

Act No. 170
Public Acts of 1993
Approved by the Governor
September 16, 1993
Filed with the Secretary of State
September 16, 1993

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1993**

Introduced by Reps. Hood, Gilmer, Stille, McBryde, Dolan, Sikkema, Johnson, Bender, Middleton and Oxender

ENROLLED HOUSE BILL No. 4540

AN ACT to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 1994; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, and officers.

The People of the State of Michigan enact:

Sec. 101. There is appropriated for the state institutions of higher education and certain state purposes related to education, and subject to the conditions set forth in this act, for the fiscal year ending September 30, 1994, the following respective amounts:

HIGHER EDUCATION

GROSS APPROPRIATION.....	\$	1,319,286,600
Total interdepartmental grants and intradepartmental transfers	\$	0
ADJUSTED GROSS APPROPRIATION.....	\$	1,319,286,600
Appropriated from:		
Federal revenues:		
Total federal revenues.....		4,549,700
Special revenue funds:		
Total local revenues		0
Total private revenues.....		0
Total other state restricted revenues.....		0
State general fund/general purpose	\$	1,314,736,900

CENTRAL MICHIGAN UNIVERSITY

Operations.....	\$	59,030,838
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		85,765
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		114,389
GROSS APPROPRIATION.....	\$	59,230,992
Appropriated from:		
State general fund/general purpose	\$	59,230,992

For Fiscal Year
Ending Sept. 30,
1994

EASTERN MICHIGAN UNIVERSITY

Operations.....	\$	64,559,304
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		101,930
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		114,080
GROSS APPROPRIATION.....	\$	64,775,314
Appropriated from:		
State general fund/general purpose	\$	64,775,314

FERRIS STATE UNIVERSITY

Operations.....	\$	41,569,204
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		53,024
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		34,389
GROSS APPROPRIATION.....	\$	41,656,617
Appropriated from:		
State general fund/general purpose	\$	41,656,617

GRAND VALLEY STATE UNIVERSITY

Operations.....	\$	29,222,226
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		36,139
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		34,389
GROSS APPROPRIATION.....	\$	29,292,754
Appropriated from:		
State general fund/general purpose	\$	29,292,754

LAKE SUPERIOR STATE UNIVERSITY

Operations.....	\$	10,638,151
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		13,590
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		34,389
GROSS APPROPRIATION.....	\$	10,686,130
Appropriated from:		
State general fund/general purpose	\$	10,686,130

MICHIGAN STATE UNIVERSITY

Operations.....	\$	232,178,635
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		211,480
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		114,492
GROSS APPROPRIATION.....	\$	232,504,607
Appropriated from:		
State general fund/general purpose	\$	232,504,607

MICHIGAN TECHNOLOGICAL UNIVERSITY

Operations.....	\$	40,766,678
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		34,903
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		114,492
GROSS APPROPRIATION.....	\$	40,916,073
Appropriated from:		
State general fund/general purpose	\$	40,916,073

NORTHERN MICHIGAN UNIVERSITY

Operations.....	\$	39,898,175
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		39,022
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		34,389
GROSS APPROPRIATION.....	\$	39,971,586
Appropriated from:		
State general fund/general purpose	\$	39,971,586

		For Fiscal Year Ending Sept. 30, 1994
OAKLAND UNIVERSITY		
Operations	\$	36,142,708
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		60,334
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		114,492
GROSS APPROPRIATION	\$	36,317,534
Appropriated from:		
State general fund/general purpose	\$	36,317,534
SAGINAW VALLEY STATE UNIVERSITY		
Operations	\$	16,945,640
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		24,504
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		34,389
GROSS APPROPRIATION	\$	17,004,533
Appropriated from:		
State general fund/general purpose	\$	17,004,533
UNIVERSITY OF MICHIGAN-ANN ARBOR		
Operations	\$	273,746,523
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		173,076
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		114,492
GROSS APPROPRIATION	\$	274,034,091
Appropriated from:		
State general fund/general purpose	\$	274,034,091
UNIVERSITY OF MICHIGAN-DEARBORN		
Operations	\$	18,411,891
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		31,814
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		34,389
GROSS APPROPRIATION	\$	18,478,094
Appropriated from:		
State general fund/general purpose	\$	18,478,094
UNIVERSITY OF MICHIGAN-FLINT		
Operations	\$	16,552,634
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		28,108
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		34,389
GROSS APPROPRIATION	\$	16,615,131
Appropriated from:		
State general fund/general purpose	\$	16,615,131
WAYNE STATE UNIVERSITY		
Operations	\$	189,462,926
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		145,894
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		114,492
Joseph F. Young, Sr. psychiatric research and training program		5,000,000
GROSS APPROPRIATION	\$	194,723,312
Appropriated from:		
State general fund/general purpose	\$	194,723,312
WESTERN MICHIGAN UNIVERSITY		
Operations	\$	86,085,229
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day		101,827
Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty fellowships.....		114,492
GROSS APPROPRIATION	\$	86,301,548
Appropriated from:		
State general fund/general purpose	\$	86,301,548

For Fiscal Year
Ending Sept. 30,
1994

STATE AND REGIONAL PROGRAMS

Agricultural experiment station	\$	23,480,580
Cooperative extension service		20,740,254
Michigan molecular institute		150,000
GROSS APPROPRIATION.....	\$	44,370,834
Appropriated from:		
State general fund/general purpose	\$	44,370,834

CONSORTIA

Grand Rapids applied technology center	\$	200,000
GROSS APPROPRIATION.....	\$	200,000
Appropriated from:		
State general fund/general purpose	\$	200,000

MARTIN LUTHER KING, JR.-CESAR CHAVEZ-ROSA PARKS PROGRAM

Select student supportive services.....	\$	1,673,100
Michigan college/university partnership program.....		501,930
Visiting professors program.....		141,000
GROSS APPROPRIATION.....	\$	2,316,030
Appropriated from:		
State general fund/general purpose	\$	2,316,030

GRANTS AND FINANCIAL AID

State competitive scholarships.....	\$	28,988,530
Tuition grants.....		50,467,266
Michigan work study program.....		6,231,870
Part-time independent student program.....		2,256,946
Grant for Michigan resident dental graduates.....		3,927,874
Grant for general degree graduates.....		4,513,483
Grant for allied health graduates.....		726,963
Grant for Indian tuition waivers.....		2,697,681
Michigan education opportunity grants.....		1,772,807
Paul Douglas teacher scholarship program		750,000
Robert C. Byrd honors scholarship program		500,000
Midwestern higher education compact.....		58,000
Tuition incentive program/high school completion.....		7,000,000
GROSS APPROPRIATION.....	\$	109,891,420
Appropriated from:		
Federal revenues:		
Higher education act of 1965, title IV, 20 U.S.C.		3,299,700
Higher education act of 1965, title V, part E.....		750,000
Higher education act of 1965, title IV, part A		500,000
State general fund/general purpose	\$	105,341,720

GENERAL SECTIONS FOR FISCAL YEAR 1993-94

Sec. 201. In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending in this appropriation act is \$1,314,736,900.00. Of the funds appropriated in section 101 for campus based and other financial aid programs, it is determined that the portion of the funds utilized by community colleges are local spending pursuant to section 30 of article IX of the state constitution of 1963. Analysis of fiscal year 1991-92 expenditures indicates that \$11,066,000.00 of the financial aid funds will be distributed to community college students by the college financial aid offices in accordance with statute for each program. The distribution is as follows:

Grants and Financial Aid

Indian tuition waiver	\$	828,000
Tuition incentive program (TIP)		6,288,000
Part-time independent student program.....		1,330,000

Michigan education opportunity grant.....	\$	807,000
Michigan work study.....		1,813,000
Total	\$	11,066,000

Sec. 202. (1) For institutions with fiscal years ending June 30, 1994, the sums appropriated in this act are appropriated for their fiscal years ending June 30, 1994 and shall be paid out of the state treasury and distributed by the state treasurer to the respective institutions in 9 monthly installments for the period October 1, 1993 to June 30, 1994 pursuant to Act No. 190 of the Public Acts of 1991, being sections 487.2101 to 487.2104 of the Michigan Compiled Laws. For an institution with a fiscal year ending September 30, 1994, the sums appropriated in this act are appropriated for their fiscal year ending September 30, 1994 and shall be paid out of the state treasury and distributed by the state treasurer in 12 monthly installments for the period October 1, 1993 to September 30, 1994 pursuant to Act No. 190 of the Public Acts of 1991. If the appropriations for the Martin Luther King, Jr.-Cesar Chavez-Rosa Parks programs are not committed or awarded by April 1, 1994, the funds shall become subject to legislative transfer. Any unexpended and unencumbered funds remaining on September 30, 1994 from the amount appropriated for the Martin Luther King, Jr.-Cesar Chavez-Rosa Parks programs shall lapse on September 30, 1994 and shall be returned to the state general fund. The amount distributed to an institution shall not exceed the net appropriations plus additional distributions specifically authorized by this act.

(2) A detailed description of procedures utilized to arrive at the amounts appropriated in section 101 shall be submitted to each institution by the senate and house fiscal agencies.

Sec. 204. Money received by the state from the federal government or private sources for the use of a college or university is appropriated for the purpose for which it was provided. The acceptance and use of federal or private funds shall not place an obligation upon the legislature to continue the purposes for which the funds are made available.

Sec. 205. The appropriations made and the expenditures authorized under this act and the institutions, departments, agencies, commissions, boards, offices, and programs for which an appropriation is made under this act are subject to the management and budget act, Act No. 431 of the Public Acts of 1984, being sections 18.1101 to 18.1594 of the Michigan Compiled Laws.

Sec. 206. Funds appropriated in section 101 shall not be used for the purchase of foreign goods and/or services when competitively priced American goods and/or services are available.

Sec. 207. (1) Subject to the approval of the house and senate higher education appropriations subcommittees, guidelines and procedures developed by the state universities, through the presidents council, and in cooperation with the Michigan commission on Indian affairs and the Michigan department of education, shall be used to ensure accurate and consistent reporting of North American Indian student enrollments. The distribution of campus-based financial aid awards which are designated for students on the basis of their North American Indian status shall comply with the guidelines and procedures developed pursuant to this section.

(2) As used in this section, "North American Indian" means that term as defined in section 2 of Act No. 174 of the Public Acts of 1976, being section 390.1252 of the Michigan Compiled Laws or as certified by a tribal organization.

Sec. 208. All universities shall furnish all program and financial information that is required by and in a manner prescribed by the state budget director or the house or senate appropriations committee.

Sec. 209. (1) There is created in the department of management and budget the 7-member Michigan higher education data base committee. The committee shall consist of 1 representative each from the department of management and budget, the department of education, the house fiscal agency, the senate fiscal agency, the Michigan association of public community colleges, presidents council - Michigan public colleges and universities, and the association of independent colleges and universities of Michigan. The 7 representatives shall be appointed by the directors of their respective departments, association, or council. The director of the department of management and budget shall convene the committee no later than November 1, 1993.

(2) The charge of the committee is to review and propose revisions in the higher education data bases maintained by the department of management and budget and the department of education to provide for a single comprehensive higher education data base that will not diminish information currently available to the legislature or institutions of higher education.

(3) The committee shall have, but not be limited to, all of the following purposes:

(a) To establish procedures for the integration of existing data bases.

(b) To establish procedures for annually reporting and auditing information in standard formats in the comprehensive higher education data base in a computer-based format.

(c) To periodically review the accuracy and uniformity of the submissions of information.

(d) To establish a procedure for periodically reviewing the total information system and the specific elements of the system to clarify the definitions of such elements and to add, delete, or modify data elements as may be appropriate to assure the comprehensiveness and accuracy of the data system.

(e) To provide procedures by which the executive branch, legislature, and institutions of higher education may have prompt, on-line access to the higher education data base.

(4) The committee shall report its recommendations and actions taken pursuant to those recommendations semiannually to the director of the department of management and budget and to both houses of the legislature.

GRANTS AND FINANCIAL AID

Sec. 301. (1) Payments of the amounts included in section 101 for the state competitive scholarship program shall be distributed pursuant to Act No. 208 of the Public Acts of 1964, being sections 390.971 to 390.981 of the Michigan Compiled Laws. The maximum per award shall be \$1,200.00.

(2) The Michigan higher education assistance authority shall implement a proportional competitive scholarship maximum award level for recipients enrolled less than full-time in a given semester or term.

Sec. 302. (1) The amounts appropriated in section 101 for the state tuition grant program shall be distributed pursuant to Act No. 313 of the Public Acts of 1966, being sections 390.991 to 390.997a of the Michigan Compiled Laws. The maximum per grant shall be \$2,300.00.

(2) Tuition grant awards shall be made to all eligible Michigan residents who apply before September 1, 1993, and who are qualified.

(3) The Michigan higher education assistance authority shall determine an actual maximum tuition grant award per student that ensures that the aggregate payments for the tuition grant program do not exceed the appropriation contained in section 101 for the state tuition grant program. By October 15, 1993, and again by December 15, 1993, the authority shall analyze the status of award commitments, shall make any necessary adjustments, and shall confirm that those award commitments will not exceed the appropriation contained in section 101 for the tuition grant program. The determination and actions shall be reported to the department of management and budget and the house and senate appropriation subcommittees on higher education no later than December 15, 1993. If award adjustments are necessary, the students shall be notified of the adjustment by the third Monday in January.

(4) Any unexpended and unencumbered funds remaining on September 30, 1994 from the amounts appropriated in section 101 for the tuition grant program shall not lapse on September 30, 1994, but shall continue to be available for expenditure for tuition grants provided in the 1994-95 fiscal year.

(5) The Michigan higher education assistance authority shall continue a proportional tuition grant maximum award level for recipients enrolled less than full-time in a given semester or term.

Sec. 303. (1) Included in the appropriation in section 101 is funding for the Michigan work study program established under Act No. 288 of the Public Acts of 1986, being sections 390.1371 to 390.1382 of the Michigan Compiled Laws, and Act No. 303 of the Public Acts of 1986, being sections 390.1321 to 390.1332 of the Michigan Compiled Laws. An effort should be made by each institution participating in the Michigan work study program to assure that not less than 10% of those undergraduate, graduate, and professional students eligible to participate in the program are placed with for-profit employers no later than December 31, 1993.

(2) The Michigan higher education assistance authority shall allocate funds to institutions eligible for work study money based upon each institution's specific Pell grant index and each institution's utilization rate of work study funds for the 3 most recent years for which statistics are available.

(3) The Michigan higher education assistance authority shall set aside not more than 5% of the total work study appropriation to process requests from participating institutions for allocation adjustments. Allocation adjustments shall be based on criteria set by the authority prior to making the allocations under subsection (2).

Sec. 304. (1) Payments of the amounts included in section 101 for the general degree reimbursement program established under Act No. 75 of the Public Acts of 1974, being sections 390.1021 to 390.1027 of the Michigan Compiled Laws, shall be made for all degrees identified in section 1(1) of Act No. 75 of the Public Acts of 1974, being section 390.1021 of the Michigan Compiled Laws, except doctor of dental surgery, doctor of dental medicine, juris doctor law, and allied health degrees.

(2) The reimbursement rate per eligible degree shall be the equally prorated amount permitted by the appropriation, except that the amount of the reimbursement for each associate degree shall be 1/2 of the rate of reimbursement for the other degrees eligible under subsection (1) for the general degree reimbursement program.

(3) From the general degree reimbursement program, \$135,300.00 shall be provided to Spring Arbor College for the southern Michigan state prison program.

(4) From the general degree reimbursement program, \$200,500.00 shall be provided to the University of Detroit-Mercy for graduate research aid.

(5) From the general degree reimbursement program, \$30,100.00 shall be provided to Marygrove College for learning clinics.

(6) From the general degree reimbursement program, \$50,000.00 shall be provided to Suomi College for career education programs.

Sec. 305. The reimbursement rate per eligible degree under the allied health degree reimbursement program established under Act No. 75 of the Public Acts of 1974, being sections 390.1021 to 390.1027 of the Michigan Compiled Laws, shall be the equally prorated amount permitted by the appropriation included in section 101.

Sec. 306. Funds disbursed through the degree reimbursement programs shall not be used by any recipient institution for theology or divinity programs.

Sec. 307. The funds appropriated in section 101 for the American Indian tuition waiver reimbursement established under Act No. 174 of the Public Acts of 1976, being sections 390.1251 to 390.1253 of the Michigan Compiled Laws, are to reimburse tuition waivers granted by colleges before September 30, 1992, except for Bay Mills Community College which may be reimbursed for eligible students. Only those expenses classified as in-state resident tuition charges are eligible for reimbursement.

Sec. 308. To enable the legislature to evaluate the appropriation needs of institutions of higher education, each independent college and university shall make available to the legislature, upon request, data regarding grants for the preceding, current, and ensuing fiscal years.

Sec. 309. The auditor general shall audit selected enrollments, degrees, and awards at selected independent colleges and universities receiving awards administered by the department of education. The audits shall be based upon definitions and requirements established by the department of management and budget and the senate and house fiscal agencies. The auditor general shall submit a report of findings to the senate and house appropriations committees not later than May 1, 1994.

Sec. 310. The sums appropriated in section 101 for the student financial aid and degree reimbursement programs shall be paid out of the state treasury and shall be distributed to the respective institutions in accordance with a quarterly payment system as follows:

(a) For the state competitive scholarship, tuition incentive, and tuition grant programs, 40% shall be paid at the beginning of the state's first fiscal quarter, 40% at the beginning of the state's second fiscal quarter, 10% at the beginning of the state's third fiscal quarter, and 10% at the beginning of the state's fourth fiscal quarter.

(b) For the work-study program, payments shall be made in 9 monthly installments from October 1 to June 30 of any year.

(c) For the part-time independent student program and Michigan education opportunity grant program, 50% shall be paid at the beginning of the state's first fiscal quarter, 25% at the beginning of the state's second fiscal quarter, and 25% at the beginning of the state's third fiscal quarter.

(d) For the general degree reimbursement program, allied health degree reimbursement program, Michigan resident dental grant program, Indian tuition waiver program, and Paul Douglas teacher scholarship program, 50% shall be paid at the beginning of the state's first fiscal quarter and 50% at the beginning of the state's second fiscal quarter after the number of earned degrees conferred and total amounts to be paid are certified.

(e) For the Byrd honor scholarship program, 100% shall be allocated in the last quarter of the state's fiscal year.

Sec. 311. The Michigan higher education assistance authority shall determine the needs analysis criteria for students to qualify for the competitive scholarship program and tuition grant program. To be consistent with federal requirements, student wages may be taken into consideration when determining the amount of the award.

Sec. 312. (1) The funds appropriated in section 101 for the tuition incentive program/high school completion program shall be distributed pursuant to the administrative procedure for the tuition incentive program/high school completion program in the department of social services.

(2) A person who meets the following criteria is eligible for tuition and mandatory fee benefits:

(a) At the time of application and for the calendar year immediately preceding application, the person's family income is or was at or below the poverty level.

(b) The person graduated from high school or completed the general education development (GED) certificate not more than 4 years prior to application.

(c) The person is less than 20 years of age at the time of graduation or GED completion.

(d) The person is a United States citizen and a resident of Michigan according to institutional criteria.

(3) Tuition and mandatory fee payments for associate degree or certificate programs may be made to any of the 29 Michigan public community colleges at current in-district resident rates or to any of the 15 Michigan public universities at current lower level undergraduate resident rates. In addition, tuition and fee payments may be made to Michigan independent, nonprofit degree-granting colleges or universities, or Michigan federal tribally-controlled community colleges for associate degree or certificate programs except that payments shall not exceed the average community college in-district resident full-time tuition rate of the prior year. Payments for associate degree or certificate programs shall not be made for more than 80 semester or 120 term credits for any individual student at any participating institution.

(4) Any person participating in this program who completes 56 transferable semester or 84 transferable term credits at a participating institution within the 4 years immediately following graduation from high school or completion of a GED certificate is eligible for additional tuition-only funds valued at not more than \$2,000.00 at any Michigan 4-year college or university. To be eligible the student shall be enrolled in a 4-year curriculum. These additional funds shall only be available during the 30 months immediately following completion of the transferable credits and transfer to a 4-year college or university in this state, or 30 months after the student's initial 4-year eligibility, whichever comes first. A maximum request of \$500.00 per semester or \$400.00 per term is allowed until the maximum of \$2,000.00 is reached.

(5) Program payments shall not be used by any recipient for theology or divinity courses.

(6) The department of social services shall work closely with participating institutions to develop an application and eligibility determination process that will provide the highest level of participation while ensuring that all requirements of the program are met.

(7) Applications for the tuition incentive program may be approved at any time after the student completes the sixth grade. If a determination of financial eligibility is made, that determination is valid as long as the student meets all other program requirements.

(8) The department of social services shall ensure that the tuition incentive program is well publicized and that potentially eligible low-income persons are provided information on the program.

(9) The department of social services shall provide an analysis of this program to the house and senate appropriations committees and the house and senate fiscal agencies not later than February 1, 1994. The analysis shall at a minimum:

(a) Determine the graduation rate for students that have been determined eligible for tuition and mandatory fee benefits.

(b) Determine whether the program is responsible for an increase in the high school graduation rate of students in the state that could otherwise be determined as eligible to participate in the program.

(c) Provide a comparison of the high school graduation rate for eligible students determined under subdivision (a) and all high school students in the state.

(d) Provide a 5-year and 10-year projection of expenditures and enrollments for this program.

STATE UNIVERSITIES

Sec. 401. (1) The research excellence fund, previously appropriated separately, is included in the amount of \$28,534,823.00 in section 101 in university operations. The research supported by these funds shall be conducted in accordance with the following guidelines:

(a) Leads to the development of scientific or technological discoveries.

(b) Applies scientific or technological discoveries or advances to new applications.

(c) Provides a tangible, direct benefit to the economy of the state or region.

(d) Is of general interest to an entire industrial field.

(e) Contributes directly or indirectly to the development of additional products or processes.

(f) May generate outside funding sources.

(g) The research results or technology advances may be transferred to the private sector.

(h) These funds shall not be used for indirect costs or to supplant existing research resources.

(2) Each state university shall report on the activities and results of the research supported by these funds to the chairs of the house and senate higher education appropriation subcommittees, the directors of the house and senate fiscal agencies, and the director of the department of management and budget by November 1, 1994. The report shall be in a form and contain such information as determined by the department of management and budget and the house and senate fiscal agencies.

Sec. 402. The University of Michigan biological station at Douglas Lake in Cheboygan County is regarded as a unique resource and is designated as a special research reserve. It is the intent of the legislature to protect and preserve the unique long-term research value and capabilities of the biological station area and Douglas Lake. The legislature further intends that no state programs or policies be developed that would have a deleterious impact on the research value of Douglas Lake.

Sec. 403. (1) Included in section 101 is \$5,000,000.00 to Wayne State University for the Joseph F. Young, Sr. psychiatric research and training program. Wayne State University shall use these funds for psychiatric laboratory and clinical research, training, and treatment services. Within the available appropriation, services shall not be denied to any patient who meets established research guidelines for treatment on the basis of personal financial circumstances, age, geographic residence, or projected/actual length of treatment as medically warranted.

(2) Wayne State University shall report the following information to the department of mental health by April 1, 1994 with status update reports on July 1, 1994 and October 1, 1994:

(a) The number and type of psychiatric research projects to be funded by this appropriation.

(b) The number and type of students to be trained and the location of training funded by this appropriation.

(c) Demographic data regarding the number and profile of patients to receive psychiatric services funded by the appropriation and a profile of the services provided.

(d) A summary budget outlining major expenditure categories and any first and third party reimbursements.

(3) Copies of these reports shall also be provided to the house and senate appropriations higher education subcommittees, the house and senate appropriations mental health subcommittees, the house and senate fiscal agencies, and the department of management and budget.

Sec. 404. It is the intent of the legislature that resident tuition rates be charged for students attending Michigan's public 4-year universities if the student's parent or parents or person in loco parentis are transferred to Michigan because the company they work for closed a plant in another state. This section applies only to students whose parent or parents or person in loco parentis are transferred by a company specifically because of a plant closing and whose parent or parents or person in loco parentis continue to be employed by that same company in Michigan.

Sec. 405. It is the intent of the legislature that a 1-year moratorium on the expansion of off-campus instructional extension programs be observed by Michigan's public universities.

Sec. 406. The legislature recommends that the percentage of out-of-state students not exceed 30% of undergraduate students at any state university.

Sec. 407. It is the intent of the legislature to provide equitable funding among state universities based on criteria which acknowledge differences in institutional program structure, enrollment, and role and mission. It is recommended that such criteria be developed jointly and cooperatively by the legislature and with the executive branch and the state universities.

Sec. 408. State universities are encouraged not to increase annual resident undergraduate tuition and fee rates at a greater rate than the rate of inflation.

CONSORTIA PROGRAMS

Sec. 502. It is the intent of the legislature to provide financial support to a consortium of state universities and Muskegon Community College for the provision of baccalaureate and graduate degree programs in the Muskegon County area. This statement of legislative intent is contingent upon the establishment of the consortium.

MARTIN LUTHER KING, JR.-CESAR CHAVEZ-ROSA PARKS PROGRAMS

Sec. 601. (1) Included in the appropriation for each public university in section 101 is funding for the Martin Luther King, Jr.-Cesar Chavez-Rosa Parks future faculty program, that is intended to increase the pool of minority candidates pursuing full-time faculty teaching careers in postsecondary education in this state.

(2) The program shall be administered by each university in a manner prescribed by the office of minority equity in the Michigan department of education.

Sec. 602. (1) Included in the appropriation for each public university in section 101 is funding for the Martin Luther King, Jr.-Cesar Chavez-Rosa Parks college day program that is intended to introduce school children underrepresented in postsecondary education to the potential of a college education.

(2) Individual program plans of each university shall include a budget of equal contributions from this program, the participating public university, the participating school district, and the participating independent degree granting college. College day funds shall not be expended to cover indirect costs. Not more than 20% of the university match shall be attributable to indirect costs.

(3) The program shall be administered by each university in a manner prescribed by the office of minority equity in the Michigan department of education.

Sec. 603. (1) Included in section 101 is funding for the Martin Luther King, Jr.-Cesar Chavez-Rosa Parks select student support services program for developing academically and economically disadvantaged student retention programs for 4-year public and independent educational institutions in this state.

(2) An award made under this program to any 1 institution shall not be greater than \$150,000.00, and the amount awarded shall be matched on a 70% state, 30% college or university basis.

(3) From the funding included in section 101 for the Martin Luther King, Jr.-Cesar Chavez-Rosa Parks select student support services program, an amount not to exceed \$100,000.00 shall be allocated for a series of forums to be conducted on various Michigan public and independent college and university campuses to discuss issues of ethnicity and diversity. The forums shall be coordinated by the office of minority equity and shall allow a wide range of participants to interact, including students, parents, faculty, administrators, and state government representatives.

(4) The program shall be administered by the office of minority equity in the Michigan department of education.

Sec. 604. (1) Included in section 101 is funding for the Martin Luther King, Jr.-Cesar Chavez-Rosa Parks linkage program between 4-year universities and public community colleges, which is intended to increase the number of underrepresented minority students who transfer from community colleges into baccalaureate programs.

(2) The grants shall be made under this program to Michigan public universities. An award to any 1 institution shall not be greater than \$150,000.00, and the amount awarded shall be matched on a 70% state, 30% university basis.

(3) The program shall be administered by the office of minority equity in the Michigan department of education.

Sec. 605. (1) Included in the appropriation in section 101 is funding for the Martin Luther King, Jr.-Cesar Chavez-Rosa Parks visiting professors program which is intended to increase the number of minority instructors in the classroom and provide role models for underrepresented minority students.

(2) The program shall be administered by the office of minority equity in the Michigan department of education.

UNIVERSITY SERVICE TO K-12 EDUCATION

Sec. 701. (1) From the amount appropriated in section 101 for state universities, the state universities shall systematically inform Michigan high schools regarding the academic status of students from each high school in a manner prescribed by the presidents council, state universities of Michigan in cooperation with the Michigan association of secondary school principals.

(2) The Michigan high schools shall systematically inform the state universities about the use of information received under this section in a manner prescribed by the Michigan association of secondary school principals in cooperation with the presidents council, state universities of Michigan.

GENERAL REPORTS AND AUDITS

Sec. 801. (1) The auditor general shall audit enrollments at 5 randomly selected public universities. The audits shall be based upon the definitions and requirements established by the department of management and budget and the senate and house fiscal agencies. The audits shall be based on uniform reporting categories and shall include HEIDI data. The auditor general shall submit a report of findings to the senate and house appropriations committees no later than March 1, 1994.

(2) Student credit hours reports shall not include the following:

(a) Student credit hours generated through correspondence courses, credit by examination, or inmate prison programs regardless of teaching location.

(b) Student credit hours generated in new degree programs after January 1, 1975, that have not been specifically authorized for funding by the legislature, except spin-off programs converted from existing core programs that do all of the following:

(i) Represent new options, fields, or concentrations within existing programs.

(ii) Are consistent with the current institutional role and mission.

(iii) Are accommodated within the continuing funding base of the institution.

(iv) Do not require a new degree level beyond that which the institution is currently authorized to grant within that discipline or field.

(v) Do not require special grant funding from the state. As used in this subparagraph, "special grant funding" means funding in addition to that provided by the student credit hours generated within the program, either before program initiation or within the first 3 years of program operation.

Sec. 801a. (1) Pursuant to section 801, the following degree programs may be established:

(a) Bachelors:

Saginaw Valley State University
Michigan State University
Western Michigan University

Applied Studies
Women's Studies
Employee Assistance Programs

(b) Masters:

Central Michigan University
Eastern Michigan University
University of Michigan
University of Michigan
University of Michigan - Dearborn

History (Joint M.A. and Ph.D.)
Nursing
Engineering
Technical Information Design and Management
Special Education

(c) Doctorate:

Central Michigan University
Michigan State University
Western Michigan University
Western Michigan University
Western Michigan University

History (Joint M.A. and Ph.D.)
Human Environment: Design and Management
Computer Science
Economics
English

(2) The listing of degree programs in subsection (1) shall not constitute legislative intent to provide additional dollars for those programs.

Sec. 802. The principal executive officer of each institution of higher education receiving an appropriation under this act shall expend a portion of the funds appropriated to the institution in reporting to the house and senate appropriations committees, the auditor general, the senate and house fiscal agencies, and the department of management and budget within 60 days after the auditor general issues his or her annual report on the operation of the institution. The institution's report shall specify all of the following:

(a) The recommendations of the auditor general implemented by the institution, including projected dates and resources required, if any, to achieve compliance.

(b) The recommendations of the auditor general not implemented by the institution or implemented by the institution as modified.

(c) The rationale for not implementing a recommendation of the auditor general or of implementing a recommendation as modified.

Sec. 803. A state university that has not reported project completion and total expenditure of oil overcharge revenues shall submit an annual report by October 1, 1993 to the public service commission in the department of commerce.

Sec. 804. An institution receiving funding under this act and also subject to the student right-to-know and campus security act, Public Law 101-542, 104 Stat. 2381 shall furnish by September 1, 1994 to the chairpersons of the house and senate appropriations committees, the chairpersons of the house and senate appropriations subcommittees on higher education, and the house and senate fiscal agencies a copy of all material prepared pursuant to the public information reporting requirements under the crime awareness and campus security act of 1990, title II of the student right-to-know and campus security act, Public Law 101-542, 104 Stat. 2381.

Sec. 805. (1) Each state university shall report for the 1992-93 academic year, the following information to the house and senate fiscal agencies and the department of management and budget:

(a) Separately, the number of ranked faculty, unranked faculty, and graduate assistants who taught an undergraduate class section.

(b) The total number of undergraduate class sections and section credits instructed.

(c) The total number of undergraduate class sections and section credits taught by each of the following:

(i) Ranked faculty.

(ii) Unranked faculty.

(iii) Graduate assistants.

(2) For the purposes of this section, "ranked faculty", "unranked faculty", and "graduate assistants" mean those terms as defined under the higher education information data inventory (HEIDI).

(3) This information shall be provided on or before October 30, 1993.

Sec. 806. (1) Each state university shall annually submit a report to the governor, department of management and budget, speaker and minority leader of the house, majority and minority leader of the senate, chairs of the house and senate appropriations committees, and chairs of the house and senate higher education appropriations committees on efforts to ensure the English language oral proficiency of teaching faculty.

(2) The next reporting date for the report required under subsection (1) is November 1, 1994.

This act is ordered to take immediate effect.

Co-Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.