

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5809**

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2009; 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

4

the department of labor and economic growth, subject to the

House Bill No. 5809 as amended May 27, 2008

conditions set forth in this act, for the fiscal year ending
September 30, 2009, from the funds identified in this part. The
following is a summary of the appropriations in this part:

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

APPROPRIATION SUMMARY:

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

Full-time equated classified positions... <<4,294.5>>

GROSS APPROPRIATION..... \$<<1,359,723,100>>

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 30,724,300

ADJUSTED GROSS APPROPRIATION..... \$<<1,328,998,800>>

Federal revenues:

Total federal revenues..... <<875,637,200>>

Special revenue funds:

Total local revenues..... 15,889,200

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

Total other state restricted revenues..... <<386,308,000>>

State general fund/general purpose..... \$ 45,850,100

Sec. 102. DEPARTMENTAL ADMINISTRATION

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

Full-time equated classified positions..... 152.0

Unclassified salaries..... \$ 5,349,400

Executive director programs--48.0 FTE positions 5,674,000

Internal audit service..... 560,100

Regulatory efficiency improvements/backlog reduction

initiative 475,600

1	Property management.....	11,302,900
2	Rent.....	17,015,600
3	Worker's compensation.....	1,227,000
4	Special project advances.....	940,000
5	Administrative services--104.0 FTE positions.....	<u>10,745,900</u>
6	GROSS APPROPRIATION.....	\$ 53,290,500
7	Appropriated from:	
8	Interdepartmental grant revenues:	
9	IDG from department of community health.....	300,000
10	Federal revenues:	
11	DED-OSERS, rehabilitation services, vocational	
12	rehabilitation of state grants.....	4,652,400
13	DOL-ETA, unemployment insurance.....	12,582,300
14	DOL-ETA, workforce investment act.....	819,800
15	DOL, federal funds.....	1,998,700
16	DOL, multiple grants for safety and health.....	773,000
17	Federal revenues.....	579,300
18	HHS, temporary assistance for needy families.....	334,400
19	HHS, titles XVIII and XIX.....	43,500
20	Special revenue funds:	
21	Private - special project advances.....	940,000
22	Local revenues.....	131,300
23	Bank fees.....	405,400
24	Boiler fees.....	254,000
25	Construction code fund.....	1,056,500
26	Consumer finance fees.....	243,700
27	Contingent fund, penalty and interest account.....	858,100

1	Corporation fees.....	4,964,400
2	Credit union fees.....	282,900
3	Deferred presentment service transaction fees.....	3,000
4	Elevator fees.....	268,600
5	Fees and collections/asbestos.....	104,200
6	Fire service fees.....	798,600
7	Insurance continuing education fees.....	28,900
8	Insurance licensing and regulation fees.....	1,631,600
9	Insurance regulatory fees.....	860,000
10	Licensing and regulation fees.....	792,300
11	Liquor license revenue.....	100,000
12	Liquor purchase revolving fund.....	5,119,300
13	Mobile home code fund.....	261,700
14	Michigan state housing development authority fees	
15	and charges	3,991,200
16	Motor carrier fees.....	210,600
17	Public utility assessments.....	2,209,800
18	Private occupational school license fees.....	14,000
19	Safety education and training fund.....	703,700
20	Second injury fund.....	259,000
21	Securities fees.....	2,926,100
22	Self-insurers security fund.....	87,300
23	Silicosis and dust disease fund.....	111,300
24	Tax tribunal fees.....	184,600
25	State general fund/general purpose.....	\$ 1,405,000
26	Sec. 103. OFFICE OF FINANCIAL AND INSURANCE	
27	REGULATION	

1	Full-time equated classified positions.....	348.0	
2	Administration--35.0 FTE positions		\$ 6,929,200
3	Regulatory compliance and consumer assistance--99.0		
4	FTE positions		15,434,500
5	Financial evaluation--214.0 FTE positions		<u>30,306,500</u>
6	GROSS APPROPRIATION.....		\$ 52,670,200
7	Appropriated from:		
8	Federal revenues:		
9	Federal regulatory project revenue		50,400
10	Special revenue funds:		
11	Bank fees.....		7,821,000
12	Captive insurance regulatory and supervision fund....		232,500
13	Consumer finance fees.....		8,351,300
14	Credit union fees.....		5,746,600
15	Deferred presentment service transaction fees		2,144,500
16	Insurance continuing education fees		961,200
17	Insurance licensing and regulation fees		4,381,900
18	Insurance bureau fund.....		19,261,400
19	MBLSLA fund.....		549,000
20	Multiple employer welfare arrangement		72,400
21	Securities fees.....		3,098,000
22	State general fund/general purpose		\$ 0
23	Sec. 104. PUBLIC SERVICE COMMISSION		
24	Full-time equated classified positions.....	170.0	
25	Administration, planning and regulation--159.0 FTE		
26	positions		\$ 21,925,300
27	Energy office--9.0 FTE positions		5,345,100

1	Children's protection registry administration--2.0		
2	FTE positions		<u>271,400</u>
3	GROSS APPROPRIATION.....	\$	27,541,800
4	Appropriated from:		
5	Federal revenues:		
6	DOE-OEERE, multiple grants.....		4,828,100
7	DOT-RSPA, gas pipeline safety.....		984,900
8	Special revenue funds:		
9	Private - oil overcharge.....		30,000
10	Children's protection registry fund.....		271,400
11	Motor carrier fees.....		2,226,500
12	Public utility assessments.....		18,200,900
13	Video franchise assessments.....		1,000,000
14	State general fund/general purpose.....	\$	0
15	Sec. 105. LIQUOR CONTROL COMMISSION		
16	Full-time equated classified positions..... 152.0		
17	Management support services--28.0 FTE positions.....	\$	3,420,500
18	Liquor licensing and enforcement--124.0 FTE positions		<u>12,316,100</u>
19	GROSS APPROPRIATION.....	\$	15,736,600
20	Appropriated from:		
21	Special revenue funds:		
22	Direct shipper enhancement revolving fund.....		120,000
23	Liquor license revenue.....		6,373,200
24	Liquor purchase revolving fund.....		9,243,400
25	State general fund/general purpose.....	\$	0
26	Sec. 106. MICHIGAN STATE HOUSING DEVELOPMENT		
27	AUTHORITY		

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1	Full-time equated classified positions.....	266.0	
2	Payments on behalf of tenants.....	\$	145,000,000
3	Housing and rental assistance program--266.0 FTE		
4	positions		37,350,700
5	Michigan housing and community development fund.....		<<4,000,000>>
6	GROSS APPROPRIATION.....	\$	<<186,350,700>>
7	Appropriated from:		
8	Federal revenues:		
9	HUD, lower income housing assistance program.....		145,000,000
10	Special revenue funds:		
11	Michigan state housing development authority fees		
12	and charges		37,350,700
13	Liquor purchase revolving fund.....		1,000,000
14	State general fund/general purpose.....	\$	<<3,000,000>>
15	Sec. 107. OCCUPATIONAL REGULATION		
16	Full-time equated classified positions.....	432.0	
17	Boiler inspection program--25.0 FTE positions.....	\$	2,765,900
18	Fire marshal program--5.0 FTE positions.....		453,900
19	Fire fighters training council--8.0 FTE positions....		1,748,800
20	Fire safety program funding--44.0 FTE positions.....		4,352,500
21	Code enforcement--120.0 FTE positions.....		13,192,000
22	Commercial services--167.0 FTE positions.....		19,078,700
23	Elevator inspection program--30.0 FTE positions.....		2,941,800
24	Local manufactured housing communities inspections...		250,000
25	Manufactured housing and land resources		
26	program--22.0 FTE positions		3,201,900
27	Property development group--11.0 FTE positions.....		<u>1,576,200</u>

1	GROSS APPROPRIATION.....	\$	49,561,700
2	Appropriated from:		
3	IDG from department of community health, inspection		
4	contract		100,000
5	IDG from department of state police, homeland security		709,800
6	FEMA.....		28,000
7	DOT.....		60,000
8	HHS, titles XVIII and XIX.....		700,000
9	Accountancy enforcement fund.....		403,600
10	Boiler fee revenue.....		3,172,600
11	Builder enforcement fund.....		400,000
12	Construction code fund.....		13,076,600
13	Corporation fees.....		5,869,700
14	Elevator fees.....		3,320,500
15	Fire alarm fees.....		99,600
16	Fire service fees.....		1,717,100
17	Homeowner construction lien recovery fund.....		1,838,200
18	Land sales fees.....		40,000
19	Licensing and regulation fees.....		10,077,800
20	Mobile home code fund.....		2,781,900
21	Property development fees.....		284,100
22	Real estate appraiser continuing education fund.....		47,000
23	Real estate education fund.....		272,100
24	Real estate enforcement fund.....		350,000
25	Survey and remonumentation fund.....		712,600
26	Security business fund.....		314,600
27	Unarmed combat fund.....		45,200

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1	State general fund/general purpose	\$	3,140,700
2	Sec. 108. MICHIGAN OCCUPATIONAL SAFETY AND HEALTH		
3	ADMINISTRATION		
4	Full-time equated classified positions.....	229.0	
5	Occupational safety and health--229.0 FTE positions ..	\$	<u>26,253,300</u>
6	GROSS APPROPRIATION.....	\$	26,253,300
7	Appropriated from:		
8	Federal revenues:		
9	DOL, multiple grants for safety and health.....		12,227,400
10	Special revenue funds:		
11	Corporation fees.....		3,463,700
12	Fees and collections/asbestos.....		865,900
13	Safety education and training fund.....		7,856,200
14	Securities fees.....		1,840,100
15	State general fund/general purpose	\$	0
16	Sec. 109. BUREAU OF WORKER'S AND UNEMPLOYMENT		
17	COMPENSATION		
18	Full-time equated classified positions...	<<1,246.0>>	
19	Administration--<<91.6>> FTE positions	\$	<<9,512,500>>
20	Board of magistrates and appellate commission--19.4		
21	FTE positions		3,480,600
22	Wage and hour division--35.0 FTE positions.....		3,090,800
23	Insurance funds administration--28.0 FTE positions ...		4,600,600
24	Supplemental benefit fund.....		820,000
25	Unemployment programs--1,002.7 FTE positions		<<94,570,200>>
26	Advocacy assistance program.....		1,500,000
27	Special audit and collections program--34.0 FTE		

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1	positions	2,853,900
2	Training program for agency staff--2.1 FTE positions .	1,808,100
3	Expanded fraud control program--33.2 FTE positions ...	<u>3,256,200</u>
4	GROSS APPROPRIATION.....	\$ <<125,492,900>>
5	Appropriated from:	
6	Federal revenues:	
7	DOL-ETA, employment and training administration.....	679,000
8	DOL-ETA, unemployment insurance.....	<<93,614,900>>
9	Federal Reed act funds.....	4,494,500
10	Special revenue funds:	
11	Corporation fees.....	3,197,100
12	Contingent fund, regular penalty and interest account	<<14,157,700>>
13	Second injury fund.....	2,476,700
14	Securities fees.....	2,408,100
15	Self-insurers security fund.....	1,171,000
16	Silicosis and dust disease fund.....	952,900
17	Worker's compensation administrative revolving fund..	2,341,000
18	State general fund/general purpose.....	\$ 0
19	Sec. 110. STATE OFFICE OF ADMINISTRATIVE HEARINGS	
20	AND RULES	
21	Full-time equated classified positions.....	170.0
22	Administrative hearings and rules--170.0 FTE positions	\$ <u>23,001,300</u>
23	GROSS APPROPRIATION.....	\$ 23,001,300
24	Appropriated from:	
25	Interdepartmental grant revenues:	
26	IDG from department of community health.....	1,719,000
27	IDG from department of corrections.....	3,834,900

1	IDG from department of education.....	1,073,500
2	IDG from department of environmental quality.....	526,600
3	IDG from department of human services.....	4,007,800
4	IDG from department of management and budget.....	42,400
5	Federal revenues:	
6	DOL-ETA, unemployment insurance.....	6,774,400
7	DOL, multiple grants for safety and health.....	204,400
8	Special revenue funds:	
9	Construction code fund.....	295,400
10	Corporation fees.....	378,200
11	Insurance bureau fund.....	350,000
12	Licensing and regulation fees.....	1,074,000
13	Liquor purchase revolving fund.....	120,800
14	Manufactured housing commission fees.....	144,600
15	Public utility assessments.....	1,283,800
16	Safety education and training fund.....	197,300
17	Securities fees.....	896,400
18	Tax tribunal fees.....	77,700
19	State general fund/general purpose.....	\$ 100
20	Sec. 111. INFORMATION TECHNOLOGY	
21	Information technology services and projects.....	<u>42,853,200</u>
22	GROSS APPROPRIATION.....	\$ 42,853,200
23	Appropriated from:	
24	Federal revenues:	
25	DOL-ETA, unemployment insurance.....	21,140,700
26	DOL, multiple grants for safety and health.....	273,700
27	Federal revenues.....	5,888,700

1	HHS, temporary assistance for needy families	176,300
2	Special revenue funds:	
3	Bank fees.....	300,300
4	Boiler fee revenue.....	329,100
5	Construction code fund.....	901,600
6	Consumer finance fees.....	284,700
7	Corporation fees.....	2,208,000
8	Credit union fees.....	208,100
9	Deferred presentment service transaction fees	5,700
10	Elevator fees.....	261,100
11	Fees and collections/asbestos.....	11,000
12	Fire service fees.....	602,100
13	Insurance continuing education fees.....	55,500
14	Insurance bureau fund.....	843,300
15	Land bank fast-track fund.....	205,700
16	Licensing and regulation fees.....	1,013,000
17	Liquor purchase revolving fund.....	2,534,600
18	Mobile home code fund.....	74,800
19	Michigan state housing development authority fees	
20	and charges	2,547,500
21	Motor carrier fees.....	119,000
22	Public utility assessments.....	892,300
23	Safety education and training fund.....	504,400
24	Second injury fund.....	149,600
25	Securities fees.....	1,191,800
26	Self-insurers security fund.....	70,300
27	Silicosis and dust disease fund.....	60,300

1	State general fund/general purpose	\$	0
2	Sec. 112. WORKFORCE DEVELOPMENT		
3	Full-time equated classified positions.....	929.5	
4	Employment services--246.0 FTE positions	\$	48,564,700
5	Jobs education training program--57.0 FTE positions ..		18,410,300
6	Labor market information--52.0 FTE positions		6,355,500
7	Michigan rehabilitation services--513.5 FTE positions		70,548,300
8	Workforce programs administration--61.0 FTE positions		<u>12,918,800</u>
9	GROSS APPROPRIATION.....	\$	156,797,600
10	Appropriated from:		
11	Interdepartmental grant revenues:		
12	IDG from department of human services		18,410,300
13	Federal revenues:		
14	DAG, employment and training		178,700
15	DED-OPSE, multiple grants		1,222,900
16	DED-OSERS, centers for independent living		58,200
17	DED-OSERS, rehabilitation long-term training		316,900
18	DED-OSERS, rehabilitation services, vocational		
19	rehabilitation of state grants		53,405,200
20	DED-OSERS, state grants for technical related		
21	assistance		56,000
22	DOL-ETA, workforce investment act		7,543,500
23	DOL, federal funds		48,483,300
24	DOL, ODEP		225,000
25	HHS-SSA, supplemental security income		3,764,400
26	HHS, temporary assistance for needy families		3,321,400
27	Special revenue funds:		

1	Private - gifts, bequests, and donations	816,000
2	Local revenue	4,274,100
3	Local vocational rehabilitation match	2,684,500
4	Contingent fund, penalty and interest account	1,814,200
5	Rehabilitation services fees	1,349,200
6	Second injury fund	51,500
7	Student fees	308,000
8	Training materials fees	256,400
9	State general fund/general purpose	\$ 8,257,900
10	Sec. 113. CAREER EDUCATION PROGRAMS	
11	Full-time equated classified positions	30.0
12	Postsecondary education--14.0 FTE positions	\$ 2,909,200
13	Adult education--16.0 FTE positions	<u>2,500,500</u>
14	GROSS APPROPRIATION	\$ 5,409,700
15	Appropriated from:	
16	Federal revenues:	
17	Federal revenues	3,805,900
18	Special revenue funds:	
19	Private occupational school license fees	635,800
20	Defaulted loan collection fees	100,000
21	State general fund/general purpose	\$ 868,000
22	Sec. 114. DEPARTMENT GRANTS	
23	Adult basic education	\$ 20,000,000
24	Carl D. Perkins grants	19,000,000
25	Focus: HOPE	5,860,200
26	Gear-up program grants	3,000,000
27	Workforce training programs subgrantees	235,028,600

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1	Personal assistance services.....	459,500
2	Vocational rehabilitation client services/facilities .	55,919,000
3	Vocational rehabilitation independent living.....	<<3,243,000>>
4	Welfare-to-work programs.....	107,798,600
5	Fire protection grants.....	10,910,500
6	Low-income energy efficiency assistance.....	80,000,000
7	Liquor law enforcement grants.....	6,600,000
8	Remonumentation grants.....	11,000,000
9	Michigan nursing corps.....	500,000
10	Private grant funded projects.....	<u>3,000,000</u>
11	GROSS APPROPRIATION.....	\$<<562,319,400>>
12	Appropriated from:	
13	Federal revenues:	
14	DAG, employment and training.....	7,000,000
15	DED-OESE, gear-up.....	3,000,000
16	DED-OSERS, centers for independent living.....	450,200
17	DED-OSERS, rehabilitation services, vocational	
18	rehabilitation of state grants.....	35,797,900
19	DED-OSERS, rehabilitation services facilities.....	2,272,500
20	DED-OSERS, supported employment.....	1,541,300
21	DED-OSERS, state grants for technical related	
22	assistance	2,240,800
23	DED-OVAE, adult education.....	20,000,000
24	DED-OVAE, basic grants to states.....	19,000,000
25	DOL-ETA, workforce investment act.....	225,602,700
26	DOL, federal funds.....	24,425,900
27	HHS, temporary assistance for needy families.....	72,299,000

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1	HHS-SSA, supplemental security income	3,480,600
2	Special revenue funds:	
3	Private - gifts, bequests, and donations	400,000
4	Private revenues	3,000,000
5	Local vocational rehabilitation match	7,000,000
6	Local vocational rehabilitation facilities match	1,278,300
7	Contingent fund, penalty and interest account	1,000,000
8	Low-income energy efficiency fund	80,000,000
9	Fire protection fund	8,500,000
10	Liquor purchase revolving fund	2,410,500
11	Liquor license revenue	6,600,000
12	Survey and remonumentation fund	11,000,000
13	State general fund/general purpose	\$ <<24,019,700>>
14	Sec. 115. BOARDS, AUTHORITIES AND COMMISSIONS	
15	Full-time equated classified positions	170.0
16	MES board of review program--18.0 FTE positions	\$ 2,343,200
17	Rights-of-way oversight authority--5.0 FTE positions .	560,500
18	Land bank fast-track authority--6.0 FTE positions	1,825,000
19	Commission on Spanish-speaking affairs--2.0 FTE	
20	positions	253,100
21	Commission on disability concerns--7.0 FTE positions .	1,138,800
22	Commission for the blind--96.0 FTE positions	19,692,400
23	Utility consumer representation	950,000
24	Youth low-vision program	241,800
25	Tax tribunal operations--15.0 FTE positions	2,028,300
26	Employment and labor relations--21.0 FTE positions ...	<u>3,411,100</u>
27	GROSS APPROPRIATION	\$ 32,444,200

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1	Appropriated from:	
2	Federal revenues:	
3	Federal revenues.....	14,882,900
4	DOL-ETA, unemployment insurance.....	2,343,200
5	EEOC, federal funds.....	10,000
6	Special revenue funds:	
7	Private revenues.....	128,300
8	Local revenues.....	521,000
9	Corporation fees.....	223,100
10	Land bank fast-track funds.....	1,825,000
11	METRO authority fund.....	560,500
12	Securities fees.....	3,704,000
13	State restricted revenues.....	635,200
14	Tax tribunal fees.....	1,502,300
15	Utility consumer representation fund.....	950,000
16	State general fund/general purpose.....	\$ 5,158,700

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2008-2009 is \$<<432,158,100.00>> and state spending from state resources to be paid to local units of government for fiscal year 2008-2009 is \$48,720,800.00. The itemized statement below identifies appropriations from which

1 spending to local units of government will occur:

2 DEPARTMENT OF LABOR AND ECONOMIC GROWTH

3	Fire protection grants.....	\$	10,910,500
4	Liquor law enforcement.....		6,600,000
5	Local manufactured housing inspections.....		250,000
6	Remonumentation grants.....		11,000,000
7	Fire fighters training council.....		1,660,800
8	Welfare to work.....		<u>18,299,500</u>
9	Total department of labor and economic		
10	growth	\$	48,720,800

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

14 Sec. 203. As used in this act:

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

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

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

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

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

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

25 (g) "Department" means the department of labor and economic
 26 growth.

27 (h) "Director" means the director of the department of labor

1 and economic growth.

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

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

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

6 (l) "DOL-ETA" means the DOL employment and training
7 administration.

8 (m) "DOL-ODEP" means the DOL office of disability employment
9 policy.

10 (n) "DOT" means the United States department of
11 transportation.

12 (o) "DOT-RSPA" means the DOT research and special programs
13 administration.

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

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

16 (r) "Fiscal agencies" means Michigan house fiscal agency and
17 Michigan senate fiscal agency.

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

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

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

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

24 (w) "IDG" means interdepartmental grant.

25 (x) "MBLSLA" means mortgage brokers, lenders, and servicers
26 licensing act.

27 (y) "MES" means Michigan employment security.

1 (z) "METRO" means metropolitan extension telecommunications
2 rights-of-way oversight.

3 (aa) "MIOSHA" means Michigan occupational safety and health
4 administration.

5 (bb) "SOAHR" means the state office of administrative hearings
6 and rules.

7 (cc) "Subcommittees" means all members of the subcommittees of
8 the house and senate appropriations committees with jurisdiction
9 over the budget for the department.

10 Sec. 204. The civil service commission shall bill departments
11 and agencies at the end of the first fiscal quarter for the 1%
12 charge authorized by section 5 of article XI of the state
13 constitution of 1963. Payments shall be made for the total amount
14 of the billing by the end of the second fiscal quarter.

15 Sec. 205. (1) A hiring freeze is imposed on the state
16 classified civil service. State departments and agencies are
17 prohibited from hiring any new full-time state classified civil
18 service employees and prohibited from filling any vacant state
19 classified civil service positions. This hiring freeze does not
20 apply to internal transfers of classified employees from 1 position
21 to another within a department.

22 (2) The state budget director may grant exceptions to this
23 hiring freeze when the state budget director believes that the
24 hiring freeze will result in rendering a state department or agency
25 unable to deliver basic services, cause loss of revenue to the
26 state, result in the inability of the state to receive federal
27 funds, or necessitate additional expenditures that exceed any

1 savings from maintaining a vacancy. The state budget director shall
2 report quarterly to the chairpersons of the senate and house of
3 representatives standing committees on appropriations the number of
4 exceptions to the hiring freeze approved during the previous
5 quarter and the reasons to justify the exception.

6 Sec. 208. The department shall use the Internet to fulfill the
7 reporting requirements of this act. This requirement may include
8 transmission of reports via electronic mail to the recipients
9 identified for each reporting requirement, or it may include
10 placement of reports on an Internet or Intranet site.

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

21 Sec. 210. The director shall take all reasonable steps to
22 ensure that businesses in deprived and depressed communities
23 compete for and perform contracts to provide services or supplies,
24 or both. The director shall strongly encourage firms with which the
25 department contracts to subcontract with certified businesses in
26 depressed and deprived communities for services, supplies, or both.

27 Sec. 211. The department shall establish and maintain

1 affirmative action programs based on the guidelines developed by
2 the state equal opportunity workforce planning council which was
3 created by Executive Order No. 1996-13 in order to receive general
4 fund/general purpose dollars in compliance with section 26 of
5 article I of the state constitution of 1963.

6 Sec. 213. From the funds appropriated in part 1 for
7 information technology, departments and agencies shall pay user
8 fees to the department of information technology for technology-
9 related services and projects. Such user fees shall be subject to
10 provisions of an interagency agreement between the departments and
11 agencies and the department of information technology.

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

19 Sec. 215. (1) The department shall report no later than April
20 1, 2009 on each specific policy change made to implement a public
21 act affecting the department that took effect during the prior
22 calendar year to the subcommittees, the joint committee on
23 administrative rules, and the fiscal agencies.

24 (2) Funds appropriated in part 1 shall not be used by the
25 department to adopt a rule that will apply to a small business and
26 that will have a disproportionate economic impact on small
27 businesses because of the size of those businesses if the

1 department fails to reduce the disproportionate economic impact of
2 the rule on small businesses as provided under section 40 of the
3 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

4 (3) As used in this section:

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

7 (b) "Small business" means that term as defined under section
8 7a of the administrative procedures act of 1969, 1969 PA 306, MCL
9 24.207a.

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

14 Sec. 217. (1) Due to the current budgetary problems in this
15 state, out-of-state travel for the fiscal year ending September 30,
16 2009 shall be limited to situations in which 1 or more of the
17 following conditions apply:

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

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

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

26 (d) The travel is necessary to comply with federal
27 requirements.

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

3 (f) The travel is financed entirely by federal or nonstate
4 funds.

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

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

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

22 (b) The destination of each travel occurrence.

23 (c) The dates of each travel occurrence.

24 (d) A brief statement of the reason for each travel
25 occurrence.

26 (e) The transportation and related costs of each travel
27 occurrence, including the proportion funded with state general

1 fund/general purpose revenues, the proportion funded with state
2 restricted revenues, the proportion funded with federal revenues,
3 and the proportion funded with other revenues.

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

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

9 Sec. 220. The department may carry into the succeeding fiscal
10 year unexpended federal pass-through funds to local institutions
11 and governments that do not require additional state matching
12 funds. Federal pass-through funds to local institutions and
13 governments that are received in amounts in addition to those
14 included in part 1 and that do not require additional state
15 matching funds are appropriated for the purposes intended.

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

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

26 Sec. 223. (1) In addition to the funds appropriated in part 1,
27 there is appropriated an amount not to exceed \$30,500,000.00 for

1 federal contingency funds. These funds are not available for
2 expenditure until they have been transferred to another line item
3 in this act under section 393(2) of the management and budget act,
4 1984 PA 431, MCL 18.1393.

5 (2) In addition to the funds appropriated in part 1, there is
6 appropriated an amount not to exceed \$13,200,000.00 for state
7 restricted contingency funds. These funds are not available for
8 expenditure until they have been transferred to another line item
9 in this act under section 393(2) of the management and budget act,
10 1984 PA 431, MCL 18.1393.

11 (3) In addition to the funds appropriated in part 1, there is
12 appropriated an amount not to exceed \$8,180,000.00 for local
13 contingency funds. These funds are not available for expenditure
14 until they have been transferred to another line item in this act
15 under section 393(2) of the management and budget act, 1984 PA 431,
16 MCL 18.1393.

17 (4) In addition to the funds appropriated in part 1, there is
18 appropriated an amount not to exceed \$550,000.00 for private
19 contingency funds. These funds are not available for expenditure
20 until they have been transferred to another line item in this act
21 under section 393(2) of the management and budget act, 1984 PA 431,
22 MCL 18.1393.

23 Sec. 224. The department shall not approve the travel of more
24 than 1 departmental employee to a specific professional development
25 conference or training seminar that is located outside of this
26 state. The only exception to this travel restriction involves a
27 professional development conference or training seminar that is

1 funded by a federal or private funding source and requires more
2 than 1 person from a department to attend.

3 Sec. 225. From the funds appropriated in part 1, the
4 department shall develop, post, and maintain, on a publicly
5 accessible Internet site, all expenditures made by the department
6 within the fiscal year. This posting shall include the purpose for
7 which each expenditure is made.

8 REGULATORY

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

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

22 Sec. 303. The funds collected by the department from
23 corporations being liquidated pursuant to the insurance code of
24 1956, 1956 PA 218, MCL 500.100 to 500.8302, shall be appropriated
25 for all expenses necessary to provide for the required services.
26 Funds are available for expenditure when they are received by the

1 department of treasury and shall not lapse to the general fund at
2 the end of the fiscal year.

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

18 Sec. 306. The Michigan state housing development authority
19 shall annually present a report to the state budget office and the
20 subcommittees on the status of the authority's housing production
21 goals under all financing programs established or administered by
22 the authority. The report shall give special attention to efforts
23 to raise affordable multifamily housing production goals.

24 Sec. 308. The funds collected by the department for licenses,
25 permits, and other elevator regulation fees set forth in the
26 Michigan administrative code and as determined under section 8 of
27 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL

408.816, that are unexpended at the end of the fiscal year shall carry forward to the subsequent fiscal year. The department shall submit a report on an annual basis to the state budget director and the subcommittees on the amount of funds available under this section.

Sec. 310. Money appropriated under this act for the bureau of fire services shall not be expended unless, in accordance with section 2c of the fire prevention code, 1941 PA 207, MCL 29.2c, inspection and plan review fees will be charged according to the following schedule:

Operation and maintenance inspection fee

<u>Facility type</u>	<u>Facility size</u>	<u>Fee</u>
Hospitals	Any	\$8.00 per bed

Plan review and construction inspection fees for
hospitals and schools

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

Sec. 313. If the revenue collected by the department from licensing and regulation fees collected by the office of commercial services exceeds the amount expended from appropriations in part 1, the revenue may be carried forward into the subsequent fiscal year. The revenue carried forward under this section shall be used as the first source of funds in the subsequent fiscal year.

1 Sec. 314. Funds earned or authorized by the United States
2 department of labor in excess of the gross appropriation in part 1
3 for the unemployment insurance agency and the employment service
4 agency from the United States department of labor are appropriated
5 and may be expended for staffing and related expenses incurred in
6 the operation of its programs. These funds may be spent after the
7 department notifies the state budget director and the subcommittees
8 of the purpose and amount of each grant award.

9 Sec. 315. The department shall sell documents at a price not
10 to exceed the cost of production and distribution. Money received
11 from the sale of these documents shall revert to the department.
12 The funds are available for expenditure when they are received by
13 the department of treasury and may only be used for costs directly
14 related to the continued updating and distribution of the documents
15 pursuant to this section. This section applies only for the
16 following documents:

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

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

23 (c) The Michigan liquor control code of 1998, 1998 PA 58, MCL
24 436.1101 to 436.2303.

25 (d) The mobile home commission act, 1987 PA 96, MCL 125.2301
26 to 125.2349; the business corporation act, 1972 PA 284, MCL
27 450.1101 to 450.2098; the nonprofit corporation act, 1982 PA 162,

1 MCL 450.2101 to 450.3192; and the uniform securities act, 1964 PA
2 265, MCL 451.501 to 451.818.

3 (e) Labor law books.

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

5 (g) Construction code manuals.

6 (h) Copies of transcripts from administrative law hearings.

7 Sec. 317. The department, MIOSHA, shall provide an annual
8 report by February 1 of each year to the state budget director, the
9 fiscal agencies, and the subcommittees on the number of individuals
10 killed and the number of individuals injured on the job within
11 industries regulated by the bureau during the most recent year for
12 which data are available.

13 Sec. 319. (1) The department shall not use any funds
14 appropriated in part 1 for the unemployment insurance agency to
15 combine individual entities within professional employer
16 organizations into a single account or a single rate unless there
17 is clear evidence that an entity transferred the person's trade or
18 business or a portion of the trade or business to another employer
19 for the sole or primary purpose of reducing the contribution rate
20 or reimbursement payments in lieu of contributions required under
21 the Michigan employment security act, 1936 (Ex Sess) PA 1, MCL
22 421.1 to 421.75. Common ownership or management of entities
23 participating in a professional employer organization is not by
24 itself sufficient evidence of improper unemployment contribution
25 rate manipulation by an employer.

26 (2) Contribution rate determinations for the following
27 calendar year shall be distributed by the department to employers

1 no later than December 31.

2 Sec. 326. (1) The appropriation in part 1 for the Michigan
3 commission for the blind includes funds for case services. These
4 funds may be used for tuition payments for blind clients.

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

8 Sec. 335. (1) The public service commission shall implement a
9 process for the low-income energy efficiency fund grants that shall
10 require an application deadline of May 1 and the award
11 announcements on October 1 of each year.

12 (2) The public service commission shall report by November 1
13 2009 to the subcommittees, the state budget office, and the fiscal
14 agencies on the distribution of funds appropriated in part 1 for
15 the low-income/energy efficiency assistance program.

16 Sec. 336. 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. 337. 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.

27 Sec. 340. The office of financial and insurance regulation

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

5 Sec. 350. (1) The department shall allocate funds to promote
6 awareness of the right of a policyholder, subscriber, member,
7 enrollee, or other individual participating in a health benefit
8 plan, after the covered person has exhausted the health carrier's
9 internal grievance process provided for by law, to request an
10 external review for an adverse determination.

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

14 Sec. 352. From the funds appropriated in part 1 for
15 unclassified salaries, the department shall provide funding for 5
16 worker's compensation appellate commissioners and 26 worker's
17 compensation board of magistrates. Expenditures shall be made so
18 that the 2 bodies shall decide worker's compensation cases in a
19 timely manner.

20 Sec. 355. Of the funds appropriated in part 1 for the Michigan
21 occupational safety and health administration, no funding shall be
22 allocated or expended to support the occupational health standards
23 commission or the general industry safety standards commission.
24 This includes staff support, mileage, or reimbursement for any
25 expenses of the commission members and any contractual supplies and
26 maintenance costs that would be incurred to support the
27 commissions. The department is prohibited from making any

1 reductions in the worker safety programs administered by this
2 bureau.

3 Sec. 356. The Michigan commission for the blind shall work
4 collaboratively with service organizations and government entities
5 to identify qualified match dollars to maximize use of available
6 federal funds.

7 Sec. 357. The department may resume printing the real estate
8 law and rules book (red book). The red book shall include, but is
9 not limited to, real estate laws and regulations and related
10 statutes. The red book will be provided at no charge to actively
11 licensed real estate brokers, associate brokers, and salespersons.
12 Any other party seeking a copy of the red book may purchase the
13 book from the bureau of commercial services at the bureau's cost to
14 produce the book or may print the bureau's Internet version of the
15 red book at no cost.

16 Sec. 358. The real estate education fund created in section 37
17 of the state license fee act, 1979 PA 152, MCL 338.2237, and
18 administered by the department shall allow prelicensure and
19 postlicensure education to be delivered through online courses by a
20 community college, university, or private school, after licensure
21 and approval by the department. Expenditures from this fund may
22 also be made to support department grants for educational providers
23 to establish online courses that would be made available to
24 students throughout the year.

25 Sec. 361. In addition to the amounts appropriated in part 1
26 for the administration of the land bank fast track authority, the
27 authority may expend revenues received under the land bank fast

1 track act, 2003 PA 258, MCL 124.751 to 124.774, for the purposes
2 authorized by the act including, but not limited to, the
3 acquisition, lease, management, demolition, maintenance, or
4 rehabilitation of real or personal property, payment of debt
5 service for notes or bonds issued by the authority, and other
6 expenses to clear or quiet title property held by the authority.

7 Sec. 362. Of the funds appropriated in part 1 for the
8 department, up to \$200,000.00 may be used for administration and
9 enforcement of boxing regulation in Michigan.

10 Sec. 364. The department and MSHDA shall report to the
11 subcommittees, the state budget director, and the fiscal agencies
12 by January 1 on the status of the loans entered into by the
13 Michigan broadband development authority.

14 Sec. 365. From the funds appropriated in part 1 for Michigan
15 occupational safety and health consultation education and training
16 (CET) grants, not less than \$40,000.00 shall be allocated to
17 nonprofit organizations representing the aggregate industry in
18 Michigan.

19 Sec. 368. Funds collected by the department under sections 55,
20 57, 58, and 59 of the administrative procedures act of 1969, 1969
21 PA 306, MCL 24.255, 24.257, 24.258, and 24.259, and section 203 of
22 the legislative council act, 1986 PA 268, MCL 4.1203, are
23 appropriated for all expenses necessary to provide for the cost of
24 publication and distribution. The funds appropriated under this
25 section are allotted 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.

1 Sec. 369. The video franchise assessment fund is created and
2 shall exist in the state treasury and shall receive revenue as
3 provided in the uniform video services local franchise act, 2006 PA
4 480, MCL 484.3301 to 484.3314. All interest and earnings of the
5 fund may be retained by the fund per the direction of the state
6 treasurer. Money in the fund at the close of the fiscal year may
7 carry forward to the new fiscal year and be used as the first
8 source of funds in the subsequent fiscal year.

9 Sec. 370. MSHDA shall provide a report to the subcommittees,
10 the fiscal agencies, and the state budget director by June 1 on the
11 cities of promise blight elimination program. The report shall
12 include:

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

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

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

17 Sec. 377. (1) In addition to the funds appropriated in part 1,
18 any unencumbered and unrestricted federal workforce investment act
19 or trade adjustment assistance funds available from prior fiscal
20 years are appropriated for the purposes originally intended.

21 (2) The department shall report by January 15 to the
22 subcommittees, the fiscal agencies, and the state budget office on
23 the amount by fiscal year of federal workforce investment act funds
24 appropriated under this section.

25 Sec. 378. It is the intent of the legislature that the SOAHR
26 work with the center for civil justice to develop a system of
27 public access to Medicaid, cash, emergency, and food assistance

1 decisions and orders via the Internet no later than March 31, 2009.

2 **WORKFORCE AND CAREER DEVELOPMENT**

3 Sec. 401. 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. 402. 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. 403. 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. 404. (1) Of the funds appropriated in part 1 for
19 vocational rehabilitation independent living, all general
20 fund/general purpose revenue not used to match federal funds shall
21 be used for the support of centers for independent living that are
22 in compliance with federal standards for such centers, for
23 technical assistance to centers, by existing sites to assist in
24 serving underserved areas, and for projects to build capacity of
25 centers to deliver independent living services. Applications for
26 such funds shall be reviewed in accordance with criteria and

1 procedures established by the statewide independent living council,
2 the Michigan rehabilitation services unit within the department,
3 and the Michigan commission for the blind. Funds must be used in a
4 manner consistent with the priorities established in the state plan
5 for 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 (2) As a condition of receipt of funds appropriated in part 1,
9 the statewide independent living council and the Michigan
10 disability network shall jointly produce a report providing the
11 following information:

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

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

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

22 (iii) Number of persons for whom accommodations were provided to
23 enable independent living or access to employment and a comparison
24 to the number assisted in the previous year.

25 (iv) The total number of disabled individuals served by
26 personal care attendants and the number of personal care attendants
27 provided through the use of any funds appropriated in part 1

1 administered by a center for independent living and a comparison to
2 the number served in the previous year.

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

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

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

18 Sec. 405. The department shall administer the work first
19 program in accordance with the requirements of the social security
20 act, title IV, section 407(d), the state social welfare act, 1939
21 PA 280, MCL 400.1 to 400.119b, and all other applicable laws and
22 regulations.

23 Sec. 406. (1) Using all relevant state data sources, the
24 department shall conduct a 3-year longitudinal study of all former
25 work first participants, whose department of human services program
26 cases closed due to earnings during fiscal year 1999 and in
27 succeeding fiscal years. The data will include the following:

1 (a) The number and percentage employed.

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

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

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

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

6 (f) The number and percentage receiving health care benefits
7 from their employer.

8 (g) The number and percentage receiving tuition reimbursement
9 from their employer.

10 (h) The number and percentage receiving training benefits from
11 their employer.

12 (i) The type of jobs obtained by former participants in
13 general categories.

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

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

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

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

26 (2) The department shall notify the subcommittees, fiscal
27 agencies, and state budget director electronically by March 15 of

1 the location of the Internet site where the report containing the
2 identified data is located.

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

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

7 Sec. 407. State and federal funds allocated to local workforce
8 development boards for disbursement shall not be expended unless
9 the local workforce development boards maintain a partnership with
10 governmental agencies, public school districts, and public colleges
11 located within the local service delivery area. Each board shall
12 appoint an education advisory group made up of high-level
13 administrators within local educational institutions, workforce
14 development board members, other employers, labor, academic
15 educators, parents of public school pupils, and, at the board's
16 discretion, representatives of organizations that provide school-
17 based curriculum and youth programs focusing on entrepreneurship,
18 work-readiness skills, and financial literacy.

19 Sec. 409. Within 10 days after the receipt of a grant
20 appropriated in the private grant funded projects line item in part
21 1, the department shall notify the house and senate chairpersons of
22 the subcommittees, the fiscal agencies, and the state budget
23 director of the receipt of the grant, including the funding source,
24 purpose, and amount of the grant.

25 Sec. 410. (1) The department shall make available, in person
26 or by telephone, 1 disabled veterans outreach program specialist or
27 local veterans employment representative to Michigan works! service

1 centers, as resources permit, during hours of operation.

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

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

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

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

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

24 Sec. 415. Of the amounts appropriated in part 1 for
25 postsecondary education, private occupational school license fees
26 shall fund related administrative costs of the proprietary schools
27 oversight unit within the department.

1 Sec. 417. The department is appropriated an amount not to
2 exceed \$100,000.00 from collection of defaulted loans under the
3 future faculty program in the Martin Luther King, Jr. - Cesar
4 Chavez - Rosa Parks programs to offset costs of administering the
5 loan collections.

6 Sec. 418. From the funds appropriated in part 1 for
7 postsecondary education, the department shall compile data from
8 each university that receives funding for the future faculty
9 program within the King-Chavez-Parks initiative on employment
10 outcomes for program participants. The report shall be distributed
11 to the house and senate appropriations committees, the fiscal
12 agencies, and the state budget director by February 1 of each year.
13 The report shall include data from each participating university
14 covering the most recently completed fiscal year. The data shall
15 include all of the following:

16 (a) The number of participants receiving support under the
17 program.

18 (b) The number of participants obtaining full-time employment.

19 (c) The number of participants obtaining full-time employment
20 in college faculty positions.

21 (d) The number of participants obtaining full-time employment
22 in college faculty positions within the university through which
23 they received future faculty program support for graduate studies.

24 Sec. 421. The King-Chavez-Parks initiative shall be marketed
25 by the department to Michigan parents and high school and college
26 students, to promote the benefits and the availability of the
27 college day, select student support services, college/university

1 partnership, visiting professors, Morris Hood, Jr. educator
2 development, and future faculty programs. The department shall
3 provide electronic notification of the location of the report on
4 the Internet to the subcommittees by December 30 of each year,
5 identifying all efforts taken to market these programs, including,
6 but not limited to, the amount of funding allocated for this
7 purpose, the fund source, and any expenditures or encumbrances
8 relating to this marketing effort.

9 Sec. 427. The youth low-vision program is considered the payer
10 of last resort. Other available public or private insurance
11 coverage, including Medicaid or MICHild, and special education
12 funds, shall be exhausted prior to using any funds appropriated in
13 part 1 to purchase low-vision devices or equipment for an
14 individual.

15 Sec. 429. (1) As a condition for receipt of the funds
16 appropriated in part 1, Focus: HOPE shall submit a report on the
17 use of the grant's funds appropriated in the prior fiscal year to
18 the chairs of the subcommittees, the fiscal agencies, and the state
19 budget director that includes, but is not limited to, the
20 following:

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

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

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

27 (d) Detailed expenditures for any contracts entered into with

1 the use of these funds.

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

4 (2) The report shall be submitted on or before January 31.

5 Sec. 431. (1) From the appropriation in part 1 for the
6 Michigan nursing corps, grants shall be awarded to Michigan
7 institutions of higher education consisting of public 4-year
8 institutions, public 2-year institutions, independent colleges and
9 universities, and tribally controlled community colleges with
10 existing, accredited nursing baccalaureate or postgraduate
11 education programs. The purpose of the grants is to prepare
12 registered nurses and increase the number of nursing faculty. The
13 department may also award grants on a matching basis to licensed
14 hospitals that agree to provide nurse educators and related
15 clinical training to additional student nurses in partnership with
16 institutions of higher education described in this subsection.
17 Awards shall be made in a manner and form as determined by the
18 department, in collaboration with the department of community
19 health.

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

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

27 (b) Preparation of doctoral-degreed nursing faculty in an

1 accelerated program within an existing, accredited doctor of
2 philosophy in nursing program. Participants must be currently
3 enrolled doctoral students who will be able to complete their
4 doctoral degree program within 2 years. Grants for this program may
5 include program tuition, a stipend for student living expenses, and
6 other education-related 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 funds appropriated in part 1 for the Michigan nursing
8 corps are designated as work project appropriations and shall not
9 lapse at the end of the fiscal year. Any unencumbered and
10 unexpended funds shall continue to be available for the expenditure
11 of grants until the project has been completed. The total cost of
12 the work project is estimated at \$500,000.00 and the tentative
13 completion date is September 30, 2010.

14 Sec. 432. (1) Of the funds appropriated in part 1 for the
15 workforce training programs subgrantees, the department shall
16 provide a report by December 15, 2009 to the house and senate
17 chairs of the subcommittees, the state budget director, and the
18 fiscal agencies on the status of the no-worker-left-behind program.
19 The report shall include the following:

20 (a) The amount of funding allocated to each Michigan works!
21 agency.

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

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

26 (d) The number of participants enrolled in remedial education
27 programs and the number of participants enrolled in literacy

1 programs.

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

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

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

8 (h) The number of participants that have completed education
9 or training programs.

10 (2) Data collection for the report shall be for the period
11 October 1, 2008 through September 30, 2009.

12 (3) The department shall do a final report for the fiscal year
13 2007-2008 that contains the information included in subsections (1)
14 and (2) for the period of October 1, 2007 through September 30,
15 2008. The report shall be provided to the house and senate chairs
16 of the subcommittees and the fiscal agencies by December 15, 2008.

17 Sec. 432a. (1) Of the funds appropriated in part 1 for the job
18 training program subgrantees, at least \$70,000,000.00 shall be
19 allocated to the no worker left behind program. The majority of
20 these funds shall be used by the department to provide individuals
21 with direct training in in-demand occupations, as determined by
22 local workforce investment boards. These funds shall be distributed
23 to local Michigan works! agencies based on demonstrated need. In
24 distributing these funds, the department shall ensure funds are
25 used for individuals who are ready for training in in-demand
26 occupations and for whom training slots are available. Any Michigan
27 works! agency receiving these funds shall reserve a portion, or

1 otherwise assure that it has sufficient resource, to pay for the
2 full course of approved training for each individual served.

3 (2) In addition, and as allowable under federal regulations
4 and workforce investment act of 1998, 29 USC 2864, the department
5 shall allocate a portion of the funds in subsection (1) for the
6 following purposes:

7 (a) To provide adult education, remedial education, or other
8 training for individuals not ready for postsecondary education, in
9 order to prepare these individuals for postsecondary training and
10 new careers.

11 (b) To increase the capacity of community colleges and other
12 public associate's degree-granting institutions in this state to
13 provide education and training to individuals receiving assistance
14 under the program.

15 (c) To develop a data collection system that provides
16 information on a real-time basis on available training for the top
17 50 occupations requiring postsecondary education that are most in-
18 demand by Michigan employers.

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

27 (4) No later than January 31, 2009, the department shall

1 submit a report to the senate and house of representatives standing
2 committees on appropriations, the fiscal agencies, and the state
3 budget office on the following:

4 (a) Detailed information including the amount, source, and
5 subsequent use of any additional federal, state, local, and private
6 funds leveraged.

7 (b) Detailed information on the number of food stamp
8 recipients receiving training and education assistance, and the
9 amount of federal funds leveraged through the food stamp employment
10 and training program.

11 Sec. 433. (1) The department shall use all relevant data
12 sources available to compile data on participants in the JET
13 program. The report shall include the following:

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

15 (b) How many participants completed training.

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

18 (d) How many cases were closed.

19 (e) How many cases were referred to Michigan rehabilitation
20 services.

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

23 (2) The department shall provide separate reports for the
24 periods January 1, 2008 through September 30, 2008 and October 1,
25 2008 through September 30, 2009.

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

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

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

5 Sec. 434. (1) The department shall collaborate with the state
6 board of education, the department of human services, the
7 department of community health, and the department of history,
8 arts, and libraries to extend the duration of the Michigan after-
9 school partnership, and oversee its efforts to implement the policy
10 recommendations and strategic next steps identified in the Michigan
11 after-school initiative's report of December 15, 2003.

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

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

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

6 Sec. 435. The department shall ensure that school districts
7 and career preparation programs operated by school districts are
8 eligible education providers under the no-worker-left-behind
9 program and programs funded by the federal workforce investment
10 act.

11 Sec. 437. Of the funds appropriated in part 1 for the welfare
12 to work programs, \$200,000.00 shall be allocated for not more than
13 1 grant for the expansion of an existing innovative, employer lead,
14 private/public workforce development program. Grants may be used
15 for program operating expenses such as staffing, rent, equipment,
16 and other expenses. To be eligible for this grant funding, a
17 program must meet the following criteria:

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

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

21 (c) Include more than 1 employer.

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

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

24 (f) Employer must contribute 50% of on-site DHS 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. 438. (1) From the funds appropriated in part 1 to the
4 Michigan housing and community development fund, \$4,163,300.00 is
5 hereby appropriated from the fund to the Michigan state housing
6 development authority (MSHDA) for projects as described in sections
7 58c and 58d of the state housing development authority fund act of
8 1966, 1966 PA 346, MCL 125.1458c and 125.1458d.

9 (2) MSHDA shall report by May 1 to the subcommittees, fiscal
10 agencies, and the state budget director on the status of the
11 projects described in subsection (1), including the statewide
12 allocation plan, number of applicants, amounts requested,
13 description of projects, amounts awarded, number of housing units
14 that have been or are projected to be created, and income levels of
15 the households that have been or are projected to be served.

16 Sec. 439. Of the funds appropriated in part 1 for the welfare-
17 to-work programs, \$100.00 shall be allocated to Focus: HOPE to
18 implement a pilot career prep program for welfare recipients in
19 Wayne and Genesee counties. The pilot program will use the design
20 created with the funds allocated from this budget in fiscal year
21 2007-2008.

22 Sec. 440. It is the intent of the legislature that a portion
23 of the workforce investment act, statewide activities funds be
24 allocated to support coordinated efforts between local Michigan
25 works! agencies and police and sheriff departments to create
26 programs that offer gang diversion activities and support services
27 to at-risk youth in Wyoming, Benton Harbor, and Detroit.

1 Sec. 441. Of the funds appropriated in part 1 for the SOAHR,
2 \$100.00 general fund/general purpose shall be used to reduce the
3 backlog in teacher tenure cases for the department of education.