

**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:

1

PART 1

2

LINE-ITEM APPROPRIATIONS

3

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

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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..... 4,646.5

GROSS APPROPRIATION..... \$ 1,432,922,800

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 29,117,100

ADJUSTED GROSS APPROPRIATION..... \$ 1,403,805,700

Federal revenues:

Total federal revenues..... 917,336,200

Special revenue funds:

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

Total private revenues..... 5,314,300

Total other state restricted revenues..... 399,803,500

State general fund/general purpose..... \$ 65,430,700

Sec. 102. DEPARTMENTAL 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

Property management..... 11,382,100

1	Rent.....	15,306,000
2	Worker's compensation.....	844,600
3	Special project advances.....	940,000
4	Administrative services--104.0 FTE positions.....	<u>10,923,300</u>
5	GROSS APPROPRIATION.....	\$ 51,523,700
6	Appropriated from:	
7	Interdepartmental grant revenues:	
8	IDG from department of community health.....	300,000
9	Federal revenues:	
10	DED-OSERS, rehabilitation services, vocational	
11	rehabilitation of state grants.....	4,688,900
12	DOL-ETA, unemployment insurance.....	11,220,300
13	DOL-ETA, workforce investment act.....	830,500
14	DOL, federal funds.....	1,999,100
15	DOL, multiple grants for safety and health.....	753,900
16	Federal revenues.....	511,600
17	HHS, temporary assistance for needy families.....	333,400
18	HHS, titles XVIII and XIX.....	43,000
19	Special revenue funds:	
20	Private - special project advances.....	940,000
21	Local revenues.....	131,300
22	Bank fees.....	387,200
23	Boiler fees.....	249,800
24	Construction code fund.....	1,088,100
25	Consumer finance fees.....	116,200
26	Contingent fund, penalty and interest account.....	842,500
27	Corporation fees.....	4,995,200

1	Credit union fees.....	267,900
2	Deferred presentment service transaction fees.....	2,900
3	Elevator fees.....	264,000
4	Fees and collections/asbestos.....	100,200
5	Fire service fees.....	748,700
6	Insurance continuing education fees.....	28,000
7	Insurance licensing and regulation fees.....	1,521,700
8	Insurance bureau fund.....	828,200
9	Licensing and regulation fees.....	794,200
10	Liquor license revenue.....	100,000
11	Liquor purchase revolving fund.....	4,817,200
12	MBLSLA fund.....	116,400
13	Mobile home code fund.....	257,700
14	Michigan state housing development authority fees	
15	and charges	3,927,800
16	Motor carrier fees.....	206,400
17	Public utility assessments.....	2,170,300
18	Private occupational school license fees.....	14,000
19	Retired engineers technical assistance program fund..	343,000
20	Safety education and training fund.....	601,100
21	Second injury fund.....	261,800
22	Securities fees.....	2,888,100
23	Self-insurers security fund.....	92,100
24	Silicosis and dust disease fund.....	114,800
25	Tax tribunal fees.....	177,600
26	State general fund/general purpose.....	\$ 1,448,600
27	Sec. 103. OFFICE OF FINANCIAL AND INSURANCE	

1 **REGULATION**

2	Full-time equated classified positions.....	349.0	
3	Administration--35.0 FTE positions.....		\$ 7,007,800
4	Regulatory compliance and consumer assistance--99.0		
5	FTE positions		15,743,400
6	Financial evaluation--215.0 FTE positions.....		<u>30,952,200</u>
7	GROSS APPROPRIATION.....		\$ 53,703,400
8	Appropriated from:		
9	Federal revenues:		
10	Federal regulatory project revenue.....		50,400
11	Special revenue funds:		
12	Bank fees.....		7,997,700
13	Captive insurance regulatory and supervision fund....		236,900
14	Consumer finance fees.....		4,264,500
15	Credit union fees.....		5,886,000
16	Deferred presentment service transaction fees.....		2,161,700
17	Insurance bureau fund.....		19,526,500
18	Insurance continuing education fees.....		974,200
19	Insurance licensing and regulation fees.....		4,519,200
20	MBLSLA fund.....		4,793,400
21	Multiple employer welfare arrangement.....		73,700
22	Securities fees.....		3,219,200
23	State general fund/general purpose.....		\$ 0

24 **Sec. 104. PUBLIC SERVICE COMMISSION AND ENERGY**

25 **SYSTEMS**

26	Full-time equated classified positions.....	204.0	
27	Public service commission--184.0 FTE positions.....		\$ 25,019,300

1	Bureau of energy systems--18.0 FTE positions	6,972,200
2	Children's protection registry administration--2.0	
3	FTE positions	<u>272,600</u>
4	GROSS APPROPRIATION.....	\$ 32,264,100
5	Appropriated from:	
6	Federal revenues:	
7	DOE-OEERE, multiple grants.....	4,688,100
8	DOT-RSPA, gas pipeline safety.....	430,000
9	Special revenue funds:	
10	Private - oil overcharge.....	30,000
11	Children's protection registry fund.....	272,600
12	Motor carrier fees.....	1,689,100
13	Public utility assessments.....	23,149,300
14	Retired engineers technical assistance program fund..	1,605,000
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..... 152.0	
19	Management support services--28.0 FTE positions	\$ 3,570,800
20	Liquor licensing and enforcement--124.0 FTE positions	<u>12,609,200</u>
21	GROSS APPROPRIATION.....	\$ 16,180,000
22	Appropriated from:	
23	Special revenue funds:	
24	Direct shipper enhancement revolving fund.....	120,000
25	Liquor license revenue.....	6,526,500
26	Liquor purchase revolving fund.....	9,533,500
27	State general fund/general purpose	\$ 0

Sec. 106. MICHIGAN STATE HOUSING DEVELOPMENT

AUTHORITY

Full-time equated classified positions.....	266.0	
Payments on behalf of tenants.....	\$	156,000,000
Housing and rental assistance program--266.0 FTE		
positions		37,997,700
Michigan housing and community development fund.....		<u>2,163,400</u>
GROSS APPROPRIATION.....	\$	196,161,100

Appropriated from:

Federal revenues:

HUD, lower income housing assistance program.....		156,000,000
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Special revenue funds:

Michigan state housing development authority fees		
and charges		37,997,700
State general fund/general purpose.....	\$	2,163,400

Sec. 107. OCCUPATIONAL REGULATION

Full-time equated classified positions.....	435.0	
Boiler inspection program--25.0 FTE positions.....	\$	2,803,800
Fire marshal program--5.0 FTE positions.....		444,800
Firefighters training council--8.0 FTE positions.....		1,716,700
Fire safety program funding--44.0 FTE positions.....		4,376,400
Code enforcement--120.0 FTE positions.....		13,373,900
Commercial services--170.0 FTE positions.....		19,662,600
Elevator inspection program--30.0 FTE positions.....		2,984,500
Local manufactured housing communities inspections...		250,000
Manufactured housing and land resources		
program--22.0 FTE positions		3,248,900

1	Property development group--11.0 FTE positions	<u>1,599,500</u>
2	GROSS APPROPRIATION.....	\$ 50,461,100
3	Appropriated from:	
4	Interdepartmental grant revenues:	
5	IDG from department of community health, inspection	
6	contract	100,000
7	IDG from department of state police, homeland security	709,800
8	Federal revenues:	
9	DOT.....	60,000
10	FEMA.....	28,000
11	HHS, titles XVIII and XIX.....	700,000
12	Special revenue funds:	
13	Accountancy enforcement fund.....	403,600
14	Boiler fee revenue.....	3,216,100
15	Builder enforcement fund.....	400,000
16	Construction code fund.....	13,247,600
17	Corporation fees.....	5,957,700
18	Elevator fees.....	3,368,500
19	Fire alarm fees.....	101,700
20	Fire service fees.....	1,753,200
21	Homeowner construction lien recovery fund.....	1,846,500
22	Land sales fees.....	40,000
23	Licensing and regulation fees.....	10,569,500
24	Mobile home code fund.....	2,828,900
25	Property development fees.....	288,300
26	Real estate appraiser continuing education fund.....	47,000
27	Real estate education fund.....	272,100

1	Real estate enforcement fund.....	350,000
2	Survey and remonumentation fund.....	723,100
3	Security business fund.....	314,600
4	Unarmed combat fund.....	49,700
5	State general fund/general purpose.....	\$ 3,085,200
6	Sec. 108. MICHIGAN OCCUPATIONAL SAFETY AND HEALTH	
7	ADMINISTRATION	
8	Full-time equated classified positions..... 229.0	
9	Occupational safety and health--229.0 FTE positions ..	\$ <u>26,705,500</u>
10	GROSS APPROPRIATION.....	\$ 26,705,500
11	Appropriated from:	
12	Federal revenues:	
13	DOL, multiple grants for safety and health.....	12,487,100
14	Special revenue funds:	
15	Corporation fees.....	3,439,500
16	Fees and collections/asbestos.....	865,900
17	Safety education and training fund.....	8,035,000
18	Securities fees.....	1,878,000
19	State general fund/general purpose.....	\$ 0
20	Sec. 109. BUREAU OF WORKER'S AND UNEMPLOYMENT	
21	COMPENSATION	
22	Full-time equated classified positions..... 1,551.0	
23	Administration--96.6 FTE positions.....	\$ 9,349,600
24	Board of magistrates and appellate commission--19.4	
25	FTE positions	3,460,000
26	Wage and hour division--35.0 FTE positions.....	3,167,000
27	Insurance funds administration--28.0 FTE positions...	4,692,600

1	Supplemental benefit fund.....	820,000
2	Unemployment programs--1,302.7 FTE positions	129,322,100
3	Advocacy assistance program.....	1,500,000
4	Special audit and collections program--34.0 FTE	
5	positions	2,912,700
6	Training program for agency staff--2.1 FTE positions .	1,813,500
7	Expanded fraud control program--33.2 FTE positions ...	<u>3,314,400</u>
8	GROSS APPROPRIATION.....	\$ 160,351,900
9	Appropriated from:	
10	Federal revenues:	
11	DOL-ETA, employment and training administration	711,700
12	DOL-ETA, unemployment insurance.....	119,098,800
13	Federal Reed act funds.....	4,494,500
14	Special revenue funds:	
15	Corporation fees.....	3,247,100
16	Contingent fund, regular penalty and interest account	14,557,700
17	Second injury fund.....	2,526,200
18	Securities fees.....	2,438,600
19	Self-insurers security fund.....	1,194,500
20	Silicosis and dust disease fund.....	971,900
21	Worker's compensation administrative revolving fund..	2,397,000
22	State general fund/general purpose.....	\$ 8,713,900
23	Sec. 110. STATE OFFICE OF ADMINISTRATIVE HEARINGS	
24	AND RULES	
25	Full-time equated classified positions.....	178.0
26	Administrative hearings and rules--178.0 FTE positions	\$ <u>24,332,900</u>
27	GROSS APPROPRIATION.....	\$ 24,332,900

1	Appropriated from:	
2	Interdepartmental grant revenues:	
3	IDG from department of community health.....	1,753,600
4	IDG from department of corrections.....	3,549,600
5	IDG from department of education.....	1,119,300
6	IDG from department of environmental quality.....	537,200
7	IDG from department of human services.....	5,559,300
8	IDG from department of management and budget.....	43,300
9	Federal revenues:	
10	DOL-ETA, unemployment insurance.....	6,910,500
11	DOL, multiple grants for safety and health.....	208,500
12	Special revenue funds:	
13	Construction code fund.....	301,300
14	Corporation fees.....	385,800
15	Insurance bureau fund.....	357,200
16	Licensing and regulation fees.....	832,000
17	Liquor purchase revolving fund.....	123,200
18	Manufactured housing commission fees.....	147,500
19	Public utility assessments.....	1,309,600
20	Safety education and training fund.....	201,300
21	Securities fees.....	914,400
22	Tax tribunal fees.....	79,300
23	State general fund/general purpose.....	\$ 0
24	Sec. 111. INFORMATION TECHNOLOGY	
25	Information technology services and projects.....	\$ <u>44,645,500</u>
26	GROSS APPROPRIATION.....	\$ 44,645,500
27	Appropriated from:	

1	Federal revenues:	
2	DOL-ETA, unemployment insurance	21,538,900
3	DOL, multiple grants for safety and health	273,700
4	Federal revenues	6,173,500
5	HHS, temporary assistance for needy families	176,300
6	Special revenue funds:	
7	Bank fees	304,500
8	Boiler fee revenue	340,500
9	Construction code fund	957,300
10	Consumer finance fees	144,100
11	Corporation fees	2,721,400
12	Credit union fees	211,100
13	Deferred presentment service transaction fees	5,700
14	Elevator fees	271,300
15	Fees and collections/asbestos	11,000
16	Fire service fees	623,500
17	Insurance continuing education fees	56,700
18	Insurance bureau fund	893,500
19	Land bank fast-track fund	157,500
20	Licensing and regulation fees	1,050,100
21	Liquor purchase revolving fund	2,490,500
22	MBLSLA fund	144,200
23	Mobile home code fund	82,600
24	Michigan state housing development authority fees	
25	and charges	2,967,200
26	Motor carrier fees	120,800
27	Public utility assessments	937,000

1	Retired engineers technical assistance program fund..	23,200
2	Safety education and training fund.....	544,300
3	Second injury fund.....	158,600
4	Securities fees.....	1,133,500
5	Self-insurers security fund.....	71,500
6	Silicosis and dust disease fund.....	61,500
7	State general fund/general purpose.....	\$ 0
8	Sec. 112. WORKFORCE DEVELOPMENT	
9	Full-time equated classified positions.....	929.5
10	Employment services--246.0 FTE positions.....	\$ 48,918,200
11	Jobs education training program--57.0 FTE positions ..	15,445,000
12	Labor market information--52.0 FTE positions.....	6,449,500
13	Michigan rehabilitation services--513.5 FTE positions	70,817,100
14	Workforce programs administration--61.0 FTE positions	<u>12,858,300</u>
15	GROSS APPROPRIATION.....	\$ 154,488,100
16	Appropriated from:	
17	Interdepartmental grant revenues:	
18	IDG from department of human services.....	15,445,000
19	Federal revenues:	
20	DAG, employment and training.....	178,700
21	DED-OPSE, multiple grants.....	1,222,900
22	DED-OSERS, centers for independent living.....	58,200
23	DED-OSERS, rehabilitation long-term training.....	316,900
24	DED-OSERS, rehabilitation services, vocational	
25	rehabilitation of state grants.....	54,315,700
26	DED-OSERS, state grants for technical related	
27	assistance	59,200

1	DOL-ETA, workforce investment act	7,655,700
2	DOL, federal funds	48,882,200
3	HHS-SSA, supplemental security income	3,770,800
4	HHS, temporary assistance for needy families	3,371,600
5	Special revenue funds:	
6	Private - gifts, bequests, and donations	816,000
7	Local revenue	4,305,900
8	Local vocational rehabilitation match	2,684,500
9	Contingent fund, penalty and interest account	1,853,100
10	Rehabilitation services fees	1,350,300
11	Second injury fund	51,500
12	State general fund/general purpose	\$ 8,149,900
13	Sec. 113. CAREER EDUCATION PROGRAMS	
14	Full-time equated classified positions..... 30.0	
15	Postsecondary education--14.0 FTE positions	\$ 2,964,400
16	Adult education--16.0 FTE positions	<u>2,534,400</u>
17	GROSS APPROPRIATION	\$ 5,498,800
18	Appropriated from:	
19	Federal revenues:	
20	Federal revenues	3,867,500
21	Special revenue funds:	
22	Private occupational school license fees	648,500
23	Defaulted loan collection fees	100,000
24	State general fund/general purpose	\$ 882,800
25	Sec. 114. DEPARTMENT GRANTS	
26	Adult basic education	\$ 20,000,000
27	Agriculture economic development	500,000

1	Carl D. Perkins grants.....	19,000,000
2	Gear-up program grants.....	3,000,000
3	Workforce training programs subgrantees.....	247,488,800
4	Personal assistance services.....	459,500
5	Vocational rehabilitation client services/facilities .	55,919,000
6	Vocational rehabilitation independent living.....	3,479,700
7	Welfare-to-work programs.....	107,733,600
8	Fire protection grants.....	10,910,500
9	Low-income energy efficiency assistance.....	90,000,000
10	Liquor law enforcement grants.....	6,600,000
11	Remonumentation grants.....	5,300,000
12	Michigan nursing corps.....	5,000,000
13	Private grant funded projects.....	<u>3,000,000</u>
14	GROSS APPROPRIATION.....	\$ 578,391,100
15	Appropriated from:	
16	Federal revenues:	
17	DAG, employment and training.....	7,000,000
18	DED-OESE, gear-up.....	3,000,000
19	DED-OSERS, centers for independent living.....	450,200
20	DED-OSERS, rehabilitation services, vocational	
21	rehabilitation of state grants.....	35,797,900
22	DED-OSERS, rehabilitation services facilities.....	2,272,500
23	DED-OSERS, supported employment.....	1,541,300
24	DED-OSERS, state grants for technical related	
25	assistance	2,240,800
26	DED-OVAE, adult education.....	20,000,000
27	DED-OVAE, basic grants to states.....	19,000,000

1	DOL-ETA, workforce investment act	225,602,700
2	DOL, federal funds	24,425,900
3	HHS, temporary assistance for needy families	72,299,000
4	HHS-SSA, supplemental security income	3,480,600
5	Special revenue funds:	
6	Private - gifts, bequests, and donations	400,000
7	Private revenues	3,000,000
8	Local vocational rehabilitation match	7,000,000
9	Local vocational rehabilitation facilities match	1,278,300
10	Contingent fund, penalty and interest account	1,000,000
11	Low-income energy efficiency fund	90,000,000
12	Fire protection fund	8,500,000
13	Liquor purchase revolving fund	2,410,500
14	Liquor license revenue	6,600,000
15	Survey and remonumentation fund	5,300,000
16	State general fund/general purpose	\$ 35,791,400
17	Sec. 115. BOARDS, AUTHORITIES AND COMMISSIONS	
18	Full-time equated classified positions	170.0
19	MES board of review program--18.0 FTE positions	\$ 2,445,400
20	Rights-of-way oversight authority--5.0 FTE positions .	560,500
21	Land bank fast-track authority--6.0 FTE positions	1,834,400
22	Commission on Spanish-speaking affairs--2.0 FTE	
23	positions	259,500
24	Commission on disability concerns--7.0 FTE positions .	1,157,000
25	Commission for the blind--96.0 FTE positions	24,481,500
26	Utility consumer representation	950,000
27	Youth low-vision program	241,800

1	Tax tribunal operations--15.0 FTE positions	2,790,000
2	Employment and labor relations--21.0 FTE positions ...	<u>3,495,500</u>
3	GROSS APPROPRIATION.....	\$ 38,215,600
4	Appropriated from:	
5	Federal revenues:	
6	Federal revenues.....	19,659,800
7	DOL-ETA, unemployment insurance.....	2,445,400
8	EEOC, federal funds.....	10,000
9	Special revenue funds:	
10	Private revenues.....	128,300
11	Local revenues.....	521,000
12	Corporation fees.....	271,700
13	Land bank fast-track funds.....	1,834,400
14	METRO authority fund.....	560,500
15	Securities fees.....	3,845,600
16	State restricted revenues.....	635,200
17	Tax tribunal fees.....	2,158,200
18	Utility consumer representation fund.....	950,000
19	State general fund/general purpose.....	\$ 5,195,500

20 PART 2

21 PROVISIONS CONCERNING APPROPRIATIONS

22 GENERAL SECTIONS

23 Sec. 201. Pursuant to section 30 of article IX of the state
 24 constitution of 1963, total state spending from state resources
 25 under part 1 for fiscal year 2009-2010 is \$465,234,200.00 and state

1 spending from state resources to be paid to local units of
 2 government for fiscal year 2009-2010 is \$43,123,800.00. The
 3 itemized statement below identifies appropriations from which
 4 spending to local units of government will occur:

5 DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

6	Fire protection grants.....	\$	10,910,500
7	Liquor law enforcement.....		6,600,000
8	Local manufactured housing inspections.....		250,000
9	Remonumentation grants.....		5,300,000
10	Fire fighters training council.....		1,628,700
11	Welfare to work.....		<u>18,434,600</u>
12	Total department of energy, labor, and economic		
13	growth	\$	43,123,800

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

17 Sec. 203. As used in this act:

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

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

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

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

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

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

Senate Bill No. 243 as amended April 1, 2009

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

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

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

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

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

9 (l) "DOL-ETA" means the DOL employment and training
10 administration.

11 (m) "DOL-ODEP" means the DOL office of disability employment
12 policy.

13 (n) "DOT" means the United States department of
14 transportation.

15 (o) "DOT-RSPA" means the DOT research and special programs
16 administration.

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

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

19 (r) "Fiscal agencies" means Michigan house fiscal agency and
20 Michigan senate fiscal agency.

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

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

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

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

27 (w) "IDG" means interdepartmental grant.

<<(x) "MARVIN" means Michigan's automated response voice
interactive network.>>

Senate Bill No. 243 as amended April 1, 2009

1 <<(y) ~~(x)~~>> "MBLSLA" means mortgage brokers, lenders, and servicers
2 licensing act.

3 <<(z) ~~(y)~~>> "MES" means Michigan employment security.

4 <<(aa) ~~(z)~~>> "METRO" means metropolitan extension
5 telecommunications
6 rights-of-way oversight.

7 <<(bb) ~~(aa)~~>> "MIOSHA" means Michigan occupational safety and
8 health
9 administration.

10 <<(cc) ~~(bb)~~>> "MSHDA" means Michigan state housing development
11 authority.

12 <<(dd) ~~(ee)~~>> "SOAHR" means the state office of administrative
13 hearings
14 and rules.

15 <<(ee) ~~(dd)~~>> "Subcommittees" means all members of the
16 subcommittees of
17 the house and senate appropriations committees with jurisdiction
18 over the budget for the department.

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

24 Sec. 205. (1) A hiring freeze is imposed on the state
25 classified civil service. State departments and agencies are
26 prohibited from hiring any new full-time state classified civil
27 service employees and prohibited from filling any vacant state
28 classified civil service positions. This hiring freeze does not
29 apply to internal transfers of classified employees from 1 position
30 to another within a department.

31 (2) The state budget director may grant exceptions to this

1 hiring freeze when the state budget director believes that the
2 hiring freeze will result in rendering a state department or agency
3 unable to deliver basic services, cause loss of revenue to the
4 state, result in the inability of the state to receive federal
5 funds, or necessitate additional expenditures that exceed any
6 savings from maintaining a vacancy. The state budget director shall
7 report quarterly to the chairpersons of the senate and house of
8 representatives standing committees on appropriations the number of
9 exceptions to the hiring freeze approved during the previous
10 quarter and the reasons to justify the exception.

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

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

26 Sec. 210. The director shall take all reasonable steps to
27 ensure that businesses in deprived and depressed communities

1 compete for and perform contracts to provide services or supplies,
2 or both. The director shall strongly encourage firms with which the
3 department contracts to subcontract with certified businesses in
4 depressed and deprived communities for services, supplies, or both.

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

11 Sec. 213. From the funds appropriated in part 1 for
12 information technology, departments and agencies shall pay user
13 fees to the department of information technology for technology-
14 related services and projects. Such user fees shall be subject to
15 provisions of an interagency agreement between the departments and
16 agencies and the department of information technology.

17 Sec. 214. Amounts appropriated in part 1 for information
18 technology may be designated as work projects and carried forward
19 to support technology projects under the direction of the
20 department of information technology. Funds designated in this
21 manner are not available for expenditure until approved as work
22 projects under section 451a of the management and budget act, 1984
23 PA 431, MCL 18.1451a.

24 Sec. 215. (1) The department shall report no later than April
25 1, 2010 on each specific policy change made to implement a public
26 act affecting the department that took effect during the prior
27 calendar year to the house and senate appropriations subcommittees

1 on the budget for the department, the joint committee on
2 administrative rules, and the senate and house fiscal agencies.

3 (2) Funds appropriated in part 1 shall not be used by the
4 department to adopt a rule that will apply to a small business and
5 that will have a disproportionate economic impact on small
6 businesses because of the size of those businesses if the
7 department fails to reduce the disproportionate economic impact of
8 the rule on small businesses as provided under section 40 of the
9 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

10 (3) As used in this section:

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

13 (b) "Small business" means that term as defined under section
14 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
15 24.207a.

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

20 Sec. 217. (1) Due to the current budgetary problems in this
21 state, out-of-state travel for the fiscal year ending September 30,
22 2010 shall be limited to situations in which 1 or more of the
23 following conditions apply:

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

26 (b) The travel is necessary to protect the health or safety of
27 Michigan citizens or visitors or to assist other states in similar

1 circumstances.

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

5 (d) The travel is necessary to comply with federal
6 requirements.

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

9 (f) The travel is financed entirely by federal or nonstate
10 funds.

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

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

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

1 (b) The destination of each travel occurrence.

2 (c) The dates of each travel occurrence.

3 (d) A brief statement of the reason for each travel
4 occurrence.

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

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

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

15 Sec. 221. Funds appropriated in part 1 shall not be used by a
16 principal executive department, state agency, or authority to hire
17 a person to provide legal services that are the responsibility of
18 the attorney general. This prohibition does not apply to legal
19 services for bonding activities and for those activities that the
20 attorney general authorizes.

21 Sec. 222. The department shall review the determinations of
22 the legislative commission on governmental efficiency for
23 applicability to the operations of the department and the estimated
24 costs and benefits of implementing the recommendations.

25 Sec. 223. (1) In addition to the funds appropriated in part 1,
26 there is appropriated an amount not to exceed \$13,200,000.00 for
27 state restricted contingency funds. These funds are not available

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

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

10 (3) In addition to the funds appropriated in part 1, there is
11 appropriated an amount not to exceed \$600,000.00 for private
12 contingency funds. These funds are not available for expenditure
13 until they have been transferred to another line item in this act
14 under section 393(2) of the management and budget act, 1984 PA 431,
15 MCL 18.1393.

16 Sec. 224. The department shall not approve the travel of more
17 than 1 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 Sec. 225. Within 10 days after the receipt of a grant
25 appropriated in the private grant funded projects line item in part
26 1, the department shall notify the house and senate chairpersons of
27 the subcommittees, the fiscal agencies, and the state budget

1 director of the receipt of the grant, including the funding source,
2 purpose, and amount of the grant.

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

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

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

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

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

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. 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>
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1	\$101,000.00 or less	minimum fee of \$155.00
2	\$101,001.00 to \$1,500,000.00	\$1.60 per \$1,000.00
3	\$1,500,001.00 to \$10,000,000.00	\$1.30 per \$1,000.00
4	\$10,000,001.00 or more	\$1.10 per \$1,000.00
5	or a maximum fee of \$60,000.00.	

6 Sec. 303. The funds collected by the department for licenses,
7 permits, and other elevator regulation fees set forth in the
8 Michigan administrative code and as determined under section 8 of
9 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL
10 408.816, that are unexpended at the end of the fiscal year shall
11 carry forward to the subsequent fiscal year. The department shall
12 submit a report on an annual basis to the state budget director and
13 the subcommittees on the amount of funds available under this
14 section.

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

1 budget director and the subcommittees that states the amount of
2 revenue received from the sale of information.

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

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

18 Sec. 322. The real estate education fund created in section 37
19 of the state license fee act, 1979 PA 152, MCL 338.2237, and
20 administered by the department shall allow prelicensure and
21 postlicensure education to be delivered through online courses by a
22 community college, university, or private school, after licensure
23 and approval by the department. Expenditures from this fund may
24 also be made to support department grants for educational providers
25 to establish online courses that would be made available to
26 students throughout the year.

27 Sec. 323. Of the funds appropriated in part 1 for the

Senate Bill No. 243 as amended April 1, 2009

1 department, up to \$200,000.00 may be used for administration and
2 enforcement of unarmed combat regulation in Michigan.

3 Sec. 330. Funds earned or authorized by the United States
4 department of labor in excess of the gross appropriation in part 1
5 for the unemployment insurance agency and the employment service
6 agency from the United States department of labor are appropriated
7 and may be expended for staffing and related expenses incurred in
8 the operation of its programs. These funds may be spent after the
9 department notifies the state budget director and the subcommittees
10 of the purpose and amount of each grant award.

11 Sec. 331. From the funds appropriated in part 1 for
12 unclassified salaries, the department shall provide funding for 5
13 worker's compensation appellate commissioners and 26 worker's
14 compensation board of magistrates. Expenditures shall be made so
15 that the 2 bodies shall decide worker's compensation cases in a
16 timely manner.

17 Sec. 332. No later than October 1, 2009, the department shall
18 complete the request for proposal process for the modernization of
19 the unemployment insurance computer system and be in the process of
20 awarding and approving the contract for computer system
21 modernization.

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

22 Sec. 340. MIOSHA shall provide an annual report by February 1
23 of each year to the state budget director, the fiscal agencies, and
24 the subcommittees on the number of individuals killed and the
25 number of individuals injured on the job within industries
26 regulated by the bureau during the most recent year for which data
27 are available.

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

8 (2) On March 1, 2010 and September 1, 2010, the department
9 shall provide a report to the fiscal agencies and subcommittees of
10 any staffing time or activities regarding the development of a
11 voluntary or mandatory, or both, ergonomic standard, whether
12 contained in rules, guidelines, policy directives, or bulletins.

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

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

20 Sec. 345. It is the intent of the legislature that Michigan
21 return the occupational safety and health administration program to
22 the federal government, and review the option of entering into a
23 cooperative agreement with federal occupational safety and health
24 administration to provide a safety and training program for
25 employers.

26 Sec. 350. In addition to the funds appropriated in part 1,
27 funds collected by the department under sections 55, 57, 58, and 59

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

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

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

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

26 Sec. 361. (1) The public service commission shall implement a
27 process for the low-income energy efficiency fund grants that shall

1 require an application deadline of May 1 and the award
2 announcements on October 1 of each year.

3 (2) The public service commission shall report by November 1,
4 2009 to the subcommittees, the state budget office, and the fiscal
5 agencies on the distribution of funds appropriated in part 1 for
6 the low-income/energy efficiency assistance program.

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

15 **OFFICE OF FINANCIAL AND INSURANCE REGULATION**

16 Sec. 401. In addition to the funds appropriated in part 1, the
17 funds collected by the office of financial and insurance regulation
18 in connection with a conservatorship pursuant to section 32 of the
19 mortgage brokers, lenders, and servicers licensing act, 1987 PA
20 173, MCL 445.1682, shall be appropriated for all expenses necessary
21 to provide for the required services. Funds are available for
22 expenditure when they are received by the department of treasury
23 and shall not lapse to the general fund at the end of the fiscal
24 year.

25 Sec. 402. In addition to the funds appropriated in part 1, the
26 funds collected by the department from corporations being

1 liquidated pursuant to the insurance code of 1956, 1956 PA 218, MCL
2 500.100 to 500.8302, shall be appropriated for all expenses
3 necessary to provide for the required services. Funds are available
4 for expenditure when they are received by the department of
5 treasury and shall not lapse to the general fund at the end of the
6 fiscal year.

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

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

16 Sec. 405. The department shall provide the subcommittees,
17 fiscal agencies, and state budget director with a report on or
18 before December 1 outlining actual expenditures for the last
19 completed fiscal year for each division within the office of
20 financial and insurance regulation.

21 Sec. 406. The department shall not expend funds from the
22 appropriations in part 1 for the office of financial and insurance
23 regulation for the purpose of implementing prohibitions on the use
24 of credit scoring in establishing insurance premiums by insurance
25 companies until the legislature has, by statute, authorized such a
26 prohibition. This direction is given in accordance with OAG, 2009,
27 No. 7,225 (February 27, 2009).

1 Sec. 407. The office of financial and insurance regulation
2 shall provide copies of the quarterly and annual financial filings
3 of health maintenance organizations to the fiscal agencies on a
4 timely basis. Reports can be transmitted electronically if
5 available in that format.

6 HOUSING AND COMMUNITY DEVELOPMENT

7 Sec. 501. (1) From the funds appropriated in part 1 to the
8 Michigan housing and community development fund, \$2,163,400.00 is
9 hereby appropriated from the fund to the Michigan state housing
10 development authority (MSHDA) for projects as described in sections
11 58c and 58d of the state housing development authority act of 1966,
12 1966 PA 346, MCL 125.1458c and 125.1458d.

13 (2) It is the intent of the legislature that not less than
14 \$2,163,400.00 of available federal revenue from the American
15 recovery and reinvestment act of 2009 and/or the national
16 affordable housing trust fund shall be allocated for eligible
17 purposes of the Michigan housing and community development fund and
18 distributed according to sections 58c and 58d of the state housing
19 development act of 1966, 1966 PA 346, MCL 125.1458c and 125.1458d.

20 (3) MSHDA shall report by May 1 to the subcommittees, fiscal
21 agencies, and the state budget director on the status of the
22 projects described in subsections (1) and (2), including the
23 statewide allocation plan, number of applicants, amounts requested,
24 description of projects, amounts awarded, number of housing units
25 that have been or are projected to be created, and income levels of
26 the households that have been or are projected to be served.

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

7 Sec. 503. The department and MSHDA shall report to the
8 subcommittees, the state budget director, and the fiscal agencies
9 by December 1 on the status of the loans entered into by the
10 Michigan broadband development authority.

11 Sec. 504. MSHDA shall provide a report to the subcommittees,
12 the fiscal agencies, and the state budget director by December 1 on
13 the cities of promise blight elimination program. The report shall
14 include:

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

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

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

19 Sec. 510. In addition to the amounts appropriated in part 1
20 for the administration of the land bank fast track authority, the
21 authority may expend revenues received under the land bank fast
22 track act, 2003 PA 258, MCL 124.751 to 124.774, for the purposes
23 authorized by the act including, but not limited to, the
24 acquisition, lease, management, demolition, maintenance, or
25 rehabilitation of real or personal property, payment of debt
26 service for notes or bonds issued by the authority, and other
27 expenses to clear or quiet title property held by the authority.

1 MICHIGAN REHABILITATION SERVICES AND MICHIGAN COMMISSION FOR THE
2 BLIND

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

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

15 Sec. 603. The local match requirements for vocational
16 rehabilitation facilities establishment grants shall not exceed
17 21.3% for the fiscal year ending September 30.

18 Sec. 604. Of the funds appropriated in part 1 for vocational
19 rehabilitation independent living, all general fund/general purpose
20 revenue not used to match federal funds shall be used for the
21 support of centers for independent living that are in compliance
22 with federal standards for such centers, for technical assistance
23 to centers, by existing sites to assist in serving underserved
24 areas, and for projects to build capacity of centers to deliver
25 independent living services. Applications for such funds shall be
26 reviewed in accordance with criteria and procedures established by

1 the statewide independent living council, the Michigan
2 rehabilitation services unit within the department, and the
3 Michigan commission for the blind. Funds must be used in a manner
4 consistent with the priorities established in the state plan for
5 independent living. The department is directed to work with the
6 Michigan disability network and the local workforce development
7 boards to identify other competitive sources of funding.

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

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

14 Sec. 611. The Michigan commission for the blind shall work
15 collaboratively with service organizations and government entities
16 to identify qualified match dollars to maximize use of available
17 federal funds.

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

24 CAREER EDUCATION

25 Sec. 701. From the appropriations in part 1, the department is
26 appropriated an amount not to exceed \$100,000.00 from collection of

1 defaulted loans under the future faculty program in the Martin
2 Luther King, Jr. - Cesar Chavez - Rosa Parks programs to offset
3 costs of administering the loan collections.

4 Sec. 704. (1) The department shall collaborate with the state
5 board of education, the department of human services, the
6 department of community health, and the department of history,
7 arts, and libraries to extend the duration of the Michigan after-
8 school partnership, and oversee its efforts to implement the policy
9 recommendations and strategic next steps identified in the Michigan
10 after-school initiative's report of December 15, 2003.

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

22 (3) Participation in the Michigan after-school partnership
23 shall be expanded beyond the membership of the initial Michigan
24 after-school initiative to increase the representation of parents,
25 youth, foundations, employers, and others with experience in
26 education, child care, after-school and youth development services,
27 and crime and violence prevention, and to include representation

1 from the department. Each year, on or before December 31, the
2 Michigan after-school partnership shall report its progress in
3 reaching the recommendations set forth in the Michigan after-school
4 initiative's report to the legislature and governor.

5 WORKFORCE DEVELOPMENT

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

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

17 (a) The number and percentage employed.

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

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

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

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

22 (f) The number and percentage receiving health care benefits
23 from their employer.

24 (g) The number and percentage receiving tuition reimbursement
25 from their employer.

26 (h) The number and percentage receiving training benefits from

1 their employer.

2 (i) The type of jobs obtained by former participants in
3 general categories.

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

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

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

11 (m) The extent to which the former participant feels that he
12 or she and his or her family are better off now than when he or she
13 was on cash assistance with regard to household income, housing,
14 food and nutritional needs, child health care, and access to health
15 insurance coverage.

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

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

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

24 Sec. 803. (1) The department shall use all relevant data
25 sources available to compile data on participants in the jobs,
26 education, and training program. The report shall include the
27 following:

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

2 (b) How many participants completed training.

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

5 (d) How many cases were closed.

6 (e) How many cases were referred to Michigan rehabilitation
7 services.

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

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

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

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

16 (5) The department may retain a third party to conduct the
17 studies to obtain 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, \$200,000.00 shall be allocated for
12 not more than 1 grant for the expansion of an existing innovative,
13 employer lead, private/public workforce development program. Grants
14 may be used for program operating expenses such as staffing, rent,
15 equipment, and other expenses. To be eligible for this grant
16 funding, a program must meet the following criteria:

17 (a) Focus on retaining low-wage workers receiving public
18 assistance.

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

20 (c) Include more than 1 employer.

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

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

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

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

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

1 (i) Include strategic partnerships with counties, community
2 colleges, and other nonprofits.

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

7 Sec. 815. It is the intent of the legislature that a portion
8 of the workforce investment act, statewide activities funds be
9 allocated to support coordinated efforts between local Michigan
10 works! agencies and police and sheriff departments to create
11 programs that offer gang diversion activities and support services
12 to at-risk youth in Wyoming, Benton Harbor, Saginaw, and Detroit.

13 Sec. 816. (1) From the funds appropriated in part 1 in the
14 line item for workforce training programs subgrantees, not less
15 than \$5,000,000.00 of federal funds and \$860,200.00 general
16 fund/general purpose revenue shall be allocated to Focus: HOPE.

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

22 (a) Detailed expenditures for administration including
23 salaries and wages of employees.

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

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

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

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

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

6 Sec. 817. From the funds appropriated in part 1 for workforce
7 training program subgrantees, \$300,000.00 shall be allocated for
8 not more than 1 grant for a job training and job preparation
9 program that meets the following criteria:

10 (a) Involves prospective employers as community partners.

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

15 (c) Provides training at either no cost to participants or at
16 a cost to participants of not more than 25% of the per student cost
17 of offering the training program.

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

19 Sec. 820. By December 1, 2009, the department shall submit a
20 report to the state budget director, the senate and house
21 appropriations committees, and the fiscal agencies on the status of
22 nursing education in Michigan. The report shall include, but is not
23 limited to, the number of nursing degree programs offered at
24 Michigan public and private nursing education institutions, the
25 type of nursing degrees and certificates offered (practical nurse,
26 associate, bachelor's, master's, doctoral), the number of Michigan
27 board of nursing approved nursing seats for nursing students, the

1 number and type of faculty needed to maintain and expand nursing
2 education, and any barriers there may be to the employment of more
3 nurses in the state of Michigan.

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

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

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

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

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

7 (c) Preparation of clinical instructors for nursing education
8 programs. A common statewide curriculum will be developed by a
9 consortium of the grantee institutions. The program shall include
10 classroom instruction plus a practicum with students and patients.
11 This program shall require collaborative agreements between nursing
12 education programs and hospitals. It is expected that each graduate
13 will provide clinical instruction for at least 1 cohort of nursing
14 students per year.

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

24 (4) One or more grants may be awarded for preparation of
25 registered nurses in accredited, accelerated bachelor's in nursing
26 programs. These programs shall be targeted toward Michigan workers
27 who have been displaced from employment and who possess a

1 bachelor's degree in a science-related area. Grants for this
2 program may include program tuition, a stipend for student living
3 expenses, and other education-related costs.

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

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

11 (7) The funds appropriated in part 1 for the Michigan nursing
12 corps are designated as work project appropriations and shall not
13 lapse at the end of the fiscal year. Any unencumbered and
14 unexpended funds shall continue to be available for the expenditure
15 of grants until the project has been completed. The total cost of
16 the work project is estimated at \$5,000,000.00 and the tentative
17 completion date is September 30, 2011.

18 Sec. 830. (1) Of the funds appropriated in part 1 for the
19 workforce training programs subgrantees, the department shall
20 provide a report by December 15, 2010 to the house and senate
21 chairs of the subcommittees, the state budget director, and the
22 fiscal agencies on the status of the no-worker-left-behind program.
23 The report shall include the following:

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

27 (b) The number of participants enrolled in the program by each

1 Michigan works! agency.

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

4 (d) The number of participants enrolled in remedial education
5 programs and the number of participants enrolled in literacy
6 programs.

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

9 (f) The number of participants enrolled in 4-year
10 institutions.

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

13 (h) The number of participants that have completed education
14 or training programs.

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

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

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

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

26 Sec. 831. (1) Of the funds appropriated in part 1 for
27 workforce training programs subgrantees, \$6,600,000.00 general

1 fund/general purpose revenue shall be used for the no-worker-left-
2 behind program, to be distributed as follows:

3 (a) Not more than \$2,500,000.00 shall be used to provide adult
4 basic education, remedial education, or other training for
5 individuals not ready for postsecondary education, in order to
6 prepare these individuals for postsecondary training and new
7 careers.

8 (b) Not more than \$2,500,000.00 shall be used to increase the
9 capacity of community colleges and other public associate's degree-
10 granting institutions in this state to provide education and
11 training to individuals receiving assistance under the program.
12 Funding shall be provided to these educational institutions based
13 on a competitive bidding process. The department shall establish
14 criteria for awarding grants pursuant to the competitive bidding
15 process that shall include all of the following:

16 (i) Collaboration among multiple educational institutions.

17 (ii) The expansion of online learning opportunities.

18 (iii) Collaboration among employers, employer organizations, and
19 local workforce investment boards.

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

22 (v) A requirement that grant proposals include projected
23 specific program outcomes.

24 (c) Of the remaining funds, the department shall provide
25 individuals with direct training in in-demand occupations, as
26 determined by local workforce investment boards. These funds shall
27 be distributed to local Michigan works! agencies based on

1 demonstrated need. In distributing these funds, the department
2 shall ensure funds are used for individuals who are ready for
3 training in in-demand occupations and for whom training slots are
4 available. Any Michigan works! agency receiving these funds shall
5 reserve a portion, or otherwise assure that it has sufficient
6 resources, to pay for the full course of approved training for each
7 individual served.

8 (d) It is the intent of the legislature that from the
9 additional workforce investment act funds appropriated in the
10 American recovery and reinvestment act of 2009, \$8,400,000.00 shall
11 be available for the no-worker-left-behind program for the purposes
12 included in the section as allowable under federal law.

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

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

21 (4) In distributing funds for worker training and education,
22 the department shall seek to maximize participation among food
23 stamp recipients in order to obtain matching funds under the
24 federal food stamp employment and training program established
25 under chapter 51, title 7 of the United States Code, 7 USC 2011, et
26 seq. The department shall also distribute funds in a manner that
27 leverages other federal funds as well as funds from private and

1 local sources.

2 (5) No later than March 1, the department shall submit a
3 report to the senate and house of representatives standing
4 committees on appropriations, the fiscal agencies, and the state
5 budget office on the distribution of the \$6,600,000.00 general
6 fund/general purpose appropriation. The report shall include:

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

9 (b) The total amount distributed under subsection (1)(b) by
10 community colleges.

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

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

16 (6) The \$6,600,000.00 general fund/general purpose revenue
17 appropriated in part 1 for the no-worker-left-behind program is
18 designated as work project appropriations and shall not lapse at
19 the end of the fiscal year. Any unencumbered and unexpended funds
20 shall continue to be available for expenditure until September 30,
21 2011.

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