years following the fiscal year in which the
20 original appropriation was made. Any remaining balance from
21 allocations made in this section shall lapse to the fund from which
22 it was appropriated pursuant to the lapsing of funds as provided in
23 the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

24 Sec. 902. The appropriations in part 1 for capital outlay
25 shall be carried forward at the end of the fiscal year consistent
26 with the provisions of section 248 of the management and budget

1 act, 1984 PA 431, MCL 18.1248.