

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 233**

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 PART 1

2 LINE-ITEM APPROPRIATIONS

3 Sec. 101. The amounts listed in this part are appropriated for the
4 department of consumer and industry services, subject to the conditions
5 set forth in this act, for the fiscal year ending September 30, 2002,

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For Fiscal Year Ending
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1 from the funds identified in this part. The following is a summary of
2 the appropriations in this part:

3 DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**4 APPROPRIATION SUMMARY:**

5	Full-time equated unclassified positions.....	64.5	
6	Full-time equated classified positions.....	4,191.4	
7	GROSS APPROPRIATION.....	\$	536,440,800
8	Interdepartmental grant revenues:		
9	Total interdepartmental grants and intradepartmental		
10	transfers.....	\$	111,800
11	ADJUSTED GROSS APPROPRIATION.....	\$	536,329,000
12	Federal revenues:		
13	Total federal revenues.....		240,725,500
14	Special revenue funds:		
15	Total local revenues.....		0
16	Total private revenues.....		740,000
17	Total other state restricted revenues.....		210,550,100
18	State general fund/general purpose.....	\$	84,313,400
19	Sec. 102. EXECUTIVE DIRECTION		
20	Full-time equated unclassified positions.....	64.5	
21	Full-time equated classified positions.....	97.0	
22	Unclassified salaries.....	\$	5,536,600
23	Energy office--10.0 FTE positions.....		2,609,500
24	Executive director programs--12.0 FTE positions.....		1,876,100
25	Policy development--13.0 FTE positions.....		1,691,400
26	Utility consumer representation.....		550,000

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1	Regulatory efficiency improvements/backlog reduction	
2	initiative.....	750,000
3	MES board of review program--21.0 FTE positions.....	1,740,800
4	Bureau of hearings--41.0 FTE positions.....	<u>4,271,400</u>
5	GROSS APPROPRIATION.....	\$ 19,025,800
6	Appropriated from:	
7	Federal revenues:	
8	DOE-OEERE, multiple grants.....	2,165,700
9	DOL-ETA, unemployment insurance.....	2,154,800
10	DOL-multiple grants for safety and health.....	158,400
11	Special revenue funds:	
12	Bank fees.....	156,000
13	Boiler fee revenue.....	31,300
14	Construction code fund.....	358,200
15	Consumer finance fees.....	59,400
16	Corporation fees.....	442,800
17	Credit union fees.....	117,700
18	Elevator fees.....	36,900
19	Fees and collections/asbestos.....	12,000
20	Health professions regulatory fund.....	1,299,900
21	Health systems fees and collections.....	75,700
22	Insurance regulatory fees.....	586,300
23	Licensing and regulation fees.....	602,600
24	Liquor license fees.....	100,000
25	Liquor purchase revolving fund.....	1,476,100
26	Manufactured housing commission fees.....	141,300

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1	Michigan state housing development authority fees and	
2	charges.....	411,800
3	Motor carrier fees.....	35,200
4	Public utility assessments.....	2,017,600
5	Safety education and training fund.....	242,300
6	Second injury fund.....	81,400
7	Securities fees.....	66,900
8	Self-insurers security fund.....	21,500
9	Silicosis and dust disease fund.....	31,000
10	Tax tribunal fees.....	1,100
11	Utility consumer representation fund.....	550,000
12	Worker's compensation administrative revolving fund..	90,000
13	State general fund/general purpose..... \$	5,501,900
14	Sec. 103. COUNCIL FOR ARTS AND CULTURAL AFFAIRS	
15	Full-time equated classified positions.....9.0	
16	Administration--9.0 FTE positions..... \$	887,500
17	Arts and cultural grants.....	<u>25,648,800</u>
18	GROSS APPROPRIATION..... \$	26,536,300
19	Appropriated from:	
20	Federal revenues:	
21	NFAH-NEA, promotion of the arts, state and regional	
22	programs.....	700,000
23	Special revenue funds:	
24	State general fund/general purpose..... \$	25,836,300
25	Sec. 104. FIRE SAFETY	
26	Full-time equated classified positions.....61.0	

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1	Office of fire safety--61.0 FTE positions.....	\$	<u>4,771,700</u>
2	GROSS APPROPRIATION.....	\$	4,771,700
3	Appropriated from:		
4	Interdepartmental grant revenues:		
5	IDG from department of community health, inspection		
6	contract.....		111,800
7	Federal revenues:		
8	Federal funds.....		899,500
9	Special revenue funds:		
10	Fire alarm regulation fees.....		89,300
11	Fire service fees.....		1,926,800
12	State general fund/general purpose.....	\$	1,744,300
13	Sec. 105. MANAGEMENT SERVICES		
14	Full-time equated classified positions.....	187.0	
15	Administrative services--84.0 FTE positions.....	\$	5,894,800
16	Technology support--103.0 FTE positions.....		13,600,800
17	Insurance automation.....		750,000
18	Health services information systems.....		750,000
19	Rent.....		7,554,200
20	Building occupancy charges - property development		
21	services.....		7,731,500
22	Worker's compensation.....		952,700
23	Special project advances.....		<u>740,000</u>
24	GROSS APPROPRIATION.....	\$	37,974,000
25	Appropriated from:		
26	Federal revenues:		

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1	DOL-ETA, unemployment insurance.....	345,300
2	DOL, multiple grants for safety and health.....	491,700
3	Federal funds.....	394,000
4	HHS, federal funds.....	66,000
5	Special revenue funds:	
6	Private-special project advances.....	740,000
7	Bank fees.....	468,100
8	Boiler fee revenue.....	286,000
9	Construction code fund.....	1,439,600
10	Consumer finance fees.....	190,300
11	Corporation fees.....	2,325,700
12	Credit union fees.....	340,800
13	Elevator fees.....	317,600
14	Fees and collections/asbestos.....	87,400
15	Health professions regulatory fund.....	2,833,900
16	Health systems fees and collections.....	612,300
17	Insurance regulatory fees.....	1,848,200
18	Licensing and regulation fees.....	1,963,000
19	Liquor purchase revolving fund.....	8,648,100
20	Manufactured housing commission fees.....	303,100
21	Michigan state housing development authority fees and	
22	charges.....	3,141,400
23	Motor carrier fees.....	287,000
24	Public utility assessments.....	2,580,300
25	Safety education and training fund.....	770,900
26	Second injury fund.....	526,600

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1	Securities fees.....	819,700
2	Self-insurers security fund.....	139,100
3	Silicosis and dust disease fund.....	203,500
4	Tax tribunal fees.....	67,200
5	Worker's compensation administrative revolving fund..	1,384,300
6	State general fund/general purpose..... \$	4,352,900
7	Sec. 106. OFFICE OF FINANCIAL AND INSURANCE SERVICES	
8	Full-time equated classified positions.....286.0	
9	Administration--27.0 FTE positions..... \$	3,008,600
10	Policy and consumer services--29.0 FTE positions.....	2,291,300
11	Securities regulation--20.0 FTE positions.....	2,304,400
12	Bank regulation--49.0 FTE positions.....	5,475,200
13	Credit union regulation--43.0 FTE positions.....	3,802,400
14	Consumer finance regulation--21.0 FTE positions.....	1,953,500
15	Health plans--15.0 FTE positions.....	1,348,900
16	Insurance financial evaluation--46.0 FTE positions...	5,144,400
17	Insurance licensing and enforcement--36.0 FTE	
18	positions.....	<u>3,549,000</u>
19	GROSS APPROPRIATION..... \$	28,877,700
20	Appropriated from:	
21	Federal revenues:	
22	Federal funds.....	50,600
23	Special revenue funds:	
24	Bank fees.....	6,297,300
25	Consumer finance fees.....	2,282,500
26	Credit union fees.....	4,504,900

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1	Insurance continuing education fees.....	543,300
2	Insurance licensing and regulation fees.....	2,690,800
3	Insurance regulatory fees.....	9,682,300
4	Multiple employer welfare arrangement.....	66,000
5	Securities fees.....	2,760,000
6	State general fund/general purpose..... \$	0
7	Sec. 107. PUBLIC SERVICE COMMISSION	
8	Full-time equated classified positions.....143.0	
9	Administration, planning and regulation--143.0 FTE	
10	positions..... \$	15,824,300
11	Low-income/energy efficiency assistance.....	<u>100</u>
12	GROSS APPROPRIATION..... \$	15,824,400
13	Appropriated from:	
14	Federal revenues:	
15	DOE-OEERE, multiple grants.....	149,800
16	DOT-RSPA, gas pipeline safety.....	281,500
17	Special revenue funds:	
18	Motor carrier fees.....	1,898,800
19	Public utility assessments.....	13,494,200
20	Low-income/energy assistance fund.....	100
21	State general fund/general purpose..... \$	0
22	Sec. 108. LIQUOR CONTROL COMMISSION	
23	Full-time equated classified positions.....179.0	
24	Management support services--39.0 FTE positions..... \$	2,927,600
25	Liquor licensing and enforcement--140.0 FTE positions	10,947,500
26	Liquor law enforcement grants.....	6,000,000

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1	Grant to department of agriculture for wine industry		
2	council.....		<u>457,200</u>
3	GROSS APPROPRIATION.....	\$	20,332,300
4	Appropriated from:		
5	Special revenue funds:		
6	Liquor license revenue.....		11,068,600
7	Liquor purchase revolving fund.....		8,806,500
8	Nonretail liquor license revenue.....		457,200
9	State general fund/general purpose.....	\$	0
10	Sec. 109. MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY		
11	Full-time equated classified positions.....	234.0	
12	Payments on behalf of tenants.....	\$	72,000,000
13	Housing and rental assistance program--227.0 FTE		
14	positions.....		23,224,500
15	Automatic data processing--7.0 FTE positions.....		1,006,900
16	Homeless program.....		<u>5,290,800</u>
17	GROSS APPROPRIATION.....	\$	101,522,200
18	Appropriated from:		
19	Federal revenues:		
20	HUD, lower income housing assistance program.....		86,495,400
21	Special revenue funds:		
22	Michigan state housing development authority fees and		
23	charges.....		15,026,800
24	State general fund/general purpose.....	\$	0
25	Sec. 110. TAX TRIBUNAL		
26	Full-time equated classified positions.....	14.0	

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1	Operations--14.0 FTE positions.....	\$	<u>1,479,600</u>
2	GROSS APPROPRIATION.....	\$	1,479,600
3	Appropriated from:		
4	Special revenue funds:		
5	Tax tribunal fees.....		635,500
6	State general fund/general purpose.....	\$	844,100
7	Sec. 111. GRANTS		
8	Fire protection grants.....	\$	9,421,000
9	Microwave video equipment system.....		<u>69,900</u>
10	GROSS APPROPRIATION.....	\$	9,490,900
11	Appropriated from:		
12	Special revenue funds:		
13	Liquor purchase revolving fund.....		9,421,000
14	State general fund/general purpose.....	\$	69,900
15	Sec. 112. HEALTH REGULATORY SYSTEMS		
16	Full-time equated classified positions.....344.0		
17	Health systems administration--181.0 FTE positions...	\$	17,175,100
18	Nursing home quality incentive grants--3.0 FTE		
19	positions.....		10,005,400
20	Emergency medical services program state staff--7.0		
21	FTE positions.....		900,000
22	Radiological health administration and projects--24.0		
23	FTE positions.....		1,997,700
24	Substance abuse program administration--4.0 FTE		
25	positions.....		412,000
26	Emergency medical services grants and contracts.....		1,062,000

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1	Health services--125.0 FTE positions.....	<u>13,300,400</u>
2	GROSS APPROPRIATION..... \$	44,852,600
3	Appropriated from:	
4	Federal revenues:	
5	Federal funds.....	18,404,700
6	Special revenue funds:	
7	Controlled substance license fees.....	1,353,000
8	Health professions regulatory fund.....	10,624,100
9	Health systems fees and collections.....	3,782,100
10	Nurse professional fund.....	452,000
11	State general fund/general purpose..... \$	10,236,700
12	Sec. 113. REGULATORY SERVICES	
13	Full-time equated classified positions.....313.0	
14	AFC, children's welfare and day care licensure--313.0	
15	FTE positions..... \$	<u>26,254,800</u>
16	GROSS APPROPRIATION..... \$	26,254,800
17	Appropriated from:	
18	Federal revenues:	
19	HHS, federal funds.....	10,762,500
20	Special revenue funds:	
21	Health systems fees and collections.....	156,800
22	Licensing fees.....	495,500
23	State general fund/general purpose..... \$	14,840,000
24	Sec. 114. OCCUPATIONAL REGULATION	
25	Full-time equated classified positions.....332.0	
26	Commissions and boards..... \$	49,700

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1	Code enforcement--99.0 FTE positions.....	7,921,200
2	Code enforcement flexibility.....	1,181,200
3	Boiler inspection program--18.0 FTE positions.....	1,555,700
4	Elevator inspection program--23.0 FTE positions.....	1,870,800
5	Commercial services--154.0 FTE positions.....	13,743,800
6	Local manufactured housing communities inspections...	250,000
7	Manufactured housing and land resources program--26.0	
8	FTE positions.....	2,610,200
9	Property development group--12.0 FTE positions.....	1,328,300
10	Remonumentation grants.....	<u>6,000,000</u>
11	GROSS APPROPRIATION..... \$	36,510,900
12	Appropriated from:	
13	Special revenue funds:	
14	Boiler fee revenue.....	1,703,300
15	Construction code fund.....	9,488,200
16	Corporation fees.....	4,889,100
17	Elevator fees.....	1,979,300
18	Homeowner construction lien recovery fund.....	1,532,800
19	Licensing and regulation fees.....	7,341,700
20	Limited liability partnership revenue.....	10,000
21	Manufactured housing commission fees.....	2,258,100
22	Property development fees.....	239,500
23	Remonumentation fees.....	6,600,500
24	Real estate appraiser continuing education fund.....	45,000
25	Real estate education fund.....	217,500
26	State general fund/general purpose..... \$	205,900

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1	Sec. 115. EMPLOYMENT RELATIONS		
2	Full-time equated classified positions.....	28.0	
3	Fact finding and arbitration.....	\$	144,200
4	Employment and labor relations--28.0 FTE positions...		<u>2,915,600</u>
5	GROSS APPROPRIATION.....	\$	3,059,800
6	Appropriated from:		
7	Federal revenues:		
8	EEOC, federal funds.....		10,000
9	Special revenue funds:		
10	State general fund/general purpose.....	\$	3,049,800
11	Sec. 116. SAFETY AND REGULATION		
12	Full-time equated classified positions.....	281.0	
13	Commissions and boards.....	\$	21,300
14	Employment standards enforcement--39.0 FTE positions.		2,634,600
15	Subgrantees.....		1,226,900
16	Occupational safety and health--242.0 FTE positions..		<u>21,489,400</u>
17	GROSS APPROPRIATION.....	\$	25,372,200
18	Appropriated from:		
19	Federal revenues:		
20	DOL, multiple grants for safety and health.....		10,946,000
21	Special revenue funds:		
22	Fees and collections/asbestos.....		694,200
23	Safety education and training fund.....		6,009,800
24	State general fund/general purpose.....	\$	7,722,200
25	Sec. 117. WORKER'S DISABILITY COMPENSATION		
26	Full-time equated classified positions.....	171.4	

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1	Administration--119.0 FTE positions.....	\$	8,328,300
2	Board of magistrates administration--8.0 FTE		
3	positions.....		1,782,500
4	Appellate commission administration--11.4 FTE		
5	positions.....		847,400
6	Supplemental benefit fund.....		1,100,000
7	Insurance funds administration--33.0 FTE positions...		5,064,000
8	Automatic data processing.....		506,000
9	Grant to department of career development, hire the		
10	handicapped program.....		<u>50,000</u>
11	GROSS APPROPRIATION.....	\$	17,678,200
12	Appropriated from:		
13	Special revenue funds:		
14	Second injury fund.....		3,341,800
15	Self-insurers security fund.....		911,400
16	Silicosis and dust disease fund.....		1,366,800
17	Worker's compensation administrative revolving fund..		2,148,700
18	State general fund/general purpose.....	\$	9,909,500
19	Sec. 118. UNEMPLOYMENT AGENCY		
20	Full-time equated classified positions.....1,512.0		
21	Worker's compensation.....	\$	706,200
22	Rent.....		6,127,100
23	Building occupancy charges - property development		
24	service.....		3,640,000
25	Unemployment program--1,434.7 FTE positions.....		97,306,000
26	Advocacy assistance program--8.0 FTE positions.....		1,550,200

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1	Special audit and collections program--34.0 FTE	
2	positions.....	2,225,600
3	Training program for agency staff--2.1 FTE positions.	2,784,800
4	Expanded fraud control program--33.2 FTE positions...	<u>2,537,600</u>
5	GROSS APPROPRIATION.....	\$ 116,877,500
6	Appropriated from:	
7	Federal revenues:	
8	DOL, employment and training administration.....	532,500
9	DOL, unemployment insurance.....	101,457,300
10	Federal Reed act funds.....	4,259,800
11	Special revenue funds:	
12	Contingent fund, penalty and interest account.....	10,627,900
13	State general fund/general purpose.....	\$ 0
14	Sec. 119. BUDGETARY SAVINGS	
15	Budgetary savings.....	\$ <u>(100)</u>
16	GROSS APPROPRIATION.....	\$ (100)
17	Appropriated from:	
18	Special revenue funds:	
19	State general fund/general purpose.....	\$ (100)

20

21

22 PART 2

23 PROVISIONS CONCERNING APPROPRIATIONS

24 **GENERAL SECTIONS**

25 Sec. 201. Pursuant to section 30 of article IX of the state
26 constitution of 1963, total state spending from state resources under
27 part 1 for fiscal year 2001-2002 is \$294,863,500.00 and state spending

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1 from state resources to be paid to local units of government for fiscal
2 year 2001-2002 is \$36,921,000.00. The itemized statement below identi-
3 fies appropriations from which spending to units of local government will
4 occur:

5 DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

6	Arts and cultural grants.....	\$	15,000,000
7	Fire protection grants.....		9,421,000
8	Liquor law enforcement.....		6,000,000
9	Local manufactured housing inspections.....		250,000
10	Remonumentation grants.....		6,000,000
11	Subgrantees.....		<u>250,000</u>
12	Total department of consumer and industry services...	\$	36,921,000

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

15 Sec. 203. As used in this appropriation act:

16 (a) "AFC" means adult foster care.

17 (b) "Department" means the department of consumer and industry
18 services.

19 (c) "DOE" means the United States department of energy.

20 (d) "DOE-OEERE" means the DOE office of energy efficiency and
21 renewable energy.

22 (e) "DOL" means the United States department of labor.

23 (f) "DOL-ETA" means the DOL employment and training administration.

24 (g) "DOL-OSHA" means the DOL occupational safety and health
25 administration.

26 (h) "DOT" means the United States department of transportation.

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1 (i) "DOT-RSPA" means the DOT research and special programs
2 administration.

3 (j) "EEOC" means equal employment opportunity commission.

4 (k) "Fiscal agencies" means Michigan house fiscal agency and
5 Michigan senate fiscal agency.

6 (l) "FTE" means full-time equated.

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

9 (n) "HUD" means the United States department of housing and urban
10 development.

11 (o) "IDG" means interdepartmental grant.

12 (p) "MES" means Michigan employment security.

13 (q) "NFAH" means the national foundation of the arts and the
14 humanities.

15 (r) "NFAH-NEA" means the NFAH national endowment for the arts.

16 (s) "OSHA" means the DOL occupational safety and health
17 administration.

18 (t) "Subcommittees" means all members of the appropriate
19 subcommittees of the house and senate appropriations committees.

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

25 Sec. 205. (1) A hiring freeze is imposed on the state classified
26 civil service. State departments and agencies are prohibited from hiring
27 any new full-time state classified civil service employees and prohibited

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1 from filling any vacant state classified civil service positions. This
2 hiring freeze does not apply to internal transfers of classified employ-
3 ees from 1 position to another within a department [or to positions funded
with 80% or more with federal or restricted funds].

4 (2) The state budget director shall grant exceptions to this hiring
5 freeze when the state budget director believes that the hiring freeze
6 will result in rendering a state department or agency unable to deliver
7 basic services, cause a loss of revenue to the state, result in the
8 inability of the state to receive federal funds, or would necessitate
9 additional expenditures that exceed any savings from maintaining a
10 vacancy. The state budget director shall report by the thirtieth of each
11 month to the chairpersons of the senate and house of representatives
12 standing committees on appropriations the number of exceptions to the
13 hiring freeze approved during the previous month and the justification
14 for the exception.

15 Sec. 206. (1) In addition to the funds appropriated in part 1,
16 there is appropriated an amount not to exceed \$23,500,000.00 for federal
17 contingency funds. These funds are not available for expenditure until
18 they have been transferred to another line item in this act pursuant to
19 section 393(2) of the management and budget act, 1984 PA 431,
20 MCL 18.1393.

21 (2) In addition to the funds appropriated in part 1, there is appro-
22 priated an amount not to exceed \$12,200,000.00 for state restricted con-
23 tingency funds. These funds are not available for expenditure until they
24 have been transferred to another line item in this act pursuant to sec-
25 tion 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

26 (3) In addition to the funds appropriated in part 1, there is
27 appropriated an amount not to exceed \$180,800.00 for local contingency

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

4 (4) In addition to the funds appropriated in part 1, there is appro-
5 priated an amount not to exceed \$50,000.00 for private contingency
6 funds. These funds are not available for expenditure until they have
7 been transferred to another line item in this act pursuant to section
8 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

9 Sec. 207. At least 90 days before beginning any effort to privati-
10 ze, the department shall submit a complete project plan to the subcommit-
11 tees and the fiscal agencies. The plan shall include the criteria under
12 which the privatization initiative will be evaluated. The evaluation
13 shall be completed and submitted to the fiscal agencies and to the sub-
14 committees within 30 months.

15 Sec. 208. Unless otherwise specified, the department shall use the
16 Internet to fulfill the reporting requirements of this act. This may
17 include transmission of reports via electronic mail to the recipients
18 identified for each reporting requirement or it may include placement of
19 reports on the Internet or Intranet site. Quarterly, the department
20 shall provide to the subcommittees, state budget office, and the fiscal
21 agencies an electronic and paper copy listing of the reports submitted
22 during the most recent 3-month period along with the Internet or Intranet
23 site of each report, if any.

24 Sec. 209. Funds appropriated in part 1 shall not be used for the
25 purchase of foreign goods or services, or both, if competitively priced
26 and of comparable quality American goods or services, or both, are
27 available. Preference should be given to goods or services, or both,

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1 manufactured or provided by Michigan businesses if they are competitively
2 priced and of comparable value.

3 Sec. 210. The director of the department shall take all reasonable
4 steps to ensure businesses in deprived and depressed communities compete
5 for and perform contracts to provide services or supplies, or both. The
6 director shall strongly encourage firms with which the department con-
7 tracts to subcontract with certified businesses in depressed and deprived
8 communities for services, supplies, or both.

9 Sec. 211. Of the funds appropriated in part 1 that are in units
10 other than the grants unit, the department shall not provide grants to
11 local government agencies, institutions of higher education, or nonprofit
12 organizations unless the department provides notice of the grant to the
13 subcommittees at least 10 days before the grant is issued or at least 72
14 hours before any announcement to local governmental units or the public.

15 Sec. 212. The department shall establish and maintain affirmative
16 action programs based on guidelines developed by the state equal opportu-
17 nity workforce planning council which was created by Executive Order
18 No. 1996-13 in order to receive general fund/general purpose dollars.

19 Sec. 213. The departments and state agencies receiving appropria-
20 tions under this act shall receive and retain copies of all reports
21 funded from appropriations in part 1. These departments and state agen-
22 cies shall follow federal and state guidelines for short-term and
23 long-term retention of these reports and records.

24 Sec. 214. (1) The negative appropriation for budgetary savings in
25 part 1 shall be satisfied by savings from the hiring freeze imposed in
26 section 205 and, if necessary, by other savings identified by the
27 department director and approved by the state budget director.

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1 (2) Appropriation authorizations shall be adjusted after the
2 approval of transfers by the legislature pursuant to section 393(2) of
3 the management and budget act, 1984 PA 431, MCL 18.1393.

4 Sec. 215. By February 15 of each fiscal year, the department of
5 management and budget together with the department of treasury shall pro-
6 vide to the state budget director, the senate and house of representa-
7 tives standing committees on appropriations, and the senate and house
8 fiscal agencies a report on restricted fund balances, projected revenues,
9 and projected expenditures for each restricted fund for the prior, cur-
10 rent, and immediately subsequent fiscal years.

11 **DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

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

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

24 Sec. 303. The funds collected by the department from corporations
25 being liquidated pursuant to the insurance code of 1956, 1956 PA 218,

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1 MCL 500.100 to 500.8302, shall be appropriated for all expenses necessary
2 to provide for the required services. Funds are available for expendi-
3 ture when they are received by the department of treasury and shall not
4 lapse to the general fund at the end of the fiscal year.

5 Sec. 304. The department may make available to interested entities
6 otherwise unavailable customized listings of nonconfidential information
7 in its possession, such as names and addresses of licensees, and charge
8 for this information as follows: base fee for 1 to 1,000 records at the
9 cost to the department; 1,001 to 10,000 records at 2.5 cents per record;
10 and 10,001 or more records at .5 cents per record. The revenue received
11 from this service may be used to offset expenses of programs as appropri-
12 ated in part 1. The balance of this revenue collected and unexpended at
13 the end of the fiscal year shall revert to the appropriate restricted
14 revenue account or fund or, in absence of such an account or fund, to the
15 general fund. The department shall submit an annual report on or before
16 June 1, 2002 to the state budget office and the subcommittees that states
17 the amount of revenue received from the sale of information.

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

23	(a) Michigan board of chiropractic medicine.....	\$50.00 per day
24	(b) Michigan board of dentistry.....	\$50.00 per day
25	(c) Michigan board of medicine.....	\$50.00 per day
26	(d) Board of nursing.....	\$50.00 per day

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1	(e) Michigan board of optometry.....	\$50.00 per day
2	(f) Michigan board of osteopathic medicine and	
3	surgery.....	\$50.00 per day
4	(g) Michigan board of pharmacy.....	\$50.00 per day
5	(h) Michigan board of podiatric medicine and	
6	surgery.....	\$50.00 per day
7	(i) Michigan board of psychology.....	\$50.00 per day
8	(j) Michigan board of physical therapy.....	\$50.00 per day
9	(k) Physicians' assistants task force.....	\$50.00 per day
10	(l) Michigan board of veterinary medicine.....	\$50.00 per day
11	(m) Michigan board of occupational therapists....	\$50.00 per day
12	(n) Michigan board of professional counselors....	\$50.00 per day
13	(o) Health occupations council.....	\$50.00 per day
14	(p) Board of accountancy.....	\$50.00 per day
15	(q) Board of architects.....	\$50.00 per day
16	(r) Athletic board of control.....	\$50.00 per day
17	(s) Board of barber examiners.....	\$50.00 per day
18	(t) Residential builders' and maintenance and	
19	alteration contractor's board.....	\$50.00 per day
20	(u) Carnival-amusement safety board.....	\$50.00 per day
21	(v) Collection practices board.....	\$50.00 per day
22	(w) Board of cosmetology.....	\$50.00 per day
23	(x) Employment agency board.....	\$50.00 per day
24	(y) Board of professional engineers.....	\$50.00 per day
25	(z) Board of land surveyors.....	\$50.00 per day
26	(aa) Board of landscape architects.....	\$50.00 per day

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1	(bb) Board of marriage counselors.....	\$50.00 per day
2	(cc) Board of examiners in mortuary science.....	\$50.00 per day
3	(dd) Nursing home administrators' board.....	\$50.00 per day
4	(ee) Board of real estate brokers and	
5	salespersons.....	\$50.00 per day
6	(ff) Ski area safety board.....	\$50.00 per day
7	(gg) Michigan board of social work.....	\$50.00 per day
8	(hh) Commission on professional and occupational	
9	licensure.....	\$50.00 per day
10	(ii) Board of real estate appraisers.....	\$50.00 per day
11	(jj) Utility consumer participation board.....	\$50.00 per day
12	(kk) Construction code commission.....	\$50.00 per day
13	(ll) Plumbing board.....	\$50.00 per day
14	(mm) Electrical board.....	\$50.00 per day
15	(nn) Barrier free design board.....	\$50.00 per day
16	(oo) Mechanical board.....	\$50.00 per day
17	(pp) Boiler board.....	\$50.00 per day
18	(qq) Elevator board.....	\$50.00 per day
19	(rr) General industry safety standards commission	\$50.00 per day
20	(ss) General industry safety standards advisory	
21	committees.....	\$50.00 per day
22	(tt) Construction safety standards commission....	\$50.00 per day
23	(uu) Construction safety standards advisory	
24	committees.....	\$50.00 per day
25	(vv) Board of health and safety compliance	
26	appeals.....	\$50.00 per day

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1	(ww) Occupation health standards commission.....	\$50.00 per day
2	(xx) Fire safety board.....	\$50.00 per day
3	(yy) Occupational health standards advisory	
4	committee.....	\$50.00 per day

5 Sec. 306. (1) The Michigan council for arts and cultural affairs in
6 the department shall administer the arts and cultural grants appropriated
7 in part 1. The council shall provide for fair and independent decisions
8 on arts and cultural grant requests based upon published criteria to
9 evaluate program quality. This criteria shall include a prohibition of
10 art projects that include displays of human wastes on religious symbols,
11 displays of sex acts, and depictions of flag desecration. The council
12 shall seek to award grants on an equitable geographic basis to the extent
13 possible given the quality of grant applications received. Priority
14 shall be given to projects that serve multiple counties and that leverage
15 significant additional public and private investment. Counties, cities,
16 villages, townships, community foundations, and organizations, including
17 science museums/centers, may apply for the following categories of
18 grants:

19 (a) Anchor organization program for organizations that serve a
20 statewide audience. Anchor organizations shall demonstrate a commitment
21 to education, to mentoring smaller organizations, and to reaching under-
22 served audiences.

23 (b) Arts projects program.

24 (c) Arts and learning program.

25 (d) Artists in schools program.

26 (e) Arts organization development program.

1 (f) Capital improvement projects for cities, villages, and townships
2 (CTV) program.

3 (g) Local, regional, or statewide arts agencies services program.

4 (h) Regional regranting program.

5 (i) Partnership program.

6 (j) Discretionary grants program.

7 (k) Rural arts and cultural projects.

8 (2) The council shall establish a regional services provider subcat-
9 egory within the arts projects program to serve mid-level and larger
10 organizations that serve a regional audience. Organizations receiving
11 grants within this subcategory shall demonstrate that they have regional
12 impact as well as a commitment to education, to mentoring smaller organi-
13 zations, and to reaching underserved audiences.

14 (3) Potential applicants, including anchor organizations, that are
15 considered ineligible to apply for grants and applicants that are unsuc-
16 cessful in obtaining a grant shall be provided by the council with the
17 following:

18 (a) A written rationale as to why the potential applicant was con-
19 sidered ineligible or why the applicant's grant was not funded.

20 (b) A description of actions the potential applicant or applicant
21 needs to take in order to become eligible or to receive funding in future
22 years.

23 (4) The council shall distribute the funds appropriated in part 1 in
24 a manner which achieves the following criteria:

25 (a) Supports the development of the regional services provider sub-
26 category and provides sufficient funding to organizations meeting the

1 criteria for this subcategory as described in subsection (2) and the
2 council's guidelines.

3 (b) Preserves the funding capacity for the council to provide suffi-
4 cient funding to new applicants for the anchor organization program that
5 meet the criteria for this category as described in subsection (1)(a) and
6 the council's guidelines.

7 (5) Funds allocated outside of the categories described in subsec-
8 tion (4)(a) and (b) shall be allocated to the remaining grant categories
9 in the same general proportions as the council has allocated funding to
10 these categories in recent fiscal years.

11 (6) The appropriation for arts and cultural grants in part 1 and
12 disbursed under this section shall, at a minimum, be matched on an equal
13 dollar-for-dollar basis from local and private contributions paid and
14 received by each awardee receiving grants under this section. The
15 dollar-for-dollar match may include the reasonable value of services,
16 materials, and equipment as allowed under the federal internal revenue
17 code for charitable contributions subject also to the preapproval of such
18 a match by the Michigan council for arts and cultural affairs. The coun-
19 cil shall receive proof of the entire amount of the matching funds, serv-
20 ices, materials, or equipment by the end of the award period. The coun-
21 cil shall submit a report to the subcommittees regarding those counties,
22 cities, villages, townships, community foundations, and organizations
23 failing to meet their matching requirements by the end of the award
24 period.

25 (7) Before any amount appropriated for arts and cultural grants in
26 part 1 may be expended for a grant to eligible applicants for the
27 purposes in this section, the department shall execute a grant agreement

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1 with each grantee. The grant agreement shall specify the criteria
2 included in this section with which the application complies. The grant
3 agreement shall include a list of the projects funded. The subcommittees
4 shall receive a summary of the projects funded for each grant recipient
5 by November 1, 2001.

6 (8) By February 1, 2002, the department shall report to the state
7 budget office and the subcommittees on how the council intends to imple-
8 ment the arts and cultural grants program for the following fiscal year,
9 including the process for evaluating organization quality, efforts to
10 achieve an equitable geographic distribution of grants, and a summary of
11 any revisions to the guidelines for the council's grant programs. The
12 department shall submit copies of the guidelines for each grant category
13 to the state budget office and the subcommittees by February 1, 2002.

14 (9) The department shall submit a report to the state budget office,
15 the subcommittees, and the fiscal agencies by October 1, 2001, listing
16 the grant applicants under this section. The report shall include the
17 following:

18 (a) The amount requested by the applicant.

19 (b) Any amount awarded to the applicant.

20 (c) The grant category under which the applicant applied.

21 (d) The county in which the organization resides.

22 (e) The expected number of patrons during the grant period.

23 (f) The amount of matching funds proposed to be contributed by the
24 applicant.

25 (g) The organization's score as determined by the relevant peer
26 review panel during the application evaluation process.

1 (10) By September 1, 2002, the department shall submit to the state
2 budget office, the fiscal agencies, and the subcommittees a summary of
3 the regranted awards made by regranteeing organizations from funds appro-
4 priated in part 1. For each regranteeing organization, the report shall
5 include the following:

6 (a) The name of each grantee.

7 (b) The amount received by the grantee.

8 (c) The county in which the grantee resides.

9 (11) Counties, cities, villages, townships, community foundations,
10 and organizations receiving funds under this section shall provide the
11 following reports to the Michigan council for arts and cultural affairs,
12 to the subcommittees, and to the fiscal agencies:

13 (a) A final report covering the grant period and due within 30 days
14 after the end of the grant period indicating at least the following:

15 (i) Revenues and expenditures, indicating whether revenues are from
16 private donations or fees.

17 (ii) Number of employees.

18 (iii) Number of new hires.

19 (iv) Number of patrons attracted during the grant period.

20 (b) For awardees receiving grants greater than \$100,000.00, a copy
21 of the awardee's annual report and audit report for the fiscal year in
22 which the majority of the grant took place due within 90 days after the
23 end of the awardee's fiscal year. The audit report shall include an
24 audit of grant funds. A representative sampling of grant agreements
25 shall be audited by the state auditor general. The audit report shall be
26 submitted to the state budget office and the subcommittees for review.
27 These awardees shall also submit the information in subdivision (a) on a

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1 quarterly basis for the immediately preceding quarter due on January 7,
2 April 7, July 7, and October 7 of each year.

3 (12) The recipients of grant funds under this section shall be
4 announced by the department by October 1, 2001. The department shall,
5 within 1 day following the final council vote, provide the subcommittees
6 and each legislator whose district is receiving a grant with a list of
7 grant awardees.

8 (13) A grant awarded under this section and the matching funds which
9 conferred eligibility for the grant award shall be used by the recipient
10 of the grant award and shall not be redistributed by that recipient to
11 any other entity unless specifically provided for in the grant agreement
12 between the funded grant awardee and the Michigan council for arts and
13 cultural affairs.

14 (14) The applicants for arts and cultural grant funds shall be
15 charged a nonrefundable application fee of \$100.00 or 1% of the grant,
16 whichever is less. The application fee may be used by the department to
17 recover direct and indirect costs as appropriated in part 1.

18 (15) It is the intent of the legislature that the Michigan council
19 for arts and cultural affairs continue to take appropriate steps to
20 ensure that all organizations receiving state arts anchor organization
21 grants have combined grant awards, as defined in subsection (17), of no
22 more than 15.0% of operating revenue for the fiscal year ending
23 September 30, 2005 and beyond. As used in this subsection, "operating
24 revenue" is defined in the same manner as it was defined during the
25 fiscal year 2000 state arts anchor organization application process.

26 (16) The council shall continue and expand its efforts to encourage
27 and support nonprofit arts and cultural organizations transitioning from

1 solely volunteer-based organizations to professional directed
2 operations. This includes the provision of funds and services from the
3 arts organization development, partnership, arts projects, regional serv-
4 ices provider, and regional regranteeing programs as well as the rural arts
5 and culture initiative to support professional development within these
6 organizations. Criteria for support include the requirement of collabo-
7 ration between these organizations and other community organizations.

8 (17) Any organizations receiving grants within the anchor organiza-
9 tion program category in excess of 10.0% of their operating revenue, as
10 defined in subsection (15), for the fiscal year ending September 30,
11 2001, shall not receive a combined grant award from all grant categories,
12 except the partnership program, that is greater than the combined grant
13 award from these categories that the organization received for the fiscal
14 year ending September 30, 2001.

15 (18) The council shall make available to an awardee any written com-
16 ments that are available regarding that awardee's application and peer
17 review process.

18 (19) The council shall provide for fair, equitable, and efficient
19 distribution of funds granted through the regional regranteeing program.
20 The council shall provide for an annual assessment of grant management
21 and distribution of mini-grant awards by designated regional regranteeing
22 agencies and review the methodology employed and report these findings to
23 the state budget office and the subcommittees.

24 (20) The arts organization development program shall provide funding
25 for organizations that deliver services to cultural groups and individual
26 artists in all disciplines and that foster long-term development of a
27 community or region. Projects and programs funded through this program

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1 shall be designed to strengthen Michigan families and communities by
2 ensuring full public access to quality arts and cultural activities, pro-
3 moting cultural tourism, and providing for quality arts and cultural
4 education.

5 (21) The council shall make every effort to provide total grant
6 awards in the anchor organization program at a level not to exceed 65% of
7 the total amount appropriated for arts and cultural grants.

8 (22) The council shall assess its granting processes and procedures
9 to strengthen consumer and industry access to arts and cultural informa-
10 tion, services, and funding opportunities and shall explore new technol-
11 ogy applications. The council shall report these findings and shall pro-
12 vide a progress report on steps taken to implement the new initiatives
13 prescribed by the legislature in this section by February 1, 2002, to the
14 subcommittees.

15 Sec. 307. The department may receive and expend contributions from
16 public, private, and federal sources, except state agencies, for the pur-
17 pose of acquiring or constructing art objects or promoting or preserving
18 the arts in or on state properties. Expenditures of any funds received
19 shall be consistent with the purposes of the Faxon-McNamee art in public
20 places act, 1980 PA 105, MCL 18.71 to 18.81. Any funds received under
21 this section are considered a work project account and may be carried
22 forward into the succeeding fiscal year.

23 Sec. 308. The Michigan state housing development authority shall
24 annually present a report to the state budget office and the subcommit-
25 tees on the status of the authority's housing production goals under all
26 financing programs established or administered by the authority. The

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1 report shall give special attention to efforts to raise affordable
2 multifamily housing production goals.

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

10 Sec. 310. The appropriation in part 1 for the department, bureau of
11 safety and regulation, safety education and training division, includes
12 funding for on-site consultation and education and training programs.
13 The appropriation in part 1 anticipates that 90% of the on-site consulta-
14 tion program costs and 50% of the education and training program costs
15 will be supported by federal OSHA funds and the remaining 10% and 50%
16 respectively will be supported by safety education and training funds.
17 If federal OSHA funding does not become available to cover up to 90% of
18 the program costs for on-site consultation and 50% for education and
19 training, up to 50% of the program costs for on-site consultation and 90%
20 of the program costs for education and training may be paid from the
21 safety education and training fund as a match for available federal
22 funds.

23 Sec. 311. The funds collected by the department for licenses, per-
24 mits, and other elevator regulation fees set forth in R 408.8151 of the
25 Michigan administrative code and as determined under section 8 of 1976
26 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL 408.816, that
27 are unexpended at the end of the fiscal year shall carry forward to the

1 subsequent fiscal year. The department shall submit a report on an
 2 annual basis to the state budget office and the subcommittees on the
 3 amount of funds available under this section.

4 Sec. 312. If the revenue collected by the department for occupa-
 5 tional safety and health, health systems administration, or radiological
 6 health administration and projects from fees and collections exceeds the
 7 amount appropriated in part 1, the revenue may be carried forward into
 8 the subsequent fiscal year. The revenue carried forward under this sec-
 9 tion shall be used as the first source of funds in the subsequent fiscal
 10 year.

11 Sec. 313. Money appropriated under this act for fire safety pro-
 12 grams shall not be expended unless, in accordance with section 2c of the
 13 fire prevention code, 1941 PA 207, MCL 29.2c, inspection and plan review
 14 fees will be charged according to the following schedule:

15 Operation and maintenance inspection fee

16	<u>Facility type</u>	<u>Facility</u>	
17		<u>size</u>	<u>Fee</u>
18	Hospitals	Any	\$8.00 per bed
19	<u>Plan review and construction inspection fees for hospitals and schools</u>		
20	<u>Project cost range</u>		<u>Fee</u>
21	\$101,000.00 or less		minimum fee of \$155.00
22	\$101,001.00 to \$1,500,000.00		\$1.60 per \$1,000.00
23	\$1,500,001.00 to \$10,000,000.00		\$1.30 per \$1,000.00
24	\$10,000,001.00 or more		\$1.10 per \$1,000.00
25		or a maximum fee of \$60,000.00.	

26
 27 Sec. 314. The department shall furnish the clerk of the house, the
 28 secretary of the senate, the state budget office, and all members of the
 29 house and senate appropriations committees with a summary of any evalu-
 30 ation reports and subsequent approvals or disapprovals of juvenile
 31 residential facilities operated by the family independence agency, as

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1 required by 1973 PA 116, MCL 722.116. If no evaluations are conducted
2 during the fiscal year, the department shall notify the fiscal agencies
3 and all members of the appropriate subcommittees of the house and senate
4 appropriation committees.

5 Sec. 315. (1) From the amount appropriated in part 1 to health sys-
6 tems administration, the department shall provide funding for not less
7 than 113 inspectors to annually survey and investigate the care and serv-
8 ices delivered in nursing homes, county medical care facilities, and hos-
9 pital long-term care units in accordance with provisions in the public
10 health code, 1978 PA 368, MCL 333.1101 to 333.25211, and federal Medicare
11 and Medicaid certification standards.

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

17 Sec. 316. If the revenue collected by the department from licensing
18 and regulation fees exceeds the amount appropriated in part 1, the reve-
19 nue may be carried forward into the subsequent fiscal year. The revenue
20 carried forward under this section shall be used as the first source of
21 funds in the subsequent fiscal year.

22 Sec. 317. Funds earned or authorized by the United States depart-
23 ment of labor in excess of the gross appropriation in part 1 for the
24 Michigan unemployment agency from the United States department of labor
25 are appropriated and may be expended for staffing and related expenses
26 incurred in the operation of its programs. These funds may be spent

1 after the department notifies the state budget office and the
2 subcommittees of the purpose and amount of each grant award.

3 Sec. 318. The department shall sell documents at a price not to
4 exceed the cost of production and distribution. Money received from the
5 sale of these documents shall revert to the department. The funds are
6 available for expenditure when they are received by the department of
7 treasury and may only be used for costs directly related to the continued
8 updating and distribution of the documents pursuant to this section.

9 This section applies only for the following documents:

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

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

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

17 (d) The mobile home commission act, 1987 PA 96, MCL 125.2301 to
18 125.2349; the business corporation act, 1972 PA 284, MCL 450.1101 to
19 450.2098; the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to
20 450.3192; and the uniform securities act, 1964 PA 265, MCL 451.501 to
21 451.818.

22 (e) Labor law books.

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

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

25 Sec. 319. The department shall report to the state budget office,
26 the fiscal agencies, and the subcommittees on March 1, 2002 and September
27 1, 2002 on the initial and follow-up surveys conducted on all nursing

1 homes in this state. The report shall include all of the following
2 information:

3 (a) The number of surveys conducted.

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

5 (c) The number referred to the Michigan public health institute for
6 remediation.

7 (d) The number of citations per home.

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

9 (f) The number of night and weekend responses to complaints con-
10 ducted by the department.

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

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

14 (i) The number and percentage of citations overturned and/or
15 modified.

16 Sec. 320. The department, bureau of safety and regulation, shall
17 provide an annual report by February 1 of each year to the state budget
18 office, the fiscal agencies, and the subcommittees on the number of indi-
19 viduals killed and the number of individuals injured on the job within
20 industries regulated by the bureau during the preceding calendar year.

21 Sec. 321. The department shall report by November 1, 2001 to the
22 state budget office, the legislature, and the fiscal agencies the status
23 of the nursing home complaint investigation backlog.

24 Sec. 322. As a condition for receiving the general fund/general
25 purpose appropriations in part 1 for health systems administration, the
26 department shall provide assistance to any person making an oral request
27 for a nursing home investigation in putting his or her request into

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1 writing, shall initiate investigations on all written nursing home
2 complaints filed with the department within 15 days of receipt of the
3 complaint, and shall provide a written response to the complainant within
4 30 days of receipt of the written complaint.

5 Sec. 323. The unemployment agency, during its transition to the
6 remote initial claims system, may operate a sufficient number of unem-
7 ployment agency offices, including itinerant or satellite offices, within
8 Michigan's Upper Peninsula to ensure that the citizens of the Upper
9 Peninsula can access these offices without excessive travel or, in cases
10 where unemployment claims are filed or renewed by phone, without exces-
11 sive long-distance toll charges.

12 Sec. 324. The department shall not enter into a contract using
13 funds appropriated in part 1 for emergency medical services grants and
14 contracts unless the contract is awarded as a result of a competitive bid
15 process. [The department shall issue a request for a proposal that
16 provides for the option of a single contractor for the Upper Peninsula.]
17 The department shall work with grantees and contractors to
18 ensure that a sufficient number of trained and qualified emergency medi-
19 cal services personnel exist to serve the Upper Peninsula and rural areas
20 of the state.

21 Sec. 325. (1) Of the funds appropriated in part 1 to the office of
22 financial and insurance services created under Executive Order No. 4 of
23 2000, the funds allocated to the office of financial and insurance serv-
24 ices and the commissioner of the office of financial and insurance serv-
25 ices under the insurance code of 1956, 1956 PA 218, MCL 500.100 to
26 500.8302, shall be accounted for separately by the department from any
other funds of the office of financial and insurance services and shall
be separated and allocated as restricted funds to be held and expended

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1 only in the manner provided for under section 225 of the insurance code
2 of 1956, 1956 PA 218, MCL 500.225, and this act.

3 (2) The director shall report to the state budget office and the
4 subcommittees by February 1, 2002 regarding the expenditures for the pre-
5 vious fiscal year from insurance regulatory fees for the following:

6 (a) The executive direction unit.

7 (b) The management services unit.

8 (c) The salary and expenditures of the commissioner of financial and
9 insurance services.

10 Sec. 326. From the funds appropriated in part 1 for utility con-
11 sumer representation, the department shall produce and facilitate the
12 airing of public service announcements that inform utility customers of
13 the availability and purpose of these funds. The utility consumer par-
14 ticipation board shall report to the subcommittees, fiscal agencies, and
15 state budget office by September 30, 2002 on its efforts in this area,
16 including the amount of expenditures made for this purpose.

17 Sec. 327. (1) The department in consultation with nursing home pro-
18 vider groups, the department of community health, the state long-term
19 care ombudsman, and the federal health care finance administration shall
20 continue to work to clarify the following terms as those terms are used
21 in title XVIII and title XIX and applied by the department to provide
22 more consistent regulation of nursing homes in Michigan:

23 (a) Immediate jeopardy.

24 (b) Harm.

25 (c) Potential harm.

26 (d) Avoidable.

1 (e) Unavoidable.

2 (2) The department shall semiannually provide for joint training
3 with nursing home surveyors and providers on at least 1 of the 10 most
4 frequently issued federal citations in this state during the past calen-
5 dar year. The department shall provide a mechanism to measure the effect
6 of the training and shall report to the legislature and the state budget
7 office on the effect of the training by January 15, 2002.

8 Sec. 328. Of the funds appropriated in part 1 for nursing home
9 quality incentive grants, funds shall not be distributed to a nursing
10 home under the program unless that nursing home posts the executive sum-
11 mary of the nursing home's last annual inspection in a conspicuous place
12 within the nursing home for public review.

13 Sec. 329. The unemployment agency shall work collaboratively with
14 the department of career development to ensure each 1-stop center has the
15 ability to assist individuals or respond to inquiries regarding unemploy-
16 ment benefits and the remote initial claims system.

17 Sec. 330. (1) The department shall post on the Internet the execu-
18 tive summary of the latest inspection for each licensed nursing home.

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

21 Sec. 331. (1) Of the funding appropriated in part 1 for the video
22 monitoring equipment, up to \$34,950.00 shall be provided to the Oakland
23 County sheriff's department and \$34,950.00 shall be provided to the Wayne
24 County sheriff's department. These amounts shall be matched on an equal
25 dollar-for-dollar basis.

26 (2) If the match amounts are less than \$34,950.00, the unexpended
27 balance from this section shall lapse to the general fund.

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1 Sec. 332. Of the funds appropriated in part 1 for occupational
2 safety and health, \$224,000.00 shall be used to hire 3 additional inspec-
3 tors for either the construction or the general industry safety
4 division. The department shall submit a report to the subcommittees,
5 state budget office, and fiscal agencies by February 15, 2002 on the
6 status of the positions.

7 Sec. 333. (1) The department shall maintain a nursing home quality
8 care incentive program. The department shall post criteria for this
9 grant program on the Internet and shall make the criteria available in
10 written format upon request.

11 (2) In establishing criteria for the awarding of nursing home inno-
12 vative grants authorized in part 1, the department shall allow every
13 facility to apply for funds each year unless the facility has received a
14 substandard quality of care citation on its last annual survey. If an
15 annual survey is not complete by the time of the due date for grant
16 applications, a facility's application will be held pending the outcome
17 of that annual survey. No single annual survey may be used twice to deny
18 a facility grant application.

19 Sec. 334. When hiring any new nursing home inspectors funded
20 through appropriations in part 1, the department shall make every effort
21 to hire individuals with past experience in the long-term care industry.

22 Sec. 335. It is the intent of this legislature that beginning
23 January 1, 2004, the board of psychology shall require a licensee seeking
24 renewal of a license to furnish the board with satisfactory evidence that
25 during the 2 years before application for renewal the licensee has
26 attended continuing education courses or programs approved by the board
27 totaling not less than 36 credits. The applicant shall be responsible

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1 for maintaining records of continuing education attendance. The board is
2 authorized to request verification of continuing education records at the
3 time of renewal of application. Verification may be conducted periodi-
4 cally by sample or by means other than reviewing every application.

5 Sec. 336. The department shall work to promote the nursing scholar-
6 ship program funded from appropriations in part 1 to health services.
7 The department shall focus its promotional efforts on recruiting under-
8 graduate students into the nursing field in order to address the current
9 nursing shortage. The department shall also make every effort to utilize
10 scholarship funds in a manner which encourages undergraduate students to
11 enter the nursing field.

12 [Sec. 337. (1) The unemployment agency shall include in the remote
13 initial claims center (RICCS) automated phone system a choice to speak
14 with an employee of the unemployment agency as an option. This option
15 should be provided in the system as early as possible as deemed
16 appropriate in the system design. In addition, the unemployment agency
17 should establish a standard that no one is on hold for greater than 5
18 minutes without assistance. The RICCS shall not include the ability to
19 screen out calls for any reason. The department shall monitor the system
20 to ensure compliance with these guidelines.

21 (2) The unemployment agency should continue to provide training
22 opportunities to employees affected with the implementation of the RICCS.

23 Sec. 338. Nursing facilities shall report in the quarterly staff
24 report to the department, the total patient care hours provided each
25 month, by state licensure and certification classification, and the
26 percentage of pool staff, by state licensure and certification
27 classification, used each month during the preceding quarter. The

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1 department shall make available to the public, the quarterly staff report
2 compiled for all facilities including the total patient care hours and the
3 percentage of pool staff used, by classification.]

4 Sec. 339. As a condition for making expenditures from the appropri-
5 ations in part 1 from state general fund/general purpose revenues, the
6 department shall ensure that administrative law hearings on actions ini-
7 tiated by the department against regulated businesses or against individ-
8 uals in regulated occupations shall be held in locations that are within
9 150 miles of the regulated business or of the office of the individual in
10 a regulated occupation. In addition, the department shall ensure that
11 administrative law hearings on actions initiated by an individual outside
12 the department shall be held in locations within 150 miles of the home of
13 the individual bringing the action if that individual wishes to testify
14 at the hearing.

[Sec. 340. The department shall work cooperatively with the department of civil service to identify state employees who will lose their jobs as a result of an agency program being reorganized, modified, or eliminated and shall develop training programs and provide training to these individuals that will provide them with the opportunity and skills necessary to secure new employment within the state government or the private sector. It shall be a priority of the department to provide training and employment opportunities to these displaced state employees through their employment service locations.]

Sec. 341. From the funds appropriated in part 1 for adult foster care, children's welfare, and day care licensure, the department shall maintain a day care facility to day care inspector ratio of no more than 210 to 1.

Sec. 342. Any municipality having a population of 750,000 or more that receives grant funding from the appropriation for fire protection grants in part 1, shall utilize the funding to supplement the municipality's fire prevention efforts, upgrade fire fighting equipment, and provide support services for burn survivors and their families.]

