

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 5884

A bill to make appropriations for the department of energy, labor, and economic growth and certain other state purposes for the fiscal year ending September 30, 2011; 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:

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. The amounts listed in this part are appropriated for

the department of energy, labor, and economic growth, subject to the conditions set forth in this act, for the fiscal year ending September 30, 2011, from the funds identified in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH**

APPROPRIATION SUMMARY

Full-time equated unclassified positions..... 58.5

Full-time equated classified positions..... 4,346.5

GROSS APPROPRIATION..... \$ 1,260,288,700

Interdepartmental grant revenues:

Total interdepartmental grants and intradepartmental

transfers ..... 13,210,600

ADJUSTED GROSS APPROPRIATION..... \$ 1,247,078,100

Federal revenues:

Total federal revenues..... 834,569,300

Special revenue funds:

Total local revenues..... 15,976,200

Total private revenues..... 6,085,000

Total other state restricted revenues..... 342,839,700

State general fund/general purpose..... \$ 47,607,900

**Sec. 102. DEPARTMENTAL ADMINISTRATION**

Full-time equated unclassified positions..... 58.5

Full-time equated classified positions..... 152.0

Unclassified salaries..... \$ 4,625,200

Executive director programs--48.0 FTE positions ..... 5,472,500

Property management..... 11,161,300

Rent..... 12,675,800

|    |  |                   |
|----|--|-------------------|
| 1  | Worker's compensation.....                         | 851,700           |
| 2  | Special project advances.....                      | 940,000           |
| 3  | Administrative services--104.0 FTE positions.....  | <u>10,460,900</u> |
| 4  | GROSS APPROPRIATION.....                           | \$ 46,187,400     |
| 5  | Appropriated from:                                 |                   |
| 6  | Interdepartmental grant revenues:                  |                   |
| 7  | IDG from department of community health.....       | 300,000           |
| 8  | Federal revenues:                                  |                   |
| 9  | DOE-OEERE, multiple grants.....                    | 68,700            |
| 10 | DED-OSERS, rehabilitation services, vocational     |                   |
| 11 | rehabilitation of state grants.....                | 4,172,000         |
| 12 | DOL-ETA, unemployment insurance.....               | 11,283,400        |
| 13 | DOL-ETA, workforce investment act.....             | 904,300           |
| 14 | DOL, federal funds.....                            | 1,683,600         |
| 15 | DOL, multiple grants for safety and health.....    | 753,900           |
| 16 | Federal revenues.....                              | 615,600           |
| 17 | HHS, temporary assistance for needy families.....  | 333,400           |
| 18 | HHS, titles XVIII and XIX.....                     | 55,000            |
| 19 | Special revenue funds:                             |                   |
| 20 | Private - special project advances.....            | 940,000           |
| 21 | Local revenues.....                                | 131,300           |
| 22 | Bank fees.....                                     | 340,100           |
| 23 | Boiler fee revenue.....                            | 244,500           |
| 24 | Construction code fund.....                        | 1,071,900         |
| 25 | Consumer finance fees.....                         | 73,400            |
| 26 | Contingent fund, penalty and interest account..... | 865,100           |
| 27 | Corporation fees.....                              | 4,452,300         |

|    |   |              |
|----|---|--------------|
| 1  | Credit union fees.....                                | 353,900      |
| 2  | Deferred presentment service transaction fees.....    | 24,900       |
| 3  | Elevator fees.....                                    | 257,200      |
| 4  | Fees and collections/asbestos.....                    | 98,300       |
| 5  | Fire service fees.....                                | 748,700      |
| 6  | Insurance licensing and regulation fees.....          | 1,710,200    |
| 7  | Insurance bureau fund.....                            | 491,600      |
| 8  | Licensing and regulation fees.....                    | 971,900      |
| 9  | Liquor purchase revolving fund.....                   | 4,659,100    |
| 10 | MBLSLA fund.....                                      | 84,200       |
| 11 | Mobile home code fund.....                            | 252,400      |
| 12 | Motor carrier fees.....                               | 205,500      |
| 13 | Public utility assessments.....                       | 2,241,500    |
| 14 | Private occupational school license fees.....         | 14,000       |
| 15 | Retired engineers technical assistance program fund.. | 238,900      |
| 16 | Safety education and training fund.....               | 725,900      |
| 17 | Second injury fund.....                               | 247,500      |
| 18 | Securities fees.....                                  | 2,398,300    |
| 19 | Self-insurers security fund.....                      | 88,300       |
| 20 | Silicosis and dust disease fund.....                  | 109,900      |
| 21 | Tax tribunal fund.....                                | 176,500      |
| 22 | Video franchise assessments.....                      | 4,000        |
| 23 | Worker's compensation administrative revolving fund.. | 100,000      |
| 24 | State general fund/general purpose.....               | \$ 1,696,200 |
| 25 | <b>Sec. 103. OFFICE OF FINANCIAL AND INSURANCE</b>    |              |
| 26 | <b>REGULATION</b>                                     |              |
| 27 | Full-time equated classified positions.....           | 364.0        |

|    |   |    |                   |
|----|---|----|-------------------|
| 1  | Administration--35.0 FTE positions .....              | \$ | 7,130,700         |
| 2  | Regulatory compliance and consumer assistance--104.0  |    |                   |
| 3  | FTE positions .....                                   |    | 16,028,100        |
| 4  | Financial evaluation--225.0 FTE positions .....       |    | <u>33,175,100</u> |
| 5  | GROSS APPROPRIATION.....                              | \$ | 56,333,900        |
| 6  | Appropriated from:                                    |    |                   |
| 7  | Federal revenues:                                     |    |                   |
| 8  | Federal regulatory project revenue .....              |    | 50,400            |
| 9  | Special revenue funds:                                |    |                   |
| 10 | Bank fees.....  |    | 8,130,000         |
| 11 | Captive insurance regulatory and supervision fund.... |    | 242,700           |
| 12 | Consumer finance fees.....                            |    | 4,082,700         |
| 13 | Credit union fees.....                                |    | 5,980,200         |
| 14 | Deferred presentment service transaction fees .....   |    | 2,519,300         |
| 15 | Insurance bureau fund.....                            |    | 19,881,200        |
| 16 | Insurance continuing education fees .....             |    | 993,600           |
| 17 | Insurance licensing and regulation fees .....         |    | 4,601,600         |
| 18 | MBLSLA fund.....                                      |    | 4,625,600         |
| 19 | Multiple employer welfare arrangement .....           |    | 73,700            |
| 20 | Securities fees.....                                  |    | 4,152,900         |
| 21 | Securities investor education and training fund ..... |    | 1,000,000         |
| 22 | State general fund/general purpose .....              | \$ | 0                 |
| 23 | <b>Sec. 104. PUBLIC SERVICE COMMISSION AND ENERGY</b> |    |                   |
| 24 | <b>SYSTEMS</b>  |    |                   |
| 25 | Full-time equated classified positions..... 213.0     |    |                   |
| 26 | Public service commission--190.0 FTE positions .....  | \$ | 26,252,700        |
| 27 | Bureau of energy systems--18.0 FTE positions .....    |    | 7,031,800         |

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|----|--|-------------------|
| 1  | Metro authority--5.0 FTE positions .....               | <u>335,100</u>    |
| 2  | GROSS APPROPRIATION.....                               | \$ 33,619,600     |
| 3  | Appropriated from:                                     |                   |
| 4  | Federal revenues:                                      |                   |
| 5  | DOE-OEERE, multiple grants .....                       | 4,688,100         |
| 6  | DOT-RSPA, gas pipeline safety .....                    | 430,000           |
| 7  | Special revenue funds:                                 |                   |
| 8  | Private - oil overcharge .....                         | 30,000            |
| 9  | Children's protection registry fund .....              | 272,600           |
| 10 | Motor carrier fees .....                               | 1,689,100         |
| 11 | Public utility assessments .....                       | 24,064,800        |
| 12 | Restructuring mechanism assessments .....              | 440,000           |
| 13 | Retired engineers technical assistance program fund .. | 1,605,000         |
| 14 | Video franchise assessments .....                      | 400,000           |
| 15 | State general fund/general purpose .....               | \$ 0              |
| 16 | <b>Sec. 105. LIQUOR CONTROL COMMISSION</b>             |                   |
| 17 | Full-time equated classified positions..... 152.0      |                   |
| 18 | Management support services--28.0 FTE positions .....  | \$ 3,655,300      |
| 19 | Liquor licensing and enforcement--124.0 FTE positions  | <u>12,995,700</u> |
| 20 | GROSS APPROPRIATION.....                               | \$ 16,651,000     |
| 21 | Appropriated from:                                     |                   |
| 22 | Special revenue funds:                                 |                   |
| 23 | Direct shipper enforcement revolving fund .....        | 120,000           |
| 24 | Liquor license revenue .....                           | 6,726,800         |
| 25 | Liquor purchase revolving fund .....                   | 9,804,200         |
| 26 | State general fund/general purpose .....               | \$ 0              |
| 27 | <b>Sec. 106. OCCUPATIONAL REGULATION</b>               |                   |

|    |   |       |                  |
|----|---|-------|------------------|
| 1  | Full-time equated classified positions.....           | 435.0 |                  |
| 2  | Boiler inspection program--25.0 FTE positions .....   |       | \$ 2,848,400     |
| 3  | Bureau of fire services--57.0 FTE positions .....     |       | 5,483,200        |
| 4  | Code enforcement--120.0 FTE positions .....           |       | 13,601,000       |
| 5  | Commercial services--170.0 FTE positions .....        |       | 18,240,600       |
| 6  | Elevator inspection program--30.0 FTE positions ..... |       | 3,043,200        |
| 7  | Manufactured housing and land resources               |       |                  |
| 8  | program--22.0 FTE positions .....                     |       | 2,626,800        |
| 9  | Property development group--11.0 FTE positions .....  |       | <u>1,640,900</u> |
| 10 | GROSS APPROPRIATION.....                              |       | \$ 47,484,100    |
| 11 | Appropriated from:                                    |       |                  |
| 12 | Interdepartmental grant revenues:                     |       |                  |
| 13 | IDG from department of community health, inspection   |       |                  |
| 14 | contract .....  |       | 100,000          |
| 15 | Federal revenues:                                     |       |                  |
| 16 | DOT.....  |       | 60,000           |
| 17 | FEMA.....   |       | 28,000           |
| 18 | HHS, titles XVIII and XIX.....                        |       | 700,000          |
| 19 | Special revenue funds:                                |       |                  |
| 20 | Accountancy enforcement fund.....                     |       | 412,500          |
| 21 | Boiler fee revenue.....                               |       | 3,268,000        |
| 22 | Builder enforcement fund.....                         |       | 408,500          |
| 23 | Construction code fund.....                           |       | 12,790,600       |
| 24 | Corporation fees.....                                 |       | 6,101,100        |
| 25 | Elevator fees.....                                    |       | 3,434,000        |
| 26 | Fire alarm fees.....                                  |       | 107,200          |
| 27 | Fire safety standard and enforcement fund.....        |       | 40,000           |

|    |  |       |                   |
|----|--|-------|-------------------|
| 1  | Fire service fees.....                                   |       | 1,848,000         |
| 2  | Land sales fees.....                                     |       | 48,500            |
| 3  | Licensing and regulation fees.....                       |       | 10,809,800        |
| 4  | Mobile home code fund.....                               |       | 2,626,800         |
| 5  | Property development fees.....                           |       | 295,700           |
| 6  | Real estate appraiser continuing education fund.....     |       | 47,000            |
| 7  | Real estate education fund.....                          |       | 278,500           |
| 8  | Real estate enforcement fund.....                        |       | 360,600           |
| 9  | Survey and remonumentation fund.....                     |       | 741,800           |
| 10 | Security business fund.....                              |       | 321,400           |
| 11 | Unarmed combat fund.....                                 |       | 56,100            |
| 12 | State general fund/general purpose.....                  | \$    | 2,600,000         |
| 13 | <b>Sec. 107. MICHIGAN OCCUPATIONAL SAFETY AND HEALTH</b> |       |                   |
| 14 | <b>ADMINISTRATION</b>                                    |       |                   |
| 15 | Full-time equated classified positions.....              | 229.0 |                   |
| 16 | Occupational safety and health--229.0 FTE positions ..   | \$    | <u>27,429,100</u> |
| 17 | GROSS APPROPRIATION.....                                 | \$    | 27,429,100        |
| 18 | Appropriated from:                                       |       |                   |
| 19 | Federal revenues:  |       |                   |
| 20 | DOL, multiple grants for safety and health.....          |       | 12,799,000        |
| 21 | Special revenue funds:                                   |       |                   |
| 22 | Corporation fees.....                                    |       | 3,625,800         |
| 23 | Fees and collections/asbestos.....                       |       | 885,800           |
| 24 | Safety education and training fund.....                  |       | 8,194,100         |
| 25 | Securities fees.....                                     |       | 1,924,400         |
| 26 | State general fund/general purpose.....                  | \$    | 0                 |
| 27 | <b>Sec. 108. BUREAU OF WORKER'S AND UNEMPLOYMENT</b>     |       |                   |



1 **COMPENSATION**

|    |  |         |                  |
|----|--|---------|------------------|
| 2  | Full-time equated classified positions.....            | 1,551.0 |                  |
| 3  | Administration--96.6 FTE positions.....                |         | \$ 9,490,000     |
| 4  | Board of magistrates and appellate commission--19.4    |         |                  |
| 5  | FTE positions .....                                    |         | 2,859,700        |
| 6  | Wage and hour division--35.0 FTE positions.....        |         | 3,284,700        |
| 7  | Insurance funds administration--28.0 FTE positions...  |         | 4,787,000        |
| 8  | Supplemental benefit fund.....                         |         | 820,000          |
| 9  | Unemployment programs--1,302.7 FTE positions.....      |         | 132,749,000      |
| 10 | Advocacy assistance program.....                       |         | 1,500,000        |
| 11 | Special audit and collections program--34.0 FTE        |         |                  |
| 12 | positions .....  |         | 2,989,300        |
| 13 | Training program for agency staff--2.1 FTE positions . |         | 1,820,800        |
| 14 | Expanded fraud control program--33.2 FTE positions ... |         | <u>3,391,500</u> |
| 15 | GROSS APPROPRIATION.....                               |         | \$ 163,692,000   |
| 16 | Appropriated from:                                     |         |                  |
| 17 | Federal revenues:                                      |         |                  |
| 18 | DOL-ETA, employment and training administration.....   |         | 1,142,500        |
| 19 | DOL-ETA, unemployment insurance.....                   |         | 135,313,600      |
| 20 | Federal Reed act funds.....                            |         | 4,494,500        |
| 21 | Special revenue funds:                                 |         |                  |
| 22 | Corporation fees.....                                  |         | 3,346,500        |
| 23 | Contingent fund, regular penalty and interest account  |         | 1,500,000        |
| 24 | Second injury fund.....                                |         | 2,577,000        |
| 25 | Securities fees.....                                   |         | 2,508,000        |
| 26 | Self-insurers security fund.....                       |         | 1,218,500        |
| 27 | Silicosis and dust disease fund.....                   |         | 991,500          |

|    |  |                      |
|----|--|----------------------|
| 1  | Worker's compensation administrative revolving fund..    | 2,767,000            |
| 2  | State general fund/general purpose .....                 | \$ 7,832,900         |
| 3  | <b>Sec. 109. STATE OFFICE OF ADMINISTRATIVE HEARINGS</b> |                      |
| 4  | <b>AND RULES</b>   |                      |
| 5  | Full-time equated classified positions.....              | 178.0                |
| 6  | Administrative hearings and rules--178.0 FTE positions   | \$ <u>24,842,200</u> |
| 7  | GROSS APPROPRIATION.....                                 | \$ 24,842,200        |
| 8  | Appropriated from:                                       |                      |
| 9  | Interdepartmental grant revenues:                        |                      |
| 10 | IDG - administrative hearings and rules .....            | 12,810,600           |
| 11 | Federal revenues:  |                      |
| 12 | Federal revenue - administrative hearings and rules ..   | 7,277,300            |
| 13 | Special revenue funds:                                   |                      |
| 14 | State restricted revenue - administrative hearings       |                      |
| 15 | and rules .....  | 4,754,300            |
| 16 | State general fund/general purpose .....                 | \$ 0                 |
| 17 | <b>Sec. 110. INFORMATION TECHNOLOGY</b>                  |                      |
| 18 | Information technology services and projects .....       | \$ <u>42,839,800</u> |
| 19 | GROSS APPROPRIATION.....                                 | \$ 42,839,800        |
| 20 | Appropriated from:                                       |                      |
| 21 | Federal revenues:  |                      |
| 22 | DOL-ETA, unemployment insurance .....                    | 21,771,400           |
| 23 | DOL, multiple grants for safety and health .....         | 273,700              |
| 24 | Federal revenues .....                                   | 6,454,300            |
| 25 | HHS, temporary assistance for needy families .....       | 176,300              |
| 26 | Special revenue funds:                                   |                      |
| 27 | Bank fees .....  | 269,500              |

|    |   |            |
|----|---|------------|
| 1  | Boiler fee revenue.....                               | 340,500    |
| 2  | Construction code fund.....                           | 1,027,500  |
| 3  | Consumer finance fees.....                            | 115,100    |
| 4  | Corporation fees.....                                 | 2,833,700  |
| 5  | Credit union fees.....                                | 227,100    |
| 6  | Deferred presentment service transaction fees.....    | 95,700     |
| 7  | Elevator fees.....                                    | 271,300    |
| 8  | Fees and collections/asbestos.....                    | 11,000     |
| 9  | Fire service fees.....                                | 623,500    |
| 10 | Insurance continuing education fees.....              | 26,700     |
| 11 | Insurance bureau fund.....                            | 580,500    |
| 12 | Insurance licensing and regulation fees.....          | 330,000    |
| 13 | Licensing and regulation fees.....                    | 1,148,400  |
| 14 | Liquor purchase revolving fund.....                   | 2,630,900  |
| 15 | MBLSLA fund.....                                      | 115,200    |
| 16 | Mobile home code fund.....                            | 152,800    |
| 17 | Motor carrier fees.....                               | 148,900    |
| 18 | Public utility assessments.....                       | 979,100    |
| 19 | Retired engineers technical assistance program fund.. | 23,200     |
| 20 | Safety education and training fund.....               | 684,700    |
| 21 | Second injury fund.....                               | 158,600    |
| 22 | Securities fees.....                                  | 923,500    |
| 23 | Self-insurers security fund.....                      | 71,500     |
| 24 | Silicosis and dust disease fund.....                  | 61,500     |
| 25 | Tax tribunal fund.....                                | 210,000    |
| 26 | State general fund/general purpose.....               | \$ 103,700 |
| 27 | <b>Sec. 111. WORKFORCE DEVELOPMENT</b>                |            |

|    |   |       |                   |
|----|---|-------|-------------------|
| 1  | Full-time equated classified positions.....           | 872.5 |                   |
| 2  | Employment services--246.0 FTE positions.....         |       | \$ 49,285,900     |
| 3  | Labor market information--52.0 FTE positions.....     |       | 6,542,500         |
| 4  | Michigan rehabilitation services--513.5 FTE positions |       | 72,366,400        |
| 5  | Workforce programs administration--61.0 FTE positions |       | <u>13,135,400</u> |
| 6  | GROSS APPROPRIATION.....                              |       | \$ 141,330,200    |
| 7  | Appropriated from:                                    |       |                   |
| 8  | Interdepartmental grant revenues:                     |       |                   |
| 9  | Federal revenues:                                     |       |                   |
| 10 | DAG, employment and training.....                     |       | 178,700           |
| 11 | DED-OPSE, multiple grants.....                        |       | 1,222,900         |
| 12 | DED-OSERS, centers for independent living.....        |       | 58,200            |
| 13 | DED-OSERS, rehabilitation long-term training.....     |       | 316,900           |
| 14 | DED-OSERS, rehabilitation services, vocational        |       |                   |
| 15 | rehabilitation state grants .....                     |       | 55,865,000        |
| 16 | DED-OSERS, state grants for technical related         |       |                   |
| 17 | assistance .....                                      |       | 59,200            |
| 18 | DOL-ETA, workforce investment act.....                |       | 7,885,900         |
| 19 | DOL, federal funds.....                               |       | 49,395,600        |
| 20 | HHS-SSA, supplemental security income.....            |       | 3,770,800         |
| 21 | HHS, temporary assistance for needy families.....     |       | 3,299,500         |
| 22 | Special revenue funds:                                |       |                   |
| 23 | Private - gifts, bequests, and donations.....         |       | 816,000           |
| 24 | Local revenue.....                                    |       | 4,361,100         |
| 25 | Local vocational rehabilitation match.....            |       | 2,684,500         |
| 26 | Contingent fund, penalty and interest account.....    |       | 1,853,100         |
| 27 | Rehabilitation services fees.....                     |       | 1,350,300         |

|    |  |                  |
|----|--|------------------|
| 1  | Second injury fund.....                          | 51,500           |
| 2  | State general fund/general purpose.....          | \$ 8,161,000     |
| 3  | <b>Sec. 112. CAREER EDUCATION PROGRAMS</b>       |                  |
| 4  | Full-time equated classified positions.....      | 30.0             |
| 5  | Postsecondary education--14.0 FTE positions..... | \$ 3,020,700     |
| 6  | Adult education--16.0 FTE positions.....         | <u>2,564,700</u> |
| 7  | GROSS APPROPRIATION.....                         | \$ 5,585,400     |
| 8  | Appropriated from:                               |                  |
| 9  | Federal revenues:                                |                  |
| 10 | Federal revenues.....                            | 3,926,400        |
| 11 | Special revenue funds:                           |                  |
| 12 | Private occupational school license fees.....    | 661,700          |
| 13 | Defaulted loan collection fees.....              | 100,000          |
| 14 | State general fund/general purpose.....          | \$ 897,300       |
| 15 | <b>Sec. 113. DEPARTMENT GRANTS</b>               |                  |
| 16 | Adult basic education.....                       | \$ 20,000,000    |
| 17 | Carl D. Perkins grants.....                      | 19,000,000       |
| 18 | Gear-up program grants.....                      | 3,000,000        |
| 19 | Workforce training programs subgrantees.....     | 295,653,600      |
| 20 | Personal assistance services.....                | 459,500          |
| 21 | Vocational rehabilitation customer support.....  | 57,986,700       |
| 22 | Independent living.....                          | 4,908,600        |
| 23 | Welfare-to-work programs.....                    | 97,123,800       |
| 24 | Fire protection grants.....                      | 10,910,500       |
| 25 | Low-income energy efficiency assistance.....     | 90,000,000       |
| 26 | Liquor law enforcement grants.....               | 6,600,000        |
| 27 | Remonumentation grants.....                      | 5,300,000        |

|    |   |                |
|----|---|----------------|
| 1  | Michigan nursing corps.....                           | 1,000,000      |
| 2  | Private grant programs.....                           | 3,000,000      |
| 3  | Subregional libraries state aid.....                  | <u>451,800</u> |
| 4  | GROSS APPROPRIATION.....                              | \$ 615,394,500 |
| 5  | Appropriated from:                                    |                |
| 6  | Federal revenues:                                     |                |
| 7  | DAG, employment and training.....                     | 7,000,000      |
| 8  | DED-OESE, gear-up.....                                | 3,000,000      |
| 9  | DED-OSERS, centers for independent living.....        | 450,200        |
| 10 | DED-OSERS, rehabilitation services, vocational        |                |
| 11 | rehabilitation of state grants.....                   | 37,056,700     |
| 12 | DED-OSERS, rehabilitation services facilities.....    | 2,272,500      |
| 13 | DED-OSERS, supported employment.....                  | 1,541,300      |
| 14 | DED-OSERS, state grants for technical related         |                |
| 15 | assistance .....                                      | 2,240,800      |
| 16 | DED-OVAE, adult education.....                        | 20,000,000     |
| 17 | DED-OVAE, basic grants to states.....                 | 19,000,000     |
| 18 | DOL-ETA, workforce investment act.....                | 225,227,700    |
| 19 | DOL, federal funds.....                               | 81,425,900     |
| 20 | HHS, temporary assistance for needy families.....     | 64,699,000     |
| 21 | HHS-SSA, supplemental security income.....            | 5,868,400      |
| 22 | Special revenue funds:                                |                |
| 23 | Private - gifts, bequests, and donations.....         | 400,000        |
| 24 | Private revenues.....                                 | 3,000,000      |
| 25 | Local vocational rehabilitation match.....            | 7,000,000      |
| 26 | Local vocational rehabilitation facilities match..... | 1,278,300      |
| 27 | Contingent fund, penalty and interest account.....    | 1,000,000      |

|    |  |                  |
|----|--|------------------|
| 1  | Low-income energy efficiency fund.....                 | 90,000,000       |
| 2  | Fire protection fund.....                              | 8,500,000        |
| 3  | Liquor purchase revolving fund.....                    | 2,410,500        |
| 4  | Liquor license revenue.....                            | 6,600,000        |
| 5  | Survey and remonumentation fund.....                   | 5,300,000        |
| 6  | State general fund/general purpose.....                | \$ 20,123,200    |
| 7  | <b>Sec. 114. BOARDS, AUTHORITIES, AND COMMISSIONS</b>  |                  |
| 8  | Full-time equated classified positions..... 170.0      |                  |
| 9  | MES board of review program--18.0 FTE positions.....   | \$ 2,363,100     |
| 10 | Commission on Spanish-speaking affairs--2.0 FTE        |                  |
| 11 | positions .....  | 267,800          |
| 12 | Commission on disability concerns--7.0 FTE positions . | 1,180,000        |
| 13 | Commission for the blind--107.0 FTE positions .....    | 26,696,300       |
| 14 | Utility consumer representation.....                   | 950,000          |
| 15 | Youth low-vision program.....                          | 241,800          |
| 16 | Tax tribunal operations--15.0 FTE positions .....      | 2,847,900        |
| 17 | Employment and labor relations--21.0 FTE positions ... | <u>3,582,600</u> |
| 18 | GROSS APPROPRIATION.....                               | \$ 38,129,500    |
| 19 | Appropriated from:                                     |                  |
| 20 | Federal revenues:                                      |                  |
| 21 | Federal revenues.....                                  | 20,905,600       |
| 22 | DOL-ETA, unemployment insurance.....                   | 2,363,100        |
| 23 | EEOC, federal funds.....                               | 10,000           |
| 24 | Special revenue funds:                                 |                  |
| 25 | Private revenues.....                                  | 129,000          |
| 26 | Local revenues.....                                    | 521,000          |
| 27 | Securities fees.....                                   | 3,572,600        |

|    |  |                   |
|----|--|-------------------|
| 1  | State restricted revenues.....             | 636,700           |
| 2  | Tax tribunal fund.....                     | 2,847,900         |
| 3  | Utility consumer representation fund.....  | 950,000           |
| 4  | State general fund/general purpose.....    | \$ 6,193,600      |
| 5  | <b>Sec. 115. CAPITAL OUTLAY</b>            |                   |
| 6  | Kalamazoo training center renovations..... | \$ <u>770,000</u> |
| 7  | GROSS APPROPRIATION.....                   | \$ 770,000        |
| 8  | Appropriated from:                         |                   |
| 9  | Special revenue funds:                     |                   |
| 10 | Private revenues.....                      | 770,000           |
| 11 | State general fund/general purpose.....    | \$ 0              |

## 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 2010-2011 is \$390,447,600.00 and state spending from state resources to be paid to local units of government for fiscal year 2010-2011 is \$40,050,100.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

## DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

|    |                             |               |
|----|-----------------------------|---------------|
| 23 | Fire protection grants..... | \$ 10,910,500 |
| 24 | Liquor law enforcement..... | 6,600,000     |
| 25 | Remonumentation grants..... | 5,300,000     |



|   |   |                |
|---|---|----------------|
| 1 | Firefighters training council.....              | 1,363,000      |
| 2 | Welfare-to-work programs.....                   | 15,424,800     |
| 3 | Subregional state aid.....                      | <u>451,800</u> |
| 4 | Total department of energy, labor, and economic |                |
| 5 | growth .....                                    | \$ 40,050,100  |

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

9       Sec. 203. As used in this act:

10       (a) "DAG" means the United States department of agriculture.

11       (b) "DED" means the United States department of education.

12       (c) "DED-OESE" means the DED office of elementary and  
13 secondary education.

14       (d) "DED-OPSE" means the DED office of postsecondary  
15 education.

16       (e) "DED-OSERS" means the DED office of special education  
17 rehabilitation services.

18       (f) "DED-OVAE" means the DED office of vocational and adult  
19 education.

20       (g) "Department" means the department of energy, labor, and  
21 economic growth.

22       (h) "Director" means the director of the department of energy,  
23 labor, and economic growth.

24       (i) "DOE" means the United States department of energy.

25       (j) "DOE-OEERE" means the DOE office of energy efficiency and  
26 renewable energy.

27       (k) "DOI-NPS" means the United States department of interior,

1 national park service.

2 (l) "DOL" means the United States department of labor.

3 (m) "DOL-ETA" means the DOL employment and training  
4 administration.

5 (n) "DOT" means the United States department of  
6 transportation.

7 (o) "DOT-RSPA" means the DOT research and special programs  
8 administration.

9 (p) "EEOC" means equal employment opportunity commission.

10 (q) "FEMA" means federal emergency management agency.

11 (r) "Fire safety standard and enforcement fund" means fire  
12 safety standard and firefighter protection act enforcement fund  
13 created in section 9 of the fire safety standard and firefighter  
14 protection act, 2009 PA 56, MCL 29.499.

15 (s) "Fiscal agencies" means Michigan house fiscal agency and  
16 Michigan senate fiscal agency.

17 (t) "FTE" means full-time equated.

18 (u) "HHS" means the United States department of health and  
19 human services.

20 (v) "HHS-SSA" means HHS social security administration.

21 (w) "HUD" means the United States department of housing and  
22 urban development.

23 (x) "IDG" means interdepartmental grant.

24 (y) "MARVIN" means Michigan's automated response voice  
25 interactive network.

26 (z) "MBLSLA" means mortgage brokers, lenders, and servicers  
27 licensing act.

1 (aa) "MES" means Michigan employment security.

2 (bb) "METRO" means metropolitan extension telecommunications  
3 rights-of-way oversight.

4 (cc) "MIOSHA" means Michigan occupational safety and health  
5 administration.

6 (dd) "MSHDA" means Michigan state housing development  
7 authority.

8 (ee) "SOAHR" means the state office of administrative hearings  
9 and rules.

10 (ff) "Subcommittees" means all members of the subcommittees of  
11 the house and senate appropriations committees with jurisdiction  
12 over the budget for the department.

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

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

25 (2) The state budget director may grant exceptions to this  
26 hiring freeze when the state budget director believes that the  
27 hiring freeze will render a state department or agency unable to

1 deliver basic services, cause loss of revenue to the state, result  
2 in the inability of the state to receive federal funds, or  
3 necessitate additional expenditures that exceed any savings from  
4 maintaining a vacancy. The state budget director shall report  
5 quarterly to the chairpersons of the senate and house of  
6 representatives standing committees on appropriations the number of  
7 exceptions to the hiring freeze approved during the previous  
8 quarter and the reasons to justify the exception.

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

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

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

1 department contracts to subcontract with certified businesses in  
2 depressed and deprived communities for services, supplies, or both.

3       Sec. 211. The department shall establish and maintain  
4 affirmative action programs based on the guidelines developed by  
5 the state equal opportunity and diversity council which was created  
6 by Executive Order No. 2008-22 in order to receive general  
7 fund/general purpose dollars in compliance with section 26 of  
8 article I of the state constitution of 1963.

9       Sec. 213. From the funds appropriated in part 1 for  
10 information technology, departments and agencies shall pay user  
11 fees to the department of technology, management, and budget for  
12 technology-related services and projects. Such user fees shall be  
13 subject to provisions of an interagency agreement between the  
14 departments and agencies and the department of technology,  
15 management, and budget.

16       Sec. 215. (1) The department shall report no later than April  
17 1 on each specific policy change made to implement a public act  
18 affecting the department that took effect during the prior calendar  
19 year to the house and senate appropriations subcommittees on the  
20 budget for the department, the joint committee on administrative  
21 rules, and the senate and house fiscal agencies.

22       (2) Funds appropriated in part 1 shall not be used by the  
23 department to adopt a rule that will apply to a small business and  
24 that will have a disproportionate economic impact on small  
25 businesses because of the size of those businesses if the  
26 department fails to reduce the disproportionate economic impact of  
27 the rule on small businesses as provided under section 40 of the

1 administrative procedures act of 1969, 1969 PA 306, MCL 24.240.

2 (3) As used in this section:

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

5 (b) "Small business" means that term as defined under section  
6 7a of the administrative procedures act of 1969, 1969 PA 306, MCL  
7 24.207a.

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

12 Sec. 217. (1) Due to the current budgetary problems in this  
13 state, out-of-state travel shall be limited to situations in which  
14 1 or more of the following conditions apply:

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

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

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

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

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

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

1 funds.

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

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

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

19 (b) The destination of each travel occurrence.

20 (c) The dates of each travel occurrence.

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

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

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

3 Sec. 220. The department may carry into the succeeding fiscal  
4 year unexpended federal pass-through funds to local institutions  
5 and governments that do not require additional state matching  
6 funds. Federal pass-through funds to local institutions and  
7 governments that are received in amounts in addition to those  
8 included in part 1 and that do not require additional state  
9 matching funds are appropriated for the purposes intended. Within  
10 14 days after the receipt of federal pass-through funds, the  
11 department shall notify the house and senate chairpersons of the  
12 subcommittees, the fiscal agencies, and the state budget director  
13 of pass-through funds appropriated under this section.

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

20 Sec. 223. (1) In addition to the funds appropriated in part 1,  
21 there is appropriated an amount not to exceed \$45,000,000.00 for  
22 federal contingency funds. These funds are not available for  
23 expenditure until they have been transferred to another line item  
24 in this act under section 393(2) of the management and budget act,  
25 1984 PA 431, MCL 18.1393.

26 (2) In addition to the funds appropriated in part 1, there is  
27 appropriated an amount not to exceed \$31,000,000.00 for state



1 restricted contingency funds. These funds are not available for  
2 expenditure until they have been transferred to another line item  
3 in this act under section 393(2) of the management and budget act,  
4 1984 PA 431, MCL 18.1393.

5 (3) In addition to the funds appropriated in part 1, there is  
6 appropriated an amount not to exceed \$8,000,000.00 for local  
7 contingency funds. These funds are not available for expenditure  
8 until they have been transferred to another line item in this act  
9 under section 393(2) of the management and budget act, 1984 PA 431,  
10 MCL 18.1393.

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

17 Sec. 224. The department shall not approve the travel of more  
18 than 1 departmental employee to a specific professional development  
19 conference or training seminar that is located outside of this  
20 state unless a professional development conference or training  
21 seminar is funded by a federal or private funding source and  
22 requires more than 1 person from a department to attend, or the  
23 conference or training seminar includes multiple issues in which 1  
24 employee from the department does not have expertise.

25 Sec. 225. Within 10 days after the receipt of a grant  
26 appropriated in the private grant funded projects line item in part  
27 1, the department shall notify the house and senate chairpersons of

1 the subcommittees, the fiscal agencies, and the state budget  
2 director of the receipt of the grant, including the funding source,  
3 purpose, and amount of the grant.

4 Sec. 226. Not later than October 15, the department shall  
5 prepare and transmit a report that provides for estimates of the  
6 total general fund/general purpose appropriation lapses at the  
7 close of the fiscal year. This report shall summarize the projected  
8 year-end general fund/general purpose appropriation lapses by major  
9 departmental program or program areas. The report shall be  
10 transmitted to the office of the state budget, the chairpersons of  
11 the senate and house appropriations committees, and the fiscal  
12 agencies.

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

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

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

1 (c) The Michigan liquor control code of 1998, 1998 PA 58, MCL  
2 436.1101 to 436.2303.

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

8 (e) Labor law books.

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

10 (g) Construction code manuals.

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

12 Sec. 231. (1) On a quarterly basis, the department shall  
13 report on the number of FTEs in pay status by civil service  
14 classification to the senate and house appropriations subcommittees  
15 on economic development and the senate and house fiscal agencies.

16 (2) From the funds appropriated in part 1, the department  
17 shall develop, post, and maintain on a user-friendly and publicly  
18 accessible Internet website all expenditures made by the department  
19 within a fiscal year. The posting must include the purpose for  
20 which each expenditure is made. Funds appropriated in part 1 from  
21 the federal American recovery and reinvestment act shall also be  
22 included on a publicly accessible website maintained by the  
23 Michigan economic recovery office. The department shall not provide  
24 financial information on its website under this section if doing so  
25 would violate a federal or state law, rule, regulation, or  
26 guideline that establishes private or security standards applicable  
27 to that section.

1       Sec. 232. The department shall not expend more than \$10,000.00  
2 from the appropriations in part 1 to implement the requirements of  
3 section 231.

4       REGULATORY

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

10       Sec. 301a. Cities, villages, and townships receiving fire  
11 protection grant funds in accordance with 1977 PA 289, MCL 141.951  
12 to 141.956, shall submit a report to the department detailing the  
13 expenditures made by the local unit from fire protection grant  
14 funds, the fire-related activities of the local unit's police and  
15 fire departments on state property, and the costs of such  
16 activities. The local unit shall provide a report no later than  
17 January 1, covering the state fiscal years ending September 30,  
18 2010. The department shall prepare a summary of the local  
19 submissions and provide it to the house and senate chairpersons of  
20 the subcommittees, the fiscal agencies, and the state budget  
21 director by March 31.

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

Operation and maintenance inspection fee

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

Plan review and construction inspection fees for  
hospitals and schools

| <u>Project cost range</u>         | <u>Fee</u>              |
|-----------------------------------|-------------------------|
| \$101,000.00 or less              | minimum fee of \$155.00 |
| \$101,001.00 to \$1,500,000.00    | \$1.60 per \$1,000.00   |
| \$1,500,001.00 to \$10,000,000.00 | \$1.30 per \$1,000.00   |
| \$10,000,001.00 or more           | \$1.10 per \$1,000.00   |

or a maximum fee of \$60,000.00.

Sec. 303. 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.

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

1 restricted revenue account or fund or, in absence of such an  
2 account or fund, to the general fund.

3 Sec. 320. If the revenue collected by the department from  
4 licensing and regulation fees collected by the office of commercial  
5 services exceeds the amount expended from appropriations in part 1,  
6 the revenue may be carried forward into the subsequent fiscal year.  
7 The revenue carried forward under this section shall be used as the  
8 first source of funds in the subsequent fiscal year.

9 Sec. 321. The department may resume printing the real estate  
10 law and rules book (red book). The red book shall include, but is  
11 not limited to, real estate laws and regulations and related  
12 statutes. The red book will be provided at no charge to actively  
13 licensed real estate brokers, associate brokers, and salespersons.  
14 Any other party seeking a copy of the red book may purchase the  
15 book from the bureau of commercial services at the bureau's cost to  
16 produce the book or may print the bureau's Internet version of the  
17 red book at no cost.

18 Sec. 323. Of the funds appropriated in part 1 for the  
19 department, up to \$200,000.00 may be used for administration and  
20 enforcement of unarmed combat regulation in Michigan.

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

1 of the purpose and amount of each grant award.

2       Sec. 332. Not later than October 1, 2010, the department shall  
3 have a contract in place to modernize, improve, and integrate the  
4 unemployment insurance agency computer system.

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

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

20       Sec. 341. (1) Of the funds appropriated in part 1, no funds  
21 shall be used to support the development of, staffing of, or  
22 activities promoting the development of guidelines, rules,  
23 standards, protocols, or other similar mandates that are more  
24 stringent than federal voluntary ergonomics guidelines. This  
25 section does not prohibit any person from adopting, or working with  
26 the state to develop, voluntary ergonomics standards.

27       (2) On March 1, 2010 and September 1, 2010, the department

1 shall provide a report to the fiscal agencies and subcommittees of  
2 any staffing time or activities regarding the development of a  
3 voluntary or mandatory, or both, ergonomic standard, whether  
4 contained in rules, guidelines, policy directives, or bulletins.

5 (3) The directions in this section are given in accordance  
6 with OAG, 2009, No. 7,225 (February 27, 2009).

7 Sec. 342. From the funds appropriated in part 1 for Michigan  
8 occupational safety and health consultation education and training  
9 (CET) grants, not less than \$40,000.00 shall be allocated to  
10 nonprofit organizations representing the aggregate industry in  
11 Michigan.

12 Sec. 350. In addition to the funds appropriated in part 1,  
13 funds collected by the department under sections 55, 57, 58, and 59  
14 of the administrative procedures act of 1969, 1969 PA 306, MCL  
15 24.255, 24.257, 24.258, and 24.259, and section 203 of the  
16 legislative council act, 1986 PA 268, MCL 4.1203, are appropriated  
17 for all expenses necessary to provide for the cost of publication  
18 and distribution. The funds appropriated under this section are  
19 allotted for expenditure when they are received by the department  
20 of treasury and shall not lapse to the general fund at the end of  
21 the fiscal year.

22 Sec. 361. (1) The public service commission shall implement a  
23 process for the low-income energy efficiency fund grants that shall  
24 require an application deadline of May 1 and the award  
25 announcements on October 1 of each year.

26 (2) The public service commission shall report by November 1  
27 to the subcommittees, the state budget office, and the fiscal



1 agencies on the distribution of funds appropriated in part 1 for  
2 the low-income/energy efficiency assistance program.

3 (3) The funds collected from public utilities for low-income  
4 energy efficiency fund grants as provided under orders issued by  
5 the public service commission pursuant to 1939 PA 3, MCL 460.1 to  
6 460.11, that are unexpended at the end of the fiscal year may carry  
7 forward to the subsequent fiscal year.

8 Sec. 368. No later than March 1, the department shall submit a  
9 report to the state budget office, the fiscal agencies, and the  
10 subcommittees, providing expenditure and revenue data and  
11 statistical data on licensing and regulatory activities of the  
12 bureau of commercial services and the bureau of construction codes  
13 during the fiscal years ending September 30, 2010. To the extent  
14 possible, the data required shall be reported for each individual  
15 occupation, trade, or industry regulated.

16 Sec. 370. Local units of government receiving liquor law  
17 enforcement grant funds in accordance with section 543 of the  
18 Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1543,  
19 shall submit a report to the liquor control commission detailing  
20 the expenditures made by the local unit in enforcing the Michigan  
21 liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303,  
22 and rules promulgated under that act. Local units shall also  
23 provide a report to the liquor control commission listing, for the  
24 local unit's most recently completed fiscal year, each liquor-  
25 related fee imposed by the local unit and the amount of revenue  
26 generated by each fee. Both reports required by this section shall  
27 be due to the liquor control commission not later than February 15.

1 The liquor control commission shall provide a summary of the local  
2 reports to the house and senate chairpersons of the subcommittees,  
3 the fiscal agencies, and the state budget director by March 31.

4 **OFFICE OF FINANCIAL AND INSURANCE REGULATION**

5 Sec. 401. In addition to the funds appropriated in part 1, the  
6 funds collected by the office of financial and insurance regulation  
7 in connection with a conservatorship pursuant to section 32 of the  
8 mortgage brokers, lenders, and servicers licensing act, 1987 PA  
9 173, MCL 445.1682, shall be appropriated for all expenses necessary  
10 to provide for the required services. Funds are available for  
11 expenditure when they are received by the department of treasury  
12 and shall not lapse to the general fund at the end of the fiscal  
13 year.

14 Sec. 402. In addition to the funds appropriated in part 1, the  
15 funds collected by the department from corporations being  
16 liquidated pursuant to the insurance code of 1956, 1956 PA 218, MCL  
17 500.100 to 500.8302, shall be appropriated for all expenses  
18 necessary to provide for the required services. These funds are  
19 appropriated for expenditure when they are received by the  
20 department of treasury and shall not lapse to the general fund at  
21 the end of the fiscal year.

22 Sec. 403. (1) The department shall allocate funds to promote  
23 awareness of the right of a policyholder, subscriber, member,  
24 enrollee, or other individual participating in a health benefit  
25 plan, after the covered person has exhausted the health carrier's  
26 internal grievance process provided for by law, to request an

1 external review for an adverse determination.

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

5 Sec. 406. The department shall not expend funds from the  
6 appropriations in part 1 for the office of financial and insurance  
7 regulation for the purpose of implementing prohibitions on the use  
8 of credit scoring in establishing insurance premiums by insurance  
9 companies until the legislature has, by statute, authorized such a  
10 prohibition. This direction is given in accordance with OAG, 2009,  
11 No. 7,225 (February 27, 2009).

12 Sec. 408. The appropriations in part 1 shall not be used to  
13 fund the automobile and home insurance consumer advocate.

14 **MICHIGAN REHABILITATION SERVICES AND MICHIGAN COMMISSION FOR THE**  
15 **BLIND**

16 Sec. 601. The Michigan career and technical institute may  
17 receive equipment and in-kind contributions for the direct support  
18 of staff services through the Pine Lake fund, the Delton-Kellogg  
19 school district or other local or intermediate school district, or  
20 any combination of local or intermediate school districts in  
21 addition to those authorized in part 1.

22 Sec. 602. The Michigan rehabilitation service shall make every  
23 effort to ensure that all sources of matching funds in this state  
24 are used to obtain federal vocational rehabilitation funds. All  
25 sources include, but are not limited to, privately raised funds to  
26 support public nonprofit rehabilitation centers as permitted by the

1 rehabilitation act of 1973, Public Law 93-112.

2       Sec. 603. The local match requirements for vocational  
3 rehabilitation facilities establishment grants shall not exceed  
4 21.3% for the fiscal year ending September 30.

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

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

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

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

25       Sec. 612. The youth low-vision program is considered the payer  
26 of last resort. Other available public or private insurance  
27 coverage, including Medicaid or MICHild, and special education

1 funds, shall be exhausted prior to using any funds appropriated in  
2 part 1 to purchase low-vision devices or equipment for an  
3 individual.

4       Sec. 613. In order to receive subregional state aid as  
5 appropriated in part 1, a regional or subregional library's fiscal  
6 agency shall agree to maintain local funding support at the same  
7 level in the current fiscal year as in the fiscal agency's  
8 preceding fiscal year. If a reduction in expenditures equally  
9 affects all agencies in a local unit of government that is the  
10 regional or subregional library's fiscal agency, that reduction  
11 shall not be interpreted as a reduction in local support and shall  
12 not disqualify a regional or subregional library from receiving  
13 state aid under part 1. If a reduction in income affects a library  
14 cooperative or district library that is a regional or subregional  
15 library's fiscal agency or a reduction in expenditures for the  
16 regional or subregional library's fiscal agency, a reduction in  
17 expenditures for the regional or subregional library shall not be  
18 interpreted as a reduction in local support and shall not  
19 disqualify a regional or subregional library from receiving state  
20 aid under part 1.

21       Sec. 614. The funds appropriated in part 1 for a regional or  
22 subregional library shall not be released until a budget for that  
23 regional or subregional library has been approved by the department  
24 for expenditures for library services directly serving the blind  
25 and persons with disabilities.

26       Sec. 615. The department may provide and enter into agreements  
27 to provide general services, training, meetings, information,

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

11 **CAREER EDUCATION**

12 Sec. 701. From the appropriations in part 1, the department is  
13 appropriated an amount not to exceed \$100,000.00 from collection of  
14 defaulted loans under the future faculty program in the Martin  
15 Luther King, Jr. - Cesar Chavez - Rosa Parks programs to offset  
16 costs of administering the loan collections.

17 Sec. 704. (1) The department shall collaborate with the state  
18 board of education, the department of human services, and the  
19 department of community health, to extend the duration of the  
20 Michigan after-school partnership, and oversee its efforts to  
21 implement the policy recommendations and strategic next steps  
22 identified in the Michigan after-school initiative's report of  
23 December 15, 2003.

24 (2) From the funds appropriated in part 1, \$25,000.00 may be  
25 used to support the Michigan after-school partnership. Funds shall  
26 be used to leverage other private and public funding to engage the

1 public and private sectors in building and sustaining high-quality  
2 out-of-school-time programs and resources. The cochairs,  
3 representing the department, the state board of education, the  
4 department of human services, and the department of community  
5 health shall name a fiduciary agent and may authorize the fiduciary  
6 to expend funds and hire people to accomplish the work of the  
7 Michigan after-school partnership.

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

18 Sec. 710a. From the funds appropriated in part 1 for workforce  
19 programs subgrantees, the department shall allocate funding for  
20 grants to nonprofit organizations that offer programs to WIA-  
21 eligible youth focusing on entrepreneurship, work-readiness skills,  
22 job shadowing, and financial literacy. Organizations eligible for  
23 funding under this section must have the capacity to provide  
24 similar programs in urban areas, as determined by the United States  
25 bureau of the census according to the most recent federal decennial  
26 census. Additionally, programs eligible for funding under this  
27 section must include the participation of local business partners.

1 The department shall develop other appropriate eligibility  
2 requirements to ensure compliance with applicable federal rules and  
3 regulations.

4 Sec. 719. From the funds appropriated in part 1, the  
5 department may allocate no more than \$100,000.00 for the Michigan  
6 talent bank for a customized career center. The career center will  
7 be used to enhance the Michigan talent bank for job seekers and job  
8 providers and to increase the opportunities for job seekers in  
9 gaining employment. The career center shall use real-time data for  
10 job opportunities and shall use technology that will also provide  
11 users with job opportunities that match a job seeker's resume. The  
12 center shall be serviced by a Michigan-based customer service  
13 center and shall also contain a mobile component to allow for job  
14 searches on personal digital assistance or smart phone devices.

15 Sec. 733. The department shall publish the "activities  
16 classification structure data book" for Michigan community colleges  
17 on or before March 1, 2011.

18 Sec. 734. The department shall compile the information  
19 received from community colleges on North American Indian tuition  
20 waivers granted pursuant to 1976 PA 174, MCL 390.1251 to 390.1253,  
21 and shall submit this compilation to the house and senate  
22 appropriations subcommittees on community colleges, the fiscal  
23 agencies, and the state budget director by February 15, 2011.

24 Sec. 735. The department shall compile the information  
25 received from community colleges on the number and types of  
26 associate degrees and other certificates awarded during the  
27 previous fiscal year and shall submit this compilation to the house



1 and senate appropriations subcommittees on community colleges, the  
2 fiscal agencies, and the state budget director by January 7, 2011.

3 **WORKFORCE DEVELOPMENT**

4 Sec. 801. The department shall administer the jobs, education,  
5 and training program in accordance with the requirements of section  
6 407(d) of title IV of the social security act, 42 USC 607, the  
7 state social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and  
8 all other applicable laws and regulations.

9 Sec. 802. (1) Using all relevant state data sources, the  
10 department shall conduct a 3-year longitudinal study of all former  
11 work first and jobs, education, and training participants, whose  
12 department of human services program cases closed due to earnings  
13 during fiscal year 1999 and in succeeding fiscal years. The data  
14 will include the following:

15 (a) The number and percentage employed.

16 (b) The average hourly wage of those employed.

17 (c) The range of wages earned by those employed.

18 (d) The number and percentage receiving health care benefits  
19 from their employer.

20 (e) The type of jobs obtained by former participants in  
21 general categories.

22 (f) The length of time former participants have retained their  
23 jobs, or if participants have had more than 1 job, the length of  
24 time employed at each job.

25 (g) The number and percentage continuing to receive any type  
26 of public assistance.

1           (2) The department shall notify the subcommittees, fiscal  
2 agencies, and state budget director electronically by March 15 of  
3 the location of the Internet site where the report containing the  
4 identified data is located.

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

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

9           Sec. 804. Of the funds appropriated in part 1 for welfare-to-  
10 work programs, the department may utilize a portion of the  
11 temporary assistance for needy family funds for a statewide  
12 noncustodial parent program.

13          Sec. 810. State and federal funds allocated to local workforce  
14 development boards for disbursement shall not be expended unless  
15 the local workforce development boards maintain a partnership with  
16 governmental agencies, public school districts, and public colleges  
17 located within the local service delivery area. Each board shall  
18 appoint an education advisory group made up of high-level  
19 administrators within local educational institutions, workforce  
20 development board members, other employers, labor, academic  
21 educators, parents of public school pupils, and, at the board's  
22 discretion, representatives of organizations that provide school-  
23 based curriculum and youth programs focusing on entrepreneurship,  
24 work-readiness skills, and financial literacy.

25          Sec. 811. (1) The department shall make available, in person  
26 or by telephone, 1 disabled veterans outreach program specialist or  
27 local veterans employment representative to Michigan works! service

1 centers, as resources permit, during hours of operation.

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

6 (3) The department shall require each Michigan works! service  
7 center to have an employee available to ask each individual who  
8 requires intensive services beyond core services, as defined by  
9 section 134 of the workforce investment act of 1998, 29 USC 2864,  
10 whether that individual is a veteran. The employee shall refer any  
11 veteran needing or requesting veterans services to the disabled  
12 veterans outreach program specialist or local veterans employment  
13 representative assigned to the center.

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

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

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

24 Sec. 812. (1) In addition to the funds appropriated in part 1,  
25 any unencumbered and unrestricted federal workforce investment act  
26 or trade adjustment assistance funds available from prior fiscal  
27 years are appropriated for the purposes originally intended.

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

5           Sec. 813. Of the funds appropriated in part 1 for workforce  
6 training program subgrantees, \$200,000.00 shall be allocated for  
7 not more than 1 grant for the expansion of an existing innovative,  
8 employer lead, private/public workforce development program. Grants  
9 may be used for program operating expenses such as staffing, rent,  
10 equipment, and other expenses. To be eligible for this grant  
11 funding, a program must meet the following criteria:

12           (a) Focus on retaining low-wage workers receiving public  
13 assistance.

14           (b) Meet or exceed 80% retention rate.

15           (c) Include more than 1 employer.

16           (d) Employer-sited department of human services caseworker.

17           (e) Receive federal TANF to pay for 50% of on-site caseworker.

18           (f) Employer must contribute 50% of on-site department of  
19 human services worker costs.

20           (g) Provide life skill and skills training toward advancing  
21 workers to mid-skill jobs.

22           (h) Has regional impact across more than 3 counties.

23           (i) Include strategic partnerships with counties, community  
24 colleges, and other nonprofits.

25           Sec. 815. Local Michigan works! agencies may utilize a portion  
26 of the funds received under part 1 for services provided by local  
27 libraries that serve as access points, service centers, or local

1 partners serving high-demand service areas or underserved areas.

2 Sec. 816. From the funds appropriated in part 1 in the line  
3 item for workforce training programs subgrantees, not less than  
4 \$5,860,200.00 of federal funds shall be allocated to Focus: HOPE.

5 Sec. 817. It is the intent of the legislature that a portion  
6 of the workforce investment act, statewide activities funds be  
7 allocated to support coordinated efforts between local Michigan  
8 works! agencies and police and sheriff departments to create  
9 programs that offer gang diversion activities and support services  
10 to at-risk youth in Wyoming, Benton Harbor, Saginaw, and Detroit.

11 Sec. 818. From the funds appropriated in part 1 for workforce  
12 training program subgrantees, \$150,000.00 may be allocated for not  
13 more than 1 grant for a job training and job preparation program  
14 that meets the following criteria:

15 (a) Involves prospective employers as community partners.

16 (b) Retrains displaced workers for health care industry jobs  
17 including pharmacy technician and medical coding in programs that  
18 require participants to complete at least 90 hours of field  
19 experience.

20 (c) Provides training at either no cost to participants or at  
21 a cost to participants of not more than 25% of the per student cost  
22 of offering the training program.

23 (d) Demonstrates a placement rate of 80% or more.

24 Sec. 821. (1) From the appropriation in part 1 for the  
25 Michigan nursing corps, grants shall be awarded to Michigan  
26 institutions of higher education consisting of public 4-year  
27 institutions, public 2-year institutions, independent colleges and

1 universities, and tribally controlled community colleges with  
2 existing, accredited nursing baccalaureate or postgraduate  
3 education programs. The purpose of the grants is to prepare  
4 registered nurses and increase the number of nursing faculty. The  
5 department may also award grants on a cash or in-kind matching  
6 basis to licensed hospitals that agree to provide nurse educators  
7 and related clinical training to additional student nurses in  
8 partnership with institutions of higher education described in this  
9 subsection. Awards shall be made in a manner and form as determined  
10 by the department, in collaboration with the department of  
11 community health.

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

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

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

27 (c) Preparation of clinical instructors for nursing education

1 programs. The program shall include classroom instruction plus a  
2 practicum with students and patients. This program shall require  
3 collaborative agreements between nursing education programs and  
4 hospitals. It is expected that each graduate will provide clinical  
5 instruction for at least 1 cohort of nursing students per year.

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

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

22 (5) One or more grants may be awarded to health care research,  
23 training, or development agencies for the purpose of development,  
24 implementation, or training related to educational technologies,  
25 including simulation or other virtual educational methods for the  
26 purpose of building capacity to educate a continuous supply of  
27 nurses for Michigan's workforce.

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

4           (7) The department and the department of community health  
5 shall work to increase the amount of federal funds for nurse  
6 education available to the state, eligible grantees described in  
7 subsection (1), and nursing students.

8           (8) The funds appropriated in part 1 for the Michigan nursing  
9 corps are designated as work project appropriations and shall not  
10 lapse at the end of the fiscal year. Any unencumbered and  
11 unexpended funds shall continue to be available for the expenditure  
12 of grants until the project has been completed. The total cost of  
13 the work project is estimated at \$1,000,000.00 and the tentative  
14 completion date is September 30, 2012. These funds shall be used in  
15 accordance with the requirements of the workforce investment act of  
16 1998, Public Law 105-220.

17           Sec. 830. (1) Of the funds appropriated in part 1 for the  
18 workforce training programs subgrantees, the department shall  
19 provide a report by December 15 to the house and senate chairs of  
20 the subcommittees, the state budget director, and the fiscal  
21 agencies on the status of the no-worker-left-behind program. The  
22 report shall include the following:

23           (a) The amount of funding allocated to each Michigan works!  
24 agency and the total funding allocated to the no-worker-left-behind  
25 program statewide by fund source.

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



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

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

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

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

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

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

14 (i) The number of participants who secured employment in  
15 Michigan within 1 year of completing a no-worker-left-behind  
16 training program.

17 (j) The number of participants who completed a no-worker-left-  
18 behind training program and secured employment in a field related  
19 to their training.

20 (k) The average wage earned by participants who completed a  
21 no-worker-left-behind training program and secured employment  
22 within 1 year.

23 (2) Data collection for the report shall be for the period  
24 October 1, 2010 through September 30, 2011.

25 Sec. 832. The department shall ensure that school districts  
26 and career preparation programs operated by school districts are  
27 eligible education providers under the no-worker-left-behind

1 program and programs funded by the federal workforce investment  
2 act.

3 **CAPITAL OUTLAY**

4       Sec. 901. (1) The director shall allocate lump-sum  
5 appropriations made in this act consistent with statutory  
6 provisions and the purposes for which funds were appropriated.  
7 Lump-sum allocations shall address priority program or facility  
8 needs and may include, but are not limited to, design,  
9 construction, remodeling and addition, special maintenance, major  
10 special maintenance, energy conservation, and demolition.

11       (2) The state budget director may authorize that funds  
12 appropriated for lump-sum appropriations shall be available for no  
13 more than 3 fiscal years following the fiscal year in which the  
14 original appropriation was made. Any remaining balance from  
15 allocations made in this section shall lapse to the fund from which  
16 it was appropriated pursuant to the lapsing of funds as provided in  
17 the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

18       Sec. 902. The appropriations in part 1 for capital outlay  
19 shall be carried forward at the end of the fiscal year consistent  
20 with the provisions of section 248 of the management and budget  
21 act, 1984 PA 431, MCL 18.1248.