

SENATE BILL No. 1110

February 13, 2002, Introduced by Senators Bennett, Stille and Young and referred to the Committee on Appropriations.

EXECUTIVE BUDGET BILL

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2003; 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

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this bill,
the amounts listed in this part are appropriated for the
department of consumer and industry services for the fiscal year
ending September 30, 2003, from the funds identified in this part.
The following is a summary of the appropriations in this part:

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

APPROPRIATIONS SUMMARY:

Full-time equated unclassified positions. 64.5

Full-time equated classified positions 3,943.9

GROSS APPROPRIATION \$ 570,138,100

Interdepartmental grant revenues:

Total interdepartmental grants and

intradepartmental transfers 111,100

ADJUSTED GROSS APPROPRIATION \$ 570,027,000

Federal revenues:

Total federal revenues 242,311,500

Special revenue funds:

Total private revenues 740,000

Total other state restricted revenues 288,987,600

State general fund/general purpose \$ 37,987,900

Sec. 102. EXECUTIVE DIRECTION

Full-time equated unclassified positions 64.5

Full-time equated classified positions . 90.0

Unclassified salaries \$ 5,712,600

Energy office--10.0 FTE positions 2,655,600

Executive director programs--11.0 FTE positions 1,766,900

Policy development--13.0 FTE positions 1,649,800

1	Utility consumer representation	550,000
2	Regulatory efficiency improvements/backlog	
3	reduction initiative	750,000
4	MES board of review program--21.0 FTE positions	1,773,900
5	Bureau of hearings--35.0 FTE positions	<u>3,556,200</u>
6	GROSS APPROPRIATION	\$ 18,415,000
7	Appropriated from:	
8	Federal revenues:	
9	DOE-OEERE, multiple grants	2,179,100
10	DOL-ETA, unemployment insurance	2,325,300
11	DOL, multiple grants for safety and health . .	160,300
12	Special revenue funds:	
13	Bank fees	139,500
14	Boiler fees	33,500
15	Construction code fund	442,000
16	Consumer finance fees	49,700
17	Corporation fees	1,950,500
18	Credit union fees	96,600
19	Elevator fees	37,400
20	Fees and collections/asbestos	11,100
21	Health professions regulatory fund	1,297,800
22	Health systems fees and collections	69,300
23	Insurance regulatory fees	559,300
24	Licensing and regulation fees	682,800
25	Liquor license fees	100,000
26	Liquor purchase revolving fund	1,526,700
27	Manufactured housing commission fees	144,300
28	Michigan state housing development authority	

1	fees and charges	428,000
2	Motor carrier fees	37,000
3	Oil overcharge	30,000
4	Public utility assessments	1,212,000
5	Safety, education and training fund	241,200
6	Second injury fund	80,900
7	Securities fees	1,816,800
8	Self-insurers security fund	20,400
9	Silicosis and dust disease fund	30,000
10	Tax tribunal fees	1,100
11	Utility consumer representation fund	550,000
12	Workers' compensation administrative revolving	
13	fund	89,400
14	State general fund/general purpose	\$ 2,073,000
15	Sec. 103. INFORMATION TECHNOLOGY	
16	Information technology services and projects .	<u>\$ 26,117,800</u>
17	GROSS APPROPRIATION	\$ 26,117,800
18	Appropriated from:	
19	Federal revenues:	
20	DOL-ETA, unemployment insurance	10,360,300
21	DOL-multiple grants for safety and health . . .	38,000
22	Federal funds	56,500
23	Special revenue funds:	
24	Bank fees	223,800
25	Boiler fees	94,300
26	Construction code fund	724,600
27	Consumer finance fees	85,800
28	Contingent fund, penalty and interest account .	122,800

1	Corporation fees	1,535,200
2	Credit union fees	157,900
3	Elevator fees	89,800
4	Fees and collections/asbestos	17,500
5	Health professions regulatory fund	484,800
6	Health systems fees and collections	244,500
7	Insurance regulatory fees	471,700
8	Licensing and regulation fees	916,500
9	Liquor purchase revolving fund	4,270,300
10	Manufactured housing commission fees	47,500
11	Michigan state housing development authority	
12	fees and charges	1,182,400
13	Motor carrier fees	164,700
14	Public utility assessments	1,092,200
15	Safety education and training fund	178,200
16	Second injury fund	215,300
17	Securities fees	1,337,200
18	Self-insurers security fund	76,800
19	Silicosis and dust disease fund	99,600
20	Workers' compensation administrative revolving	
21	fund	859,300
22	State general fund/general purpose	\$ 970,300
23	Sec. 104. FIRE SAFETY	
24	Full-time equated classified positions . 60.0	
25	Office of fire safety--60.0 FTE positions . . .	<u>\$ 4,808,300</u>
26	GROSS APPROPRIATION	\$ 4,808,300
27	Appropriated from:	
28	Interdepartmental grant revenues:	

1	IDG from department of community health, inspection	
2	contract	111,100
3	Federal revenues:	
4	Federal funds	872,300
5	Special revenue funds:	
6	Fire alarm regulation fees	91,600
7	Fire service fees	2,134,800
8	State general fund/general purpose \$	1,598,500
9	Sec. 105. MANAGEMENT SERVICES	
10	Full-time equated classified positions . 89.0	
11	Administrative services--89.0 FTE positions . . \$	6,233,800
12	Building occupancy charges - property	
13	development services	9,117,300
14	Rent	7,061,400
15	Special project advances	740,000
16	Workers' compensation	<u>1,148,000</u>
17	GROSS APPROPRIATION \$	24,300,500
18	Appropriated from:	
19	Federal revenues:	
20	DOL-ETA, unemployment insurance	387,600
21	DOL-multiple grants for safety and health . . .	640,400
22	Federal funds	469,700
23	HHS, federal funds	57,000
24	Special revenue funds:	
25	Private-special project advances	740,000
26	Bank fees	450,000
27	Boiler fee revenue	198,200
28	Construction code fund	1,031,800

1	Consumer finance fees	166,300
2	Corporation fees	2,316,800
3	Credit union fees	332,100
4	Elevator fees	209,100
5	Fees and collections/asbestos	61,500
6	Fire service fees	62,000
7	Health professions regulatory fund.	1,185,500
8	Health systems fees and collections	356,700
9	Insurance regulatory fees	786,900
10	Licensing and regulation fees	726,800
11	Licensing fees	7,700
12	Liquor purchase revolving fund	4,085,900
13	Manufactured housing commission fees	264,700
14	Michigan state housing development authority	
15	fees and charges	3,536,500
16	Motor carrier fees	174,300
17	Public utility assessments	1,400,200
18	Safety education and training fund	475,500
19	Second injury fund	185,900
20	Securities fees	1,470,600
21	Self insurers' security fund	50,800
22	Silicosis and dust disease fund	75,000
23	Tax tribunal fees	33,800
24	Workers' compensation administrative revolving	
25	fund	710,600
26	State general fund/general purpose	\$ 1,650,600
27	Sec. 106. FINANCIAL AND INSURANCE SERVICES	
28	Full-time equated classified positions	279.0

1	Administration--14.0 FTE positions	\$	2,583,300
2	Policy conduct and consumer assistance--120.0		
3	FTE positions		12,158,900
4	Financial evaluation--145.0 FTE positions . . .		<u>16,892,100</u>
5	GROSS APPROPRIATION	\$	31,634,300
6	Appropriated from:		
7	Federal revenues:		
8	Federal regulatory project revenue		50,400
9	Special revenue funds:		
10	Bank fees		6,151,000
11	Consumer finance fees		3,102,000
12	Credit union fees		4,303,100
13	Insurance continuing education fees		700,900
14	Insurance licensing and regulation fees		3,112,000
15	Insurance regulatory fees		11,523,100
16	Multiple employer welfare arrangement		65,700
17	Securities fees		2,626,100
18	State general fund/general purpose	\$	0
19	Sec. 107. PUBLIC SERVICE COMMISSION		
20	Full-time equated classified positions 148.0		
21	Administration, planning and regulation--148.0 FTE		
22	positions	\$	16,691,900
23	Low-income/energy efficiency assistance		<u>60,000,000</u>
24	GROSS APPROPRIATION	\$	76,691,900
25	Appropriated from:		
26	Interdepartmental grant revenues:		
27	Federal revenues:		
28	DOE-OEERE, multiple grants		149,000

1	DOT-RSPA, gas pipeline safety	287,000
2	Special revenue funds:	
3	Low-income and energy efficiency fund	60,000,000
4	Motor carrier fees	1,856,600
5	Public utility assessments	14,399,300
6	State general fund/general purpose \$	0
7	Sec. 108. LIQUOR CONTROL COMMISSION	
8	Full-time equated classified positions 179.0	
9	Management support services--39.0 FTE positions \$	2,709,300
10	Liquor licensing and enforcement--140.0	
11	FTE positions	10,985,700
12	Liquor law enforcement grants	6,000,000
13	Grant to department of agriculture for wine industry	
14	council	<u>457,200</u>
15	GROSS APPROPRIATION \$	20,152,200
16	Appropriated from:	
17	Special revenue funds:	
18	Liquor license revenue	11,086,200
19	Liquor purchase revolving fund	8,608,800
20	Nonretail liquor license revenue	457,200
21	State general fund/general purpose \$	0
22	Sec. 109. MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY	
23	Full-time equated classified positions 226.0	
24	Payments on behalf of tenants \$	78,000,000
25	Housing and rental assistance program--226.0 FTE	
26	positions	23,345,900
27	Homeless program	<u>5,290,800</u>
28	GROSS APPROPRIATION \$	106,637,700

1	Appropriated from:	
2	Federal revenues:	
3	HUD, lower income housing assistance program .	92,574,900
4	Special revenue funds:	
5	Michigan state housing development authority	
6	fees and charges	14,061,800
7	State general fund/general purpose	\$ 0
8	Sec. 110. TAX TRIBUNAL	
9	Full-time equated classified positions .	13.0
10	Operations--13.0 FTE positions	\$ <u>1,353,200</u>
11	GROSS APPROPRIATION	\$ 1,353,200
12	Appropriated from:	
13	Special revenue funds:	
14	Tax tribunal fees	641,600
15	State general fund/general purpose	\$ 711,600
16	Sec. 111. GRANTS	
17	Fire protection grants	\$ <u>7,421,000</u>
18	GROSS APPROPRIATION	\$ 7,421,000
19	Appropriated from:	
20	Special revenue funds:	
21	Liquor purchase revolving fund	7,421,000
22	State general fund/general purpose	\$ 0
23	Sec. 112. HEALTH REGULATORY SYSTEMS	
24	Full-time equated classified positions	339.0
25	Health systems administration--179.0	
26	FTE positions	\$ 17,253,300
27	Emergency medical services program state staff--	
28	7.0 FTE positions	904,700

1	Radiological health administration and projects--	
2	24.0 FTE positions	2,025,800
3	Substance abuse program administration--4.0 FTE	
4	positions	409,600
5	Emergency medical services grants and contracts	1,062,100
6	Health services--125.0 FTE positions	<u>13,919,900</u>
7	GROSS APPROPRIATION	\$ 35,575,400
8	Appropriated from:	
9	Total federal revenues:	
10	Federal funds	13,001,100
11	Special revenue funds:	
12	Pain management education and controlled	
13	substances, electronic monitoring and	
14	anti-diversion fund	1,362,300
15	Health professions regulatory fund	10,988,700
16	Health systems fees and collections	3,870,100
17	Nurse professional fund	698,100
18	State general fund/general purpose	\$ 5,655,100
19	Sec. 113. REGULATORY SERVICES	
20	Full-time equated classified positions 306.0	
21	AFC, children's welfare and day care	
22	licensure--306.0 FTE positions	<u>\$ 26,034,700</u>
23	GROSS APPROPRIATION	\$ 26,034,700
24	Appropriated from:	
25	Federal revenues:	
26	HHS, federal funds	10,664,800
27	Special revenue funds:	
28	Health systems fees and collections	94,200

1	Licensing fees	490,500
2	State general fund/general purpose	\$ 14,785,200
3	Sec. 114. OCCUPATIONAL REGULATION	
4	Full-time equated classified positions 339.0	
5	Commissions and boards	\$ 49,700
6	Code enforcement--98.0 FTE positions	7,902,000
7	Code enforcement flexibility	1,141,900
8	Boiler inspection program--24.0 FTE positions .	2,201,800
9	Elevator inspection program--26.0 FTE positions	2,287,000
10	Commercial services--153.0 FTE positions . . .	13,544,800
11	Local manufactured housing communities	
12	inspections	250,000
13	Manufactured housing and land resources	
14	program--26.0 FTE positions	2,635,000
15	Property development group--12.0 FTE positions	1,338,700
16	Remonumentation grants	<u>6,000,000</u>
17	GROSS APPROPRIATION	\$ 37,350,900
18	Appropriated from:	
19	Special revenue funds:	
20	Boiler fee revenue	2,350,600
21	Construction code fund	9,433,500
22	Corporation fees	4,837,100
23	Elevator fees	2,396,400
24	Homeowner construction lien recovery fund . . .	1,532,800
25	Licensing and regulation fees	7,394,500
26	Limited liability partnership revenue	10,000
27	Manufactured housing commission fees	2,276,900
28	Property development fees	241,300

1	Remonumentation fees	6,605,300
2	Real estate appraiser continuing education fund	45,000
3	Real estate education fund	217,500
4	State general fund/general purpose \$	10,000
5	Sec. 115. EMPLOYMENT RELATIONS	
6	Full-time equated classified positions . 28.0	
7	Fact finding and arbitration \$	144,300
8	Employment and labor relations--28.0 FTE	
9	positions	<u>2,944,000</u>
10	GROSS APPROPRIATION \$	3,088,300
11	Appropriated from:	
12	Federal revenues:	
13	EEOC, federal funds	10,000
14	Special revenue funds:	
15	State general fund/general purpose \$	3,078,300
16	Sec. 116. SAFETY AND REGULATION	
17	Full-time equated classified positions 278.0	
18	Commissions and boards \$	21,400
19	Employment standards enforcement--38.0 FTE	
20	positions	2,621,900
21	Subgrantees	1,226,900
22	Occupational safety and health--240.0 FTE	
23	positions	<u>21,357,500</u>
24	GROSS APPROPRIATION \$	25,227,700
25	Appropriated from:	
26	Federal revenues:	
27	DOL, multiple grants for safety and health . .	10,377,200
28	Special revenue funds:	

1	Fees and collections/asbestos	704,300
2	Safety education and training fund	6,690,900
3	State general fund/general purpose	\$ 7,455,300
4	Sec. 117. BUREAU OF WORKERS' AND UNEMPLOYMENT	
5	COMPENSATION	
6	Full-time equated classified positions 1,569.9	
7	Administration--117.0 FTE positions	\$ 8,433,200
8	Workers' compensation	589,000
9	Rent	5,915,100
10	Building occupancy charges - property	
11	development service	4,245,500
12	Advocacy assistance program--8.0 FTE positions	1,500,000
13	Appellate commission administration--11.4 FTE	
14	positions	889,900
15	Board of magistrates administration--8.0 FTE	
16	positions	1,916,900
17	Expanded fraud control program--33.2 FTE	
18	positions	2,566,200
19	Grant to the department of career development -	
20	hire the handicapped program	50,000
21	Insurance funds administration--32.0 FTE positions	5,500,800
22	Special audit and collections program--34.0 FTE	
23	positions	2,245,900
24	Supplemental benefit fund	1,300,000
25	Training program for agency staff--2.1 FTE	
26	positions	1,756,400
27	Unemployment programs--1,324.2 FTE positions .	<u>88,421,300</u>
28	GROSS APPROPRIATION	\$ 125,330,200

1	Appropriated from:	
2	Federal revenues:	
3	DOL, employment and training	529,200
4	DOL-ETA, unemployment insurance	92,887,900
5	Federal Reed act funds	4,233,500
6	Special revenue funds:	
7	Corporation fees	312,500
8	Contingent fund, penalty and interest account .	19,388,400
9	Second injury fund	3,321,500
10	Securities fees	312,500
11	Self-insurers security fund	886,500
12	Silicosis and dust disease fund	1,342,800
13	Workers' compensation administrative revolving	
14	fund	2,115,400
15	State general fund/general purpose	\$ 0

16 PART 2

17 PROVISIONS CONCERNING APPROPRIATIONS

18 **GENERAL SECTIONS**

19 Sec. 201. Pursuant to section 30 of article IX of the state
 20 constitution of 1963, total state spending from state resources
 21 under part 1 for fiscal year 2002-2003 is \$326,975,500.00 and
 22 state spending from state resources to be paid to local units of
 23 government for fiscal year 2002-2003 is \$19,921,000.00. The
 24 itemized statement below identifies appropriations from which
 25 spending to units of local government will occur:

26 DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

27	Fire protection grants	\$ 7,421,000
28	Liquor law enforcement	6,000,000

1	Local manufactured housing inspections	250,000
2	Remonumentation grants	6,000,000
3	Subgrantees	250,000
4	Total department of consumer and industry	
5	services	\$ 19,921,000

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

9 Sec. 203. As used in this bill:

- 10 (a) "AFC" means adult foster care.
- 11 (b) "Department" means the department of consumer and industry
 12 services.
- 13 (c) "DOE" means the United States department of energy.
- 14 (d) "DOE-OEERE" means the DOE office of energy efficiency and
 15 renewable energy.
- 16 (e) "DOL" means the United States department of labor.
- 17 (f) "DOL-ETA" means the DOL employment and training
 18 administration.
- 19 (g) "DOT" means the United States department of
 20 transportation.
- 21 (h) "DOT-RSPA" means the DOT research and special programs
 22 administration.
- 23 (i) "EEOC" means the equal employment opportunity commission.
- 24 (j) "Fiscal agencies" means Michigan house fiscal agency and
 25 Michigan senate fiscal agency.
- 26 (k) "FTE" means full-time equated.
- 27 (l) "HHS" means the United States department of health and
 28 human services.

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

3 (n) "IDG" means interdepartmental grant.

4 (o) "MES" means Michigan employment security.

5 Sec. 204. The department of civil service shall bill
6 departments and agencies at the end of the first fiscal quarter
7 for the 1% charge authorized by section 5 of article XI of the
8 state constitution of 1963. Payments shall be made for the total
9 amount of the billing by the end of the second fiscal quarter.

10 Section 205. (1) A hiring freeze is imposed on the state
11 classified civil service. State departments and agencies are
12 prohibited from hiring any new full-time state classified civil
13 service employees and prohibited from filling any vacant state
14 classified civil service positions. This hiring freeze does not
15 apply to internal transfers of classified employees from one
16 position to another within a department.

17 (2) The state budget director shall grant exceptions to this
18 hiring freeze when the state budget director believes that the
19 hiring freeze will result in rendering a state department or
20 agency unable to deliver basic services, cause loss of revenue to
21 the state, result in the inability of the state to receive federal
22 funds, or would necessitate additional expenditures that exceed
23 any savings from maintaining a vacancy. The state budget director
24 shall report quarterly to the chairpersons of the senate and house
25 standing committees on appropriations the number of exceptions to
26 the hiring freeze approved during the previous quarter and the
27 reasons to justify the exception.

28 Sec. 206. (1) In addition to the funds appropriated in part 1,

1 there is appropriated an amount not to exceed \$23,500,000.00 for
2 federal contingency funds. These funds are not available for
3 expenditure until they have been transferred to another line item
4 in this bill under section 393(2) of the management and budget
5 act, 1984 PA 431, MCL 18.1393.

6 (2) In addition to the funds appropriated in part 1, there is
7 appropriated an amount not to exceed \$12,200,000.00 for state
8 restricted contingency funds. These funds are not available for
9 expenditure until they have been transferred to another line item
10 in this bill under section 393(2) of the management and budget
11 act, 1984 PA 431, MCL 18.1393.

12 (3) In addition to the funds appropriated in part 1, there is
13 appropriated an amount not to exceed \$180,800.00 for local
14 contingency funds. These funds are not available for expenditure
15 until they have been transferred to another line item in this bill
16 under section 393(2) of the management and budget act, 1984 PA
17 431, MCL 18.1393.

18 (4) In addition to the funds appropriated in part 1, there is
19 appropriated an amount not to exceed \$50,000.00 for private
20 contingency funds. These funds are not available for expenditure
21 until they have been transferred to another line item in this bill
22 under section 393(2) of the management and budget act, 1984 PA
23 431, MCL 18.1393.

24 Sec. 208. Unless otherwise specified, the department shall use
25 the Internet to fulfill the reporting requirements of this bill.
26 This may include transmission of reports via electronic mail to
27 the recipients identified for each reporting requirement or it may
28 include placement of reports on an Internet or Intranet site.

1 Sec. 259. From the funds appropriated in part 1 for
2 information technology, the department shall pay user fees to the
3 department of information technology for technology related
4 services and projects. Such user fees shall be subject to
5 provisions of an interagency agreement between the department and
6 the department of information technology.

7 Sec. 260. Amounts appropriated in part 1 for information
8 technology may be designated as work projects and carried forward
9 to support technology projects under the direction of the
10 department of information technology. Funds designated in this
11 manner are not available for expenditure until approved as work
12 projects under section 451a of the management and budget act, 1984
13 PA 431, MCL 18.1451a.

14 **DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

15 Sec. 301. The appropriation in part 1 for fire protection
16 grants from the liquor purchase revolving fund shall be
17 appropriated to cities, villages, and townships with state-owned
18 facilities for fire services, instead of taxes, in accordance with
19 1977 PA 289, MCL 141.951 to 141.956.

20 Sec. 302. The funds collected by the office of financial and
21 insurance services in connection with a conservatorship pursuant
22 to section 32 of the mortgage brokers, lenders, and servicers
23 licensing act, 1987 PA 173, MCL 445.1682, shall be appropriated
24 for all expenses necessary to provide for the required services.
25 Funds are available for expenditure when they are received by the
26 department of treasury and shall not lapse to the general fund at
27 the end of the fiscal year.

28 Sec. 303. The funds collected by the department from

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

7 Sec. 304. The department may make available to interested
8 entities otherwise unavailable customized listings of
9 nonconfidential information in its possession, such as names and
10 addresses of licensees, and charge for this information as
11 follows: base fee for 1 to 1,000 records at the cost to the
12 department; 1,001 to 10,000 records at 2.5 cents per record; and
13 10,001 or more records at .5 cents per record. The revenue
14 received from this service may be used to offset expenses of
15 programs as appropriated in part 1. The balance of this revenue
16 collected and unexpended at the end of the fiscal year shall
17 revert to the appropriate restricted revenue account or fund or,
18 in absence of such an account or fund, to the general fund.

19 Sec. 305. The appropriation in part 1 may be used for per diem
20 payments to the members of commissions or boards for a full day of
21 committee work at which a quorum is present or for performing
22 official business as authorized by each respective commission or
23 board. The per diem payments shall be \$50.00 per day.

24 Sec. 308. The Michigan state housing development authority
25 shall annually present a report to the state budget office and the
26 subcommittees on the status of the authority's housing production
27 goals under all financing programs established or administered by
28 the authority. The report shall give special attention to efforts

1 to raise affordable multifamily housing production goals.

2 Sec. 309. The department shall assess and collect fees in the
3 licensing and regulation of child care organizations as defined in
4 1973 PA 116, MCL 722.111 to 722.128, and adult foster care
5 facilities as defined in the adult foster care facility licensing
6 act, 1979 PA 218, MCL 400.701 to 400.737. Fees collected by the
7 department shall be used exclusively for the purpose of licensing
8 and regulating child care organizations and adult foster care
9 facilities.

10 Sec. 311. The funds collected by the department for licenses,
11 permits, and other elevator regulation fees set forth in R
12 408.8151 of the Michigan administrative code and as determined
13 under section 8 of 1976 PA 333, MCL 338.2158, and section 16 of
14 1967 PA 227, MCL 408.816, that are unexpended at the end of the
15 fiscal year shall carry forward to the subsequent fiscal year.

16 Sec. 312. If the revenue collected by the department for
17 occupational safety and health, health systems administration, or
18 radiological health administration and projects from fees and
19 collections exceeds the amount appropriated in part 1, the revenue
20 may be carried forward into the subsequent fiscal year. The
21 revenue carried forward under this section shall be used as the
22 first source of funds in the subsequent fiscal year.

23 Sec. 313. Money appropriated under this bill for fire safety
24 programs shall not be expended unless, in accordance with section
25 2c of the fire prevention code, 1941 PA 207, MCL 29.2c, inspection
26 and plan review fees will be charged according to the following
27 schedule:

28 Operation and maintenance inspection fee

<u>Facility type</u>	<u>Facility size</u>	<u>Fee</u>
Hospitals	Any	\$8.00 per bed
<u>Plan review and construction inspection fees for hospitals and schools</u>		

<u>Project cost range</u>	<u>Fee</u>
\$101,000.00 or less	minimum fee of \$155.00
\$101,001.00 to \$1,500,000.00	\$1.60 per \$1,000.00
\$1,500,001.00 to \$10,000,000.00	\$1.30 per \$1,000.00
\$10,000,001.00 or more	\$1.10 per \$1,000.00
	or a maximum fee of \$60,000.00.

Sec. 314. The department shall furnish the clerk of the house, the secretary of the senate, the state budget office, and all members of the house and senate appropriations committees with a summary of any evaluation reports and subsequent approvals or disapprovals of juvenile residential facilities operated by the family independence agency, as required by 1973 PA 116, MCL 722.116. If no evaluations are conducted during the fiscal year, the department shall notify the fiscal agencies and all members of the appropriate subcommittees of the house and senate appropriation committees.

Sec. 315. (1) From the amount appropriated in part 1 to health systems administration, the department shall provide funding for not less than 113 inspectors to annually survey and investigate the care and services delivered in nursing homes, county medical care facilities, and hospital long-term care units in accordance with provisions in the public health code, 1978 PA 368, MCL 333.1101 to 333.25211, and federal Medicare and Medicaid certification standards.

1 (2) The department, in keeping with the severity of the
2 allegations, shall investigate complaints alleging poor care and
3 services occurring on nights or weekends in nursing homes, county
4 medical care facilities, and hospital long-term care units by
5 conducting on-site investigations on nights or weekends.

6 Sec. 316. If the revenue collected by the department from
7 licensing and regulation fees exceeds the amount appropriated in
8 part 1, the revenue may be carried forward into the subsequent
9 fiscal year. The revenue carried forward under this section shall
10 be used as the first source of funds in the subsequent fiscal
11 year.

12 Sec. 317. Funds earned or authorized by the United States
13 department of labor in excess of the gross appropriation in part 1
14 for the bureau of workers' and unemployment compensation from the
15 United States department of labor are appropriated and may be
16 expended for staffing and related expenses incurred in the
17 operation of its programs. These funds may be spent after the
18 department notifies the state budget office and the subcommittees
19 of the purpose and amount of each grant award.

20 Sec. 318. The department shall sell documents at a price not
21 to exceed the cost of production and distribution. Money received
22 from the sale of these documents shall revert to the department.
23 The funds are available for expenditure when they are received by
24 the department of treasury and may only be used for costs directly
25 related to the continued updating and distribution of the
26 documents pursuant to this section. This section applies only for
27 the following documents:

28 (a) Corporation and securities division documents, reports,

1 and papers required or permitted by law pursuant to section 1060
2 of the business corporation act, 1972 PA 284, MCL 450.2060.

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

6 (c) The Michigan liquor control code of 1998, 1998 PA 58, MCL
7 436.1101 to 436.2303, with amendments.

8 (d) The mobile home commission act, 1987 PA 96, MCL 125.2301
9 to 125.2349; the business corporation act, 1972 PA 284, MCL
10 450.1101 to 450.2098; the nonprofit corporation act, 1982 PA 162,
11 MCL 450.2101 to 450.3192; and the uniform securities act, 1964 PA
12 265, MCL 451.501 to 451.818.

13 (e) Labor law books.

14 (f) Workers' compensation health care services rules.

15 (g) Minimum design standards for health care facilities.

16 (h) Construction code manuals.

17 (i) Copies of transcripts from administrative law hearings.

18 Sec. 319. The department shall report to the state budget
19 office, the fiscal agencies, and the subcommittees on April 30,
20 2003 and October 31, 2003 on the initial and follow-up surveys
21 conducted on all nursing homes in this state. The report shall
22 include all of the following information:

23 (a) The number of surveys conducted.

24 (b) The number requiring follow-up surveys.

25 (c) The number referred to the Michigan public health
26 institute for remediation.

27 (d) The number of citations per home.

28 (e) The number of night and weekend complaints filed.

1 (f) The number of night and weekend responses to complaints
2 conducted by the department.

3 (g) The average length of time for the department to respond
4 to a complaint filed against a nursing home.

5 (h) The number and percentage of citations appealed.

6 (i) The number and percentage of citations overturned and/or
7 modified.

8 Sec. 320. The department, bureau of safety and regulation,
9 shall provide an annual report by February 1 of each year to the
10 state budget office, the fiscal agencies, and the subcommittees on
11 the number of individuals killed and the number of individuals
12 injured on the job within industries regulated by the bureau
13 during the preceding calendar year.

14 Sec. 321. The department shall report by November 1, 2002 to
15 the state budget office, the legislature, and the fiscal agencies
16 the status of the nursing home complaint investigation backlog.

17 Sec. 322. As a condition for receiving the general
18 fund/general purpose appropriations in part 1 for health systems
19 administration, the department shall provide assistance to any
20 person making an oral request for a nursing home investigation in
21 putting his or her request into writing, shall initiate
22 investigations on all written nursing home complaints filed with
23 the department within 15 days of receipt of the complaint, and
24 shall provide a written response to the complainant within 30 days
25 of receipt of the written complaint.

26 Sec. 324. The department shall continue to work with grantees
27 supported through the appropriation in part 1 for emergency
28 medical services grants and contracts to ensure that a sufficient

1 number of qualified emergency medical services personnel exist to
2 rural areas of the state.

3 Sec. 327. (1) The department in consultation with nursing home
4 provider groups, the department of community health, the state
5 long-term care ombudsman, and the federal health care finance
6 administration shall continue to work to clarify the following
7 terms as those terms are used in title XVIII and title XIX and
8 applied by the department to provide more consistent regulation of
9 nursing homes in Michigan:

10 (a) Immediate jeopardy.

11 (b) Harm.

12 (c) Potential harm.

13 (d) Avoidable.

14 (e) Unavoidable.

15 (2) The department shall semiannually provide for joint
16 training with nursing home surveyors and providers on at least 1
17 of the 10 most frequently issued federal citations in this state
18 during the past calendar year. The department shall provide a
19 mechanism to measure the effect of the training and shall report
20 to the legislature and the state budget office on the effect of
21 the training by January 15, 2003.

22 Sec. 330. (1) The department shall post on the Internet the
23 executive summary of the latest inspection for each licensed
24 nursing home.

25 (2) The department shall work toward posting inspection
26 summaries for licensed day care centers on the Internet.

27 Sec. 338. Nursing facilities shall report in the quarterly
28 staff report to the department, the total patient care hours

1 provided each month, by state licensure and certification
2 classification, and the percentage of pool staff, by state
3 licensure and certification classification, used each month during
4 the preceding quarter. The department shall make available to the
5 public, the quarterly staff report compiled for all facilities
6 including the total patient care hours and the percentage of pool
7 staff used, by classification.