

**SUBSTITUTE FOR
SENATE BILL NO. 175**

A bill to make appropriations for the department of licensing and regulatory affairs and certain other state purposes for the fiscal year ending September 30, 2012; to provide for the expenditure of those appropriations; to provide anticipated appropriations for the fiscal year ending September 30, 2013; 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

FOR FISCAL YEAR 2011-2012

Sec. 101. The amounts listed in this part are appropriated for the department of licensing and regulatory affairs, subject to the conditions set forth in this act, for the fiscal year ending September 30, 2012, from the funds identified in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	57.5	
Full-time equated classified positions.....	4,320.8	
GROSS APPROPRIATION.....	\$	811,570,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		13,373,500
ADJUSTED GROSS APPROPRIATION.....	\$	798,196,900
Federal revenues:		
Total federal revenues.....		365,728,300
Special revenue funds:		
Total local revenues.....		7,859,900
Total private revenues.....		4,727,800
Total other state restricted revenues.....		388,808,100
State general fund/general purpose.....	\$	31,072,800
Sec. 102. DEPARTMENTAL ADMINISTRATION		
Full-time equated unclassified positions.....	57.5	
Full-time equated classified positions.....	129.0	
Unclassified salaries--57.5 FTE positions.....	\$	4,531,900

1	Executive director programs--33.0 FTE positions	5,083,200
2	Property management.....	11,768,400
3	Rent.....	12,032,200
4	Worker's compensation.....	758,400
5	Special project advances.....	200,000
6	Administrative services--96.0 FTE positions	<u>9,925,800</u>
7	GROSS APPROPRIATION.....	\$ 44,299,900
8	Appropriated from:	
9	Interdepartmental grant revenues:	
10	Federal revenues:	
11	DOE-OEERE, multiple grants.....	3,000
12	DED-OSERS, rehabilitation services, vocational	
13	rehabilitation of state grants.....	4,163,400
14	DOL-ETA, unemployment insurance.....	11,774,000
15	DOL, federal funds.....	30,800
16	DOL, multiple grants for safety and health.....	767,000
17	Federal revenues.....	437,100
18	Title XVIII Medicare.....	300,100
19	Title XIX Medicaid.....	21,000
20	Title XIX Medicaid, facility certification fees	193,900
21	Special revenue funds:	
22	Private - special project advances.....	200,000
23	Local revenues.....	130,900
24	Bank fees.....	356,300
25	Boiler fee revenue.....	244,400
26	Construction code fund.....	1,127,200
27	Consumer finance fees.....	74,900

1	Contingent fund, penalty and interest account	39,200
2	Corporation fees	4,168,800
3	Credit union fees	366,100
4	Deferred presentment service transaction fees	24,900
5	Elevator fees	251,500
6	Fees and collections/asbestos	100,000
7	Fire service fees	755,400
8	Health professions regulatory fund	1,559,400
9	Health systems fees	404,000
10	Insurance licensing and regulation fees	1,738,500
11	Insurance bureau fund	514,100
12	Licensing and regulation fees	1,005,700
13	Liquor purchase revolving fund	4,791,100
14	MBLSLA fund	84,800
15	Mobile home code fund	252,600
16	Motor carrier fees	203,600
17	Private occupational school license fees	14,000
18	Public utility assessments	2,310,400
19	Radiological health fees	90,000
20	Safety education and training fund	719,800
21	Second injury fund	249,900
22	Securities fees	2,441,000
23	Self-insurers security fund	89,500
24	Silicosis and dust disease fund	111,100
25	Tax tribunal fund	181,400
26	Video franchise assessments	4,000
27	Workers' compensation administrative revolving fund ..	100,000

1	State general fund/general purpose	\$	1,905,100
2	Sec. 103. OFFICE OF FINANCIAL AND INSURANCE		
3	REGULATION		
4	Full-time equated classified positions.....	377.0	
5	Administration--35.0 FTE positions	\$	7,392,600
6	Financial evaluation--232.0 FTE positions		34,613,400
7	Regulatory compliance and consumer assistance--110.0		
8	FTE positions		<u>18,465,500</u>
9	GROSS APPROPRIATION.....	\$	60,471,500
10	Appropriated from:		
11	Federal revenues:		
12	Federal revenues		2,000,000
13	Special revenue funds:		
14	Bank fees		8,236,900
15	Captive insurance regulatory and supervision fund....		256,800
16	Consumer finance fees		4,362,800
17	Credit union fees		6,382,400
18	Deferred presentment service transaction fees		2,705,800
19	Insurance bureau fund		20,584,400
20	Insurance continuing education fees		1,023,600
21	Insurance licensing and regulation fees		4,800,400
22	MBLSLA fund		4,300,600
23	Multiple employer welfare arrangement		72,600
24	Securities fees		4,745,200
25	Securities investor education and training fund		1,000,000
26	State general fund/general purpose	\$	0
27	Sec. 104. PUBLIC SERVICE COMMISSION AND ENERGY		

1 **SYSTEMS**

2	Full-time equated classified positions.....	195.0	
3	Public service commission--190.0 FTE positions		\$ 27,158,500
4	METRO authority--5.0 FTE positions		<u>355,900</u>
5	GROSS APPROPRIATION.....		\$ 27,514,400
6	Appropriated from:		
7	Federal revenues:		
8	DOE-OEERE, multiple grants		9,000
9	DOT, gas pipeline safety		677,800
10	Special revenue funds:		
11	Children's protection registry fund		272,600
12	Motor carrier fees		2,094,700
13	Public utility assessments		23,620,300
14	Restructuring mechanism assessments		440,000
15	Video franchise assessments		400,000
16	State general fund/general purpose		\$ 0
17	Sec. 105. LIQUOR CONTROL COMMISSION		
18	Full-time equated classified positions.....	152.0	
19	Management support services--28.0 FTE positions		\$ 3,812,200
20	Liquor licensing and enforcement--124.0 FTE positions		<u>13,801,300</u>
21	GROSS APPROPRIATION.....		\$ 17,613,500
22	Appropriated from:		
23	Special revenue funds:		
24	Direct shipper enforcement revolving fund		120,000
25	Liquor license revenue		7,136,200
26	Liquor purchase revolving fund		10,357,300
27	State general fund/general purpose		\$ 0

1	Sec. 106. OCCUPATIONAL REGULATION	
2	Full-time equated classified positions.....	835.3
3	Boiler inspection program--25.0 FTE positions	\$ 2,931,000
4	Bureau of fire services--57.0 FTE positions	5,603,700
5	Code enforcement--120.0 FTE positions	14,022,200
6	Commercial services--175.0 FTE positions	19,812,600
7	Elevator inspection program--30.0 FTE positions	3,162,400
8	Bureau of health professions--160.0 FTE positions	26,945,900
9	Bureau of health systems--199.6 FTE positions	21,630,100
10	Health policy and regulation--8.8 FTE positions	2,646,500
11	Radiological health administration--21.4 FTE positions	3,179,700
12	Background check program--5.5 FTE positions	2,545,900
13	Manufactured housing and land resources	
14	program--22.0 FTE positions	2,733,700
15	Property development group--11.0 FTE positions	<u>1,707,600</u>
16	GROSS APPROPRIATION.....	\$ 106,921,300
17	Appropriated from:	
18	Interdepartmental grant revenues:	
19	IDG from department of community health, inspection	
20	contract	100,000
21	IDG from department of human services, background	
22	checks	1,000,000
23	Federal revenues:	
24	Clinical lab improvement.....	360,000
25	CMS transformation grant.....	3,000,000
26	DOT.....	60,000
27	FEMA.....	28,000

1	Mammography quality standards.....	710,400
2	Prescription drug monitoring.....	100,000
3	Title XVIII Medicare.....	9,287,900
4	Title XIX Medicaid.....	950,800
5	Title XIX Medicaid, facility certification fees.....	6,217,500
6	Special revenue funds:	
7	Private - civil monetary penalties.....	200,000
8	Accountancy enforcement fund.....	420,000
9	Boiler fee revenue.....	3,363,600
10	Builder enforcement fund.....	427,000
11	Construction code fund.....	13,186,600
12	Corporation fees.....	6,342,700
13	Elevator fees.....	3,565,400
14	Fire alarm fees.....	114,000
15	Fire safety standard and enforcement fund.....	40,000
16	Fire service fees.....	1,953,300
17	Health professions regulatory fund.....	22,972,000
18	Health systems fees.....	1,417,200
19	Licensing and regulation fees.....	11,302,800
20	Liquor purchase revolving fund.....	2,636,500
21	Mobile home code fund.....	2,733,700
22	Nurse professional fund.....	1,744,200
23	Pain management fees.....	1,728,600
24	Private occupational school license fees.....	832,200
25	Property development fees.....	298,900
26	Radiological health fees.....	2,469,300
27	Real estate appraiser continuing education fund.....	47,000

1	Real estate education fund.....	320,300
2	Real estate enforcement fund.....	364,600
3	Survey and remonumentation fund.....	776,700
4	Security business fund.....	321,100
5	Unarmed combat fund.....	66,900
6	State general fund/general purpose.....	\$ 5,462,100
7	Sec. 107. MICHIGAN OCCUPATIONAL SAFETY AND HEALTH	
8	ADMINISTRATION	
9	Full-time equated classified positions.....	229.0
10	Occupational safety and health--229.0 FTE positions ..	\$ <u>28,561,900</u>
11	GROSS APPROPRIATION.....	\$ 28,561,900
12	Appropriated from:	
13	Federal revenues:	
14	DOL, multiple grants for safety and health.....	13,365,600
15	Special revenue funds:	
16	Corporation fees.....	3,780,300
17	Fees and collections/asbestos.....	919,900
18	Safety education and training fund.....	8,477,300
19	Securities fees.....	2,018,800
20	State general fund/general purpose.....	\$ 0
21	Sec. 108. EMPLOYMENT SERVICES	
22	Full-time equated classified positions.....	2,171.1
23	Worker's compensation administration--96.6 FTE	
24	positions	\$ 8,918,200
25	Wage and hour division--33.0 FTE positions	3,136,700
26	Insurance funds administration--28.0 FTE positions ...	4,982,700
27	Supplemental benefit fund.....	820,000

1	Unemployment programs--1,302.7 FTE positions	136,315,200
2	Advocacy assistance program.....	1,500,000
3	Special audit and collections program--34.0 FTE	
4	positions	3,091,200
5	Training program for agency staff--2.1 FTE positions .	1,827,700
6	Expanded fraud control program--33.2 FTE positions ...	3,561,300
7	Commission for the blind--107.0 FTE positions	26,728,500
8	Michigan rehabilitation services--513.5 FTE positions	71,720,500
9	Employment and labor relations--21.0 FTE positions ...	<u>3,745,000</u>
10	GROSS APPROPRIATION.....	\$ 266,347,000
11	Appropriated from:	
12	Federal revenues:	
13	DED-OPSE, multiple grants.....	1,222,900
14	DED-OSERS, centers for independent living.....	58,200
15	DED-OSERS, rehabilitation long-term training.....	316,900
16	DED-OSERS, rehabilitation services, vocational	
17	rehabilitation of state grants.....	56,417,700
18	DED-OSERS, state grants for technical related	
19	assistance	65,300
20	DOL, employment and training administration.....	1,219,100
21	DOL-ETA, unemployment insurance.....	142,576,300
22	Federal revenues.....	20,265,900
23	HHS-SSA, supplemental security income.....	3,783,000
24	Special revenue funds:	
25	Private - gifts, bequests, and donations.....	816,000
26	Private revenues.....	111,800
27	Local revenues.....	529,000

1	Corporation fees.....	2,862,400
2	Contingent fund, regular penalty and interest	1,500,000
3	Michigan commission for the blind business	
4	enterprise program fund	553,600
5	Rehabilitation service fees.....	1,352,300
6	Second injury fund.....	2,733,800
7	Securities fees.....	5,267,800
8	Self-insurers security fund.....	1,268,400
9	Silicosis and dust disease fund.....	1,032,000
10	Special fraud control fund.....	1,000,000
11	Workers' compensation administrative revolving fund..	2,755,600
12	State general fund/general purpose.....	\$ 18,639,000
13	Sec. 109. MICHIGAN ADMINISTRATIVE HEARING SYSTEM	
14	Full-time equated classified positions.....	232.4
15	Michigan administrative hearing system--205.4 FTE	
16	positions	\$ 30,230,300
17	Office of regulatory reinvention--2.0 FTE positions ..	350,000
18	Michigan compensation appellate commission--25.0 FTE	
19	positions	<u>3,033,600</u>
20	GROSS APPROPRIATION.....	\$ 33,613,900
21	Appropriated from:	
22	Interdepartmental grant revenues:	
23	IDG - administrative hearings.....	12,273,500
24	Federal revenues:	
25	DOL-ETA, unemployment insurance.....	2,882,100
26	Federal revenue - administrative hearings and rules ..	7,596,900
27	Special revenue funds:	

1	Construction code fund.....	29,000
2	Corporation fees.....	1,121,500
3	Fire service fees.....	29,000
4	Insurance bureau fund.....	29,000
5	Insurance licensing and regulation fees.....	29,000
6	Licensing and regulation fees.....	29,000
7	Liquor license revenue.....	29,000
8	Motor carrier fees.....	29,000
9	Public utility assessments.....	29,000
10	Safety education and training fund.....	29,000
11	Securities fees.....	1,125,200
12	State restricted revenue - administrative hearings	
13	and rules	4,963,000
14	Tax tribunal fund.....	3,149,000
15	Workers' compensation administrative revolving fund..	180,500
16	State general fund/general purpose.....	\$ 61,200
17	Sec. 110. INFORMATION TECHNOLOGY	
18	Information technology services and projects	\$ 43,132,900
19	Liquor control commission IT upgrades.....	<u>100</u>
20	GROSS APPROPRIATION.....	\$ 43,133,000
21	Appropriated from:	
22	Federal revenues:	
23	DOL-ETA, unemployment insurance.....	21,797,800
24	DOL, multiple grants for safety and health.....	273,700
25	Federal revenues.....	3,365,300
26	Special revenue funds:	
27	Bank fees.....	219,500

1	Boiler fee revenue.....	280,500
2	Construction code fund.....	1,076,700
3	Consumer finance fees.....	95,100
4	Corporation fees.....	4,833,400
5	Credit union fees.....	192,100
6	Deferred presentment service transaction fees.....	85,700
7	Elevator fees.....	271,300
8	Fees and collections/asbestos.....	11,000
9	Fire service fees.....	503,500
10	Health professions regulatory fund.....	873,900
11	Health systems fees.....	186,400
12	Insurance continuing education fees.....	11,700
13	Insurance bureau fund.....	545,500
14	Insurance licensing and regulation fees.....	315,000
15	Licensing and regulation fees.....	1,430,900
16	Liquor purchase revolving fund.....	2,771,000
17	MBLSLA fund.....	104,100
18	Mobile home code fund.....	152,800
19	Motor carrier fees.....	148,900
20	Pain management fees.....	160,000
21	Public utility assessments.....	1,166,600
22	Radiological health fees.....	140,000
23	Safety education and training fund.....	624,700
24	Second injury fund.....	143,600
25	Securities fees.....	944,100
26	Self-insurers security fund.....	71,500
27	Silicosis and dust disease fund.....	61,500

1	Tax tribunal fund.....	210,000
2	State general fund/general purpose.....	\$ 65,200
3	Sec. 111. DEPARTMENT GRANTS	
4	Personal assistance services.....	\$ 459,500
5	Vocational rehabilitation customer support.....	56,908,400
6	Independent living.....	4,908,600
7	Fire protection grants.....	9,273,900
8	Low-income energy efficiency assistance.....	95,000,000
9	Liquor law enforcement grants.....	6,600,000
10	Remonumentation grants.....	5,300,000
11	Private grant programs.....	3,000,000
12	Subregional libraries state aid.....	451,800
13	Utility consumer representation.....	950,000
14	Youth low-vision program.....	<u>241,800</u>
15	GROSS APPROPRIATION.....	\$ 183,094,000
16	Appropriated from:	
17	Federal revenues:	
18	DED-OSERS, centers for independent living.....	450,200
19	DED-OSERS, rehabilitation services, vocational	
20	rehabilitation of state grants.....	37,056,700
21	DED-OSERS, rehabilitation services facilities.....	2,272,500
22	DED-OSERS, supported employment.....	1,541,300
23	DED-OSERS, state grants for technical related	
24	assistance	2,240,800
25	HHS-SSA, supplemental security income.....	5,868,400
26	Special revenue funds:	
27	Private - gifts, bequests, and donations.....	400,000

1	Private revenues.....	3,000,000
2	Local vocational rehabilitation match.....	7,000,000
3	Local vocational rehabilitation facilities match.....	200,000
4	Contingent fund, penalty and interest account.....	1,000,000
5	Low-income energy efficiency fund.....	95,000,000
6	Fire protection fund.....	8,500,000
7	Liquor purchase revolving fund.....	773,900
8	Liquor license revenue.....	6,600,000
9	Survey and remonumentation fund.....	5,300,000
10	Utility consumer representation fund.....	950,000
11	State general fund/general purpose.....	\$ 4,940,200

12 PART 2

13 PROVISIONS CONCERNING APPROPRIATIONS

14 FOR FISCAL YEAR 2011-2012

15 **GENERAL SECTIONS**

16 Sec. 201. Pursuant to section 30 of article IX of the state
 17 constitution of 1963, total state spending from state resources
 18 under part 1 for fiscal year 2011-2012 is \$419,880,900.00 and state
 19 spending from state resources to be paid to local units of
 20 government for fiscal year 2011-2012 is \$22,988,700.00. The
 21 itemized statement below identifies appropriations from which
 22 spending to local units of government will occur:

23 DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

24	Fire protection grants.....	\$ 9,273,900
25	Liquor law enforcement.....	6,600,000

1	Remonumentation grants.....	5,300,000
2	Firefighters training council.....	1,363,000
3	Subregional libraries state aid.....	<u>451,800</u>
4	Total department of licensing and regulatory	
5	affairs	\$ 22,988,700

6 Sec. 202. The appropriations authorized under this act 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 act:

10 (a) "DED" means the United States department of education.

11 (b) "DED-OPSE" means the DED office of postsecondary
12 education.

13 (c) "DED-OSERS" means the DED office of special education
14 rehabilitation services.

15 (d) "Department" means the department of licensing and
16 regulatory affairs.

17 (e) "Director" means the director of the department.

18 (f) "DOE-OEERE" means the United States department of energy,
19 office of energy efficiency and renewable energy.

20 (g) "DOL" means the United States department of labor.

21 (h) "DOL-ETA" means the DOL employment and training
22 administration.

23 (i) "DOT" means the United States department of
24 transportation.

25 (j) "FEMA" means federal emergency management agency.

26 (k) "Fire safety standard and enforcement fund" means fire
27 safety standard and firefighter protection act enforcement fund

1 created in section 9 of the fire safety standard and firefighter
2 protection act, 2009 PA 56, MCL 29.499.

3 (l) "Fiscal agencies" means Michigan house fiscal agency and
4 Michigan senate fiscal agency.

5 (m) "FTE" means full-time equated.

6 (n) "HHS" means the United States department of health and
7 human services.

8 (o) "HHS-SSA" means HHS social security administration.

9 (p) "IDG" means interdepartmental grant.

10 (q) "MAHS" means Michigan administrative hearing system.

11 (r) "MARVIN" means Michigan's automated response voice
12 interactive network.

13 (s) "METRO" means metropolitan extension telecommunications
14 rights-of-way oversight.

15 (t) "MIOSHA" means Michigan occupational safety and health
16 administration.

17 (u) "Pain management fees" means the pain management education
18 and controlled substances electronic monitoring and antidiversion
19 fund.

20 (v) "Subcommittees" means all members of the subcommittees of
21 the house and senate appropriations committees with jurisdiction
22 over the budget for the department.

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

1 site.

2 Sec. 209. Funds appropriated in part 1 shall not be used for
3 the purchase of foreign goods or services, or both, if
4 competitively priced and of comparable quality American goods or
5 services, or both, are available. Preference shall be given to
6 goods or services, or both, manufactured or provided by Michigan
7 businesses, if they are competitively priced and of comparable
8 quality. In addition, preference shall be given to goods or
9 services, or both, that are manufactured or provided by Michigan
10 businesses owned and operated by veterans, if they are
11 competitively priced and of comparable quality.

12 Sec. 210. The director shall take all reasonable steps to
13 ensure that businesses in deprived and depressed communities
14 compete for and perform contracts to provide services or supplies,
15 or both. The director shall strongly encourage firms with which the
16 department contracts to subcontract with certified businesses in
17 depressed and deprived communities for services, supplies, or both.

18 Sec. 211. (1) Amounts appropriated in part 1 for information
19 technology may be designated as work projects and carried forward
20 to support technology projects under the direction of the
21 department of technology, management, and budget. Funds designated
22 in this manner are not available for expenditure until approved as
23 work projects under section 451a of the management and budget act,
24 1984 PA 431, MCL 18.1451a.

25 (2) The funds appropriated in part 1 for liquor control
26 commission information technology are designated as work project
27 appropriations and shall not lapse at the end of the fiscal year.

1 Any unencumbered and unexpended funds shall continue to be
2 available for expenditure until the project has been completed. The
3 total cost of the work project is estimated at \$1,000,000.00 and
4 the tentative completion date is September 30, 2013.

5 Sec. 212. The department and agencies receiving appropriations
6 in part 1 shall receive and retain copies of all reports funded
7 from appropriations in part 1. Federal and state guidelines for
8 short-term and long-term retention of records shall be followed.
9 The department may electronically retain copies of reports unless
10 otherwise required by federal and state guidelines.

11 Sec. 214. From the funds appropriated in part 1 for
12 information technology, departments and agencies shall pay user
13 fees to the department of technology, management, and budget for
14 technology-related services and projects. The user fees shall be
15 subject to provisions of an interagency agreement between the
16 departments and agencies and the department of technology,
17 management, and budget.

18 Sec. 215. The department shall not take disciplinary action
19 against an employee for communicating with a member of the
20 legislature or his or her staff.

21 Sec. 216. Not later than November 15, the department shall
22 prepare and transmit a report that provides for estimates of the
23 total general fund/general purpose appropriation lapses at the
24 close of the fiscal year. This report shall summarize the projected
25 year-end general fund/general purpose appropriation lapses by major
26 departmental program or program areas. The report shall be
27 transmitted to the office of the state budget, the chairpersons of

1 the senate and house of representatives standing committees on
2 appropriations, and the senate and house fiscal agencies.

3 Sec. 217. (1) Due to the current budgetary problems in this
4 state, out-of-state travel shall be limited to situations in which
5 1 or more of the following conditions apply:

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

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

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

14 (d) The travel is necessary to comply with federal
15 requirements.

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

18 (f) The travel is financed entirely by federal or nonstate
19 funds.

20 (2) The department shall not approve the travel of more than 1
21 departmental employee to a specific professional development
22 conference or training seminar that is located outside of this
23 state unless a professional development conference or training
24 seminar is funded by a federal or private funding source and
25 requires more than 1 person from a department to attend, or the
26 conference or training seminar includes multiple issues in which 1
27 employee from the department does not have expertise.

1 (3) Not later than January 1, each department shall prepare a
2 travel report listing all travel by classified and unclassified
3 employees outside this state in the immediately preceding fiscal
4 year that was funded in whole or in part with funds appropriated in
5 the department's budget. The report shall be submitted to the
6 senate and house of representatives standing committees on
7 appropriations, the senate and house fiscal agencies, and the state
8 budget director. The report shall include the following
9 information:

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

12 (b) The destination of each travel occurrence.

13 (c) The dates of each travel occurrence.

14 (d) A brief statement of the reason for each travel
15 occurrence.

16 (e) The transportation and related costs of each travel
17 occurrence, including the proportion funded with state general
18 fund/general purpose revenues, the proportion funded with state
19 restricted revenues, the proportion funded with federal revenues,
20 and the proportion funded with other revenues.

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

23 Sec. 220. The department may carry into the succeeding fiscal
24 year unexpended federal pass-through funds to local institutions
25 and governments that do not require additional state matching
26 funds. Federal pass-through funds to local institutions and
27 governments that are received in amounts in addition to those

1 included in part 1 and that do not require additional state
2 matching funds are appropriated for the purposes intended. Within
3 14 days after the receipt of federal pass-through funds, the
4 department shall notify the house and senate chairpersons of the
5 subcommittees, the fiscal agencies, and the state budget director
6 of pass-through funds appropriated under this section.

7 Sec. 221. Funds appropriated in part 1 shall not be used by a
8 principal executive department, state agency, or authority to hire
9 a person to provide legal services that are the responsibility of
10 the attorney general. This prohibition does not apply to legal
11 services for bonding activities and for those activities that the
12 attorney general authorizes.

13 Sec. 223. (1) In addition to the funds appropriated in part 1,
14 there is appropriated an amount not to exceed \$45,000,000.00 for
15 federal contingency funds. These funds are not available for
16 expenditure until they have been transferred to another line item
17 in this act under section 393(2) of the management and budget act,
18 1984 PA 431, MCL 18.1393.

19 (2) In addition to the funds appropriated in part 1, there is
20 appropriated an amount not to exceed \$31,000,000.00 for state
21 restricted contingency funds. These funds are not available for
22 expenditure until they have been transferred to another line item
23 in this act under section 393(2) of the management and budget act,
24 1984 PA 431, MCL 18.1393.

25 (3) In addition to the funds appropriated in part 1, there is
26 appropriated an amount not to exceed \$8,000,000.00 for local
27 contingency funds. These funds are not available for expenditure

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

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

10 Sec. 225. Within 10 days after the receipt of a grant
11 appropriated in the private grant funded projects line item in part
12 1, the department shall notify the house and senate chairpersons of
13 the subcommittees, the fiscal agencies, and the state budget
14 director of the receipt of the grant, including the funding source,
15 purpose, and amount of the grant.

16 Sec. 227. (1) The department shall sell documents at a price
17 not to exceed the cost of production and distribution. Money
18 received from the sale of these documents shall revert to the
19 department. In addition to the funds appropriated in part 1, these
20 funds are available for expenditure when they are received by the
21 department of treasury and may only be used for costs directly
22 related to the continued updating and distribution of the documents
23 pursuant to this section. This section applies only for the
24 following documents:

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

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

4 (c) The Michigan liquor control code of 1998, 1998 PA 58, MCL
5 436.1101 to 436.2303.

6 (d) The mobile home commission act, 1987 PA 96, MCL 125.2301
7 to 125.2349; the business corporation act, 1972 PA 284, MCL
8 450.1101 to 450.2098; the nonprofit corporation act, 1982 PA 162,
9 MCL 450.2101 to 450.3192; and the uniform securities act (2002),
10 2008 PA 551, MCL 451.2101 to 451.2703.

11 (e) Labor law books.

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

13 (g) Construction code manuals.

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

15 (2) In addition to the funds appropriated in part 1, funds
16 collected by the department under sections 55, 57, 58, and 59 of
17 the administrative procedures act of 1969, 1969 PA 306, MCL 24.255,
18 24.257, 24.258, and 24.259, and section 203 of the legislative
19 council act, 1986 PA 268, MCL 4.1203, are appropriated for all
20 expenses necessary to provide for the cost of publication and
21 distribution. The funds appropriated under this section are
22 allotted for expenditure when they are received by the department
23 of treasury and shall not lapse to the general fund at the end of
24 the fiscal year.

25 Sec. 228. Unless prohibited by law, the department may accept
26 credit card or other electronic means of payment for licenses,
27 fees, or permits.

1 Sec. 231. (1) The department shall maintain a searchable
2 website accessible by the public at no cost that includes, but is
3 not limited to, all of the following:

4 (a) Fiscal year-to-date expenditures by category.

5 (b) Fiscal year-to-date expenditures by appropriation unit.

6 (c) Fiscal year-to-date payments to a selected vendor,
7 including the vendor name, payment date, payment amount, and
8 payment description.

9 (d) The number of active department employees by job
10 classification.

11 (e) Job specifications and wage rates.

12 (2) The department may develop and operate its own website to
13 provide this information or may reference the state's central
14 transparency website as the source for this information.

15 Sec. 232. The department shall not develop or produce any
16 television productions.

17 Sec. 234. Within 14 days after the release of the executive
18 budget recommendation, the department shall provide the state
19 budget director, the senate and house appropriations chairs, the
20 subcommittees, and the fiscal agencies with an annual report on
21 estimated state restricted fund balances, state restricted fund
22 projected revenues, and state restricted fund expenditures for the
23 fiscal years ending September 30, 2011 and September 30, 2012.

24 REGULATORY

25 Sec. 301. (1) The appropriation in part 1 for fire protection
26 grants shall be appropriated to cities, villages, and townships

1 with state-owned facilities for fire services, instead of taxes, in
2 accordance with 1977 PA 289, MCL 141.951 to 141.956.

3 (2) Cities, villages, and townships with state-owned
4 facilities shall report to the department no later than November 15
5 on a form developed by the department in order to be eligible to
6 receive funds appropriated in part 1 for fire protection grants.
7 The report shall indicate all of the following:

8 (a) The ability to respond to state facilities in their
9 service area.

10 (b) The cost for being prepared and able to respond to fire
11 service situations during the most recent fiscal year.

12 (3) The department shall prepare a summary of the local
13 submissions and provide it to the subcommittees, fiscal agencies,
14 and the state budget director by March 31.

15 Sec. 301a. (1) Cities, villages, and townships receiving fire
16 protection grant funds in accordance with 1977 PA 289, MCL 141.951
17 to 141.956, shall submit a report to the department detailing the
18 expenditures made by the local unit from fire protection grant
19 funds, the fire-related activities of the local unit's police and
20 fire departments on state property, and the costs of such
21 activities. The local unit shall provide a report no later than
22 January 1, covering the state fiscal year ending September 30,
23 2011.

24 (2) The department shall provide a standard template for use
25 by local units of government when submitting a report to the
26 department.

27 (3) The department shall prepare a summary of the local

submissions and provide it to the house and senate chairpersons of the subcommittees, the fiscal agencies, and the state budget director by March 31.

Sec. 302. Money appropriated under this act for the bureau of fire services shall not be expended unless, in accordance with section 2c of the fire prevention code, 1941 PA 207, MCL 29.2c, inspection and plan review fees will be charged according to the following schedule:

Operation and maintenance inspection fee

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

Plan review and construction inspection fees for hospitals and schools

<u>Project cost range</u>	<u>Fee</u>
\$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. 302a. In addition to the funds appropriated in part 1, the funds credited to the cigarette fire safety standard and firefighter protection act fund created in section 13 of the fire safety standard and firefighter protection act, 2009 PA 56, MCL 29.503, shall be appropriated to be expended for the purposes provided for in the fire safety standard and firefighter protection act, 2009 PA 56, MCL 29.491 to 29.513. These funds are appropriated for expenditure when they are received.

1 Sec. 303. The funds collected by the department for licenses,
2 permits, and other elevator regulation fees set forth in the
3 Michigan administrative code and as determined under section 8 of
4 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL
5 408.816, that are unexpended at the end of the fiscal year shall
6 carry forward to the subsequent fiscal year.

7 Sec. 304. The department may make available to interested
8 entities customized listings of nonconfidential information in its
9 possession, such as names and addresses of licensees. The
10 department may establish and collect a reasonable charge to provide
11 this service. The revenue received from this service shall be used
12 to offset expenses to provide the service. Any balance of this
13 revenue collected and unexpended at the end of the fiscal year
14 shall revert to the appropriate restricted fund.

15 Sec. 320. If the revenue collected by the department from
16 licensing and regulation fees collected by the bureau of commercial
17 services exceeds the amount expended from appropriations in part 1,
18 the revenue may be carried forward into the subsequent fiscal year.
19 The revenue carried forward under this section shall be used as the
20 first source of funds in the subsequent fiscal year.

21 Sec. 330. Funds earned or authorized by the DOL in excess of
22 the gross appropriation in part 1 for the unemployment insurance
23 agency from the DOL are appropriated and may be expended for
24 staffing and related expenses incurred in the operation of its
25 programs. These funds may be spent after the department notifies
26 the state budget director and the subcommittees of the purpose and
27 amount of each grant award.

1 Sec. 332. The unemployment insurance agency shall provide the
2 subcommittees, fiscal agencies, and state budget office with
3 quarterly status reports on the development of the agency's
4 integrated system project. The quarterly status reports shall
5 include, but not be limited to, a summary of the expenditures for
6 the project, project budget information, a summary of the tasks
7 completed and milestones reached to date, the percentage of the
8 total project completed to date, and a summary of the tasks
9 anticipated to be completed in the subsequent quarter.

10 Sec. 333. The department shall report quarterly to the members
11 of the house and senate committees on appropriations, the fiscal
12 agencies, and the state budget director on the percentage of
13 unemployment claimants that meet the certification requirements for
14 receiving benefits by using the Internet MARVIN system. The
15 department shall implement improvements to the Internet MARVIN
16 system that promote greater ease of access and security with a goal
17 of reaching 50% of users certifying by using the Internet MARVIN
18 system.

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

25 Sec. 341. The department shall not promulgate or adopt a rule
26 more stringent than the applicable federal standard unless
27 specifically authorized by statute.

1 Sec. 342. From the funds appropriated in part 1 for Michigan
2 occupational safety and health consultation education and training
3 (CET) grants, not less than \$80,000.00 shall be allocated to
4 nonprofit organizations representing the mining industry in
5 Michigan.

6 Sec. 361. (1) The public service commission shall report by
7 November 1 to the subcommittees, the state budget office, and the
8 fiscal agencies on the distribution of funds appropriated in part 1
9 for the low-income/energy efficiency assistance program.

10 (2) The funds collected from public utilities for low-income
11 energy efficiency fund grants as provided under orders issued by
12 the public service commission pursuant to 1939 PA 3, MCL 460.1 to
13 460.11, that are unexpended at the end of the fiscal year may carry
14 forward to the subsequent fiscal year.

15 Sec. 368. No later than March 1, the department shall submit a
16 report to the state budget office, the fiscal agencies, and the
17 subcommittees, providing expenditure and revenue data and
18 statistical data on licensing and regulatory activities of the
19 bureau of commercial services and the bureau of construction codes
20 during the previous fiscal year. To the extent possible, the data
21 required shall be reported for each individual occupation, trade,
22 or industry regulated.

23 Sec. 380. Funds remaining in the homeowner construction lien
24 recovery fund are appropriated to the department for payment of
25 court-ordered homeowner construction lien recovery fund judgments
26 entered prior to August 23, 2010. Pursuant to available funds, the
27 payment of final judgments shall be made in the order in which the

1 final judgments were entered and began accruing interest.

2 Sec. 390. The Michigan tax tribunal and the Michigan
3 administrative hearing system shall submit a report on the number
4 of cases heard and the number of cases decided by MAHS hearings
5 officers, contractual hearings officers, and tribunal members
6 during the fiscal year. The report shall also include information
7 on case filings and dispositions, the number of active and pending
8 cases before the small claims division and the entire tribunal, and
9 the agencies' plan to eliminate the backlog of cases. The report
10 shall be submitted to the subcommittees, fiscal agencies, and state
11 budget office not later than November 1, 2012.

12 **OFFICE OF FINANCIAL AND INSURANCE REGULATION**

13 Sec. 401. In addition to the funds appropriated in part 1, the
14 funds collected by the office of financial and insurance regulation
15 in connection with a conservatorship pursuant to section 32 of the
16 mortgage brokers, lenders, and servicers licensing act, 1987 PA
17 173, MCL 445.1682, and funds collected by the department from
18 corporations being liquidated pursuant to the insurance code of
19 1956, 1956 PA 218, MCL 500.100 to 500.8302, shall be appropriated
20 for all expenses necessary to provide for the required services.
21 Funds are available for expenditure when they are received by the
22 department of treasury and shall not lapse to the general fund at
23 the end of the fiscal year.

24 **MICHIGAN REHABILITATION SERVICES AND MICHIGAN COMMISSION FOR THE**
25 **BLIND**

1 Sec. 603. The local match requirements for vocational
2 rehabilitation facilities establishment grants shall not exceed
3 21.3% for the fiscal year ending September 30.

4 Sec. 604. All funds appropriated in part 1 for independent
5 living shall be used for the support of centers for independent
6 living in compliance with federal rules and regulations for such
7 centers, by existing centers in serving underserved areas, and for
8 projects to build capacity of centers to deliver independent living
9 services. Applications for such funds shall be reviewed in
10 accordance with criteria and procedures established by the
11 department. Funds must be used in a manner consistent with the
12 state plan for independent living.

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

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

19 Sec. 611. The Michigan commission for the blind and the
20 Michigan rehabilitation services shall work collaboratively with
21 service organizations and government entities to identify qualified
22 match dollars to maximize use of available federal vocational
23 rehabilitation funds.

24 Sec. 613. (1) The funds appropriated in part 1 for a regional
25 or subregional library shall not be released until a budget for
26 that regional or subregional library has been approved by the
27 department for expenditures for library services directly serving

1 the blind and persons with disabilities.

2 (2) In order to receive subregional state aid as appropriated
3 in part 1, a regional or subregional library's fiscal agency shall
4 agree to maintain local funding support at the same level in the
5 current fiscal year as in the fiscal agency's preceding fiscal
6 year. If a reduction in expenditures equally affects all agencies
7 in a local unit of government that is the regional or subregional
8 library's fiscal agency, that reduction shall not be interpreted as
9 a reduction in local support and shall not disqualify a regional or
10 subregional library from receiving state aid under part 1. If a
11 reduction in income affects a library cooperative or district
12 library that is a regional or subregional library's fiscal agency
13 or a reduction in expenditures for the regional or subregional
14 library's fiscal agency, a reduction in expenditures for the
15 regional or subregional library shall not be interpreted as a
16 reduction in local support and shall not disqualify a regional or
17 subregional library from receiving state aid under part 1.

18 Sec. 615. The department may provide and enter into agreements
19 to provide general services, training, meetings, information,
20 special equipment, software, facility use, and technical consulting
21 services to other principal executive departments, state agencies,
22 local units of government, the judicial branch of government, other
23 organizations, and patrons of department facilities. The department
24 may charge fees for these services that are reasonably related to
25 the cost of providing the services. In addition to the funds
26 appropriated in part 1, funds collected by the department for these
27 services are appropriated for all expenses necessary. The funds

1 appropriated under this section are allotted for expenditure when
2 they are received by the department of treasury.

3 **HEALTH REGULATION**

4 Sec. 708. Nursing facilities shall report in the quarterly
5 staff report to the department, the total patient care hours
6 provided each month, by state licensure and certification
7 classification, and the percentage of pool staff, by state
8 licensure and certification classification, used each month during
9 the preceding quarter. The department shall make available to the
10 public, the quarterly staff report compiled for all facilities
11 including the total patient care hours and the percentage of pool
12 staff used, by classification.

13 Sec. 714. The department shall report by April 1 to the
14 subcommittees, fiscal agencies, and state budget director on the
15 timeliness of nursing facility complaint investigations and the
16 number of allegations that are substantiated on an annual basis.
17 The report shall consist of the number of allegations filed by
18 consumers and the number of facility-reported incidents. The
19 department shall make every effort to contact every complainant and
20 the subject of a complaint during an investigation.

21 Sec. 716. The department shall give priority in investigations
22 of alleged wrongdoing by licensed health care professionals to
23 instances that are alleged to have occurred within 2 years of the
24 initial complaint.

25 Sec. 718. The department shall gather information on its most
26 frequently cited complaint deficiencies for the prior 3 fiscal

1 years. The department shall determine whether there is an increase
2 in the number of citations from 1 year to the next and assess the
3 cause of the increase, if any, and whether education and training
4 of nursing facility staff or department staff is needed. The
5 department shall provide the results of the study to the
6 subcommittees, fiscal agencies, and state budget director by May 1.

7 Sec. 726. (1) The department shall submit a report by April 1
8 to the subcommittees, fiscal agencies, and state budget director
9 that includes all data on the amount collected from medical
10 marihuana program application and renewal fees along with the cost
11 of administering the medical marihuana program under the Michigan
12 medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430.

13 (2) If the required fees are shown to be insufficient to
14 offset all expenses of implementing and administering the medical
15 marihuana program, the department shall review and revise the
16 application and renewal fees accordingly to ensure that all
17 expenses of implementing and administering the medical marihuana
18 program are offset as is permitted under section 5 of the Michigan
19 medical marihuana act, 2008 IL 1, MCL 333.26425.

20 (3) The department shall submit a report by January 1 to the
21 standing committees on appropriations of the senate and house of
22 representatives, the fiscal agencies, and the state budget director
23 that includes all of the following information for the prior fiscal
24 year regarding the medical marihuana program under the Michigan
25 medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430:

26 (a) The number of initial applications received.

27 (b) The number of initial applications approved and the number

1 of initial applications denied.

2 (c) The average amount of time, from receipt to approval or
3 denial, to process an initial application.

4 (d) The number of renewal applications received.

5 (e) The number of renewal applications approved and the number
6 of renewal applications denied.

7 (f) The average amount of time, from receipt to approval or
8 denial, to process a renewal application.

9 (g) The percentage of initial applications not approved or
10 denied within the time requirements established in section 6 of the
11 Michigan medical marihuana act, 2008 IL 1, MCL 333.26426.

12 (h) The percentage of renewal applications not approved or
13 denied within the time requirements established in section 6 of the
14 Michigan medical marihuana act, 2008 IL 1, MCL 333.26426.

15 (i) The percentage of registry cards for approved initial
16 applications not issued within the time requirements established in
17 section 6 of the Michigan medical marihuana act, 2008 IL 1, MCL
18 333.26426.

19 (j) The percentage of registry cards for approved renewal
20 applications not issued within the time requirements established in
21 section 6 of the Michigan medical marihuana act, 2008 IL 1, MCL
22 333.26426.

23 Sec. 727. By October 1, 2011, the department shall establish
24 and implement a bid process to identify a private or public
25 contractor to provide management of the medical marihuana program.
26 By January 1, the department shall transfer responsibility for
27 management of the medical marihuana program to the contractor

1 identified by the bid process.

2 Sec. 729. (1) A hospital or freestanding surgical outpatient
3 facility may report whether a registered nurse, qualified by
4 training and experience in operating room nursing, is present as a
5 circulating nurse in each separate operating room where surgery is
6 being performed for the duration of the operative procedure. This
7 section does not preclude a circulating nurse from leaving the
8 operating room as part of the procedure, leaving the operating room
9 as part of the operative procedure, leaving the operating room for
10 short periods, or, in accordance with employer rules or
11 regulations, being relieved during an operative procedure by
12 another circulating nurse assigned to continue the operative
13 procedure.

14 (2) The department shall report any data collected pursuant to
15 subsection (1) on the use of a circulating nurse in the operating
16 room of hospitals and freestanding surgical outpatient facilities
17 to the legislature on an annual basis. The circulating nurse shall
18 assist administration in assuring regulatory compliance data are
19 collected, including the verification of the circulating nurse.

20 Sec. 731. (1) The bureau of health systems shall prepare a
21 report detailing the number of facilities, locations, and beds for
22 each type of health facility licensed, certified, inspected, or
23 otherwise regulated by the bureau. The report shall also include
24 the bureau's cost to license, certify, inspect, or otherwise
25 regulate each type of facility. The data required by this
26 subsection shall be collected and reported on acute care hospitals,
27 home health agencies, hospices, hospice residences, psychiatric

1 units in general hospitals, psychiatric hospitals, partial
2 hospitalization psychiatric programs, outpatient surgical
3 facilities, laboratories, end stage renal disease facilities, rural
4 health clinics, substance abuse programs, long-term care facilities
5 including nursing homes, hospital long-term care units, county
6 medical care facilities, and radiation machines.

7 (2) By February 1, the bureau of health systems shall work
8 with interested stakeholders to recommend to the governor and the
9 legislature a schedule of fees to be charged by the bureau for
10 regulating health facilities. The fee schedule proposed by the
11 bureau shall bear a direct relationship to the cost of the service
12 or act, including overhead expenses. The report shall also
13 recommend the necessary statutory and administrative rule changes
14 necessary to implement the recommended fee schedule.

15 PART 2A

16 PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS

17 FOR FISCAL YEAR 2012-2013

18 **GENERAL SECTIONS**

19 Sec. 1201. It is the intent of the legislature to provide
20 appropriations for the fiscal year ending on September 30, 2013 for
21 the line items listed in part 1. The fiscal year 2012-2013
22 appropriations are anticipated to be the same as those for fiscal
23 year 2011-2012, except that the line items will be adjusted for
24 changes in caseload and related costs, federal fund match rates,
25 economic factors, and available revenue. These adjustments will be
26 determined after the January 2012 consensus revenue estimating

1 conference.