A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2020, from the following funds:

APPROPRIATION SUMMARY:

- Full-time equated classified positions...........300.0
- GROSS APPROPRIATION ................................. $ 523,706,100
- Interdepartmental grant revenues:
Total interdepartmental grants and intradepartmental transfers ................................................................. 0
ADJUSTED GROSS APPROPRIATION ........................................ $ 523,706,100

Federal revenues:
Total federal revenues .................................................. 523,706,100

Special revenue funds:
Total local revenues ..................................................... 0
Total private revenues .................................................. 0
Total other state restricted revenues ................................. 0
State general fund/general purpose ................................. $ 0

Sec. 102. DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION ................................................. $ 12,000,000

Interdepartmental grant revenues:
Total interdepartmental grants and intradepartmental transfers ................................................................. 0
ADJUSTED GROSS APPROPRIATION .................................... $ 12,000,000

Federal revenues:
Total federal revenues .................................................. 12,000,000

Special revenue funds:
Total local revenues ..................................................... 0
Total private revenues .................................................. 0
Total other state restricted revenues ................................. 0
State general fund/general purpose ................................. $ 0

(2) ONE-TIME APPROPRIATIONS

Agriculture processing safety grants ................................. $ 12,000,000

GROSS APPROPRIATION ................................................. $ 12,000,000

Appropriated from:
Federal revenues:
Coronavirus relief fund .................................. 12,000,000
State general fund/general purpose ...................... $ 0

Sec. 103. DEPARTMENT OF EDUCATION

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION ................................... $ 150,000,000

Interdepartmental grant revenues:
Total interdepartmental grants and intradepartmental
transfers .................................................. 0

ADJUSTED GROSS APPROPRIATION .................... $ 150,000,000

Federal revenues:
Total federal revenues ................................... 150,000,000
Special revenue funds:
Total local revenues ...................................... 0
Total private revenues .................................... 0
Total other state restricted revenues .................. 0
State general fund/general purpose ...................... $ 0

(2) ONE-TIME APPROPRIATIONS

Benchmark assessments for students in grades K to 12 ... $ 10,000,000
Child development and care public assistance ............. 125,000,000
Summer school fund for credit recovery.................... 15,000,000

GROSS APPROPRIATION ................................... $ 150,000,000

Appropriated from:
Federal revenues:
Coronavirus relief fund .................................... 150,000,000
State general fund/general purpose ...................... $ 0

Sec. 104. DEPARTMENT OF HEALTH AND HUMAN SERVICES

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION ................................... $ 178,206,000
Interdepartmental grant revenues:
Total interdepartmental grants and intradepartmental transfers ........................................ 0
ADJUSTED GROSS APPROPRIATION ................................ $ 178,206,000

Federal revenues:
Total federal revenues ......................................... 178,206,000

Special revenue funds:
Total local revenues ............................................ 0
Total private revenues .......................................... 0
Total other state restricted revenues ...................... 0
State general fund/general purpose ......................... $ 0

(2) ONE-TIME APPROPRIATIONS
Pay enhancement for direct care workers ............... $ 178,206,000
GROSS APPROPRIATION ....................................... $ 178,206,000

Appropriated from:
Federal revenues:
Coronavirus relief fund ......................................... 178,206,000
State general fund/general purpose ......................... $ 0

Sec. 105. DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

(1) APPROPRIATION SUMMARY
Full-time equated classified positions.............. 300.0
GROSS APPROPRIATION ..................................... $ 11,000,100

Interdepartmental grant revenues:
Total interdepartmental grants and intradepartmental transfers ........................................ 0
ADJUSTED GROSS APPROPRIATION ................................ $ 11,000,100

Federal revenues:
Total federal revenues ......................................... 11,000,100
Special revenue funds:

Total local revenues ........................................ 0
Total private revenues ........................................ 0
Total other state restricted revenues ....................... 0
State general fund/general purpose .......................... $ 0

(2) TALENT INVESTMENT AGENCY

Full-time equated classified positions ........... 300.0
Unemployment insurance agency--300.0 FTE positions .... 11,000,000
GROSS APPROPRIATION .................................. $ 11,000,000

Appropriated from:
Federal revenues:
Coronavirus relief fund ..................................... 11,000,000
State general fund/general purpose ...................... $ 0

(3) ONE-TIME APPROPRIATIONS

MiOSHA COVID-19 response grants ........................ 100
GROSS APPROPRIATION ................................... 100

Appropriated from:
Federal revenues:
Coronavirus relief fund .................................... 100
State general fund/general purpose ...................... 0

Sec. 106. DEPARTMENT OF TREASURY

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION .................................. $ 172,500,000

Interdepartmental grant revenues:
Total interdepartmental grants and intradepartmental transfers ........................................ 0

ADJUSTED GROSS APPROPRIATION ........................ $ 172,500,000

Federal revenues:
Total federal revenues ....................................... 172,500,000
Special revenue funds:
Total local revenues .................................................. 0
Total private revenues ................................................. 0
Total other state restricted revenues ......................... 0
State general fund/general purpose ................................. $ 0

(2) ONE-TIME APPROPRIATIONS
Device purchasing program ........................................... $ 20,000,000
Hospitality relief fund .................................................. 2,500,000
Municipal first responder COVID-19 pandemic bonuses .... 100,000,000
Personal protection equipment grants ......................... 50,000,000
GROSS APPROPRIATION ................................................ $ 172,500,000

Appropriated from:
Federal revenues:
Coronavirus relief fund ............................................. 172,500,000
State general fund/general purpose ................................. $ 0

PART 2
PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS
Sec. 201. In accordance with section 30 of article IX of the state constitution of 1963, total state spending from state sources in this appropriation act for the fiscal year ending September 30, 2020 is $0.00 and state spending from state sources to be paid to local units of government is $0.00.

Sec. 202. The appropriations made and the expenditures authorized under this part and part 1 and the departments, agencies, commissions, boards, offices, and programs for which an appropriation is made under part 1 are subject to the management
and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. If the state administrative board, acting under section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount appropriated under this act, the legislature may, by a concurrent resolution adopted by a majority of the members elected to and serving in each house, inter-transfer funds within this act for the particular department, board, commission, officer, or institution.

DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

Sec. 301. (1) The appropriations in part 1 for agriculture processing safety grants shall be administered by the department of agriculture and rural development to support agricultural processing plants in the state for all of the following purposes:

(a) COVID-19 testing costs for tests conducted on-site, with full plant testing or through individual testing at certified testing sites, including, but not limited to, both of the following:

(i) Staffing to administer the tests on-site, including nurses or other appropriate medical personnel.

(ii) Medical personal protection equipment (PPE) for the testing site, including N-95 masks and other similar equipment.

(b) Facility needs for protection against the spread of COVID-19, including, but not limited to, all of the following:

(i) Dividers between employees.

(ii) Temporary facilities to maintain social distancing requirements, including tents, trailers, and similar facilities.

(iii) Increased sanitation needs, including supplies and necessary outside contracting.

(c) PPE supplies, including, but not limited to, the
acquisition of non N-95 masks, shields, gloves, and signage.

(d) Establishing and conducting screening procedures, including medical staff as needed, and thermometers, sanitizers, and other supplies and equipment necessary for effective, daily employee screening.

(2) The department of agriculture and rural development shall begin to accept grant requests from agriculture processors for grants under this section beginning no later than May 21, 2020, and award agriculture processing safety grants to those with demonstrated protection needs in a timely manner. Grant awards shall be capped at a maximum amount that equates to a total of $1,000.00 per plant employee. The application period for agriculture processing safety grants shall only be for the period between May 15 and September 15, 2020. The department shall develop grant guidelines, obtain expenditure reports from grant recipients, and provide the senate and house appropriations committees and the state budget office the results of those reports no later than October 15, 2020.

DEPARTMENT OF EDUCATION

Sec. 401. (1) From the funds appropriated in part 1 for child development and care public assistance, the department of education shall create the child care rate reduction program to provide child care rate reduction grants to child care providers to reduce child care costs to families. All licensed child care providers that receive grants from the child care relief fund are eligible to receive child care rate reduction grants. Providers can receive grants to cover the months of April, May, and June in the current fiscal year and will have up to 30 days after the charged month to
apply for a child care rate reduction grant.

(2) A provider's child care rate reduction grant amount is the sum of up to 25% of the monthly billed amount or $300.00, whichever is less, for each child cared for by the provider for the months of April, May, and June in the current fiscal year. The monthly billed amount is the amount charged prior to reducing the weekly rate by 10% as required by the child care relief fund. The weekly rate cannot be higher than the rate charged in January 2020.

(3) As a condition of receiving child care rate reduction grants, child care providers are required to reduce the monthly billed amount to the family of each child by the amount received in subsection (2). If a family has already made a payment to the provider for the monthly billed amount, the provider shall reimburse the family within 7 days of receiving a child care rate reduction grant.

(4) The department of education shall ensure the distribution of grants within 10 business days of receiving a grant application from a provider unless the provider fails to meet the requirements of this section. The program shall be designed as an extension of the child care relief fund. The department of education shall provide notice and information to all licensed providers on how to apply for the grants and the requirements of the program. The department shall take reasonable steps to ensure that providers apply for rate reduction grants and that families have received bill reductions or refunds by the provider prior to releasing the next month of child care rate reduction grants and child care relief grants. Providers shall be required to maintain all billing and refund records for auditing purposes.

(5) As used in this section, "licensed providers" includes
licensed child care centers, licensed group homes, licensed family homes, disaster relief child care centers, and provisional licensed providers.

Sec. 402. (1) From the funds appropriated in part 1 for benchmark assessments for students in grades K to 12, the department of education shall provide equal per-pupil grants to approved school districts for the administration of benchmarks for all students in grades K to 12 in the subjects of mathematics and English language arts.

(2) The department shall make an application available not later than June 9, 2020. A school district applying for a benchmark assessment grant must apply not later than June 30, 2020. The department shall distribute funds on an equal per-pupil basis not later than July 31, 2020 for each school district that applies and is approved for a benchmark assessment grant. The only requirements for a school district to have an approved grant application are that the school district agrees to use 1 of the assessments listed in subsection (3) and agrees to test its students within 30 days of the first day of school.

(3) Allowable benchmark assessments for students in grades K to 12 are Acadience, AimsWeb, NWEA, iReady, Smarter Balanced, and Star, as applicable.

(4) The amount of the grant to an approved school district shall be equal to the number of pupils in the school district's membership for the 2019-2020 school year multiplied by the quotient of $10,000,000.00 divided by the sum of the number of 2019-2020 pupils in membership for the school districts that are approved for grants under this section.

Sec. 403. From the funds appropriated in part 1 for summer
school fund for credit recovery, the department of education shall allocate funding statewide to school districts to support summer school. The funding shall be allocated based on the impact of the COVID-19 pandemic in the communities in which the school districts are located.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Sec. 451. (1) From the funds appropriated in part 1 for pay enhancement for direct care workers, the department of health and human services shall provide sufficient funding to increase the wages paid to direct care workers described in subsection (2) by $3.00 per hour above the rates paid on March 1, 2020 retroactive to April 1, 2020 through September 30, 2020.

(2) The direct care wage increase shall be provided to direct care workers employed by the department of health and human services, its contractors, and its subcontractors who received a state-funded wage increase in April 2020. The total combined increase from the April 2020 wage increase and the wage increase outlined in this section shall be $3.00 per hour and shall be in effect from April 1, 2020 to September 30, 2020.

(3) A direct care wage increase of $3.00 per hour shall be provided to direct care workers employed by skilled nursing facilities, retroactive to April 1, 2020 and shall continue until September 30, 2020.

(4) Contractors and subcontractors receiving funding to support these pay enhancements shall be required to provide documentation of the wage increases provided pursuant to this section to the department of health and human services.

(5) Any payment enhancement above the hourly rate in effect on
March 1, 2020 shall be of no effect in determining any employee's average compensation as provided by any contract or other provision of law.

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

Sec. 501. (1) From the funds appropriated in part 1 for unemployment insurance agency, the department of labor and economic opportunity shall hire term limited employees for up to 6 months to reduce backlogs and time lags in processing unemployment claims due to the COVID-19 pandemic and to provide customer service to claimants.

(2) The unexpended funds appropriated in part 1 for unemployment insurance agency are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the work project is to hire term-limited staff to reduce backlogs and time lags in processing unemployment claims due to the COVID-19 pandemic and to provide customer service to claimants.

(b) The project will be accomplished by utilizing term-limited state employees.

(c) The total estimated cost of the work project is $11,000,000.00.

(d) The tentative completion date is September 30, 2021.

Sec. 502. (1) From the funds appropriated in part 1 for MiOSHA
COVID-19 response grants, the department of labor and economic
Opportunity shall allocate funding to support the following:

(a) Dollar for dollar matching grants up to $10,000.00 for
employers with 250 FTEs or fewer company wide, who are under the
jurisdiction of MiOSHA to purchase safety and health related
equipment for COVID-19 response including training, supplies and
materials for risk mitigation such as hygiene stations, and PPE
including masks, with applicants being required to conduct a site-
specific evaluation justifying the expenditure in relation to
direct improvements.

(b) MiOSHA surge capacity to add staff.

(c) A MiOSHA workplace safety ombudsman phone center to answer
worker and employer questions on workplace safety to improve
compliance outcomes.

(d) A symptom tracking application to increase employer access
control for sick workers and provide visibility into existing
COVID-19 hotspots.

DEPARTMENT OF TREASURY

Sec. 601. (1) The funds appropriated in part 1 for municipal
first responder COVID-19 pandemic bonuses shall be granted by the
department of treasury to cities, villages, townships, and counties
to reimburse local units for bonus payments made to first
responders who have dealt with the COVID-19 pandemic as described
in this section.

(2) Eligible bonus payments are those made to law enforcement
officers, firefighters, emergency medical technicians (EMTs),
paramedics, and 9-1-1 operators. Private EMTs and paramedics that
contract with municipalities or hospitals are eligible as well, if
bonuses are paid through the applying municipality. Bonus payments
may be made as lump sum payments or as an hourly rate enhancement, but the maximum reimbursement amount will be $1,000.00 per eligible employee. Any bonus paid under this section, whether paid as a lump sum or hourly wage enhancement, shall be of no effect in determining any employee's average compensation as provided by any contract or other provision of law. Bonuses must be paid to employees by September 30, 2020, to be eligible for reimbursement under this section.

(3) The department of treasury shall make available on its website all forms and information needed for local units to apply for reimbursement. Local units will have until December 31, 2020, to apply for reimbursement. Reimbursement payments will be made on a first come, first served basis, and payment must be made to an eligible local unit no later than 45 days after all required information is submitted.

(4) The department of treasury shall award no more than $5,000,000.00 to any city, village, township, or county under this section.

(5) The department of treasury shall provide a report to the senate and house of representatives appropriations committees, the senate and house fiscal agencies, and the state budget office by March 31, 2021. The report shall include a list by grant recipient of the date each grant was approved, the amount of the grant, and a description of the number and type of first responder bonuses covered by the grant.

(6) The unexpended funds appropriated in part 1 for municipal first responder bonuses are designated as a work project appropriation, and any unencumbered or unallotted funds shall not lapse at the end of the fiscal year and shall be available for
expenditures for projects under this section until the projects have been completed. The following is in compliance with section 451a(1) of the management and budget act, 1984 PA 431, MCL 18.1451a:

(a) The purpose of the work project is to provide bonus payments of up to $1,000.00 through local units of government to law enforcement officers, EMTs, paramedics, and 9-1-1 operators including private EMTs and paramedics that contract with municipalities or hospitals.

(b) The project will be accomplished by utilizing state employees to provide reimbursement to eligible recipients through handling submitted appropriate reimbursement claims for those recipients from local units of government.

(c) The total estimated cost of the work project is $100,000,000.00.

(d) The tentative completion date is September 30, 2021.

Sec. 602. (1) From the funds appropriated in part 1 for hospitality relief fund, $2,500,000.00 shall be allocated to a hospitality relief fund operated by a statewide organization representing Michigan restaurants that existed on April 1, 2020.

(2) The fund shall be used to provide grants of up to $500.00 to individuals who were employed in the hospitality industry in Michigan as of March 10, 2020 and who can demonstrate need.

Sec. 603. (1) From the funds appropriated in part 1 for personal protection equipment grants, the department of treasury shall create the personal protection equipment support and testing program to provide grants to priority providers determined by the Michigan department of health and human services. The personal protection equipment support and testing program shall include
grants for personal protection equipment, COVID-19 testing, and COVID-19 testing equipment. The grants shall be applied for and disbursed in the most efficient form and manner determined by the department of treasury.

(2) Of the total appropriations, $30,000,000.00 shall be dedicated to priority 2, 3, and 4 providers as determined by the Michigan department of health and human services priority system.

(3) Of the total appropriations, $20,000,000.00 shall be dedicated to priority 5, 7, and 8 providers as determined by the Michigan department of health and human services priority system.

Sec. 604. (1) From the funds appropriated in part 1 for device purchasing program, there is allocated by September 30, 2020 an amount not to exceed $20,000,000.00 to the Michigan Association of Intermediate School Administrators (MAISA) for the device purchasing program. The MAISA shall spend not more than $10,000,000.00 for the device purchasing program for school year 2020-2021 and shall spend the remaining funding for school year 2021-2022. Funds received under this section are to be used for the coordination and incentivizing of strategic purchasing of devices for use by students at home and in the school environment.

(2) The MAISA shall use the funds to make devices for student use at home and at school affordable for all Michigan K-12 districts through a statewide device purchase program. This program shall provide a financial incentive for each device purchased through the SPOT Bid, making an affordable, efficient, competitively bid device even more accessible. Incentives will be available to all Michigan districts who purchase through the SPOT Bid, but will direct larger incentives to schools with low device penetration in student homes and greater poverty in order to close
the technology resource gap that exits in Michigan communities.

(3) To receive funds from this program, a district must meet all of the following:

(a) The district agrees to limit the spending of incentive funds to technology efforts, including but not limited to, the following:

(i) Network services.

(ii) Computer/device purchasing.

(iii) Wireless connectivity.

(iv) Online/digital curriculum.

(b) The district agrees to make any incentivized devices available to students for home and school use to ensure continuity of learning.

(c) Districts will spend all incentive funds on technology efforts in the fiscal year they are received.

(d) The district agrees to provide only one device per student with the incentives supported by the funding in this section.

(4) When allocating incentives, for a district that receives funding from the Michigan Department of Education under section 18003 of division B of the CARES act, the MAISA shall recognize that payment and reduce that district's requested incentives accordingly if the district has not already recognized that funding in its request for incentives.

(5) Not later than January 1, for each year of the program, the Michigan Association of Intermediate School Administrators shall prepare a summary report including measurable outcomes based on program objectives. The report shall include a summary of devices purchased through this program by district to provide a means to evaluate the effectiveness of the project, and shall
include a plan for program sustainability beyond the funded window. MAISA shall submit the report to the house and senate appropriations subcommittees responsible for school aid.