

Act No. 118  
Public Acts of 2007  
Approved by the Governor  
October 31, 2007  
Filed with the Secretary of State  
October 31, 2007  
EFFECTIVE DATE: October 31, 2007

**STATE OF MICHIGAN  
94TH LEGISLATURE  
REGULAR SESSION OF 2007**

Introduced by Senator Jansen

# ENROLLED SENATE BILL No. 234

AN ACT to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2008; 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:*

## PART 1

### LINE-ITEM APPROPRIATIONS

Sec. 101. The amounts listed in this part are appropriated for the department of labor and economic growth, subject to the conditions set forth in this act, for the fiscal year ending September 30, 2008, from the funds identified in this part. The following is a summary of the appropriations in this part:

#### DEPARTMENT OF LABOR AND ECONOMIC GROWTH

##### APPROPRIATION SUMMARY:

Full-time equated unclassified positions .....	58.5	
Full-time equated classified positions .....	4,282.5	
GROSS APPROPRIATION .....		\$ 1,301,230,700
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		34,472,800
ADJUSTED GROSS APPROPRIATION .....		\$ 1,266,757,900
Federal revenues:		
Total federal revenues .....		820,712,500
Special revenue funds:		
Total local revenues .....		15,884,700
Total private revenues .....		5,314,300
Total other state restricted revenues .....		378,843,700
State general fund/general purpose .....		\$ 46,002,700

**Sec. 102. DEPARTMENTAL ADMINISTRATION**

Full-time equated unclassified positions .....	58.5	
Full-time equated classified positions .....	179.0	
Unclassified salaries .....		\$ 5,349,400
Executive director programs—53.0 FTE positions .....		6,622,100
Regulatory efficiency improvements/backlog reduction initiative .....		475,600
Property management .....		10,519,200
Rent .....		17,015,600
Worker's compensation .....		1,381,000
Special project advances .....		940,000
HR optimization charges .....		259,700
Administrative services—126.0 FTE positions .....		13,059,500
GROSS APPROPRIATION .....		\$ 55,622,100
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of community health .....		300,000
Federal revenues:		
DOE-OEERE, multiple grants .....		9,300
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants .....		4,902,300
DOL-ETA, unemployment insurance .....		13,570,600
DOL-ETA, workforce investment act .....		882,100
DOL, federal funds .....		2,334,500
DOL, multiple grants for safety and health .....		776,900
Federal revenues .....		578,000
HHS, temporary assistance for needy families .....		347,000
HHS, titles XVIII and XIX .....		34,100
Special revenue funds:		
Private - special project advances .....		940,000
Local revenues .....		131,300
Bank fees .....		540,800
Boiler fees .....		254,000
Construction code fund .....		1,071,700
Consumer finance fees .....		177,600
Contingent fund, penalty and interest account .....		861,400
Contingent fund, regular penalty and interest .....		4,100
Corporation fees .....		5,132,100
Credit union fees .....		350,800
Elevator fees .....		268,600
Fees and collections/asbestos .....		76,200
Fire service fees .....		792,500
Insurance licensing and regulation fees .....		1,910,800
Insurance regulatory fees .....		1,098,400
Land sales fees .....		15,000
Licensing and regulation fees .....		822,600
Liquor license revenue .....		100,000
Liquor purchase revolving fund .....		5,536,700
Manufactured housing commission fees .....		263,600
Michigan state housing development authority fees and charges .....		4,021,500
Motor carrier fees .....		185,200
Public utility assessments .....		2,171,300
Private occupational school license fees .....		14,000
Rehabilitation services fees .....		90,300
Safety education and training fund .....		572,100
Second injury fund .....		257,000
Securities fees .....		2,409,700
Self-insurers security fund .....		87,300
Silicosis and dust disease fund .....		111,300
Tax tribunal fees .....		189,300
State general fund/general purpose .....		\$ 1,430,100

**Sec. 103. OFFICE OF FINANCIAL AND INSURANCE SERVICES**

Full-time equated classified positions .....	288.0	
Administration—21.0 FTE positions .....		\$ 4,162,400
Policy conduct and consumer assistance—86.0 FTE positions .....		14,177,900
Financial evaluation—181.0 FTE positions .....		27,073,000
GROSS APPROPRIATION .....		\$ 45,413,300
Appropriated from:		
Federal revenues:		
Federal regulatory project revenue .....		50,400
Special revenue funds:		
Bank fees .....		7,469,200
Consumer finance fees .....		4,891,500
Credit union fees .....		5,404,000
Deferred presentment service transaction fees .....		1,307,400
Insurance continuing education fees .....		903,400
Insurance licensing and regulation fees .....		3,912,600
Insurance regulatory fees .....		19,231,000
Multiple employer welfare arrangement .....		72,300
Securities fees .....		2,171,500
State general fund/general purpose .....		\$ 0

**Sec. 104. PUBLIC SERVICE COMMISSION**

Full-time equated classified positions .....	170.0	
Administration, planning and regulation—159.0 FTE positions .....		\$ 21,797,600
Energy office—9.0 FTE positions .....		5,342,100
Children's protection registry administration—2.0 FTE positions .....		271,200
GROSS APPROPRIATION .....		\$ 27,410,900
Appropriated from:		
Federal revenues:		
DOE-OEERE, multiple grants .....		4,828,100
DOT-RSPA, gas pipeline safety .....		984,900
Special revenue funds:		
Private - oil overcharge .....		30,000
Children's protection registry fund .....		271,200
Motor carrier fees .....		2,220,100
Public utility assessments .....		18,076,600
Video franchise assessments .....		1,000,000
State general fund/general purpose .....		\$ 0

**Sec. 105. LIQUOR CONTROL COMMISSION**

Full-time equated classified positions .....	152.0	
Management support services—28.0 FTE positions .....		\$ 3,403,100
Liquor licensing and enforcement—124.0 FTE positions .....		12,175,000
GROSS APPROPRIATION .....		\$ 15,578,100
Appropriated from:		
Special revenue funds:		
Liquor license revenue .....		6,362,200
Liquor purchase revolving fund .....		9,215,900
State general fund/general purpose .....		\$ 0

**Sec. 106. MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY**

Full-time equated classified positions .....	266.0	
Payments on behalf of tenants .....		\$ 140,000,000
Housing and rental assistance program—266.0 FTE positions .....		37,256,600
GROSS APPROPRIATION .....		\$ 177,256,600
Appropriated from:		
Federal revenues:		
HUD, lower income housing assistance program .....		140,000,000

Special revenue funds:		
Michigan state housing development authority fees and charges .....	\$	37,256,600
State general fund/general purpose .....	\$	0

#### **Sec. 107. OCCUPATIONAL REGULATION**

Full-time equated classified positions .....	421.0	
Boiler inspection program—25.0 FTE positions .....	\$	2,764,400
Fire marshal program—5.0 FTE positions .....		448,200
Fire fighters training council—8.0 FTE positions .....		1,743,400
Fire safety program funding—44.0 FTE positions .....		4,333,300
Code enforcement—120.0 FTE positions .....		13,036,700
Commercial services—156.0 FTE positions .....		17,651,200
Elevator inspection program—30.0 FTE positions .....		2,938,800
Local manufactured housing communities inspections .....		250,000
Manufactured housing and land resources program—22.0 FTE positions .....		3,191,800
Property development group—11.0 FTE positions .....		1,569,400
GROSS APPROPRIATION .....	\$	47,927,200

#### Appropriated from:

IDG from department of community health, inspection contract .....		68,500
IDG from department of state police, homeland security .....		754,300
FEMA .....		28,000
DOT .....		47,000
HHS, titles XVIII and XIX .....		700,000
Accountancy enforcement fund .....		103,600
Boiler fee revenue .....		3,166,300
Construction code fund .....		12,930,600
Corporation fees .....		5,857,900
Elevator fees .....		3,313,000
Fire alarm fees .....		99,000
Fire service fees .....		1,706,600
Homeowner construction lien recovery fund .....		1,537,900
Licensing and regulation fees .....		10,050,100
Mobile home code fund .....		2,771,800
Michigan boxing fund .....		45,000
Property development fees .....		282,900
Real estate appraiser continuing education fund .....		47,000
Real estate education fund .....		272,100
Remonumentation fees .....		709,500
Security business fund .....		314,600
State general fund/general purpose .....	\$	3,121,500

#### **Sec. 108. MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION**

Full-time equated classified positions .....	229.0	
Occupational safety and health—229.0 FTE positions .....	\$	26,198,200
GROSS APPROPRIATION .....	\$	26,198,200

#### Appropriated from:

#### Federal revenues:

DOL, multiple grants for safety and health .....		12,197,000
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#### Special revenue funds:

Corporation fees .....		2,279,600
Fees and collections/asbestos .....		863,300
Licensing and regulation fees .....		1,174,800
Safety education and training fund .....		7,848,700
Securities fees .....		1,834,800
State general fund/general purpose .....	\$	0

**Sec. 109. BUREAU OF WORKER'S AND UNEMPLOYMENT COMPENSATION**

Full-time equated classified positions.....	1,251.0	
Administration—96.6 FTE positions .....		\$ 9,896,800
Board of magistrates and appellate commission—19.4 FTE positions.....		3,270,900
Wage and hour division—35.0 FTE positions .....		3,090,100
Insurance funds administration—28.0 FTE positions.....		4,590,200
Supplemental benefit fund .....		820,000
Unemployment programs—1,002.7 FTE positions.....		94,340,500
Advocacy assistance program .....		1,500,000
Special audit and collections program—34.0 FTE positions.....		2,879,700
Training program for agency staff—2.1 FTE positions .....		1,807,300
Expanded fraud control program—33.2 FTE positions .....		3,184,900
GROSS APPROPRIATION.....		\$ 125,380,400
Appropriated from:		
Federal revenues:		
DOL-ETA, employment and training administration.....		677,400
DOL-ETA, unemployment insurance .....		93,347,500
Federal Reed act funds .....		4,487,500
Special revenue funds:		
Corporation fees.....		2,346,200
Contingent fund, regular penalty and interest account.....		14,459,400
Licensing and regulation fees.....		789,700
Second injury fund .....		2,471,200
Securities fees .....		2,346,900
Self-insurers security fund.....		1,168,300
Silicosis and dust disease fund .....		950,700
Worker's compensation administrative revolving fund .....		2,335,600
State general fund/general purpose .....		\$ 0

**Sec. 110. STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES**

Full-time equated classified positions.....	163.0	
Administrative hearings and rules—163.0 FTE positions .....		\$ 21,788,000
GROSS APPROPRIATION.....		\$ 21,788,000
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of community health .....		1,704,200
IDG from department of corrections .....		3,801,800
IDG from department of education .....		1,064,200
IDG from department of environmental quality.....		522,000
IDG from department of human services .....		3,338,000
IDG from department of management and budget.....		42,000
Federal revenues:		
DOL-ETA, unemployment insurance .....		6,336,700
DOL, multiple grants for safety and health .....		202,700
Special revenue funds:		
Construction code fund.....		292,900
Corporation fees.....		365,700
Insurance regulatory fees .....		347,000
Licensing and regulation fees.....		1,074,000
Liquor purchase revolving fund.....		119,800
Manufactured housing commission fees.....		143,300
Public utility assessments .....		1,272,800
Safety education and training fund .....		195,600
Securities fees .....		888,600
Tax tribunal fees.....		76,700
State general fund/general purpose .....		\$ 0

**Sec. 111. INFORMATION TECHNOLOGY**

Information technology services and projects.....	\$	42,799,100
GROSS APPROPRIATION.....	\$	42,799,100

Appropriated from:

Federal revenues:

DOL-ETA, unemployment insurance .....	21,091,700
DOL, multiple grants for safety and health .....	273,700
Federal revenues .....	5,877,400
HHS, temporary assistance for needy families.....	176,300

Special revenue funds:

Bank fees.....	487,100
Boiler fee revenue .....	327,200
Construction code fund.....	944,600
Consumer finance fees .....	198,700
Corporation fees.....	1,797,300
Credit union fees.....	274,600
Elevator fees .....	259,700
Fees and collections/asbestos .....	11,000
Fire service fees .....	520,700
Insurance regulatory fees .....	711,500
Land bank fast track fund.....	204,500
Licensing and regulation fees.....	1,168,000
Liquor purchase revolving fund.....	3,212,000
Manufactured housing commission fees.....	74,200
Michigan state housing development authority fees and charges .....	2,038,000
Motor carrier fees.....	118,600
Public utility assessments .....	890,900
Safety education and training fund .....	352,700
Second injury fund .....	149,200
Securities fees .....	1,509,200
Self-insurers security fund.....	70,100
Silicosis and dust disease fund .....	60,200
State general fund/general purpose .....	\$ 0

**Sec. 112. WORKFORCE DEVELOPMENT**

Full-time equated classified positions.....	965.5
Employment services—246.0 FTE positions.....	\$ 48,523,600
Jobs education training pilot—31.0 FTE positions .....	9,401,100
Jobs education training statewide expansion—62.0 FTE positions .....	13,476,700
Labor market information—52.0 FTE positions.....	6,340,200
Michigan rehabilitation services—513.5 FTE positions .....	70,737,800
Workforce programs administration—61.0 FTE positions .....	12,749,400
GROSS APPROPRIATION.....	\$ 161,228,800

Appropriated from:

Interdepartmental grant revenues:

IDG from department of human services .....	22,877,800
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Federal revenues:

DAG, employment and training .....	178,700
DED-OPSE, multiple grants .....	1,222,900
DED-OSERS, centers for independent living.....	58,200
DED-OSERS, rehabilitation long-term training .....	316,900
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants.....	53,247,500
DED-OSERS, state grants for technical related assistance .....	56,000
DOL-ETA, workforce investment act .....	7,539,200
DOL, federal funds.....	48,273,400
DOL, ODEP.....	225,000
HHS-SSA, supplemental security income.....	3,763,300
HHS, temporary assistance for needy families.....	3,320,200

For Fiscal Year  
Ending Sept. 30,  
2008

Special revenue funds:	
Private - gifts, bequests, and donations .....	\$ 816,000
Local revenue .....	4,269,600
Local vocational rehabilitation match .....	3,054,000
Contingent fund, penalty and interest account .....	1,809,900
Rehabilitation services fees .....	1,347,000
Second injury fund .....	51,500
Student fees .....	308,000
Training materials fees .....	256,400
State general fund/general purpose .....	\$ 8,237,300

### Sec. 113. CAREER EDUCATION PROGRAMS

Full-time equated classified positions .....	30.0	
Postsecondary education—14.0 FTE positions .....		\$ 2,691,200
Adult education—16.0 FTE positions .....		2,494,300
GROSS APPROPRIATION .....		\$ 5,185,500

Appropriated from:

Federal revenues:

Federal revenues .....	3,789,900
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Special revenue funds:

Private occupational school license fees .....	432,800
Defaulted loan collection fees .....	100,000
State general fund/general purpose .....	\$ 862,800

### Sec. 114. DEPARTMENT GRANTS

Adult basic education .....	\$ 20,000,000
Carl D. Perkins grants .....	19,000,000
Focus: HOPE .....	5,860,200
Gear-up program grants .....	3,000,000
Workforce training programs subgrantees .....	184,587,800
Personal assistance services .....	459,500
Vocational rehabilitation client services/facilities .....	55,549,500
Vocational rehabilitation independent living .....	3,079,700
Welfare-to-work programs .....	107,938,600
Fire protection grants .....	10,910,500
Low-income energy efficiency assistance .....	80,000,000
Liquor law enforcement grants .....	6,100,000
Re monumentation grants .....	14,000,000
Michigan nursing corps .....	1,500,000
Michigan housing and community development fund .....	2,163,400
Private grant funded projects .....	3,000,000
GROSS APPROPRIATION .....	\$ 517,149,200

Appropriated from:

Federal revenues:

DAG, employment and training .....	7,000,000
DED-OESE, gear-up .....	3,000,000
DED-OSERS, centers for independent living .....	450,200
DED-OSERS, rehabilitation services, vocational rehabilitation of state grants .....	35,797,900
DED-OSERS, rehabilitation services facilities .....	2,272,500
DED-OSERS, supported employment .....	1,541,300
DED-OSERS, state grants for technical related assistance .....	2,240,800
DED-OVAE, adult education .....	20,000,000
DED-OVAE, basic grants to states .....	19,000,000
DOL-ETA, workforce investment act .....	181,602,700
DOL, federal funds .....	17,985,100
HHS, temporary assistance for needy families .....	72,299,000
HHS-SSA, supplemental security income .....	3,480,600

For Fiscal Year  
Ending Sept. 30,  
2008

Special revenue funds:	
Private - gifts, bequests, and donations .....	\$ 400,000
Private revenues.....	3,000,000
Local vocational rehabilitation match .....	6,630,500
Local vocational rehabilitation facilities match .....	1,278,300
Contingent fund, penalty and interest account .....	1,000,000
Low-income energy efficiency fund.....	80,000,000
Fire protection fund .....	8,500,000
Liquor purchase revolving fund.....	2,410,500
Liquor license revenue .....	6,100,000
Remonumentation fees .....	14,000,000
State general fund/general purpose .....	\$ 27,159,800

#### **Sec. 115. BOARDS, AUTHORITIES AND COMMISSIONS**

Full-time equated classified positions.....	168.0	
MES board of review program—18.0 FTE positions .....		\$ 2,307,500
Rights-of-way oversight authority—5.0 FTE positions .....		560,500
Land bank fast track authority—6.0 FTE positions.....		1,831,300
Commission on Spanish-speaking affairs—2.0 FTE positions.....		251,700
Commission on disability concerns—7.0 FTE positions .....		1,068,900
Commission for the blind—94.0 FTE positions .....		19,830,900
Utility consumer representation.....		950,000
Youth low vision program.....		241,800
Tax tribunal—15.0 FTE positions .....		2,006,900
Employment relations—21.0 FTE positions.....		3,243,800
GROSS APPROPRIATION.....		\$ 32,293,300

#### Appropriated from:

Federal revenues:	
Federal revenues .....	14,992,600
DOL-ETA, unemployment insurance .....	2,307,500
EEOC, federal funds .....	10,000
Special revenue funds:	
Private revenues.....	128,300
Local revenues .....	521,000
Corporation fees.....	220,500
Land bank fast track funds.....	1,831,300
METRO authority fund .....	560,500
Securities fees .....	3,533,200
State restricted revenues.....	560,200
Tax tribunal fees.....	1,487,000
Utility consumer representation fund .....	950,000
State general fund/general purpose .....	\$ 5,191,200

## PART 2

### PROVISIONS CONCERNING APPROPRIATIONS

#### **GENERAL SECTIONS**

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2007-2008 is \$424,846,400.00 and state spending from state resources to be paid to local units of government for fiscal year 2007-2008 is \$51,470,500.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

#### DEPARTMENT OF LABOR AND ECONOMIC GROWTH

Fire protection grants .....	\$ 10,910,500
Liquor law enforcement .....	6,100,000



Local manufactured housing inspections.....	250,000
Remonumentation grants.....	14,000,000
Fire fighters training council.....	1,710,400
Welfare to work .....	18,499,600
Total department of labor and economic growth.....	\$ 51,470,500

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

Sec. 203. As used in this act:

- (a) "DAG" means the United States department of agriculture.
- (b) "DED" means the United States department of education.
- (c) "DED-OESE" means the DED office of elementary and secondary education.
- (d) "DED-OPSE" means the DED office of postsecondary education.
- (e) "DED-OSERS" means the DED office of special education rehabilitation services.
- (f) "DED-OVAE" means the DED office of vocational and adult education.
- (g) "Department" means the department of labor and economic growth.
- (h) "Director" means the director of the department of labor and economic growth.
- (i) "DOE" means the United States department of energy.
- (j) "DOE-OEERE" means the DOE office of energy efficiency and renewable energy.
- (k) "DOL" means the United States department of labor.
- (l) "DOL-ETA" means the DOL employment and training administration.
- (m) "DOL-ODEP" means the DOL office of disability employment policy.
- (n) "DOT" means the United States department of transportation.
- (o) "DOT-RSPA" means the DOT research and special programs administration.
- (p) "EEOC" means equal employment opportunity commission.
- (q) "FEMA" means federal emergency management agency.
- (r) "Fiscal agencies" means Michigan house fiscal agency and Michigan senate fiscal agency.
- (s) "FTE" means full-time equated.
- (t) "HHS" means the United States department of health and human services.
- (u) "HHS-SSA" means HHS social security administration.
- (v) "HR" means human resources.
- (w) "HUD" means the United States department of housing and urban development.
- (x) "IDG" means interdepartmental grant.
- (y) "MES" means Michigan employment security.
- (z) "METRO" means metropolitan extension telecommunications rights-of-way oversight.
- (aa) "MIOSHA" means Michigan occupational safety and health administration.
- (bb) "SOAHR" means the state office of administrative hearings and rules.
- (cc) "Subcommittees" means all members of the subcommittees of the house and senate appropriations committees with jurisdiction over the budget for the department.

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

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

(2) The state budget director may grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, causes loss of revenue to the state, would result in the inability of the state to receive federal funds, or would necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exception.

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

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

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

Sec. 211. The department shall establish and maintain affirmative action programs based on the guidelines developed by the state equal opportunity workforce planning council which was created by Executive Order No. 1996-13 in order to receive general fund/general purpose dollars in compliance with section 26 of article I of the state constitution of 1963.

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

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

Sec. 215. (1) The department shall report no later than April 1, 2008 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the subcommittees, the joint committee on administrative rules, and the fiscal agencies.

(2) Funds appropriated in part 1 shall not be used by the department to adopt a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

(3) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

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

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

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

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

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

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

Sec. 222. From the funds appropriated in part 1, the department shall implement continuous improvement efficiency mechanisms in the programs administered by the department. The continuous improvement efficiency mechanisms shall identify changes made in programs to increase efficiency and reduce expenditures in the programs. On March 31, 2008 and September 30, 2008, the department shall submit a report to the state budget director, the subcommittees, and the fiscal agencies on the progress made toward increased efficiencies in department programs. At a minimum, each report shall include information on the program review process, the type of improvement mechanisms implemented and actual and projected expenditure savings as a result of the increased program efficiencies.

Sec. 223. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$30,500,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this act under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

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

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

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

## **REGULATORY**

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

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

Sec. 303. The funds collected by the department from corporations being liquidated pursuant to the insurance code of 1956, 1956 PA 218, MCL 500.100 to 500.8302, shall be appropriated for all expenses necessary to provide for the required services. Funds are available for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.

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

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

Sec. 308. The funds collected by the department for licenses, permits, and other elevator regulation fees set forth in the Michigan administrative code and as determined under section 8 of 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL 408.816, that are unexpended at the end of the fiscal year shall carry forward to the subsequent fiscal year. The department shall submit a report on an annual basis to the state budget office and the subcommittees on the amount of funds available under this section.

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

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

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

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

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

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

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

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

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

(e) Labor law books.

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

(g) Construction code manuals.

(h) Copies of transcripts from administrative law hearings.

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

Sec. 335. The public service commission shall report by June 1 of each year to the subcommittees, the state budget office, and the fiscal agencies on the distribution of funds appropriated in part 1 for the low-income/energy efficiency assistance program.

Sec. 336. The department shall provide the subcommittees, fiscal agencies, and state budget director with a report on or before December 1 outlining actual expenditures for the last completed fiscal year for each division within the office of financial and insurance services.

Sec. 337. The department shall not expend funds from the appropriations in part 1 for the office of financial and insurance services for the purpose of implementing prohibitions on the use of credit scoring in establishing insurance premiums by insurance companies until the legislature has, by statute, authorized such a prohibition.

Sec. 340. The office of financial and insurance services shall provide copies of the quarterly and annual financial filings of health maintenance organizations to the fiscal agencies on a timely basis. Reports can be transmitted electronically if available in that format.

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

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

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

Sec. 355. (1) Of the funds appropriated in part 1, no funds shall be used to support the development of, staffing of, or activities promoting the development of guidelines, rules, standards, protocols, or other similar mandates that are more stringent than federal voluntary ergonomics guidelines. This section does not prohibit any person from adopting, or working with the state to develop, voluntary ergonomics standards.

(2) On March 1, 2008 and September 1, 2008, the department shall provide a report to the fiscal agencies and appropriations subcommittees of any staffing time or activities regarding the development of a voluntary or mandatory, or both, ergonomic standard, whether contained in rules, guidelines, policy directives, or bulletins.

Sec. 356. The Michigan commission for the blind shall work collaboratively with service organizations to identify qualified match dollars to maximize use of available federal funds.

Sec. 357. From the funds appropriated in part 1 for commercial services, the department may allocate not more than \$50,000.00 for the resumption of printing the real estate law and rules book (red book). The red book shall include, but is not limited to, real estate laws and regulations and related statutes. The red book will be provided at no charge to actively licensed real estate brokers, associate brokers, and salespersons. Any other party seeking a copy of the red book may purchase the book from the bureau of commercial services at the bureau's cost to produce the book or may print the bureau's Internet version of the red book at no cost.

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

Sec. 361. In addition to the amounts appropriated in part 1 for the administration of the land bank fast track authority, the authority may expend revenues received under the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774, for the purposes authorized by the act including, but not limited to, the acquisition, lease, management, demolition, maintenance, or rehabilitation of real or personal property, payment of debt service for notes or bonds issued by the authority, and other expenses to clear or quiet title property held by the authority.

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

Sec. 364. The department and MSHDA shall report to the subcommittees and the fiscal agencies by January 1 on the status of the loans entered into by the Michigan broadband development authority.

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

Sec. 368. Funds collected by the department under sections 55, 57, 58, and 59 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.255, 24.257, 24.258, and 24.259, and section 203 of the legislative council act, 1986 PA 268, MCL 4.1203, are appropriated for all expenses necessary to provide for the cost of publication and distribution. The funds appropriated under this section are allotted for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.

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

Sec. 370. (1) MSHDA shall provide a report to the appropriations subcommittees by June 1 on the cities of promise blight elimination program. The report shall include:

- (a) Those cities designated as cities of promise.
- (b) The amount awarded to each designated city.
- (c) A description of the projects in each designated city.
- (d) The amount of private or local funds that were used as match for these projects.

(2) It is the intent of the legislature that MSHDA allocate at least \$750,000.00 from the cities of promise blight elimination program for each of the cities of Saginaw and Flint for building demolition.

Sec. 375. The public service commission shall implement a process for the low-income energy efficiency fund grants that shall require an application deadline of May 1 and the award announcements on October 1 of each year.

Sec. 376. By January 15, 2008, the liquor control commission, in conjunction with the authorized distribution agents shall submit a report to the subcommittees with an estimate on how much state revenue is lost due to spirits being purchased from other states and brought into Michigan for individual consumption or illegal resale. The report shall include the estimated cost of increasing the number of law enforcement officers needed, or other technological methods to be used, to reduce the amount of out-of-state spirits being transported and sold in Michigan illegally.

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

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

## **WORKFORCE AND CAREER DEVELOPMENT**

Sec. 401. The Michigan career and technical institute may receive equipment and in-kind contributions for the direct support of staff services through the Pine Lake fund, the Delton-Kellogg school district or other local or intermediate school district, or any combination of local or intermediate school districts in addition to those authorized in part 1.

Sec. 402. The Michigan rehabilitation service shall make every effort to ensure that all sources of matching funds in this state are used to obtain federal vocational rehabilitation funds. All sources include, but are not limited to, privately raised funds to support public nonprofit rehabilitation centers as permitted by the rehabilitation act of 1973, Public Law 93-112.

Sec. 403. The local match requirements for vocational rehabilitation facilities establishment grants shall not exceed 21.3% for the fiscal year ending September 30.

Sec. 404. (1) Of the funds appropriated in part 1 for vocational rehabilitation independent living, all general fund/general purpose revenue not used to match federal funds shall be used for the support of centers for independent living that are in compliance with federal standards for such centers, for technical assistance to centers, and for projects to build capacity of centers to deliver independent living services. Applications for such funds shall be reviewed in accordance with criteria and procedures established by the statewide independent living council, the Michigan rehabilitation services unit within the department, and the Michigan commission for the blind. Funds must be used in a manner consistent with the priorities established in the state plan for independent living. The department is directed to work with the Michigan association of centers for independent living and the local workforce development boards to identify other competitive sources of funding.

(2) As a condition of receipt of funds appropriated in part 1, the statewide independent living council and the Michigan association of centers for independent living shall jointly produce a biennial report providing the following information:

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

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

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

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

(iv) The total number of disabled individuals served by personal care attendants and the number of personal care attendants provided through the use of any funds appropriated in part 1 administered by a center for independent living and a comparison to the number served in the previous year.

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

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

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

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

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

(a) The number and percentage employed.

(b) The average hourly wage of those employed.

(c) The current hourly wage of those employed.

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

- (e) The number of individuals that earned each wage amount.
  - (f) The number and percentage receiving health care benefits from their employer.
  - (g) The number and percentage receiving tuition reimbursement from their employer.
  - (h) The number and percentage receiving training benefits from their employer.
  - (i) The type of jobs obtained by former participants in general categories.
  - (j) The length of time former participants have retained their jobs, or if participants have had more than 1 job, the length of time employed at each job.
  - (k) The number and percentage continuing to receive any type of public assistance.
  - (l) If the former recipient has children, whether the children are enrolled in and attending school.
  - (m) The extent to which the former participant feels that they and their family are better off now than when they were on cash assistance with regard to household income, housing, food and nutritional needs, child health care, and access to health insurance coverage.
- (2) The department shall notify the subcommittees, fiscal agencies, and state budget director electronically by March 15 of the location of the Internet site where the report containing the identified data is located.
- (3) The department shall cooperate with the department of human services in formulating and acquiring the identified data.
- (4) The department may retain a third party to conduct the studies to obtain the data identified under this section.

Sec. 407. State and federal funds allocated to local workforce development boards for disbursement shall not be expended unless the local workforce development boards maintain a partnership with governmental agencies, public school districts, and public colleges located within the local service delivery area. Each board shall appoint an education advisory group made up of high-level administrators within local educational institutions, workforce development board members, other employers, labor, academic educators, and parents of public school pupils.

Sec. 408. (1) From the funds appropriated in part 1, it is the intent of the legislature that the department identify ways to enhance local access to baccalaureate degree opportunities in applied sciences and applied technologies through better utilizing the existing capacity of community colleges. Funds in part 1 may be used by the department to commission an independent study to determine where in Michigan these programs would be most beneficial in meeting current and projected economic and workforce development needs, and where community college capacity exists to develop baccalaureate level programs quickly. The study should consider criteria such as the following:

- (a) Regions that have historically been dependent on manufacturing and automotive related industries where workers have been displaced or are in transition.
  - (b) Communities that are significantly below the state average of working age adults with 4-year degrees.
  - (c) Locations served by community colleges that have a strong track record for advanced technical training, workforce development programs, and employer partnerships.
  - (d) Communities that do not contain a public university already offering similar degree opportunities.
  - (e) Locations where the community college has both faculty and facilities already in place that are capable of supporting baccalaureate level programs in applied technical fields.
  - (f) Evidence of employer support and future employment opportunities for graduates of the programs.
- (2) The department may commission and receive the study and present a report, not later than April 1, 2008, analyzing the study to the appropriations committees of the house and senate, the state budget office, and the fiscal agencies.

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

Sec. 410. (1) The department shall make available, in person or by telephone, 1 disabled veterans outreach program specialist or local veterans employment representative to Michigan works! service centers, as resources permit, during hours of operation.

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

(3) The department shall require each Michigan works! service center to have an employee available to ask each individual who requires intensive services beyond core services, as defined by section 134 of the workforce investment act of 1998, 29 USC 2864, whether that individual is a veteran. That employee shall refer each veteran to the disabled veterans outreach program specialist or local veterans employment representative on duty at the time.



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

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

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

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

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

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

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

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

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

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

Sec. 421. The King-Chavez-Parks initiative shall be marketed by the department to Michigan parents and high school and college students, to promote the benefits and the availability of the college day, select student support services, college/university partnership, visiting professors, Morris Hood, Jr. educator development, and future faculty programs. The department shall provide electronic notification of the location of the report on the Internet to the subcommittees by December 30 of each year, identifying all efforts taken to market these programs, including, but not limited to, the amount of funding allocated for this purpose, the fund source, and any expenditures or encumbrances relating to this marketing effort.

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

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

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

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

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

(d) Detailed expenditures for any contracts entered into with the use of these funds.

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

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

Sec. 430. Funding in part 1 for the jobs, education and training (JET) statewide expansion in fiscal year 2008 shall not be allocated and released by the state budget director until savings are achieved and documented from the fiscal year 2007 JET program implementation in 50% of the state. The method for documenting JET savings for fiscal year 2007 shall be proposed by the department of human services and approved by the state budget director.

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

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

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

(b) Preparation of doctoral-degreed nursing faculty in an accelerated program within an existing, accredited doctor of philosophy in nursing program. Participants must be currently enrolled doctoral students who will be able to complete their doctoral degree program within 2 years. Grants for this program may include program tuition, a stipend for student living expenses, and other education-related costs.

(c) Preparation of clinical instructors for nursing education programs. A common statewide curriculum will be developed by a consortium of the grantee institutions. The program shall include classroom instruction plus a practicum with students and patients. This program shall require collaborative agreements between nursing education programs and hospitals. It is expected that each graduate will provide clinical instruction for at least 1 cohort of nursing students per year.

(3) A program receiving a grant under subsection (2) shall provide that eligible participating students under subsection (2) are registered nurses willing to participate full-time in accredited programs and become employed in Michigan as nursing faculty or clinical instructors for a minimum number of years, as determined by the department of community health, upon completion of the program. The department of community health shall establish procedures for recovery of funds from students who do not remain employed in Michigan for the prescribed time period.

(4) One or more grants may be awarded for preparation of registered nurses in accredited, accelerated bachelor's in nursing programs. These programs shall be targeted toward Michigan workers who have been displaced from employment and who possess a bachelor's degree in a science-related area. Grants for this program may include program tuition, a stipend for student living expenses, and other education-related costs.

(5) Program management, data management, and evaluation for these projects shall be the responsibility of the department of community health, in collaboration with the department.

(6) The funds appropriated in part 1 for the Michigan nursing corps are designated as work project appropriations and shall not lapse at the end of the fiscal year. Any unencumbered and unexpended funds shall continue to be available for the expenditure of grants until the project has been completed. The total cost of the work project is estimated at \$1,500,000.00 and the tentative completion date is September 30, 2009.

Sec. 432. (1) Of the funds appropriated in part 1 for the workforce training programs subgrantees, the department shall provide a report by July 1, 2008 to the house and senate chairs of the subcommittees and the fiscal agencies on the status of the no worker left behind program. The report shall include the following:

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

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

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

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

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

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

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

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

(2) Data collection for the report shall be for the period August 1, 2007 through May 30, 2008.

Sec. 433. (1) The department shall use all relevant data sources available to compile data on participants in the JET pilot program and the 50% expansion of that program that was implemented January 1, 2007. The report shall include the following:

(a) How many participants were enrolled in training.

(b) How many participants completed training.

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

(d) How many cases were closed.

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

(2) Data collection for the report shall be for the period January 15, 2007 through December 30, 2007.

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

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

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

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

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

(3) Participation in the Michigan after-school partnership shall be expanded beyond the membership of the initial Michigan after-school initiative to increase the representation of parents, youth, foundations, employers, and others with experience in education, child care, after-school and youth development services, and crime and violence prevention, and to include representation from the department. Each year, on or before December 31, the Michigan after-school partnership shall report its progress in reaching the recommendations set forth in the Michigan after-school initiative's report to the legislature and governor.

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

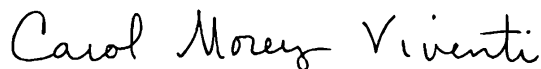
Sec. 437. From the funds appropriated in part 1 for welfare-to-work programs, \$140,000.00 shall be allocated to Focus: HOPE to design a pilot program which will improve the job placement and retention of welfare recipients. The pilot shall address barriers to employment identified by the department of human services jobs, education and training program. In developing this program, Focus: HOPE shall work collaboratively with the department of human services, community colleges, and universities.

Sec. 438. (1) From the funds appropriated in part 1 for the Michigan housing and community development fund, \$2,163,400.00 shall be allocated to the Michigan state housing development authority (MSHDA) for projects as described in sections 58c and 58d of the state housing development authority fund act of 1966, 1966 PA 346, MCL 125.1458c and 125.1458d.

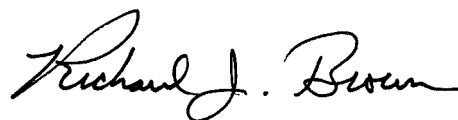
(2) MSHDA shall report by May 1 to the subcommittees, fiscal agencies, and the state budget office on the status of the projects described in subsection (1), including the statewide allocation plan, number of applicants, amounts requested, description of projects, amounts awarded, number of housing units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

Sec. 439. From the funds appropriated in part 1 for land bank fast track authority, \$400,000.00 shall be used for additional maintenance or demolition of all tax reverted properties.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved .....

.....  
Governor