

SUBSTITUTE FOR
SENATE BILL NO. 958

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, 2013; 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 FOR FISCAL YEAR 2012-2013
4 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, 2013, 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..... 4,308.3

GROSS APPROPRIATION..... \$ 832,513,700

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers 13,496,900

ADJUSTED GROSS APPROPRIATION..... \$ 819,016,800

Federal revenues:

Total federal revenues..... 391,016,600

Special revenue funds:

Total local revenues..... 7,159,900

Total private revenues..... 5,427,800

Total other state restricted revenues..... 379,841,600

State general fund/general purpose..... \$ 35,570,900

State general fund/general purpose schedule:

Ongoing state general fund/general

purpose 35,393,400

One-time state general fund/general

purpose 177,500

Sec. 102. DEPARTMENTAL ADMINISTRATION

1	Full-time equated unclassified positions.....	57.5	
2	Full-time equated classified positions.....	126.0	
3	Unclassified salaries--57.5 FTE positions.....		\$ 4,595,900
4	Executive director programs--33.0 FTE positions.....		5,678,300
5	Property management.....		12,495,200
6	Rent.....		12,032,200
7	Worker's compensation.....		713,200
8	Special project advances.....		200,000
9	Administrative services--91.0 FTE positions.....		10,655,400
10	Office of regulatory reinvention--2.0 FTE positions..		<u>415,800</u>
11	GROSS APPROPRIATION.....		\$ 46,786,000
12	Appropriated from:		
13	Interdepartmental grant revenues:		
14	Federal revenues:		
15	DOE-OEERE, multiple grants.....		3,000
16	DED-OSERS, rehabilitation services, vocational		
17	rehabilitation of state grants.....		4,219,600
18	DOL-ETA, unemployment insurance.....		12,335,400
19	DOL, multiple grants for safety and health.....		797,600
20	Federal revenues.....		453,100
21	Title XVIII Medicare.....		423,100
22	Title XIX Medicaid.....		21,700
23	Title XIX Medicaid, facility certification fees.....		265,800
24	Special revenue funds:		
25	Private - special project advances.....		200,000
26	Local revenues.....		130,900
27	Bank fees.....		381,700

1	Boiler fee revenue.....	244,400
2	Construction code fund.....	1,239,300
3	Consumer finance fees.....	78,300
4	Contingent fund, penalty and interest account.....	39,900
5	Corporation fees.....	4,442,000
6	Credit union fees.....	386,900
7	Deferred presentment service transaction fees.....	25,000
8	Elevator fees.....	251,500
9	Fees and collections/asbestos.....	104,200
10	Fire service fees.....	805,700
11	Health professions regulatory fund.....	1,667,900
12	Health systems fees.....	285,000
13	Insurance licensing and regulation fees.....	1,848,600
14	Insurance bureau fund.....	589,600
15	Licensing and regulation fees.....	1,092,300
16	Liquor license revenue.....	34,500
17	Liquor purchase revolving fund.....	5,020,600
18	MBLSLA fund.....	86,400
19	Mobile home code fund.....	253,400
20	Motor carrier fees.....	238,100
21	Private occupational school license fees.....	14,000
22	Public utility assessments.....	2,519,500
23	Radiological health fees.....	95,600
24	Safety education and training fund.....	798,900
25	Second injury fund.....	255,500
26	Securities fees.....	2,555,500
27	Self-insurers security fund.....	92,300

1	Silicosis and dust disease fund.....		113,900
2	Tax tribunal fund.....		192,600
3	Video franchise assessments.....		4,000
4	Workers' compensation administrative revolving fund..		134,500
5	State general fund/general purpose.....	\$	2,044,200
6	Sec. 103. OFFICE OF FINANCIAL AND INSURANCE		
7	REGULATION		
8	Full-time equated classified positions.....	377.0	
9	Administration--35.0 FTE positions.....	\$	7,956,900
10	Financial evaluation--232.0 FTE positions.....		36,871,300
11	Regulatory compliance and consumer assistance--110.0		
12	FTE positions		<u>19,684,400</u>
13	GROSS APPROPRIATION.....	\$	64,512,600
14	Appropriated from:		
15	Federal revenues:		
16	Federal revenues.....		2,000,000
17	Special revenue funds:		
18	Bank fees.....		8,801,900
19	Captive insurance regulatory and supervision fund....		279,400
20	Consumer finance fees.....		4,673,700
21	Credit union fees.....		6,796,400
22	Deferred presentment service transaction fees.....		2,900,800
23	Insurance bureau fund.....		22,012,300
24	Insurance continuing education fees.....		1,097,400
25	Insurance licensing and regulation fees.....		5,168,300
26	MBLSLA fund.....		4,629,600
27	Multiple employer welfare arrangement.....		72,600

1	Securities fees.....	5,080,200
2	Securities investor education and training fund.....	1,000,000
3	State general fund/general purpose.....	\$ 0
4	Sec. 104. PUBLIC SERVICE COMMISSION AND ENERGY	
5	SYSTEMS	
6	Full-time equated classified positions.....	195.0
7	Public service commission--190.0 FTE positions.....	\$ 29,265,100
8	METRO authority--5.0 FTE positions.....	<u>367,300</u>
9	GROSS APPROPRIATION.....	\$ 29,632,400
10	Appropriated from:	
11	Federal revenues:	
12	DOE-OEERE, multiple grants.....	9,000
13	DOT, gas pipeline safety.....	890,600
14	Special revenue funds:	
15	Children's protection registry fund.....	272,600
16	Motor carrier fees.....	2,520,300
17	Public utility assessments.....	25,099,900
18	Restructuring mechanism assessments.....	440,000
19	Video franchise assessments.....	400,000
20	State general fund/general purpose.....	\$ 0
21	Sec. 105. LIQUOR CONTROL COMMISSION	
22	Full-time equated classified positions.....	152.0
23	Management support services--28.0 FTE positions.....	\$ 4,185,100
24	Liquor licensing and enforcement--124.0 FTE positions	<u>14,523,800</u>
25	GROSS APPROPRIATION.....	\$ 18,708,900
26	Appropriated from:	
27	Special revenue funds:	

Senate Bill No. 958 as amended April 25, 2012

1	Direct shipper enforcement revolving fund.....	120,000
2	Liquor license revenue.....	7,510,400
3	Liquor purchase revolving fund.....	11,078,500
4	State general fund/general purpose.....	\$ 0
5	Sec. 106. OCCUPATIONAL REGULATION	
6	Full-time equated classified positions.....	<<816.3>>
7	Boiler inspection program--25.0 FTE positions.....	\$ 3,172,900
8	Bureau of fire services--63.0 FTE positions.....	7,056,000
9	Code enforcement--110.0 FTE positions.....	14,731,600
10	Bureau of commercial services--165.0 FTE positions...	21,299,300
	<<Unarmed combat commission executive director - 1.0 FTE position	100>>
11	Elevator inspection program--30.0 FTE positions.....	3,545,600
12	Bureau of health professions--160.0 FTE positions....	28,435,800
13	Bureau of health systems--199.6 FTE positions.....	26,396,300
14	Health policy and regulation--8.8 FTE positions.....	2,857,500
15	Radiological health administration--21.4 FTE positions	3,345,400
16	Background check program--5.5 FTE positions.....	2,595,000
17	Manufactured housing and land resources	
18	program--18.0 FTE positions	2,874,700
19	Property development group--9.0 FTE positions.....	<u>1,767,500</u>
20	GROSS APPROPRIATION.....	\$ <<118,077,700>>
21	Appropriated from:	
22	Interdepartmental grant revenues:	
23	IDG from department of community health, inspection	
24	contract	100,000
25	Federal revenues:	
26	Clinical lab improvement.....	386,700
27	DOT.....	60,000

1	FEMA.....	28,000
2	Mammography quality standards.....	744,500
3	Title XVIII Medicare.....	10,946,600
4	Title XIX Medicaid.....	968,900
5	Title XIX Medicaid, facility certification fees.....	7,483,600
6	Special revenue funds:	
7	Private - civil monetary penalties.....	200,000
8	Accountancy enforcement fund.....	404,800
9	Boiler fee revenue.....	3,627,500
10	Builder enforcement fund.....	450,800
11	Construction code fund.....	13,853,400
12	Corporation fees.....	6,728,000
13	Elevator fees.....	3,969,200
14	Fire alarm fees.....	125,400
15	Fire safety standard and enforcement fund.....	40,000
16	Fire service fees.....	2,346,000
17	Fireworks safety fund.....	652,700
18	Health professions regulatory fund.....	27,624,900
19	Health systems fees.....	2,555,700
20	Licensing and regulation fees.....	11,998,200
21	Liquor purchase revolving fund.....	3,003,900
22	Mobile home code fund.....	2,874,700
23	Nurse professional fund.....	1,883,300
24	Pain management fees.....	1,770,600
25	Private occupational school license fees.....	832,200
26	Property development fees.....	298,900
27	Radiological health fees.....	2,600,900

Senate Bill No. 958 as amended April 25, 2012

1	Real estate appraiser continuing education fund.....	47,000
2	Real estate education fund.....	338,100
3	Real estate enforcement fund.....	694,300
4	Survey and remonumentation fund.....	809,700
5	Security business fund.....	340,100
6	Unarmed combat fund.....	<<124,800>>
7	State general fund/general purpose.....	\$ 7,164,300
8	Sec. 107. MICHIGAN OCCUPATIONAL SAFETY AND HEALTH	
9	ADMINISTRATION	
10	Full-time equated classified positions.....	262.0
11	Occupational safety and health--229.0 FTE positions ..	\$ 30,623,000
12	Wage and hour division--33.0 FTE positions ..	<u>3,388,300</u>
13	GROSS APPROPRIATION.....	\$ 34,011,300
14	Appropriated from:	
15	Federal revenues:	
16	DOL, multiple grants for safety and health.....	14,371,900
17	Special revenue funds:	
18	Corporation fees.....	6,224,600
19	Fees and collections/asbestos.....	984,100
20	Safety education and training fund.....	9,039,600
21	Securities fees.....	3,370,800
22	State general fund/general purpose.....	\$ 20,300
23	Sec. 108. EMPLOYMENT SERVICES	
24	Full-time equated classified positions.....	2,134.6
25	Worker's compensation administration--69.6 FTE	
26	positions ..	\$ 7,646,100
27	Insurance funds administration--28.0 FTE positions ...	5,138,900

Senate Bill No. 958 as amended April 25, 2012

1	Supplemental benefit fund.....	820,000
2	Unemployment programs--1,289.7 FTE positions	149,999,700
3	Advocacy assistance program.....	1,500,000
4	Special audit and collections program--34.0 FTE	
5	positions	3,301,300
6	Training program for agency staff--2.1 FTE positions .	1,849,500
7	Expanded fraud control program--33.2 FTE positions ...	3,811,400
8	Commission for the blind--107.0 FTE positions	27,748,900
9	Michigan rehabilitation services--550.0 FTE positions	<<77,290,300>>
10	Employment and labor relations--21.0 FTE positions ...	<u>3,984,500</u>
11	GROSS APPROPRIATION.....	\$<<283,090,600>>
12	Appropriated from:	
13	Federal revenues:	
14	DED-OPSE, multiple grants.....	1,333,300
15	DED-OSERS, centers for independent living.....	60,300
16	DED-OSERS, rehabilitation long-term training.....	328,400
17	DED-OSERS, rehabilitation services, vocational	
18	rehabilitation of state grants.....	60,799,100
19	DED-OSERS, state grants for technical related	
20	assistance	67,700
21	DOL, employment and training administration.....	1,355,800
22	DOL-ETA, unemployment insurance.....	156,606,100
23	Federal revenues.....	21,034,900
24	HHS-SSA, supplemental security income.....	4,079,400
25	Special revenue funds:	
26	Private - gifts, bequests, and donations.....	816,000
27	Private revenues.....	111,800

Senate Bill No. 958 as amended April 25, 2012

1	Local revenues.....	529,000
2	Corporation fees.....	797,300
3	Contingent fund, regular penalty and interest	1,500,000
4	Michigan commission for the blind business	
5	enterprise program fund	562,000
6	Rehabilitation service fees.....	1,401,500
7	Second injury fund.....	2,911,400
8	Securities fees.....	4,394,500
9	Self-insurers security fund.....	1,308,200
10	Silicosis and dust disease fund.....	1,064,300
11	Special fraud control fund.....	1,000,000
12	Workers' compensation administrative revolving fund..	2,383,000
13	State general fund/general purpose.....	\$ <<18,646,600>>
14	Sec. 109. MICHIGAN ADMINISTRATIVE HEARING SYSTEM	
15	Full-time equated classified positions..... 246.4	
16	Michigan administrative hearing system--221.4 FTE	
17	positions	\$ 35,418,100
18	Michigan compensation appellate commission--25.0 FTE	
19	positions	<u>3,835,200</u>
20	GROSS APPROPRIATION.....	\$ 39,253,300
21	Appropriated from:	
22	Interdepartmental grant revenues:	
23	IDG - administrative hearings.....	13,233,400
24	Federal revenues:	
25	DOL-ETA, unemployment insurance	3,552,400
26	Federal revenue - administrative hearings and rules ..	8,531,000
27	Special revenue funds:	

1	State restricted revenue - administrative hearings	
2	and rules	12,641,000
3	Workers' compensation administrative revolving fund..	282,800
4	State general fund/general purpose.....	\$ 1,012,700
5	Sec. 110. INFORMATION TECHNOLOGY	
6	Information technology services and projects	\$ 45,310,200
7	Worker's compensation agency IT system upgrade	<u>100</u>
8	GROSS APPROPRIATION.....	\$ 45,310,300
9	Appropriated from:	
10	Federal revenues:	
11	DOL-ETA, unemployment insurance	22,256,000
12	DOL, multiple grants for safety and health.....	273,700
13	Federal revenues.....	3,584,100
14	Special revenue funds:	
15	Bank fees.....	219,500
16	Boiler fee revenue.....	280,500
17	Construction code fund.....	1,137,800
18	Consumer finance fees.....	95,100
19	Corporation fees.....	5,343,600
20	Credit union fees.....	192,100
21	Deferred presentment service transaction fees	85,700
22	Elevator fees.....	271,300
23	Fees and collections/asbestos.....	11,000
24	Fire service fees.....	353,500
25	Health professions regulatory fund.....	873,900
26	Health systems fees.....	186,400
27	Insurance continuing education fees.....	11,700

1	Insurance bureau fund.....	545,500
2	Insurance licensing and regulation fees.....	315,000
3	Licensing and regulation fees.....	1,757,500
4	Liquor purchase revolving fund.....	2,915,400
5	MBLSLA fund.....	104,100
6	Mobile home code fund.....	245,200
7	Motor carrier fees.....	191,300
8	Pain management fees.....	160,000
9	Public utility assessments.....	1,550,800
10	Radiological health fees.....	140,000
11	Safety education and training fund.....	667,100
12	Second injury fund.....	143,600
13	Securities fees.....	990,700
14	Self-insurers security fund.....	71,500
15	Silicosis and dust disease fund.....	61,500
16	Tax tribunal fund.....	210,000
17	State general fund/general purpose.....	\$ 65,200
18	Sec. 111. DEPARTMENT GRANTS	
19	Personal assistance services.....	\$ 459,500
20	Vocational rehabilitation customer support.....	57,328,400
21	Independent living.....	4,488,600
22	Fire protection grants.....	9,273,900
23	Liquor law enforcement grants.....	6,600,000
24	Remonumentation grants.....	5,300,000
25	Private grant programs.....	3,000,000
26	Subregional libraries state aid.....	451,800
27	Utility consumer representation.....	950,000

1	Home heating assistance for the vulnerable	60,000,000
2	Youth low-vision program	<u>241,800</u>
3	GROSS APPROPRIATION	\$ 148,094,000
4	Appropriated from:	
5	Federal revenues:	
6	DED-OSERS, centers for independent living	450,200
7	DED-OSERS, rehabilitation services, vocational	
8	rehabilitation of state grants	37,056,700
9	DED-OSERS, rehabilitation services facilities	2,272,500
10	DED-OSERS, supported employment	1,541,300
11	DED-OSERS, state grants for technical related	
12	assistance	2,240,800
13	HHS-SSA, supplemental security income	4,368,400
14	Special revenue funds:	
15	Private - gifts, bequests, and donations	1,100,000
16	Private revenues	3,000,000
17	Local vocational rehabilitation match	6,300,000
18	Local vocational rehabilitation facilities match	200,000
19	Contingent fund, penalty and interest account	1,000,000
20	Fire protection fund	8,500,000
21	Home heating assistance for the vulnerable	60,000,000
22	Liquor purchase revolving fund	773,900
23	Liquor license revenue	6,600,000
24	Survey and remonumentation fund	5,300,000
25	Utility consumer representation fund	950,000
26	State general fund/general purpose	\$ 6,440,200
27	Sec. 112. ONE-TIME BASIS ONLY APPROPRIATIONS	

1	State employee lump-sum payments	\$	<u>5,036,800</u>
2	GROSS APPROPRIATION	\$	5,036,800
3	Appropriated from:		
4	Interdepartmental grant revenues		163,500
5	Federal revenues		2,815,400
6	State restricted revenues		1,880,400
7	State general fund/general purpose	\$	177,500

8 PART 2

9 PROVISIONS CONCERNING APPROPRIATIONS

10 FOR FISCAL YEAR 2012-2013

11 GENERAL SECTIONS

12 Sec. 201. Pursuant to section 30 of article IX of the state

13 constitution of 1963, total state spending from state resources

14 under part 1 for fiscal year 2012-2013 is \$415,412,500.00 and state

15 spending from state resources to be paid to local units of

16 government for fiscal year 2012-2013 is \$21,625,700.00. The

17 itemized statement below identifies appropriations from which

18 spending to local units of government will occur:

19 DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

20	Fire protection grants	\$	9,273,900
21	Liquor law enforcement		6,600,000
22	Remonumentation grants		5,300,000
23	Subregional libraries state aid		<u>451,800</u>
24	Total department of licensing and regulatory		
25	affairs	\$	21,625,700

1 Sec. 202. The appropriations authorized under this act are
2 subject to the management and budget act, 1984 PA 431, MCL 18.1101
3 to 18.1594.

4 Sec. 203. As used in this act:

5 (a) "Department" means the department of licensing and
6 regulatory affairs.

7 (b) "Director" means the director of the department.

8 (c) "DOL" means the United States department of labor.

9 (d) "Fiscal agencies" means Michigan house fiscal agency and
10 Michigan senate fiscal agency.

11 (e) "MAHS" means Michigan administrative hearing system.

12 (f) "MARVIN" means Michigan's automated response voice
13 interactive network.

14 (g) "Subcommittees" means all members of the subcommittees of
15 the house and senate appropriations committees with jurisdiction
16 over the budget for the department.

17 Sec. 208. Unless otherwise specified, the department shall use
18 the Internet to fulfill the reporting requirements of this act.
19 This requirement may include transmission of reports via electronic
20 mail to the recipients identified for each reporting requirement,
21 or it may include placement of reports on an Internet or Intranet
22 site.

23 Sec. 211. (1) Amounts appropriated in part 1 for information
24 technology may be designated as work projects and carried forward
25 to support technology projects under the direction of the
26 department of technology, management, and budget. Funds designated
27 in this manner are not available for expenditure until approved as

1 work projects under section 451a of the management and budget act,
2 1984 PA 431, MCL 18.1451a.

3 (2) The funds appropriated in part 1 for liquor control
4 commission information technology are designated as work project
5 appropriations and shall not lapse at the end of the fiscal year.
6 Any unencumbered and unexpended funds shall continue to be
7 available for expenditure until the project has been completed. The
8 total cost of the work project is estimated at \$1,000,000.00 and
9 the tentative completion date is September 30, 2013.

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

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

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

1 appropriations, and the senate and house fiscal agencies.

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

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

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

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

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

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

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

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

27 (3) Not later than January 1, each department shall prepare a

1 travel report listing all travel by classified and unclassified
2 employees outside this state in the immediately preceding fiscal
3 year that was funded in whole or in part with funds appropriated in
4 the department's budget. The report shall be submitted to the
5 senate and house of representatives standing committees on
6 appropriations, the senate and house fiscal agencies, and the state
7 budget director. The report shall include the following
8 information:

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

11 (b) The destination of each travel occurrence.

12 (c) The dates of each travel occurrence.

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

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

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

22 Sec. 220. The department may carry into the succeeding fiscal
23 year unexpended federal pass-through funds to local institutions
24 and governments that do not require additional state matching
25 funds. Federal pass-through funds to local institutions and
26 governments that are received in amounts in addition to those
27 included in part 1 and that do not require additional state

1 matching funds are appropriated for the purposes intended. Within
2 14 days after the receipt of federal pass-through funds, the
3 department shall notify the house and senate chairpersons of the
4 subcommittees, the fiscal agencies, and the state budget director
5 of pass-through funds appropriated under this section.

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

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

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

24 (3) In addition to the funds appropriated in part 1, there is
25 appropriated an amount not to exceed \$8,000,000.00 for local
26 contingency funds. These funds are not available for expenditure
27 until they have been transferred to another line item in this act

1 under section 393(2) of the management and budget act, 1984 PA 431,
2 MCL 18.1393.

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

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

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

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

27 (b) The subdivision control manual, the state boundary

1 commission operations manual, and other local government assistance
2 manuals.

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

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

10 (e) Worker's compensation health care services rules.

11 (f) Construction code manuals.

12 (g) Copies of transcripts from administrative law hearings.

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

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

26 Sec. 231. The department shall work with the department of
27 technology, management, and budget to maintain a searchable website

1 accessible by the public at no cost that includes, but is not
2 limited to, all of the following:

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

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

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

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

10 (e) Job specifications and wage rates.

11 Sec. 232. The department shall not develop or produce any
12 television productions.

13 Sec. 234. Within 14 days after the release of the executive
14 budget recommendation, the department shall provide the state
15 budget director, the senate and house appropriations chairs, the
16 subcommittees, and the fiscal agencies with an annual report on
17 estimated state restricted fund balances, state restricted fund
18 projected revenues, and state restricted fund expenditures for the
19 fiscal years ending September 30, 2012 and September 30, 2013.

20 Sec. 236. Within 14 days of making expenditures from the
21 appropriations in part 1 for state employee lump-sum payments, the
22 department shall submit to the state budget director, the
23 subcommittees, and the fiscal agencies a report containing the
24 name, payment amount, position, nonexclusively represented employee
25 status, and bureau/agency of any employee receiving a lump-sum
26 payment of more than \$1,000.00.

1 **REGULATORY**

2 Sec. 301. (1) The appropriation in part 1 for fire protection
3 grants shall be appropriated to cities, villages, and townships
4 with state-owned facilities for fire services, instead of taxes, in
5 accordance with 1977 PA 289, MCL 141.951 to 141.956.

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

10 The report shall indicate all of the following:

11 (a) The ability to respond to state facilities in their
12 service area.

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

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

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

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

1 Fee

2 \$101,000.00 or less	minimum fee of \$155.00
3 \$101,001.00 to \$1,500,000.00	\$1.60 per \$1,000.00
4 \$1,500,001.00 to \$10,000,000.00	\$1.30 per \$1,000.00
5 \$10,000,001.00 or more	\$1.10 per \$1,000.00
6	or a maximum fee of \$60,000.00.

7 Sec. 303. The funds collected by the department for licenses,
8 permits, and other elevator regulation fees set forth in the
9 Michigan administrative code and as determined under section 8 of
10 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL
11 408.816, that are unexpended at the end of the fiscal year shall
12 carry forward to the subsequent fiscal year.

13 Sec. 304. The department may make available to interested
14 entities otherwise unavailable customized listings of
15 nonconfidential information in its possession, such as names and
16 addresses of licensees. The department may establish and collect a
17 reasonable charge to provide this service. The revenue received
18 from this service shall be used to offset expenses to provide the
19 service. Any balance of this revenue collected and unexpended at
20 the end of the fiscal year shall revert to the appropriate
21 restricted fund.

22 Sec. 320. If the revenue collected by the department from
23 licensing and regulation fees collected by the bureau of commercial
24 services exceeds the amount expended from appropriations in part 1,
25 the revenue may be carried forward into the subsequent fiscal year.
26 The revenue carried forward under this section shall be used as the
27 first source of funds in the subsequent fiscal year.

1 Sec. 330. Funds earned or authorized by the DOL in excess of
2 the gross appropriation in part 1 for the unemployment insurance
3 agency from the DOL are appropriated and may be expended for
4 staffing and related expenses incurred in the operation of its
5 programs. These funds may be spent after the department notifies
6 the state budget director and the subcommittees of the purpose and
7 amount of each grant award.

8 Sec. 332. The unemployment insurance agency shall provide the
9 subcommittees, fiscal agencies, and state budget office with
10 quarterly status reports on the development of the agency's
11 integrated system project. The quarterly status reports shall
12 include, but not be limited to, a summary of the expenditures for
13 the project, project budget information, a summary of the tasks
14 completed and milestones reached to date, the percentage of the
15 total project completed to date, and a summary of the tasks
16 anticipated to be completed in the subsequent quarter.

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

26 Sec. 340. MIOSHA shall provide an annual report by February 1
27 of each year to the state budget director, the fiscal agencies, and

1 the subcommittees on the number of individuals killed and the
2 number of individuals injured on the job within industries
3 regulated by the bureau during the most recent year for which data
4 are available.

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

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

13 Sec. 390. The Michigan tax tribunal and the Michigan
14 administrative hearing system shall submit a report on the number
15 of cases heard and the number of cases decided by MAHS hearings
16 officers, contractual hearings officers, and tribunal members
17 during the fiscal year. The report shall also include information
18 on case filings and dispositions, the number of active and pending
19 cases before the small claims division and the entire tribunal, and
20 the agencies' plan to eliminate the backlog of cases. The report
21 shall be submitted to the subcommittees, fiscal agencies, and state
22 budget office not later than November 1, 2013.

23 **OFFICE OF FINANCIAL AND INSURANCE REGULATION**

24 Sec. 401. In addition to the funds appropriated in part 1, the
25 funds collected by the office of financial and insurance regulation
26 in connection with a conservatorship pursuant to section 32 of the

1 mortgage brokers, lenders, and servicers licensing act, 1987 PA
2 173, MCL 445.1682, and funds collected by the department from
3 corporations being liquidated pursuant to the insurance code of
4 1956, 1956 PA 218, MCL 500.100 to 500.8302, shall be appropriated
5 for all expenses necessary to provide for the required services.
6 Funds are available for expenditure when they are received by the
7 department of treasury and shall not lapse to the general fund at
8 the end of the fiscal year.

9 **MICHIGAN REHABILITATION SERVICES AND MICHIGAN COMMISSION FOR THE**
10 **BLIND**

11 Sec. 603. The local match requirements for vocational
12 rehabilitation facilities establishment grants shall not exceed
13 21.3% for the fiscal year ending September 30.

14 Sec. 604. All funds appropriated in part 1 for independent
15 living shall be used for the support of centers for independent
16 living in compliance with federal rules and regulations for such
17 centers, by existing centers in serving underserved areas, and for
18 projects to build capacity of centers to deliver independent living
19 services. Applications for such funds shall be reviewed in
20 accordance with criteria and procedures established by the
21 department. Funds must be used in a manner consistent with the
22 state plan for independent living.

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

26 (2) Revenue collected by the Michigan commission for the blind

1 and from private and local sources that is unexpended at the end of
2 the fiscal year may carry forward to the subsequent fiscal year.

3 Sec. 611. The Michigan commission for the blind and the
4 Michigan rehabilitation services shall work collaboratively with
5 service organizations and government entities to identify qualified
6 match dollars to maximize use of available federal vocational
7 rehabilitation funds.

8 Sec. 613. (1) The funds appropriated in part 1 for a regional
9 or subregional library shall not be released until a budget for
10 that regional or subregional library has been approved by the
11 department for expenditures for library services directly serving
12 the blind and persons with disabilities.

13 (2) In order to receive subregional state aid as appropriated
14 in part 1, a regional or subregional library's fiscal agency shall
15 agree to maintain local funding support at the same level in the
16 current fiscal year as in the fiscal agency's preceding fiscal
17 year. If a reduction in expenditures equally affects all agencies
18 in a local unit of government that is the regional or subregional
19 library's fiscal agency, that reduction shall not be interpreted as
20 a reduction in local support and shall not disqualify a regional or
21 subregional library from receiving state aid under part 1. If a
22 reduction in income affects a library cooperative or district
23 library that is a regional or subregional library's fiscal agency
24 or a reduction in expenditures for the regional or subregional
25 library's fiscal agency, a reduction in expenditures for the
26 regional or subregional library shall not be interpreted as a
27 reduction in local support and shall not disqualify a regional or

1 subregional library from receiving state aid under part 1.

2 Sec. 615. The department may provide and enter into agreements
3 to provide general services, training, meetings, information,
4 special equipment, software, facility use, and technical consulting
5 services to other principal executive departments, state agencies,
6 local units of government, the judicial branch of government, other
7 organizations, and patrons of department facilities. The department
8 may charge fees for these services that are reasonably related to
9 the cost of providing the services. In addition to the funds
10 appropriated in part 1, funds collected by the department for these
11 services are appropriated for all expenses necessary. The funds
12 appropriated under this section are allotted for expenditure when
13 they are received by the department of treasury.

14 **HEALTH REGULATION**

15 Sec. 708. Nursing facilities shall report in the quarterly
16 staff report to the department, the total patient care hours
17 provided each month, by state licensure and certification
18 classification, and the percentage of pool staff, by state
19 licensure and certification classification, used each month during
20 the preceding quarter. The department shall make available to the
21 public, the quarterly staff report compiled for all facilities
22 including the total patient care hours and the percentage of pool
23 staff used, by classification.

24 Sec. 714. The department shall report by April 1 to the
25 subcommittees, fiscal agencies, and state budget director on the
26 timeliness of nursing facility complaint investigations and the

1 number of allegations that are substantiated on an annual basis.
2 The report shall consist of the number of allegations filed by
3 consumers and the number of facility-reported incidents. The
4 department shall make every effort to contact every complainant and
5 the subject of a complaint during an investigation.

6 Sec. 718. The department shall gather information on its most
7 frequently cited complaint deficiencies for the prior 3 fiscal
8 years. The department shall determine whether there is an increase
9 in the number of citations from 1 year to the next and assess the
10 cause of the increase, if any, and whether education and training
11 of nursing facility staff or department staff is needed. The
12 department shall provide the results of the study to the
13 subcommittees, fiscal agencies, and state budget director by May 1.

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

20 (2) If the required fees are shown to be insufficient to
21 offset all expenses of implementing and administering the medical
22 marihuana program, the department shall review and revise the
23 application and renewal fees accordingly to ensure that all
24 expenses of implementing and administering the medical marihuana
25 program are offset as is permitted under section 5 of the Michigan
26 medical marihuana act, 2008 IL 1, MCL 333.26425.

27 (3) The department shall submit a report by January 1 to the

1 standing committees on appropriations of the senate and house of
2 representatives, the fiscal agencies, and the state budget director
3 that includes all of the following information for the prior fiscal
4 year regarding the medical marihuana program under the Michigan
5 medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430:

6 (a) The number of initial applications received.

7 (b) The number of initial applications approved and the number
8 of initial applications denied.

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

11 (d) The number of renewal applications received.

12 (e) The number of renewal applications approved and the number
13 of renewal applications denied.

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

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

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

22 (i) The percentage of registry cards for approved initial
23 applications not issued within the time requirements established in
24 section 6 of the Michigan medical marihuana act, 2008 IL 1, MCL
25 333.26426.

26 (j) The percentage of registry cards for approved renewal
27 applications not issued within the time requirements established in

1 section 6 of the Michigan medical marihuana act, 2008 IL 1, MCL
2 333.26426.

3 Sec. 731. (1) The bureau of health systems shall prepare a
4 report detailing the number of facilities, locations, and beds for
5 each type of health facility licensed, certified, inspected, or
6 otherwise regulated by the bureau. The report shall also include
7 the bureau's cost to license, certify, inspect, or otherwise
8 regulate each type of facility. The data required by this
9 subsection shall be collected and reported on acute care hospitals,
10 home health agencies, hospices, hospice residences, psychiatric
11 units in general hospitals, psychiatric hospitals, partial
12 hospitalization psychiatric programs, outpatient surgical
13 facilities, laboratories, end stage renal disease facilities, rural
14 health clinics, substance abuse programs, long-term care facilities
15 including nursing homes, hospital long-term care units, county
16 medical care facilities, and radiation machines.

17 (2) By February 1, the bureau of health systems shall work
18 with interested stakeholders to recommend to the governor and the
19 legislature a schedule of fees to be charged by the bureau for
20 regulating health facilities. The fee schedule proposed by the
21 bureau shall bear a direct relationship to the cost of the service
22 or act, including overhead expenses. The report shall also
23 recommend the necessary statutory and administrative rule changes
24 necessary to implement the recommended fee schedule.

25 PART 2A

26 PROVISIONS CONCERNING AN

TICIPATED APPROPRIATIONS
FOR FISCAL YEAR 2013-2014

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2014 for the line items listed in part 1. The fiscal year 2013-2014 appropriations are anticipated to be the same as those for fiscal year 2012-2013, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2013 consensus revenue estimating conference.