

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 243

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, 2010; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS

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

Senate Bill No. 243 (H-1) as amended June 23, 2009

the department of energy, labor, and economic growth, subject to the conditions set forth in this act, for the fiscal year ending September 30, 2010, 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..... [4,645.5]

GROSS APPROPRIATION..... \$ [1,412,674,600]

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 29,117,100

ADJUSTED GROSS APPROPRIATION..... \$ 1,383,557,100

Federal revenues:

Total federal revenues..... [916,466,300]

Special revenue funds:

Total local revenues..... 15,921,000

Total private revenues..... 5,214,400

Total other state restricted revenues..... 400,199,000

State general fund/general purpose..... \$ [45,756,800]

Sec. 102. DEPARTMENTWIDE ADMINISTRATION

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

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

Unclassified salaries..... \$ 5,474,400

Executive director programs--49.0 FTE positions..... 6,177,700

Regulatory efficiency improvements/backlog reduction

initiative 475,600

Senate Bill No. 243 (H-1) as amended June 23, 2009

1	Property management.....	[11,382,200]
2	Rent.....	15,306,000
3	Worker's compensation.....	844,600
4	Special project advances.....	940,000
5	Administrative services--104.0 FTE positions.....	<u>10,923,300</u>
6	GROSS APPROPRIATION.....	\$ 51,523,700
7	Appropriated from:	
8	Interdepartmental grant revenues:	
9	IDG from department of community health.....	300,000
10	Federal revenues:	
11	DED-OSERS, rehabilitation services, vocational	
12	rehabilitation of state grants.....	4,688,900
13	DOL-ETA, unemployment insurance.....	11,220,300
14	DOL-ETA, workforce investment act.....	830,500
15	DOL, federal funds.....	1,999,100
16	DOL, multiple grants for safety and health.....	753,900
17	Federal revenues.....	511,600
18	HHS, titles XVIII and XIX.....	333,400
19	HHS, temporary assistance for needy families.....	43,000
20	Special revenue funds:	
21	Local revenues.....	131,300
22	Private - special project advances.....	940,000
23	Bank fees.....	387,200
24	Boiler fees.....	249,800
25	Construction code fund.....	1,088,100
26	Consumer finance fees.....	116,200
27	Contingent fund, penalty and interest account.....	842,500

Senate Bill No. 243 (H-1) as amended June 23, 2009

1	Corporation fees.....	4,995,200
2	Credit union fees.....	267,900
3	Deferred presentment service transaction fees.....	2,900
4	Elevator fees.....	264,000
5	Fees and collections/asbestos.....	100,200
6	Fire service fees.....	748,700
7	Insurance continuing education fees.....	28,000
8	Insurance licensing and regulation fees.....	1,521,700
9	Insurance bureau fund.....	828,200
10	Licensing and regulation fees.....	794,200
11	Liquor license revenue.....	[100,000]
12	Liquor purchase revolving fund.....	1,000
13	MBLSLA fund.....	116,400
14	Mobile home code fund.....	257,700
15	Michigan state housing development authority fees and	
16	charges	3,927,800
17	Motor carrier fees.....	206,400
18	Private occupational school license fees.....	14,000
19	Public utility assessments.....	2,170,300
20	Retired engineers technical assistance program fund..	343,000
21	Safety education and training fund.....	601,100
22	Second injury fund.....	261,800
23	Securities fees.....	2,888,100
24	Self-insurers security fund.....	92,100
25	Silicosis and dust disease fund.....	114,800
26	Tax tribunal fees.....	177,600
	[State restricted funds	4,816,200]
27	State general fund/general purpose.....	\$ [1,448,700]

Sec. 103. OFFICE OF FINANCIAL AND INSURANCE

REGULATION

Full-time equated classified positions..... 349.0

Administration--35.0 FTE positions..... \$ 7,007,800

Regulatory--314.0 FTE positions..... 46,695,600

GROSS APPROPRIATION..... \$ 53,703,400

Appropriated from:

Federal revenues:

Federal regulatory project revenue..... 50,400

Special revenue funds:

Bank fees..... 7,997,700

Captive insurance regulatory and supervision fund.... 236,900

Consumer finance fees..... 4,264,500

Credit union fees..... 5,886,000

Insurance continuing education fees..... 974,200

Insurance licensing and regulation fees..... 4,519,200

Insurance bureau fund..... 19,526,500

MBLSLA fund..... 4,793,400

Multiple employer welfare arrangement..... 73,700

Deferred presentment service transaction fees..... 2,161,700

Securities fees..... 3,219,200

State general fund/general purpose..... \$ 0

Sec. 104. PUBLIC SERVICE COMMISSION AND ENERGY

SYSTEMS

Full-time equated classified positions..... 209.0

Public service commission--191.0 FTE positions..... \$ 25,852,400

Bureau of energy systems--18.0 FTE positions..... 6,972,200

Senate Bill No. 243 (H-1) as amended June 23, 2009

1	GROSS APPROPRIATION.....	\$	32,824,600
2	Appropriated from:		
3	Federal revenues:		
4	DOE-OEERE, multiple grants.....		4,688,100
5	DOT-RSPA, gas pipeline safety.....		430,000
6	Special revenue funds:		
7	Private - oil overcharge.....		30,000
8	Motor carrier fees.....		1,689,100
9	Public utility assessments.....		23,709,800
10	Children's protection registry fund.....		272,600
11	Video franchise assessments.....		400,000
12	Retire engineers technical assistance program fund...		1,605,000
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.....	\$	3,570,800
17	Liquor licensing and enforcement--124.0 FTE positions		<u>12,609,200</u>
18	GROSS APPROPRIATION.....	\$	16,180,000
19	Appropriated from:		
20	Special revenue funds:		
21	Direct shipper enhancement revolving fund.....		120,000
22	Liquor license revenue.....		6,526,500
23	State restricted funds.....		9,533,500
24	State general fund/general purpose.....	\$	0]
25	Sec. 106. MICHIGAN STATE HOUSING DEVELOPMENT		
26	AUTHORITY		
27	Full-time equated classified positions..... 266.0		

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1	Payments on behalf of tenants.....	\$	156,000,000
2	Housing and rental assistance program--266.0 FTE		
3	positions		37,997,700
4	Michigan housing and community development fund.....		100
5	[State historic preservation programs--1.0 FTE positions		<u>200]</u>
5	GROSS APPROPRIATION.....	\$	193,997,800
6	Appropriated from:		
7	Federal revenues:		
8	[DOI-NPS, historic preservation grants-in-aid		<u>100]</u>
8	HUD, lower income housing assistance program.....		156,000,000
9	Special revenue funds:		
10	Michigan state housing development authority fees and		
11	charges		37,997,700
12	State general fund/general purpose.....	\$	<u>[200]</u>
13	Sec. 107. OCCUPATIONAL REGULATION		
14	Full-time equated classified positions.....		435.0
15	Code enforcement--120.0 FTE positions.....	\$	13,373,900
16	Boiler inspection program--25.0 FTE positions.....		2,803,800
17	Bureau of fire services--57.0 FTE positions.....		6,537,900
18	Elevator inspection program--30.0 FTE positions.....		2,984,500
19	Commercial services--170.0 FTE positions.....		19,662,600
20	Local manufactured housing communities inspections...		250,000
21	Manufactured housing and land resources program--22.0		
22	FTE positions		3,248,800
23	Property development group--11.0 FTE positions.....		<u>1,599,500</u>
24	GROSS APPROPRIATION.....	\$	50,461,000
25	Appropriated from:		
26	Interdepartmental grant revenues:		
27	IDG from department of community health, inspection		

1	contract	100,000
2	IDG from department of state police, homeland security	709,800
3	Federal revenues:	
4	FEMA.....	28,000
5	DOT.....	60,000
6	HHS, titles XVIII and XIX.....	700,000
7	Special revenue funds:	
8	Accountancy enforcement fund.....	403,600
9	Boiler fee revenue.....	3,216,100
10	Builder enforcement fund.....	400,000
11	Construction code fund.....	13,247,600
12	Corporation fees.....	5,957,700
13	Elevator fees.....	3,368,500
14	Emergency 9-1-1 fund.....	3,085,200
15	Fire alarm fees.....	101,700
16	Fire service fees.....	1,753,200
17	Homeowner construction lien recovery fund.....	1,846,500
18	Land sales fees.....	40,000
19	Licensing and regulation fees.....	10,569,500
20	Mobile home code fund.....	2,828,800
21	Unarmed combat fund.....	49,700
22	Property development fees.....	288,300
23	Survey and remonumentation fund.....	723,100
24	Real estate appraiser continuing education fund.....	47,000
25	Real estate education fund.....	272,100
26	Real estate enforcement fund.....	350,000
27	Security business fund.....	314,600

1	State general fund/general purpose	\$	0
2	Sec. 108. MICHIGAN OCCUPATIONAL SAFETY AND HEALTH		
3	ADMINISTRATION		
4	Full-time equated classified positions.....	229.0	
5	Occupational safety and health--229.0 FTE positions ..	\$	<u>26,805,500</u>
6	GROSS APPROPRIATION.....	\$	26,805,500
7	Appropriated from:		
8	Federal revenues:		
9	DOL, multiple grants for safety and health.....		12,487,100
10	Special revenue funds:		
11	Corporation fees.....		3,539,500
12	Fees and collections/asbestos.....		865,900
13	Safety education and training fund.....		8,035,000
14	Securities fees.....		1,878,000
15	State general fund/general purpose	\$	0
16	Sec. 109. BUREAU OF WORKER'S AND UNEMPLOYMENT		
17	COMPENSATION		
18	Full-time equated classified positions.....	1,551.0	
19	Administration--96.6 FTE positions	\$	9,349,600
20	Board of magistrates and appellate commission--19.4		
21	FTE positions		3,460,000
22	Wage and hour division--35.0 FTE positions		3,167,000
23	Insurance funds administration--28.0 FTE positions ...		4,692,600
24	Supplemental benefit fund.....		820,000
25	Unemployment programs--1,302.7 FTE positions		129,322,100
26	Advocacy assistance program.....		1,500,000
27	Expanded fraud control program--33.2 FTE positions ...		3,314,400

1	Special audit and collections program--34.0 FTE	
2	positions	2,912,700
3	Training program for agency staff--2.1 FTE positions .	<u>1,813,500</u>
4	GROSS APPROPRIATION.....	\$ 160,351,900
5	Appropriated from:	
6	Federal revenues:	
7	DOL-ETA, employment and training administration	711,700
8	DOL-ETA, unemployment insurance	119,098,800
9	Federal Reed act funds	4,494,500
10	Special revenue funds:	
11	Corporation fees	3,247,100
12	Contingent fund, regular penalty and interest account	14,557,700
13	Second injury fund	2,526,200
14	Securities fees	2,438,600
15	Self-insurers security fund	1,194,500
16	Silicosis and dust disease fund	971,900
17	Worker's compensation administrative revolving fund ..	2,397,000
18	State general fund/general purpose	\$ 8,713,900
19	Sec. 110. STATE OFFICE OF ADMINISTRATIVE HEARINGS	
20	AND RULES	
21	Full-time equated classified positions..... 176.0	
22	Administrative hearings and rules--176.0 FTE positions	\$ <u>24,332,900</u>
23	GROSS APPROPRIATION.....	\$ 24,332,900
24	Appropriated from:	
25	Interdepartmental grant revenues:	
26	IDG from department of community health	1,753,600
27	IDG from department of corrections	3,549,600

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1	IDG from department of education.....	1,119,300
2	IDG from department of environmental quality.....	537,200
3	IDG from department of human services.....	5,559,300
4	IDG from department of management and budget.....	43,300
5	Federal revenues:	
6	DOL-ETA, unemployment insurance.....	6,910,500
7	DOL, multiple grants for safety and health.....	208,500
8	Special revenue funds:	
9	Construction code fund.....	301,300
10	Corporation fees.....	385,800
11	Insurance bureau fund.....	357,200
12	Licensing and regulation fees.....	832,000
13	[]
14	Liquor purchase revolving fund.....	1,000
15	Mobile home code fund.....	147,500
16	Public utility assessments.....	1,309,600
17	Safety education and training fund.....	201,300
18	Securities fees.....	914,400
19	Tax tribunal fees.....	79,300
20	[State restricted funds]	122,200]
20	State general fund/general purpose.....	\$ 0
21	Sec. 111. INFORMATION TECHNOLOGY	
22	Information technology services and projects.....	\$ <u>[44,645,600]</u>
23	GROSS APPROPRIATION.....	\$ 44,645,500
24	Appropriated from:	
25	Federal revenues:	
26	DOL-ETA, unemployment insurance.....	21,538,900
27	DOL, multiple grants for safety and health.....	273,700

Senate Bill No. 243 (H-1) as amended June 23, 2009

1	Federal revenues.....	6,173,500
2	HHS, temporary assistance for needy families.....	176,300
3	Special revenue funds:	
4	Bank fees.....	304,500
5	Boiler fee revenue.....	340,500
6	Construction code fund.....	957,300
7	Consumer finance fees.....	144,100
8	Corporation fees.....	2,721,400
9	Credit union fees.....	211,100
10	Deferred presentment service transaction fees.....	5,700
11	Elevator fees.....	271,300
12	Fees and collections/asbestos.....	11,000
13	Fire service fees.....	623,500
14	Insurance bureau fund.....	893,500
15	Insurance continuing education fees.....	56,700
16	Land bank fast track fund.....	157,500
17	Licensing and regulation fees.....	1,050,100
18	[]
19	Liquor purchase revolving fund.....	1,000
20	MBLSLA fund.....	144,200
21	Mobile home code fund.....	82,600
22	Michigan state housing development authority fees and	
23	charges	2,967,200
24	Motor carrier fees.....	120,800
25	Public utility assessments.....	937,000
26	Retired engineers technical assistance program fund..	23,200
27	Safety education and training fund.....	544,300

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1	Second injury fund.....		158,600
2	Securities fees.....		1,133,500
3	Self-insurers security fund.....		71,500
4	Silicosis and dust disease fund.....		61,500
5	[State restricted funds		2,489,500]
5	State general fund/general purpose.....	\$	[100]
6	Sec. 112. WORKFORCE DEVELOPMENT		
7	Full-time equated classified positions.....	929.5	
8	Employment services--246.0 FTE positions.....	\$	48,918,200
9	Labor market information--52.0 FTE positions		6,449,500
10	Michigan rehabilitation services--513.5 FTE positions		70,817,100
11	Workforce programs administration--61.0 FTE positions		12,858,300
12	Jobs education training program--57.0 FTE positions ..		<u>15,445,000</u>
13	GROSS APPROPRIATION.....	\$	154,488,100
14	Appropriated from:		
15	Interdepartmental grant revenues:		
16	IDG from department of human services.....		15,445,000
17	Federal revenues:		
18	DAG, employment and training.....		178,700
19	DED-OPSE, multiple grants.....		1,222,900
20	DED-OSERS, centers for independent living.....		58,200
21	DED-OSERS, rehabilitation long-term training.....		316,900
22	DED-OSERS, rehabilitation services, vocational		
23	rehabilitation of state grants.....		54,315,700
24	DED-OSERS, state grants for technical related		
25	assistance		59,200
26	DOL-ETA, workforce investment act.....		7,655,700
27	DOL, federal funds.....		48,882,200

1	HHS, temporary assistance for needy families		3,371,600
2	HHS-SSA, supplemental security income		3,770,800
3	Special revenue funds:		
4	Local revenue		4,305,900
5	Local vocational rehabilitation match		2,684,500
6	Private - gifts, bequests, and donations		816,000
7	Contingent fund, penalty and interest account		1,853,100
8	Rehabilitation services fees		1,350,300
9	Second injury fund		51,500
10	State general fund/general purpose	\$	8,149,900
11	Sec. 113. CAREER EDUCATION PROGRAMS		
12	Full-time equated classified positions	30.0	
13	Postsecondary education--14.0 FTE positions	\$	2,964,400
14	Adult education--16.0 FTE positions		<u>2,534,400</u>
15	GROSS APPROPRIATION	\$	5,498,800
16	Appropriated from:		
17	Federal revenues:		
18	Federal revenues		3,867,500
19	Special revenue funds:		
20	Private occupational school license fees		648,500
21	Defaulted loan collection fees		100,000
22	State general fund/general purpose	\$	882,800
23	Sec. 114. DEPARTMENT GRANTS		
24	Agriculture economic development	\$	100
25	Adult basic education		20,000,000
26	Carl D. Perkins grants		19,000,000
27	Gear-up program grants		3,000,000

1	Workforce training programs subgrantees	245,388,800
2	Personal assistance services	459,500
3	Vocational rehabilitation client services/facilities .	55,919,000
4	Vocational rehabilitation independent living	500
5	Welfare-to-work programs	107,733,600
6	Fire protection grants	10,910,500
7	Low-income energy efficiency assistance	90,000,000
8	Liquor law enforcement grants	6,600,000
9	Remonumentation grants	5,300,000
10	Private grant programs	3,000,000
11	Michigan nursing corps	<u>1,500,000</u>
12	GROSS APPROPRIATION	\$ 568,812,000
13	Appropriated from:	
14	Federal revenues:	
15	DAG, employment and training	7,000,000
16	DED-OESE, gear-up	3,000,000
17	DED-OSERS, centers for independent living	100
18	DED-OSERS, rehabilitation services, vocational	
19	rehabilitation of state grants	35,378,000
20	DED-OSERS, rehabilitation services facilities	2,272,500
21	DED-OSERS, supported employment	1,541,300
22	DED-OSERS, state grants for technical related	
23	assistance	2,240,800
24	DED-OVAE, adult education	20,000,000
25	DED-OVAE, basic grants to states	19,000,000
26	DOL-ETA, workforce investment act	225,602,700
27	DOL, federal funds	24,425,900

1	HHS-SSA, supplemental security income	3,480,600
2	HHS, temporary assistance for needy families	72,299,000
3	Special revenue funds:	
4	Local vocational rehabilitation facilities match	1,278,300
5	Local vocational rehabilitation match	7,000,000
6	Private - gifts, bequests, and donations	300,100
7	Private revenue	3,000,000
8	Contingent fund, penalty and interest account	1,000,000
9	Corporation fees	100
10	Low-income energy efficiency fund	90,000,000
11	Fire protection fund	8,500,000
12	Liquor purchase revolving fund	2,410,500
13	Liquor license revenue	6,600,000
14	Survey and remonumentation fund	5,300,000
15	State general fund/general purpose	\$ 27,182,100
16	Sec. 115. BOARDS, AUTHORITIES, AND COMMISSIONS	
17	Full-time equated classified positions	165.0
18	MES board of review program--18.0 FTE positions	\$ 2,445,400
19	Land bank fast track authority--6.0 FTE positions	1,834,400
20	Commission on Spanish-speaking affairs--2.0 FTE	
21	positions	259,500
22	Commission on disability concerns--7.0 FTE positions .	1,157,000
23	Commission for the blind--96.0 FTE positions	24,481,500
24	Utility consumer representation	950,000
25	Youth low vision program	241,800
26	Tax tribunal operations--15.0 FTE positions	300
27	Employment relations and labor relations--21.0 FTE	

1	positions	3,495,500
2	GROSS APPROPRIATION.....	\$ 34,865,400
3	Appropriated from:	
4	Federal revenues:	
5	Federal revenue.....	19,659,800
6	EEOC, federal funds.....	10,000
7	DOL-ETA, unemployment insurance.....	2,445,400
8	Special revenue funds:	
9	Private revenues.....	128,300
10	Local revenues.....	521,000
11	Corporation fees.....	100
12	Land bank fast track funds.....	1,834,400
13	Securities fees.....	3,485,600
14	State restricted revenues.....	635,200
15	Tax tribunal fees.....	100
16	Utility consumer representation fund.....	950,000
17	State general fund/general purpose.....	\$ 5,195,500
18	Sec. 116. BUDGETARY SAVINGS	
19	Budgetary savings.....	\$ (5,816,400)
20	GROSS APPROPRIATION.....	\$ (5,816,400)
21	Appropriated from:	
22	State general fund/general purpose.....	\$ (5,816,400)

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Senate Bill No. 243 (H-1) as amended June 23, 2009

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2009-2010 is [\$445,955,900.00] and state spending from state resources to be paid to local units of government for fiscal year 2009-2010 is \$41,495,200.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

Fire protection grants.....	\$	10,910,500
Liquor law enforcement.....		6,600,000
Local manufactured housing inspections.....		250,000
Remonumentation grants.....		5,300,000
Fire fighters training council.....		100
Welfare to work.....		<u>18,434,600</u>
Total department of energy, labor, and economic growth	\$	41,495,200

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

Sec. 203. As used in this act:

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

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

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

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

(e) "DED-OSERS" means the DED office of special education

1 rehabilitation services.

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

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

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

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

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

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

12 (l) "DOL-ETA" means the DOL employment and training
13 administration.

14 (m) "DOL-ODEP" means the DOL office of disability employment
15 policy.

16 (n) "DOT" means the United States department of
17 transportation.

18 (o) "DOT-RSPA" means the DOT research and special programs
19 administration.

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

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

22 (r) "Fiscal agencies" means Michigan house fiscal agency and
23 Michigan senate fiscal agency.

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

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

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

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

3 (w) "IDG" means interdepartmental grant.

4 (x) "MARVIN" means Michigan's automated response voice
5 interactive network.

6 (y) "MBLSLA" means mortgage brokers, lenders, and servicers
7 licensing act.

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

9 (aa) "METRO" means metropolitan extension telecommunications
10 rights-of-way oversight.

11 (bb) "MIOSHA" means Michigan occupational safety and health
12 administration.

13 (cc) "MSHDA" means Michigan state housing development
14 authority.

15 (dd) "SOAHR" means the state office of administrative hearings
16 and rules.

17 (ee) "Subcommittees" means all members of the subcommittees of
18 the house and senate appropriations committees with jurisdiction
19 over the budget for the department.

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

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

1 identified for each reporting requirement, or it may include
2 placement of reports on an Internet or Intranet site.

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

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

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

25 Sec. 213. From the funds appropriated in part 1 for
26 information technology, departments and agencies shall pay user
27 fees to the department of information technology for technology-

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

4 Sec. 215. (1) The department shall report no later than April
5 1, 2010 on each specific policy change made to implement a public
6 act affecting the department that took effect during the prior
7 calendar year to the house and senate appropriations subcommittees
8 on the budget for the department, the joint committee on
9 administrative rules, and the senate and house fiscal agencies.

10 (2) Funds appropriated in part 1 shall not be used by the
11 department to adopt a rule that will apply to a small business and
12 that will have a disproportionate economic impact on small
13 businesses because of the size of those businesses if the
14 department fails to reduce the disproportionate economic impact of
15 the rule on small businesses as provided under section 40 of the
16 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

17 (3) As used in this section:

18 (a) "Rule" means that term as defined under section 7 of the
19 administrative procedures act of 1969, 1969 PA 306, MCL 24.207.

20 (b) "Small business" means that term as defined under section
21 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
22 24.207a.

23 Sec. 217. (1) Due to the current budgetary problems in this
24 state, out-of-state travel for the fiscal year ending September 30,
25 2010 shall be limited to situations in which 1 or more of the
26 following conditions apply:

27 (a) The travel is required by legal mandate or court order or

1 for law enforcement purposes.

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

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

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

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

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

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

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

1 following information:

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

4 (b) The destination of each travel occurrence.

5 (c) The dates of each travel occurrence.

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

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

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

15 Sec. 220. The department may carry into the succeeding fiscal
16 year unexpended federal pass-through funds to local institutions
17 and governments that do not require additional state matching
18 funds. Federal pass-through funds to local institutions and
19 governments that are received in amounts in addition to those
20 included in part 1 and that do not require additional state
21 matching funds are appropriated for the purposes intended.

22 Sec. 221. Funds appropriated in part 1 shall not be used by a
23 principal executive department, state agency, or authority to hire
24 a person to provide legal services that are the responsibility of
25 the attorney general. This prohibition does not apply to legal
26 services for bonding activities and for those activities that the
27 attorney general authorizes.

1 Sec. 222. The department shall review the determinations of
2 the legislative commission on governmental efficiency for
3 applicability to the operations of the department and the estimated
4 costs and benefits of implementing the recommendations.

5 Sec. 223. (1) In addition to the funds appropriated in part 1,
6 there is appropriated an amount not to exceed \$31,000,000.00 for
7 federal contingency funds. These funds are not available for
8 expenditure until they have been transferred to another line item
9 in this act under section 393(2) of the management and budget act,
10 1984 PA 431, MCL 18.1393.

11 (2) In addition to the funds appropriated in part 1, there is
12 appropriated an amount not to exceed \$26,000,000.00 for state
13 restricted contingency funds. These funds are not available for
14 expenditure until they have been transferred to another line item
15 in this act under section 393(2) of the management and budget act,
16 1984 PA 431, MCL 18.1393.

17 (3) In addition to the funds appropriated in part 1, there is
18 appropriated an amount not to exceed \$8,200,000.00 for local
19 contingency funds. These funds are not available for expenditure
20 until they have been transferred to another line item in this act
21 under section 393(2) of the management and budget act, 1984 PA 431,
22 MCL 18.1393.

23 (4) In addition to the funds appropriated in part 1, there is
24 appropriated an amount not to exceed \$600,000.00 for private
25 contingency funds. These funds are not available for expenditure
26 until they have been transferred to another line item in this act
27 under section 393(2) of the management and budget act, 1984 PA 431,

1 MCL 18.1393.

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

8 Sec. 226. Not later than October 15, 2010, the department
9 shall prepare and transmit a report that provides for estimates of
10 the total general fund/general purpose appropriation lapses at the
11 close of the fiscal year. This report shall summarize the projected
12 year-end general fund/general purpose appropriation lapses by major
13 departmental program or program areas. The report shall be
14 transmitted to the office of the state budget, the chairpersons of
15 the senate and house appropriations committees, and the fiscal
16 agencies.

17 Sec. 227. The department shall sell documents at a price not
18 to exceed the cost of production and distribution. Money received
19 from the sale of these documents shall revert to the department.
20 The funds are available for expenditure when they are received by
21 the department of treasury and may only be used for costs directly
22 related to the continued updating and distribution of the documents
23 pursuant to this section. This section applies only for the
24 following documents:

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

Senate Bill No. 243 (H-1) as amended June 23, 2009

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

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

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

(e) Labor law books.

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

(g) Construction code manuals.

(h) Copies of transcripts from administrative law hearings.

Sec. 229. 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.

[Sec. 230. From the funds appropriated in part 1, the department shall use an amount not to exceed \$10,000.00 to develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the department within a fiscal year. The posting shall include the purpose for which each expenditure is made. The department is not required to hire additional employees in order to comply with this section.]

REGULATORY

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

Sec. 301a. 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, 2010, covering the state fiscal years ending September 30, 2008 and September 30, 2009, and a report no later than January 1, 2011 covering the state fiscal year ending September 30, 2010.

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

Sec. 302a. The bureau of fire services shall work with the fire safety board and interested stakeholders to recommend to the governor and the legislature a schedule of fees to be charged by

1 the bureau for acts and services performed by the bureau,
2 including, but not limited to, inspections, review of plans and
3 specifications, issuance of certificates of acceptability, testing
4 and evaluation of new products, methods, and processes of
5 construction or alteration, inspection of construction and
6 alteration, inspection of construction undertaken pursuant to a
7 permit, the issuance of certificates of use and occupancy, and the
8 hearing of appeals. The fee schedule proposed by the bureau shall
9 bear a direct relationship to the cost of the service or act,
10 including overhead expenses. The bureau shall submit a report to
11 the state budget office, the fiscal agencies, and the subcommittees
12 detailing the recommended fee schedule no later than January 15,
13 2010. The report shall also recommend the necessary statutory and
14 administrative rule changes necessary to implement the recommended
15 fee schedule. It is the intent of the legislature that the
16 recommended fee schedule be included as part of the executive
17 budget recommendation for the fiscal year ending September 30,
18 2011.

19 Sec. 303. The funds collected by the department for licenses,
20 permits, and other elevator regulation fees set forth in the
21 Michigan administrative code and as determined under section 8 of
22 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL
23 408.816, that are unexpended at the end of the fiscal year shall
24 carry forward to the subsequent fiscal year. The department shall
25 submit a report on an annual basis to the state budget director and
26 the subcommittees on the amount of funds available under this
27 section.

1 Sec. 304. The department may make available to interested
2 entities otherwise unavailable customized listings of
3 nonconfidential information in its possession, such as names and
4 addresses of licensees, and charge for this information as follows:
5 base fee for 1 to 1,000 records at the cost to the department;
6 1,001 to 10,000 records at 2.5 cents per record; and 10,001 or more
7 records at .5 cents per record. The revenue received from this
8 service may be used to offset expenses of programs as appropriated
9 in part 1. The balance of this revenue collected and unexpended at
10 the end of the fiscal year shall revert to the appropriate
11 restricted revenue account or fund or, in absence of such an
12 account or fund, to the general fund. The department shall submit
13 an annual report on or before December 1 of each year to the state
14 budget director and the subcommittees that states the amount of
15 revenue received from the sale of information.

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

22 Sec. 321. The department may resume printing the real estate
23 law and rules book (red book). The red book shall include, but is
24 not limited to, real estate laws and regulations and related
25 statutes. The red book will be provided at no charge to actively
26 licensed real estate brokers, associate brokers, and salespersons.
27 Any other party seeking a copy of the red book may purchase the

1 book from the bureau of commercial services at the bureau's cost to
2 produce the book or may print the bureau's Internet version of the
3 red book at no cost.

4 Sec. 322. The real estate education fund created in section 37
5 of the state license fee act, 1979 PA 152, MCL 338.2237, and
6 administered by the department shall allow prelicensure and
7 postlicensure education to be delivered through online courses by a
8 community college, university, or private school, after licensure
9 and approval by the department. Expenditures from this fund may
10 also be made to support department grants for educational providers
11 to establish online courses that would be made available to
12 students throughout the year.

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

16 Sec. 330. Funds earned or authorized by the United States
17 department of labor in excess of the gross appropriation in part 1
18 for the unemployment insurance agency and the employment service
19 agency from the United States department of labor are appropriated
20 and may be expended for staffing and related expenses incurred in
21 the operation of its programs. These funds may be spent after the
22 department notifies the state budget director and the subcommittees
23 of the purpose and amount of each grant award.

24 Sec. 332. No later than October 1, 2009, the department shall
25 complete the request for proposal process for the modernization of
26 the unemployment insurance computer system and be in the process of
27 awarding and approving the contract for computer system

1 modernization.

2 Sec. 333. The department shall report quarterly to the members
3 of the house and senate committees on appropriations, the fiscal
4 agencies, and the state budget director on the percentage of
5 unemployment claimants that meet the certification requirements for
6 receiving benefits by using the internet MARVIN system. The
7 department shall implement improvements to the internet MARVIN
8 system that promote greater ease of access and security with a goal
9 of reaching 50% of users certifying by using the internet MARVIN
10 system by July 1, 2010.

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

17 Sec. 342. From the funds appropriated in part 1 for Michigan
18 occupational safety and health consultation education and training
19 (CET) grants, not less than \$40,000.00 shall be allocated to
20 nonprofit organizations representing the aggregate industry in
21 Michigan.

22 Sec. 350. In addition to the funds appropriated in part 1,
23 funds collected by the department under sections 55, 57, 58, and 59
24 of the administrative procedures act of 1969, 1969 PA 306, MCL
25 24.255, 24.257, 24.258, and 24.259, and section 203 of the
26 legislative council act, 1986 PA 268, MCL 4.1203, are appropriated
27 for all expenses necessary to provide for the cost of publication

1 and distribution. The funds appropriated under this section are
2 allotted for expenditure when they are received by the department
3 of treasury and shall not lapse to the general fund at the end of
4 the fiscal year.

5 Sec. 351. It is the intent of the legislature that the SOAHR
6 work with the center for civil justice to implement and maintain a
7 system of public access to Medicaid, cash, emergency, and food
8 assistance decisions and orders via the Internet.

9 Sec. 352. The department shall report by October 31, 2010,
10 regarding the teacher tenure cases considered by the SOAHR. The
11 department shall report the number of cases that have been filed
12 and are waiting final disposition as of September 30, 2009 and
13 September 30, 2010.

14 Sec. 360. The video franchise assessment fund is created
15 within the state treasury and shall receive revenue as provided in
16 the uniform video services local franchise act, 2006 PA 480, MCL
17 484.3301 to 484.3314. All interest and earnings of the fund may be
18 retained by the fund per the direction of the state treasurer.
19 Money in the fund at the close of the fiscal year may carry forward
20 to the new fiscal year and be used as the first source of funds in
21 the subsequent fiscal year.

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

26 (2) The public service commission shall report by November 1,
27 2009 to the subcommittees, the state budget office, and the fiscal

1 agencies on the distribution of funds appropriated in part 1 for
2 the low-income/energy efficiency assistance program.

3 Sec. 364. The appropriation in part 1 for agriculture economic
4 development is for an interdepartmental grant to the Michigan
5 department of agriculture to foster and promote growth in the food
6 and agriculture sector. By September 30, 2010, the department and
7 the department of agriculture shall report to the subcommittees,
8 the fiscal agencies, and the state budget director on the use of
9 these funds and how the funds facilitated further growth in the
10 food and agriculture sector.

11 Sec. 366. It is the intent of the legislature that the
12 metropolitan extension telecommunications rights-of-way oversight
13 authority established in section 3 of the metropolitan extension
14 telecommunications rights-of-way oversight act, 2002 PA 48, MCL
15 484.3103, be transferred to, and organized within, the public
16 service commission.

17 Sec. 368. No later than March 1, 2010, the department shall
18 submit a report to the state budget office, the fiscal agencies,
19 and the subcommittees, providing expenditure and revenue data and
20 statistical data on licensing and regulatory activities of the
21 bureau of commercial services and the bureau of construction codes
22 during the fiscal years ending September 30, 2008 and September 30,
23 2009. To the extent possible, the data required shall be reported
24 for each individual occupation, trade, or industry regulated.

25 Sec. 370. Local units of government receiving liquor law
26 enforcement grant funds in accordance with section 543 of the
27 Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1543,

1 shall submit a report to the liquor control commission detailing
2 the expenditures made by the local unit in enforcing the Michigan
3 liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303,
4 and rules promulgated under that act. Local units shall also
5 provide a report to the liquor control commission listing, for the
6 local unit's most recently completed fiscal year, each liquor-
7 related fee imposed by the local unit and the amount of revenue
8 generated by each fee. Both reports required by this section shall
9 be due to the liquor control commission not later than February 15,
10 2010.

11 Sec. 372. The Michigan tax tribunal shall work with interested
12 stakeholders to recommend to the governor and the legislature a
13 schedule of fees to be charged by the tribunal to sufficiently meet
14 the expenses of the tribunal. The fee schedule recommended by the
15 tribunal shall include, but not be limited to, filing fees for all
16 cases heard before the entire tribunal and the small claims
17 division, including disputes involving principal residences. The
18 tribunal shall submit a report to the state budget office, the
19 fiscal agencies, and the subcommittees detailing the recommended
20 fee schedule no later than January 15, 2010. The report shall also
21 recommend the necessary statutory and administrative rule changes
22 necessary to implement the recommended fee schedule. It is the
23 intent of the legislature that the tribunal continue the processing
24 of the rule, as that term is defined in section 5 of the
25 administrative procedures act of 1969, 1969 PA 306, MCL 24.205,
26 relative to the fee schedule established in proposed administrative
27 rules 2006-069 LG, in order to expeditiously implement a revised

1 fee schedule in the fiscal year ending September 30, 2010. It is
2 further the intent of the legislature that the recommended fee
3 schedule be included as part of the executive budget recommendation
4 for the fiscal year ending September 30, 2011.

5 **OFFICE OF FINANCIAL AND INSURANCE REGULATION**

6 Sec. 401. In addition to the funds appropriated in part 1, the
7 funds collected by the office of financial and insurance regulation
8 in connection with a conservatorship pursuant to section 32 of the
9 mortgage brokers, lenders, and servicers licensing act, 1987 PA
10 173, MCL 445.1682, shall be appropriated for all expenses necessary
11 to provide for the required services. Funds are available for
12 expenditure when they are received by the department of treasury
13 and shall not lapse to the general fund at the end of the fiscal
14 year.

15 Sec. 402. In addition to the funds appropriated in part 1, the
16 funds collected by the department from corporations being
17 liquidated pursuant to the insurance code of 1956, 1956 PA 218, MCL
18 500.100 to 500.8302, shall be appropriated for all expenses
19 necessary to provide for the required services. Funds are available
20 for expenditure when they are received by the department of
21 treasury and shall not lapse to the general fund at the end of the
22 fiscal year.

23 Sec. 403. (1) The department shall allocate funds to promote
24 awareness of the right of a policyholder, subscriber, member,
25 enrollee, or other individual participating in a health benefit
26 plan, after the covered person has exhausted the health carrier's

1 internal grievance process provided for by law, to request an
2 external review for an adverse determination.

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

6 Sec. 405. The department shall provide the subcommittees,
7 fiscal agencies, and state budget director with a report on or
8 before December 1 outlining actual expenditures for the last
9 completed fiscal year for each division within the office of
10 financial and insurance regulation.

11 HOUSING AND COMMUNITY DEVELOPMENT

12 Sec. 501. (1) From the funds appropriated in part 1 to the
13 Michigan housing and community development fund, \$100.00 is hereby
14 appropriated from the fund to the Michigan state housing
15 development authority (MSHDA) for projects as described in sections
16 58c and 58d of the state housing development authority act of 1966,
17 1966 PA 346, MCL 125.1458c and 125.1458d.

18 (2) It is the intent of the legislature that not less than
19 \$100.00 of available federal revenue from the American recovery and
20 reinvestment act of 2009 and/or the national affordable housing
21 trust fund shall be allocated for eligible purposes of the Michigan
22 housing and community development fund and distributed according to
23 sections 58c and 58d of the state housing development act of 1966,
24 1966 PA 346, MCL 125.1458c and 125.1458d.

25 (3) MSHDA shall report by May 1 to the subcommittees, fiscal
26 agencies, and the state budget director on the status of the

1 projects described in subsections (1) and (2), including the
2 statewide allocation plan, number of applicants, amounts requested,
3 description of projects, amounts awarded, number of housing units
4 that have been or are projected to be created, and income levels of
5 the households that have been or are projected to be served.

6 Sec. 502. MSHDA shall annually present a report to the state
7 budget office and the subcommittees on the status of the
8 authority's housing production goals under all financing programs
9 established or administered by the authority. The report shall give
10 special attention to efforts to raise affordable multifamily
11 housing production goals.

12 Sec. 503. The department and MSHDA shall report to the
13 subcommittees, the state budget director, and the fiscal agencies
14 by December 1 on the status of the loans entered into by the
15 Michigan broadband development authority.

16 Sec. 504. MSHDA shall provide a report to the subcommittees,
17 the fiscal agencies, and the state budget director by December 1 on
18 the cities of promise blight elimination program. The report shall
19 include:

20 (a) The amount awarded to each designated city.

21 (b) A description of the projects in each designated city.

22 (c) The amount of private or local funds that were used as
23 match for these projects.

24 Sec. 510. In addition to the amounts appropriated in part 1
25 for the administration of the land bank fast track authority, the
26 authority may expend revenues received under the land bank fast
27 track act, 2003 PA 258, MCL 124.751 to 124.774, for the purposes

1 authorized by the act including, but not limited to, the
2 acquisition, lease, management, demolition, maintenance, or
3 rehabilitation of real or personal property, payment of debt
4 service for notes or bonds issued by the authority, and other
5 expenses to clear or quiet title property held by the authority.

6 **MICHIGAN REHABILITATION SERVICES AND MICHIGAN COMMISSION FOR THE**
7 **BLIND**

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

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

20 Sec. 603. The local match requirements for vocational
21 rehabilitation facilities establishment grants shall not exceed
22 21.3% for the fiscal year ending September 30.

23 Sec. 604. (1) Of the funds appropriated in part 1 for
24 vocational rehabilitation independent living, all general
25 fund/general purpose revenue not used to match federal funds shall
26 be used for the support of centers for independent living that are

1 in compliance with federal standards for such centers, for
2 technical assistance to centers, by existing sites to assist in
3 serving underserved areas, and for projects to build capacity of
4 centers to deliver independent living services. Applications for
5 such funds shall be reviewed in accordance with criteria and
6 procedures established by the statewide independent living council,
7 the Michigan rehabilitation services unit within the department,
8 and the Michigan commission for the blind. Funds must be used in a
9 manner consistent with the priorities established in the state plan
10 for independent living. The department is directed to work with the
11 Michigan disability network and the local workforce development
12 boards to identify other competitive sources of funding.

13 (2) As a condition of receipt of funds appropriated in part 1,
14 the statewide independent living council and the Michigan
15 disability network shall jointly produce a report providing the
16 following information:

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

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

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

27 (iii) Number of persons for whom accommodations were provided to

1 enable independent living or access to employment and a comparison
2 to the number assisted in the previous year.

3 (iv) The total number of disabled individuals served by
4 personal care attendants and the number of personal care attendants
5 provided through the use of any funds appropriated in part 1
6 administered by a center for independent living and a comparison to
7 the number served in the previous year.

8 (b) Information from each center for independent living
9 receiving funding through appropriations in part 1 detailing their
10 total budget for their most recently completed fiscal year as well
11 as the amount within that budget funded through the vocational
12 rehabilitation independent living grant program referenced in part
13 1, the total amount funded through other state agencies, the amount
14 funded through federal sources, and the amount funded through local
15 and private sources.

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

20 (3) The report required in subsection (2) shall be submitted
21 to the subcommittees, the fiscal agencies, and the state budget
22 director on or before January 30.

23 Sec. 604a. The corporation fees appropriated in part 1 for
24 vocational rehabilitation independent living shall be allocated to
25 those centers for independent living in the state that do not
26 receive core funding under title VII, part C, of the federal
27 rehabilitation act of 1973, in the same amount that each of the

1 eligible centers for independent living received in the prior
2 fiscal year.

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

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

9 Sec. 611. The Michigan commission for the blind shall work
10 collaboratively with service organizations and government entities
11 to identify qualified match dollars to maximize use of available
12 federal funds.

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

19 CAREER EDUCATION

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

25 WORKFORCE DEVELOPMENT

1 Sec. 801. The department shall administer the jobs, education,
2 and training program in accordance with the requirements of the
3 social security act, title IV, section 407(d), the state social
4 welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and all other
5 applicable laws and regulations.

6 Sec. 802. (1) Using all relevant state data sources, the
7 department shall conduct a 3-year longitudinal study of all former
8 work first and jobs, education, and training participants, whose
9 department of human services program cases closed due to earnings
10 during fiscal year 1999 and in succeeding fiscal years. The data
11 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 he
6 or she and his or her family are better off now than when he or she
7 was on cash assistance with regard to household income, housing,
8 food and 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. 803. (1) The department shall use all relevant data
19 sources available to compile data on participants in the jobs,
20 education, and training program. The report shall include the
21 following:

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

23 (b) How many participants completed training.

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

26 (d) How many cases were closed.

27 (e) How many cases were referred to Michigan rehabilitation

1 services.

2 (f) How many case referrals were opened for service by
3 Michigan rehabilitation services.

4 (2) Data collection shall be for the period October 1, 2009
5 through September 30, 2010.

6 (3) The report shall be submitted by March 1 to the
7 subcommittees and the fiscal agencies.

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

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

12 Sec. 810. State and federal funds allocated to local workforce
13 development boards for disbursement shall not be expended unless
14 the local workforce development boards maintain a partnership with
15 governmental agencies, public school districts, and public colleges
16 located within the local service delivery area. Each board shall
17 appoint an education advisory group made up of high-level
18 administrators within local educational institutions, workforce
19 development board members, other employers, labor, academic
20 educators, parents of public school pupils, and, at the board's
21 discretion, representatives of organizations that provide school-
22 based curriculum and youth programs focusing on entrepreneurship,
23 work-readiness skills, and financial literacy.

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

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

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

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

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

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

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

27 (2) The department shall report by January 15 to the

1 subcommittees, the fiscal agencies, and the state budget office on
2 the amount by fiscal year of federal workforce investment act funds
3 appropriated under this section.

4 Sec. 813. Of the funds appropriated in part 1 for workforce
5 training program subgrantees, \$200,000.00 shall be allocated for
6 not more than 1 grant for the expansion of an existing innovative,
7 employer lead, private/public workforce development program. Grants
8 may be used for program operating expenses such as staffing, rent,
9 equipment, and other expenses. To be eligible for this grant
10 funding, a program must meet the following criteria:

11 (a) Focus on retaining low-wage workers receiving public
12 assistance.

13 (b) Meet or exceed 80% retention rate.

14 (c) Include more than 1 employer.

15 (d) Employer-sited department of human services caseworker.

16 (e) Receive Federal TANF to pay for 50% of on-site caseworker.

17 (f) Employer must contribute 50% of on-site department of
18 human services worker costs.

19 (g) Provide life skill and skills training toward advancing
20 workers to mid-skill jobs.

21 (h) Has regional impact across more than 3 counties.

22 (i) Include strategic partnerships with counties, community
23 colleges, and other nonprofits.

24 Sec. 814. It is the intent of the legislature that the
25 department work with career alliance and other interested Michigan
26 works! agencies to implement the career prep program developed
27 pursuant to section 437 of 2007 PA 118.

1 Sec. 815. The department may utilize a portion of the funds
2 distributed to local Michigan works! agencies for redistribution to
3 local libraries that serve as Michigan works! access points,
4 service centers, local partners, and local libraries serving high-
5 demand service areas or underserved areas.

6 Sec. 816. (1) From the funds appropriated in part 1 in the
7 line item for workforce training programs subgrantees, not less
8 than \$5,000,000.00 of federal funds and not more than \$360,200.00
9 general fund/general purpose revenue shall be allocated to Focus:
10 HOPE.

11 (2) As a condition for receipt of the funds allocated in
12 subsection (1), Focus: HOPE shall submit a report on the use of the
13 grant's funds appropriated in the prior fiscal year to the chairs
14 of the subcommittees, the fiscal agencies, and the state budget
15 director that includes, but is not limited to, the following:

16 (a) Detailed expenditures for administration including
17 salaries and wages of employees.

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

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

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

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

26 (3) The report shall be submitted on or before January 31.

27 Sec. 820. By December 1, 2009, the department shall submit a

1 report to the state budget director, the senate and house
2 appropriations committees, and the fiscal agencies on the status of
3 nursing education in Michigan. The report shall include, but is not
4 limited to, the number of nursing degree programs offered at
5 Michigan public and private nursing education institutions, the
6 type of nursing degrees and certificates offered (practical nurse,
7 associate, bachelor's, master's, doctoral), the number of Michigan
8 board of nursing approved nursing seats for nursing students, the
9 number and type of faculty needed to maintain and expand nursing
10 education, and any barriers there may be to the employment of more
11 nurses in the state of Michigan.

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

27 (2) One or more grants may be awarded to educational

1 institutions for preparation of additional nurse faculty in
2 programs that meet 1 or more of the following:

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

7 (b) Preparation of doctoral-degreed nursing faculty in an
8 accelerated program within an existing, accredited doctor of
9 philosophy in nursing program or a doctorate of nursing practice
10 program. Participants must be currently enrolled doctoral students
11 who will be able to complete their doctoral degree program within 2
12 years. Grants for this program may include program tuition, a
13 stipend for student living expenses, and other education-related
14 costs.

15 (c) Preparation of clinical instructors for nursing education
16 programs. A common statewide curriculum will be developed by a
17 consortium of the grantee institutions. The program shall include
18 classroom instruction plus a practicum with students and patients.
19 This program shall require collaborative agreements between nursing
20 education programs and hospitals. It is expected that each graduate
21 will provide clinical instruction for at least 1 cohort of nursing
22 students per year.

23 (3) A program receiving a grant under subsection (2) shall
24 provide that eligible participating students under subsection (2)
25 are registered nurses willing to participate full-time in
26 accredited programs and become employed in Michigan as nursing
27 faculty or clinical instructors for a minimum number of years, as

1 determined by the department of community health, upon completion
2 of the program. The department of community health shall establish
3 procedures for recovery of funds from students who do not remain
4 employed in Michigan for the prescribed time period.

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

12 (5) Program management, data management, and evaluation for
13 these projects shall be the responsibility of the department of
14 community health, in collaboration with the department.

15 (6) The department and the department of community health
16 shall work to increase the amount of federal funds for nurse
17 education available to the state, eligible grantees described in
18 subsection (1), and nursing students.

19 (7) The funds appropriated in part 1 for the Michigan nursing
20 corps are designated as work project appropriations and shall not
21 lapse at the end of the fiscal year. Any unencumbered and
22 unexpended funds shall continue to be available for the expenditure
23 of grants until the project has been completed. The total cost of
24 the work project is estimated at \$1,500,000.00 and the tentative
25 completion date is September 30, 2011.

26 Sec. 830. (1) Of the funds appropriated in part 1 for the
27 workforce training programs subgrantees, the department shall

1 provide a report by December 15, 2010 to the house and senate
2 chairs of the subcommittees, the state budget director, and the
3 fiscal agencies on the status of the no-worker-left-behind program.

4 The report shall include the following:

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

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

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

12 (d) The number of participants enrolled in remedial education
13 programs and the number of participants enrolled in literacy
14 programs.

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

17 (f) The number of participants enrolled in 4-year
18 institutions.

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

21 (h) The number of participants that have completed education
22 or training programs.

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

26 (j) The number of participants who completed a no-worker-left-
27 behind training program and secured employment in a field related

1 to their training.

2 (k) The average wage earned by participants who completed a
3 no-worker-left-behind training program and secured employment
4 within 1 year.

5 (2) Data collection for the report shall be for the period
6 October 1, 2009 through September 30, 2010.

7 Sec. 831. (1) Of the funds appropriated in part 1 for
8 workforce training programs subgrantees, \$5,000,000.00 general
9 fund/general purpose revenue shall be used for the no-worker-left-
10 behind program, to be allocated for the following purposes as
11 determined by the department:

12 (a) To provide adult basic education, remedial education, or
13 other training for individuals not ready for postsecondary
14 education, in order to prepare these individuals for postsecondary
15 training and new careers.

16 (b) To increase the capacity of community colleges and other
17 public associate's degree-granting institutions in this state to
18 provide education and training to individuals receiving assistance
19 under the program. Funding shall be provided to these educational
20 institutions based on a competitive bidding process. The department
21 shall establish criteria for awarding grants pursuant to the
22 competitive bidding process that shall include all of the
23 following:

24 (i) Collaboration among multiple educational institutions.

25 (ii) The expansion of online learning opportunities.

26 (iii) Collaboration among employers, employer organizations, and
27 local workforce investment boards.

1 (iv) The expansion of existing programs or creation of new
2 programs to meet existing or emerging training needs.

3 (v) A requirement that grant proposals include projected
4 specific program outcomes.

5 (c) To provide individuals with direct training in in-demand
6 occupations, as determined by local workforce investment boards.
7 These funds shall be distributed to local Michigan works! agencies
8 based on demonstrated need. In distributing these funds, the
9 department shall ensure funds are used for individuals who are
10 ready for training in in-demand occupations and for whom training
11 slots are available. Any Michigan works! agency receiving these
12 funds shall reserve a portion, or otherwise assure that it has
13 sufficient resources, to pay for the full course of approved
14 training for each individual served.

15 (2) The department shall convene a workgroup composed of
16 individuals with expertise in adult education, community college
17 leaders, and other interested parties to develop plans to increase
18 collaboration among all parties involved in adult education.

19 (3) The department shall develop a data collection system that
20 provides information on a real-time basis on available training for
21 the top 50 occupations requiring postsecondary education that are
22 most in demand by Michigan employers.

23 (4) In distributing funds for worker training and education,
24 the department shall seek to maximize participation among food
25 stamp recipients in order to obtain matching funds under the
26 federal food stamp employment and training program established
27 under chapter 51, title 7 of the United States Code, 7 USC 2011, et

1 seq. The department shall also distribute funds in a manner that
2 leverages other federal funds as well as funds from private and
3 local sources.

4 (5) No later than March 1, the department shall submit a
5 report to the senate and house of representatives standing
6 committees on appropriations, the fiscal agencies, and the state
7 budget office on the distribution of the \$5,000,000.00 general
8 fund/general purpose appropriation. The report shall include:

9 (a) The total amount distributed under subsection (1)(a) and
10 (c) by Michigan works! agency.

11 (b) The total amount distributed under subsection (1)(b) by
12 community colleges.

13 (c) The balance remaining in the work project account.

14 (d) Detailed information on the number of food stamp
15 recipients receiving training and education assistance, and the
16 amount of federal funds leveraged through the food stamp employment
17 and training program.

18 (6) The \$5,000,000.00 general fund/general purpose revenue
19 appropriated in part 1 for the no-worker-left-behind program is
20 designated as work project appropriations and shall not lapse at
21 the end of the fiscal year. Any unencumbered and unexpended funds
22 shall continue to be available for expenditure until September 30,
23 2011.

24 Sec. 832. The department shall ensure that school districts
25 and career preparation programs operated by school districts are
26 eligible education providers under the no-worker-left-behind
27 program and programs funded by the federal workforce investment

1 act.