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House Bill 4292 (Substitute H-2) CR-1 Sponsor: Representative Felicia Brabec House Committee: Appropriations

Senate Committee: Committee of the Whole

Date Completed: 11-1-23

## **CONTENT**

The supplemental would appropriate a \$339.8 million gross, \$16.7 million General Fund/General Purpose (GF/GP) for fiscal year (FY) 2022-23, and \$275.8 million gross, \$103.7 million GF/GP for FY 2023-24. These funds would be appropriated across several State departments; amounts for each affected department are detailed in  $\underline{\text{Tables 1}}$  and  $\underline{\text{2}}$ .

Appropriations for FY 2022-23 are primarily items requested by the State Budget Office in Supplemental Request Letter 2023-7, which was submitted to the Senate and House Appropriations Committees on September 19, 2023. These items are largely intended to facilitate the close of books for FY 2022-23, and reflect the receipt of additional Federal, restricted, and local funds that were received by the requesting department during the fiscal year. Fiscal year 2022-23 appropriations also include three items that would be funded from GF/GP: \$14.5 million in the Department of Military and Veterans Affairs (DMVA) for the operations of the State's veteran homes, \$2.0 million for the Department of Natural Resources (DNR) to facilitate completion of a mass timber facility in Newberry, and \$225,000 for the DMVA for National Guard leave time. In addition to book-closing appropriations for FY 2022-23, the bill contains a net-to-zero appropriation that would affect a total of \$18.5 million in State Fiscal Recovery Funds (SFRF) received under the Federal American Rescue Plan (ARP) that was included for two senior centers earlier this year under Public Act (PA) 119 of 2023. The bill would unappropriate and reappropriate that \$18.5 million and include updated boilerplate language governing that appropriation. Table 3 provides additional detail on each FY 2022-23 item included in the bill.

The bill also contains several items for FY 2023-24, including 13 university and community college capital outlay project planning authorizations with a total State cost share of \$254.2 million, detailed in Table 4. In addition to 13 new capital outlay projects, the bill would authorize cost increases for three existing capital outlay projects: a \$51.0 million increase for the State psychiatric hospital project, bringing its total authorized cost to \$376.0 million; a \$66.0 million increase for the comprehensive State public health and environmental science laboratory project, bringing its total authorized cost to \$326.0 million; and a \$57.0 million increase for Michigan State University's greenhouse and dairy facility, bringing its total authorized cost to \$110.0 million. The State share of costs for the 13 university and community college projects as well as cost increases for the two State projects would be funded through bonds issued under the State Building Authority. The cost increase for Michigan State University would be covered by the university's resources.

Finally, the bill contains a number of noncapital outlay items for FY 2023-24. Several of these items are reappropriations of various grants and projects that were previously included in the

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FY 2023-24 budget that was signed into law earlier this year. The net appropriation of these items will be zero, as the State Budget Office has indicated that it will allow those prior appropriations to lapse. Generally, these items were reappropriated to allow for boilerplate governing the use of those funds to be changed or corrected. In terms of new items for FY 2023-24, highlights include the following: \$114.1 million School Aid Fund (SAF) for school debt relief; \$30.0 million GF/GP for costs related to a legal settlement between the City of Highland Park, the Great Lakes Water Authority, and the State of Michigan; \$10.0 million GF/GP for deposit into the Late-Qualifying Eligible Manufacturing Personal Property Tax Reimbursement Fund; \$6.5 million GF/GP and 36.0 FTEs for the new Michigan Department of Lifelong Education, Advancement, and Potential (MLEAP); \$2.0 million GF/GP and 3.0 FTEs for the Department of Environment, Great Lakes, and Energy's responsibilities under the Filter First program; and \$4.0 million GF/GP for community center grants. Additional detail on remaining items funded under the bill is available Table 5.

Table 1

FY 2022-23 Supplemental Appropriations					
Department	Gross	Federal	Other Funds	GF/GP	
Corrections	\$1,600,000	\$0	\$1,600,000	\$0	
Education	40,266,000	40,266,000	0	0	
Env., Great Lakes, and Energy	2,084,000	2,084,000	0	0	
Health and Human Services	40,015,600	40,015,600	0	0	
Military and Veterans Affairs	14,725,000	0	0	14,725,000	
Natural Resources	4,000,000	0	2,000,000	2,000,000	
State Police	3,000,000	3,000,000	0	0	
Transportation	234,117,700	234,117,700	0	0	
TOTAL	\$339,808,300	\$319,483,300	\$3,600,000	\$16,725,000	

Table 2

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FY 2023-24 Supplemental Appropriations					
Department	Gross	Federal	Other Funds	GF/GP	
Capital Outlay*	\$1,300	\$0	\$0	\$1,300	
Education	3,000,000	0	3,000,000	0	
Env., Great Lakes, and Energy	102,000,000	55,000,000	0	47,000,000	
Health and Human Services	0	0	0	0	
Labor and Economic Opp	25,780,000	0	0	25,780,000	
Lifelong Ed., Adv., and Potential	6,508,600	0	0	6,508,600	
Tech., Mgmt. and Budget	7,500,000	0	0	7,500,000	
Transportation	3,900,000	0	0	3,900,000	
Treasury	127,070,000	0	114,070,000	13,000,000	
TOTAL	\$275,759,900	\$55,000,000	\$117,070,000	\$103,689,900	

<sup>\*</sup>The bill contains a \$100 placeholder for each project. State support for the projects would total \$254.3 million, assuming all projects eventually receive construction authorization.

## **FISCAL IMPACT**

The bill would appropriate a total of \$339.8 million gross, \$16.7 million GF/GP for FY 2022-23 and would appropriate a total of \$275.8 million gross, \$103.7 GF/GP for FY 2023-24. Further detail on these appropriations is available in the **CONTENT** portion of this analysis, as well as  $\underline{\text{Tables 3}}$ ,  $\underline{\text{4}}$ , and  $\underline{\text{5}}$ , below.

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Table 3

FY 2022-23 Supplemental Appropriation Details			
Dept.	Item	Gross	GF/GP
MDOC	Detroit Detention Center local reimbursement	\$1,600,000	\$0
MDE	Child care caseload adjustment	40,000,000	0
MDE	ARP – farm to school grant	266,000	0
EGLE	Great Lakes remediation action plan grants - IIJA	814,000	0
EGLE	Dam safety and coastal management programs – IIJA	210,000	0
EGLE	Great Lakes restoration initiative – federal funds	1,060,000	0
DHHS	Community services – non-SFRF ARP	168,500	0
DHHS	Data modernization – non-SFRF ARP	4,231,300	0
DHHS	Epidemiology and lab capacity genomic seq. – non-SFRF ARP	7,398,900	0
DHHS	Public health infra., workforce, and data systems – non-SFRF ARP	13,721,100	0
DHHS	Public health infra., workforce, and data systems – other Federal	1,019,800	0
DHHS	Bridge access and confidence programs	336,500	0
DHHS	CCI - \$15M GF/GP re-appropriation from 2023 PA 119	0	0
DHHS	COVID-19 bridge access and confidence programs	3,283,200	0
DHHS	COVID-19 epidemiology and lab capacity	6,194,200	0
DHHS	COVID-19 national wastewater surveillance system	3,662,000	0
DHHS	ARP – senior centers - \$18.5M ARP re-approp. from 2023 PA 119	0	0
DMVA	Veteran homes operations shortfall	14,500,000	14,500,000
DMVA	National Guard leave time	225,000	225,000
DNR	Newberry mass timber facility	4,000,000	2,000,000
MSP	Highway safety planning – federal grant	3,000,000	0
MDOT	State trunkline Federal aid	234,117,700	0
	TOTAL	\$339,808,300	\$16,725,000

Table 4

FY 2023-24 Capital Outlay Planning Authorizations				
Institution/Project	Total Cost	State Share	Institutional Share	
Eastern Michigan University – Engineering and technology complex – phase II – Roosevelt Hall	\$42,500,000	\$30,000,000	\$12,500,000	
Grand Valley State University – Blue dot lab	140,000,000	30,000,000	110,000,000	
Northern Michigan University – Northern enterprise center (college of business)	19,100,000	13,370,000	5,730,000	
Oakland University – Science complex renovation project	40,000,000	30,000,000	10,000,000	
Saginaw Valley State University – Lake Huron environmental sciences research station	10,000,000	7,500,000	2,500,000	
University of Michigan – Flint –Innovation and technology complex	40,000,000	30,000,000	10,000,000	
Wayne State University – Wayne law classroom building	40,000,000	30,000,000	10,000,000	
Delta College – Information technology and computer science (k wing) renovation	5,701,700	2,423,200	3,278,500	
Grand Rapids Community College – Learning resource center/library learning commons Project	33,600,000	16,800,000	16,800,000	
Kalamazoo Valley Community College – Automotive technology/advanced manufacturing wing	39,000,000	19,500,000	19,500,000	
Macomb Community College – Mobility and sustainability education center	58,554,100	26,349,300	32,204,800	
Mott Community College - Prahl college center renovation	30,500,000	12,500,000	18,000,000	
Wayne County Community College – Center for virtual learning and digital careers	11,564,200	5,782,100	5,782,100	
TOTAL	\$510,520,000	\$254,224,600	\$256,295,400	

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Table 5

FY 2023-24 Supplemental Appropriation Details			
Dept.	Item	Gross	GF/GP
MDE	Marshall-Albion school infrastructure – School Infrastructure and consolidation fund	\$3,000,000	\$0
EGLE <sup>1</sup> EGLE EGLE EGLE EGLE	ARP – healthy hydration – public/private schools; child care reimbursement	50,000,000 5,000,000 30,000,000 2,000,000 15,000,000	0 0 30,000,000 2,000,000 15,000,000
DHHS DHHS DHHS DHHS	Behavioral health access – Altarum - \$2M reappropriation  Env. pub. health Joy Southfield to Cody Rouge - \$500k reapprop.  Medical debt relief - \$4.5M reappropriation  Substance use treatment center - \$10M reappropriation	0 0 0 0	0 0 0 0
LEO LEO² LEO² LEO² LEO² LEO² LEO LEO LEO LEO	Community center grants  Community enhancement grants  Michigan enhancement grants  Public infrastructure grants  Workforce development grants  Public safety grants  Digital workforce development - \$4.9M reappropriation  New Michigander support - \$3.0M reappropriation  Paid family leave actuarial study  Talent investment pilot - \$5.0M reappropriation	4,000,000 16,300,000 1,000,000 1,580,000 2,500,000 0 0 250,000 0	4,000,000 16,300,000 1,000,000 1,580,000 2,500,000 0 0 250,000 0
MLEAP MLEAP	Unclassified salaries (6.0 FTEs)  Executive direction and support (30.0 FTEs)	749,700 5,758,900	749,700 5,758,900
DTMB <sup>3</sup>	Healthcare supply chain technology - FreightVerify	7,500,000	7,500,000
MDOT	Crit. infrastructure project – US-131 interchange	3,900,000	3,900,000
Treasury Treasury Treasury	Late-qualifying eligible manufacturing PPT reimbursement fund Municipal facilities infrastructure – elections administration School district emergency loan debt relief – School Aid Fund TOTAL	10,000,000 3,000,000 114,070,000 <b>\$275,759,900</b>	10,000,000 3,000,000 0 <b>\$103,689,900</b>

<sup>&</sup>lt;sup>1</sup> This appropriation was originally included in PA 53 of 2022 and has not been spent or allocated. The State Budget Office has indicated that it will allow the work project for that appropriation to lapse.

## FY 2023-24 BOILERPLATE LANGUAGE SECTIONS-PART 2

**Sec. 201. General.** Records amount of total State spending and payments to local units of government.

**Sec. 202. General.** Subjects appropriations and expenditures to the provisions of the Management and Budget Act.

**Sec. 203. General.** Requires appropriations to be spent consistent with Federal rules and regulations.

**Sec. 204. General.** Subjects appropriations to Federal audit and reporting requirements.

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<sup>&</sup>lt;sup>2</sup> These appropriations were originally included in PA 119 of 2023 and have not been spent or allocated. The State Budget Office has indicated that the original appropriations for these items will be allowed to lapse and the end of the fiscal year. Updated boilerplate for these items is detailed in sections 502, 504, 507, 508, and 510 of the bill.

<sup>3</sup> This appropriation was originally included in PA 166 of 2022 and has not been spent or allocated. The work project for that appropriation was ordered to lapse by the State Budget Director in a letter received by the House and Senate Appropriations Committees on October 30, 2023.

- **Sec. 205. General.** Requires monthly reporting on spending related to COVID-19.
- **Sec. 206. General.** Specifies that grants to single recipients and local governments in part 1 are for a public purpose subject to procurement statutes and bidding, unless sponsored by a legislator or a department. Sponsors for grants to private or local government entities must be identified before January 15, 2024. This section also assigns and outlines responsibilities to the department to manage and monitor grants.
- **Sec. 301. Capital Outlay.** Allows capital outlay projects financed through the State Building Authority to be leased back to the entity undertaking the project and declares those leases a public purpose. States intent of the Legislature to appropriate funds for rental payments on those facilities.
- **Sec. 302. Capital Outlay.** Increases the total authorized cost for the State public health and environmental science laboratory project by \$66.0 million for a total authorized cost of \$326.0 million. Additional funds for the project would be financed through bonds issued by the State Building Authority.
- **Sec. 303. Capital Outlay.** Increases the total authorized cost for the State psychiatric hospital complex project by \$51.0 million for a total authorized cost of \$376.0 million. Additional funds for the project would be financed through bonds issued by the State Building Authority.
- **Sec. 304. Capital Outlay.** Increases the total authorized cost for the Michigan State University greenhouse and dairy renovation and addition project by \$57.0 million for a total authorized cost of \$110.0 million. Additional funds for the project would come from Michigan State University resources.
- **Sec. 351. Department of Education.** Directs appropriation for the school infrastructure grant to Marshall Public Schools to be spend on a school building within the boundary of the former Albion school district.
- **Sec. 401. Department of Environment, Great Lakes, and Energy.** Directs EGLE to use funds for ARP healthy hydration to reimburse school districts, nonpublic schools, and child care centers for devices that provide filtered drinking water. Establishes appropriation as a work project.
- **Sec. 402. Department of Environment, Great Lakes, and Energy.** Directs EGLE to allocate funds for the drinking water infrastructure grant program to the Great Lakes Water Authority to support a drinking water infrastructure project. Establishes appropriation as a work project.
- **Sec. 403. Department of Environment, Great Lakes, and Energy.** Directs EGLE to use funds for the drinking water settlement agreement to support the State's commitment under a settlement agreement between the State, the City of Highland Park, and the Great Lakes Water Authority. Requires EGLE to use other already-appropriated funds that could be used for this purpose to support the settlement agreement before spending this appropriation. Requires quarterly reporting on expenditures. Establishes appropriation as a work project.
- **Sec. 404. Department of Environment, Great Lakes, and Energy.** Directs EGLE to allocate funds for the PFAS remediation grant program to Muskegon County for remediation efforts at a former industrial site on Muskegon Lake.

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- **Sec. 451. Department of Health and Human Services.** Shifts \$2.0 million of existing Altarum funding for patient health information consent tool to \$0.2 million for the patient health information consent tool and \$1.8 million for implementation of behavioral health training initiative. Funding will remain with Altarum.
- **Sec. 452. Department of Health and Human Services.** Shifts \$0.5 million of existing funding for home health assessments and coordination of health action plans from Joy Southfield Development Corporation to Cody Rouge Community Action Alliance.
- **Sec. 453. Department of Health and Human Services.** Modifies existing boilerplate for medical debt relief program. Adds the counties of Ingham, Kalamazoo, Kent, Oakland, and Wayne as participants in the program subject to county funding participation. Adds other local units of government as allowable participants as well. Adds a report on the medical debt relief program.
- **Sec. 454. Department of Health and Human Services.** Modifies existing boilerplate for ACCESS substance use treatment center to ensure grant is provided to location in Dearborn.
- **Sec. 501. Department of Labor and Economic Opportunity.** Identifies eligibility criteria for community center grants in part 1 and designates spending under this line item as a work project with a tentative completion date of September 30, 2028.
- **Sec. 502. Department of Labor and Economic Opportunity.** Directs that grants from the community enhancement grants line in part 1 be spent in the following manner:
- -- \$300,000.00 to the Boys and Girls Club of Flint.
- -- \$5.0 million to a community development financial institution in Saginaw for housing, food access, and development projects.
- -- \$3.0 million for symphony orchestras in Michigan.
- -- \$4.8 million to the Charles H. Wright Museum in Detroit.
- -- \$3.2 million to the Detroit Historical Society.
- **Sec. 503. Department of Labor and Economic Opportunity.** Directs the digital workforce development grant in part 1 be allocated to a school district in Owosso City in Shiawassee County. The previous grant of the same name in article 9 of PA 119 of 2023 went to the Department.
- **Sec. 504. Department of Labor and Economic Opportunity.** Directs the Michigan enhancement grants in part 1 be allocated to Jackson City. A previous grant in article 9 of PA 119 of 2023 went to the Jackson City Housing Commission.
- **Sec. 505. Department of Labor and Economic Opportunity.** Directs the grant for new Michigander support in part 1 be allocated to the Office of Global Michigan. A previous grant in article 9 of PA 119 of 2023 went to a nonprofit organization.
- **Sec. 506. Department of Labor and Economic Opportunity.** Requires the funds appropriated in part 1 for Paid Family Leave Actuarial Study to be used to contract with a third-party expert actuary to perform an actuarial analysis for a statewide paid family and medical leave program. The analysis must compare at least two program models and consider stipulated parameters, including an option to exempt small employers.

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- **Sec. 507. Department of Labor and Economic Opportunity.** Directs the public infrastructure grants in part 1 be spent in the following manner:
- -- \$1.0 million to Merit Park in Detroit for re-development.
- -- \$500,000.00 to Gross Point Farms for utility maintenance costs.
- -- \$80,000.00 to Northville Maybury Park in Wayne County.
- **Sec. 508. Department of Labor and Economic Opportunity.** Directs the public safety grants in part 1 be allocated to the Chocolay Township Fire Department for operations.
- **Sec. 509. Department of Labor and Economic Opportunity.** Directs the Department to develop a pilot program with the stated goals of increasing Michigan's population of young talent and creating business ownership opportunities for local residents.
- **Sec. 510. Department of Labor and Economic Opportunity.** Directs the workforce development grants in part 1 be allocated to the Michigan Health and Hospital Association for an education, training, and housing program in Flint.
- **Sec. 511. Department of Labor and Economic Opportunity.** This section requires the grant recipients identified in this act release any claim to grant funding previously appropriated in article 9 of PA 119 of 2023.
- **Sec. 551. Department of Lifelong Education, Advancement, and Potential.** The section creates new reporting requirements for the Department that include FTE amounts, job classifications, salaries, use of existing resources, and new activities not currently undertaken by other departments. The reports will be due on a quarterly basis, beginning on February 1, 2024.
- **Sec. 601. Department of Technology, Management and Budget.** Requires the funds appropriated in part 1 for Healthcare Supply Chain Technology to be used to contract with a software-as-a-service supply chain visibility technology provider. The technology is to be used for a statewide emergency preparedness network. The selected vendor must meet specified criteria.
- **Sec. 651. Department of Transportation.** Increases the funding for the US 131 interchange loop by \$3.9 million of GF/GP. Indicates the intent of the Legislature that the Department must utilize any other appropriated funds to cover any additional costs of the project.
- **Sec. 701. Department of Treasury.** Requires the funds appropriated in part 1 for late-qualifying eligible manufacturing personal property tax reimbursement to be distributed to local tax collecting units. The units that levied the taxes are to be refunded for property taxes paid or are to receive unpaid 2021 property taxes. Funds must not be distributed unless House Bill 4084 of the 102nd Legislature is enacted into law.
- **Sec. 702. Department of Treasury.** Requires the funds appropriated in part 1 for municipal facilities infrastructure to be used for grants to facilities that support elections administration activities. Grants of \$1.0 million each must be allocated to the cities of Lansing, Ann Arbor, and Grand Rapids.
- **Sec. 703. Department of Treasury.** Directs the Department to pay school district debt from the school district emergency loan debt relief line in the following amounts: \$42,232,000 for Ypsilanti Community Schools, \$31,336,000 for Muskegon Heights School District, \$18,362,000 for Pontiac City School District, \$12,120,000 for the former Inkster School District, and \$10,020,000 for Benton Harbor Area Schools. Specifies requirements on some of the districts as a condition of receiving payments

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- **Sec. 704. Department of Treasury.** Authorizes the Department to issue payments in compliance with the Fostering Futures Scholarship Trust Fund Act.
- Sec. 1001. Repealer. Repeals Sec. 304 of PA 53 of 2022. (ARP Healthy Hydration)
- **Sec. 1002. Repealer.** Repeals Sec. 1918 (Protected health information tool), Sec. 1952 (Unpaid medical debt pilot), Sec. 1959 (Joy Southfield Community Development Corporation home assessments), and Sec. 1967 (ACCESS substance use disorder clinic) of Article 6 of PA 119 of 2023.
- **Sec. 1003. Repealer.** Repeals Sec. 1005 (Digital workforce development), Sec. 1018 (new Michigander support), and Sec. 1023 (Talent investment pilot) of Article 9 of PA 119 of 2023.

## FY 2022-23 BOILERPLATE LANGUAGE SECTIONS-PART 2A

- **Sec. 1201. General.** Records amount of total State spending and payments to local units of government.
- **Sec. 1202. General.** Subjects appropriations and expenditures to the provisions of the Management and Budget Act.
- **Sec. 1203. General.** Requires appropriations to be spent consistent with Federal rules and regulations.
- **Sec. 1204. General.** Subjects appropriations to Federal audit and reporting requirements.
- Sec. 1204. General. Requires monthly reporting on spending related to COVID-19.
- **Sec. 1301. Department of Health and Human Services.** Establishes ARP Data Modernization as a work project.
- **Sec. 1302. Department of Health and Human Services.** Established ARP Epidemiology and Lab Capacity Genomic Sequencing as a work project.
- **Sec. 1303. Department of Health and Human Services.** Requires the Department to allocate \$8.5 million of ARP SFRF to Dexter Community Schools for acquisition, renovation, construction, and programming establishment costs for a senior and community center. Establishes work project funding.
- **Sec. 1304. Department of Health and Human Services.** Requires the Department to allocate \$10.0 million of ARP SFRF to the Waverly Community Schools Senior Center to construct a new senior center. Establishes work project funding.
- **Sec. 1305. Department of Health and Human Services.** Establishes ARP Strengthening U.S. Public Health Infrastructure, Workforce, and Data Systems as a work project.
- **Sec. 1306. Department of Health and Human Services.** Establishes Bridge Access and Confidence Programs as a work project.
- **Sec. 1307. Department of Health and Human Services.** Requires the Department to create a grant program for nonprofit organizations for infrastructure projects (for construction or renovation) to provide affordable and attainable housing for youth in foster care or who have aged out of foster care and to increase capacity to address the placement crisis.

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Earmarks half of the funding (\$7.5 million) to a nonprofit located in Bloomfield Charter Township in Oakland County.

**Sec. 1308. Department of Health and Human Services.** Establishes COVID-19 Bridge Access and Confidence Programs as a work project.

**Sec. 1309. Department of Health and Human Services.** Establishes COVID-19 Epidemiology and Lab Capacity Healthcare Associated Infection and antibiotic Resistant Program as a work project.

**Sec. 1310. Department of Health and Human Services.** Establishes COVID-19 National Wastewater Surveillance System as a work project.

**Sec. 1311. Department of Health and Human Services.** Establishes Strengthening U.S. Public Health Infrastructure, Workforce, and Data Systems as a work project.

**Sec. 1401. Department of Military and Veterans Affairs.** Requires that the Michigan Veterans Facility Authority (MVFA) provide a report to the Legislature and the State Budget Office on the financial accounting of the FY 2022-23 budgets for each of the State veterans homes, which is to include the original FY 2022-23 appropriations for each veterans home by fund source, the rationale for those amounts and the original projected amount of year-end revenues and expenditures, any subsequent MVFA-recommended supplemental appropriations and legislative transfers to the appropriations for each home identified as being necessary, including the rationale for any proposed adjustment, and strategies and actions taken to maximize revenues from non-General Fund sources and other cost savings strategies.

**Sec. 1501. Repealer.** Repeals Sec. 303 of PA 194 of 2022. (Critical child welfare infrastructure funding distribution)

**Sec. 1502. Repealer.** Repeals Sec. 560 (Dexter Community School senior and community center funding) and Sec. 561 (Waverly Community School multigenerational center funding) of Article 16 of PA 119 of 2023.

Fiscal Analyst: Josh Sefton

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

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