

	For Fiscal Year Ending Sept. 30, 2008
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

### **Workforce development.**

#### **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
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

	For Fiscal Year Ending Sept. 30, 2008
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
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

**Career education programs.**

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

**Department grants.**

**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
Remonumentation 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

For Fiscal Year  
Ending Sept. 30,  
2008

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
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

**Boards, authorities and commissions.**

**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

	For Fiscal Year Ending Sept. 30, 2008
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**

**Total state spending; payments to local units of government.**

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.....	\$ <u>51,470,500</u>

**Appropriations subject to MCL 18.1101 to 18.1594.**

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.

**Definitions.**

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.

### **Billing by department of civil service.**

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.

### **Hiring freeze; exceptions.**

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.

**Reporting requirements; use of Internet.**

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.

**Purchase of foreign goods or services.**

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.

**Businesses in deprived and depressed communities; contracts to provide services or supplies.**

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.

**Affirmative action programs.**

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.

**Technology-related services and projects; payment of user fees.**

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.

**Information technology; designation of amounts as work projects.**

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.

**Policy changes; report; adoption of rule having significant impact on small businesses.**

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.

### **Revenue sources; identification and detail.**

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.

### **Out-of-state travel.**

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.

### **Employee communicating with legislative member or staff; disciplinary action prohibited.**

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.

**Carrying forward unexpended federal pass-through funds to local institutions and governments.**

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.

**Legal services.**

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.

**Continuous improvement efficiency mechanisms.**

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.

**Contingency funds.**

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****Fire protection grants.**

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.



**Conservatorship; collection of funds.**

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.

**Liquidated corporations; collection of funds.**

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.

**Nonconfidential information; availability of customized listings.**

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.

**Housing production goals; report.**

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.

**Licenses, permits, and other elevator regulation fees; carrying forward unexpended funds.**

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.

**Inspection and plan review fees; schedule.**

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:

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

**Collection of licensing and regulation fee revenue by office of commercial services; carrying forward excess revenue.**

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.

**Unemployment insurance agency and employment service agency; expenditure of excess funds.**

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.

**Sale of documents.**

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.

**Number of individuals killed and injured on the job; report.**

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.

**Low-income/energy efficiency assistance program; distribution of funds; report.**

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.

**Office of financial and insurance services; report on expenditures for each division.**

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.

**Implementing prohibitions to credit scoring; use of funds prohibited.**

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.

**Financial filings of health maintenance organizations; providing copies of reports.**

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.

**Participant in health benefit plan; right to request external review for adverse determination.**

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.

**Worker's compensation appellate commissioners and worker's compensation board of magistrates; funding.**

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.

**Ergonomics; guidelines stricter than federal guidelines prohibited.**

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.

**Michigan commission for the blind; identification of qualified match dollars.**

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.

**Real estate law and rules book; printing.**

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.

**Prelicensure and postlicensure education; delivery through online courses.**

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 prelicensure 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.

**Land bank fast track authority; expenditures; purposes.**

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.

**Boxing regulation; administration and enforcement.**

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.

**Michigan broadband development authority; report on loan status.**

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.

**CET grants; allocations to nonprofit organizations.**

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.

**Funds collected under administrative procedures act of 1969 and legislative council act; cost of publication and distribution.**

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.

**Video franchise assessment fund; creation; carrying forward money to new 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.

**MSHDA; report on cities of promise blight elimination program; allocation.**

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.

**Low-income energy efficiency fund grants; application.**

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.

**Lost revenue due to spirits purchased from other states and brought into Michigan; illegal sale of out-of-state spirits.**

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.

**Availability of unencumbered and unrestricted federal workforce investment act funds.**

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****Michigan career and technical institute; receipt of equipment and in-kind contributions.**

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.

**Michigan rehabilitation service; use of matching funds to obtain federal vocational rehabilitation funds.**

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.

**Vocational rehabilitation facilities establishment grants; local match requirements; limitation.**

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

**Vocational rehabilitation independent living; use for support of centers for independent living; biennial report.**

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.

### **Administration of work first program.**

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.

### **Study of former work first participants; data; report; notice; retention of third party to conduct studies.**

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.

### **Allocations to local workforce development boards; appointment of education advisory group.**

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.

**Opportunities in applied sciences and applied technologies through utilizing community colleges; independent study.**

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.

**Receipt of grants; notice.**

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.

**Disabled veterans outreach program specialist or local veterans employment representative; availability to Michigan works! service center.**

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.

#### **Private occupational school license fees; funding administrative costs of proprietary schools oversight unit.**

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.

#### **Future faculty program in Martin Luther King, Jr. - Cesar Chavez - Rosa Parks programs; collection of defaulted loans.**

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.

#### **Universities receiving funding for future faculty program within King-Chavez-Parks initiative on employment outcomes; compilation of data.**

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.

#### **King-Chavez-Parks initiative; marketing to Michigan parents and high school and college students.**

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.

**Youth low-vision program.**

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.

**Focus: HOPE; report.**

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.

**JET program.**

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.

**Preparing registered nurses and increasing number of nursing faculty; grants.**

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.

### **Status of no-worker-left-behind program.**

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.

**JET pilot program; compilation of data; report.**

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.

**Michigan after-school partnership.**

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.

**Operation of career preparation programs; requirements.**

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.

**Improvement of job placement and retention of welfare recipients; pilot program.**

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.

**Funding for MSHDA projects described in MCL 125.1458c and 125.1458d; report.**

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.

**Land bank fast track authority; use for additional maintenance or demolition of tax reverted properties.**

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.

Approved October 31, 2007.

Filed with Secretary of State October 31, 2007.

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**[No. 119]**

**(HB 4346)**

AN ACT to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

*The People of the State of Michigan enact:*

PART 1

LINE-ITEM APPROPRIATIONS

**Appropriation; department of education.**

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of education for the fiscal year ending September 30, 2008,

from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF EDUCATION**

APPROPRIATION SUMMARY:

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	460.5	
GROSS APPROPRIATION .....		\$ 96,482,400
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION .....		\$ 96,482,400
Federal revenues:		
Total federal revenues .....		72,749,800
Special revenue funds:		
Local cost sharing (schools for deaf/blind) .....		6,142,200
Local school district service fees .....		306,700
Total local revenues.....		6,448,900
Gifts, bequests, and donations.....		740,600
Private foundations .....		2,431,200
Total private revenues.....		3,171,800
Total local and private revenues.....		9,620,700
Certification fees.....		5,757,700
Commodity distribution fees .....		71,700
Student insurance revenues .....		218,600
Teacher college review fees .....		54,000
Teacher testing fees .....		523,500
Tenant rent .....		261,000
Training and orientation workshop fees .....		150,000
Total other state restricted revenues .....		7,036,500
State general fund/general purpose .....		\$ 7,075,400

**State board of education/office of the superintendent.**

**Sec. 102. STATE BOARD OF EDUCATION/OFFICE OF THE SUPERINTENDENT**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	16.0	
State board of education, per diem payments.....		\$ 24,400
Unclassified positions—6.0 FTE positions.....		515,600
State board/superintendent operations—16.0 FTE positions .....		3,018,600
GROSS APPROPRIATION .....		\$ 3,558,600
Appropriated from:		
Federal revenues:		
Federal revenues .....		1,969,400
Special revenue funds:		
Private foundations .....		26,700
Certification fees.....		199,100
State general fund/general purpose .....		\$ 1,363,400

**Central support.**

**Sec. 103. CENTRAL SUPPORT**

Full-time equated classified positions .....	26.0	
Central support—26.0 FTE positions .....		\$ 3,770,200

	For Fiscal Year Ending Sept. 30, 2008
Worker’s compensation .....	\$ 45,000
Building occupancy charges - property management services .....	1,692,300
Human resources optimization user charges.....	23,900
Tenant rent .....	261,000
Training and orientation workshops.....	150,000
Terminal leave payments .....	574,700
GROSS APPROPRIATION .....	\$ <u>6,517,100</u>
Appropriated from:	
Federal revenues:	
Federal revenues .....	3,989,900
Special revenue funds:	
Local cost sharing (schools for deaf/blind).....	68,400
Certification fees.....	407,800
Teacher testing fees .....	14,700
Tenant rent .....	261,000
Training and orientation workshop fees .....	150,000
State general fund/general purpose .....	\$ 1,625,300

**Information technology services.**

**Sec. 104. INFORMATION TECHNOLOGY SERVICES**

Information technology operations.....	\$ 2,826,400
GROSS APPROPRIATION .....	\$ <u>2,826,400</u>
Appropriated from:	
Federal revenues:	
Federal revenues .....	1,767,700
Special revenue funds:	
Local cost sharing (schools for deaf/blind).....	142,000
Certification fees.....	245,000
State general fund/general purpose .....	\$ 671,700

**Special education services.**

**Sec. 105. SPECIAL EDUCATION SERVICES**

Full-time equated classified positions.....49.0	
Special education operations—49.0 FTE positions.....	\$ 11,336,700
GROSS APPROPRIATION .....	\$ <u>11,336,700</u>
Appropriated from:	
Federal revenues:	
Federal revenues .....	10,972,800
Special revenue funds:	
Private foundations .....	104,800
Certification fees.....	38,400
State general fund/general purpose .....	\$ 220,700

**Michigan schools for the deaf and blind.**

**BLIND**  
**Sec. 106. MICHIGAN SCHOOLS FOR THE DEAF AND**

Full-time equated classified positions.....103.0	
Michigan schools for the deaf and blind operations— 102.0 FTE positions.....	\$ 12,659,000

	For Fiscal Year Ending Sept. 30, 2008
Summer institute .....	\$ 90,000
Camp Tuhsmebeta—1.0 FTE position .....	295,100
Private gifts - blind .....	90,000
Private gifts - deaf.....	50,000
GROSS APPROPRIATION .....	\$ 13,184,100
Appropriated from:	
Federal revenues:	
Federal revenues .....	5,997,300
Special revenue funds:	
Local cost sharing (schools for deaf/blind) .....	5,931,800
Local school district service fees .....	295,800
Gifts, bequests, and donations.....	740,600
Student insurance revenue .....	218,600
State general fund/general purpose .....	\$ 0

**Professional preparation services.**

**Sec. 107. PROFESSIONAL PREPARATION SERVICES**

Full-time equated classified positions.....	30.0
Professional preparation operations—30.0 FTE positions.....	\$ 6,807,400
National board certification .....	100,000
Department of attorney general.....	50,000
GROSS APPROPRIATION .....	\$ 6,957,400
Appropriated from:	
Federal revenues:	
Federal revenues .....	2,647,800
Special revenue funds:	
Certification fees.....	3,746,800
Teacher college review fees .....	54,000
Teacher testing fees .....	508,800
State general fund/general purpose .....	\$ 0

**Early childhood education and family services.**

**Sec. 108. EARLY CHILDHOOD EDUCATION AND FAMILY SERVICES**

Full-time equated classified positions .....	25.0
Early childhood education and family services operations— 25.0 FTE positions.....	\$ 4,386,800
GROSS APPROPRIATION .....	\$ 4,386,800
Appropriated from:	
Federal revenues:	
Federal revenues .....	3,255,100
Special revenue funds:	
Private foundations .....	191,700
Certification fees.....	58,600
State general fund/general purpose .....	\$ 881,400

**School improvement services.**

**Sec. 109. SCHOOL IMPROVEMENT SERVICES**

Full-time equated classified positions.....	73.3
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	For Fiscal Year Ending Sept. 30, 2008
School improvement operations—73.3 FTE positions .....	\$ 16,673,800
Subject area content expectations and guidelines.....	100,000
GROSS APPROPRIATION .....	\$ 16,773,800
Appropriated from:	
Federal revenues:	
Federal revenues .....	14,958,100
Special revenue funds:	
Private foundations .....	1,108,000
Certification fees.....	531,300
State general fund/general purpose .....	\$ 176,400

**School finance and school law services.**

**Sec. 110. SCHOOL FINANCE AND SCHOOL LAW**

**SERVICES**

Full-time equated classified positions.....	21.0
School finance and school law operations—21.0 FTE positions.....	\$ 2,988,000
GROSS APPROPRIATION .....	\$ 2,988,000
Appropriated from:	
Federal revenues:	
Federal revenues .....	1,432,100
Special revenue funds:	
Certification fees.....	530,700
State general fund/general purpose .....	\$ 1,025,200

**Education assessment and accountability.**

**Sec. 111. EDUCATION ASSESSMENT AND**

**ACCOUNTABILITY**

Full-time equated classified positions.....	28.3
Educational assessment operations—28.3 FTE positions.....	\$ 12,285,700
GROSS APPROPRIATION .....	\$ 12,285,700
Appropriated from:	
Federal revenues:	
Federal revenues .....	12,285,700
State general fund/general purpose .....	\$ 0

**Grants administration and school support services.**

**Sec. 112. GRANTS ADMINISTRATION AND SCHOOL**

**SUPPORT SERVICES**

Full-time equated classified positions.....	56.2
Grants administration and school support services operations— 56.2 FTE positions.....	\$ 7,987,400
Federal and private grants.....	3,000,000
GROSS APPROPRIATION .....	\$ 10,987,400
Appropriated from:	
Federal revenues:	
Federal revenues .....	9,470,800
Special revenue funds:	
Local school district service fees .....	10,900
Private foundations .....	1,000,000

	For Fiscal Year Ending Sept. 30, 2008
Commodity distribution fees .....	\$ 71,700
State general fund/general purpose .....	\$ 434,000

**Educational technology and data coordination.**

**Sec. 113. EDUCATIONAL TECHNOLOGY AND DATA**

**COORDINATION**

Full-time equated classified positions .....	7.7
Educational technology and data coordination—7.7 FTE positions..	\$ 800,300
GROSS APPROPRIATION .....	\$ 800,300
Appropriated from:	
Federal revenues:	
Federal revenues .....	800,300
State general fund/general purpose .....	\$ 0

**Career and technical education.**

**Sec. 114. CAREER AND TECHNICAL EDUCATION**

Full-time equated classified positions .....	25.0
Career and technical education operations—25.0 FTE positions .....	\$ 3,880,100
GROSS APPROPRIATION .....	\$ 3,880,100
Appropriated from:	
Federal revenues:	
Federal revenues .....	3,202,800
State general fund/general purpose .....	\$ 677,300

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

**Total state spending; payments to local units of government.**

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 \$14,111,900.00 and state spending from state resources to be paid to local units of government for fiscal year 2007-2008 is estimated at \$0.

**Appropriations subject to MCL 18.1101 to 18.1594.**

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.

**Definitions.**

Sec. 203. As used in this act:

(a) "Department" means the Michigan department of education.

(b) "District" means a local school district as defined in section 6 of the revised school code, 1976 PA 451, MCL 380.6, or a public school academy as defined in section 5 of the revised school code, 1976 PA 451, MCL 380.5.

(c) "FTE" means full-time equated.

**Billing by department of civil service.**

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.

**Reporting requirements; use of Internet.**

Sec. 205. 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 an Internet or Intranet site.

**State board of education agenda and documents; availability on Internet.**

Sec. 206. The department shall provide through the Internet the state board of education agenda and all supporting documents, and shall notify the state budget director and the senate and house fiscal agencies that the agenda and supporting documents are available on the Internet, at the time the agenda and supporting documents are provided to state board of education members.

**Safe school program.**

Sec. 207. (1) Upon receipt of the federal drug-free grant, the department shall allocate \$225,000.00 of the grant to the safe school program within the department. The safe school program shall work with local school boards, parents of enrolled students, law enforcement agencies, community leaders, and the office of drug control policy for the prevention of school violence. The safe school program shall develop and implement, and serve as coordinator of, a statewide clearinghouse for information, program development, model programs and policies, and technical assistance on school violence prevention.

(2) To accomplish its functions under this section, the safe school program shall do all of the following:

(a) Coordinate with the office of drug control policy in the department of community health to ensure that there is a meaningful linkage between the efforts under this act to provide safe schools and the initiatives undertaken through that office, including, but not limited to, school districts' safe and drug-free school plans, and to facilitate timely applications for and distribution of available grant money.

(b) Provide through the Internet the availability to access, and provide through the Internet information regarding, the state model policy on locker searches, the state model policy on firearm safety and awareness, and any other state or local safety policies that the office considers exemplary.

(c) Advance, promote, and encourage the awareness and use of the state police anti-violence hotline.

**Disciplinary action against teacher or employee for sexual misconduct; records.**

Sec. 208. The department shall require all public school districts to maintain complete records within the personnel file of a teacher or school employee of any disciplinary actions taken by the local school board against the teacher or employee for sexual misconduct. The records shall not be destroyed or removed from the teacher's or employee's personnel file except as required by a court order.

**Payment of user fees to department of information technology.**

Sec. 209. From the funds appropriated in part 1 for information technology, departments and agencies 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 departments and the department of information technology.

**Information technology; designation of amounts as work projects.**

Sec. 210. 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.

**Schools or districts determined to have failed to make adequate yearly progress; time period for appeal before publication of list.**

Sec. 211. Before publishing a list of schools or districts determined to have failed to make adequate yearly progress as required by the no child left behind act of 2001, Public Law 107-110, the department shall allow a school or district to appeal that determination. The department shall consider and act upon the appeal within 30 days after it is submitted and shall not publish the list until after all appeals have been considered and decided.

**Purchase of foreign goods or services; preference.**

Sec. 212. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and 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, manufactured or provided by Michigan businesses owned and operated by veterans if they are competitively priced and of comparable quality.

**Hiring freeze; exceptions.**

Sec. 213. (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, cause loss of revenue to the state, result in the inability of the state to receive federal funds, or 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.

**Out-of-state travel.**

Sec. 214. (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 house and senate 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.

### **Employee communicating with legislative member or staff; disciplinary action prohibited.**

Sec. 215. The department shall not take disciplinary action against an employee who communicates truthfully and factually with a member of the legislature or his or her staff.

### **Businesses in deprived and depressed communities; contracts for services or supplies.**

Sec. 216. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

### **Payment of bills submitted by auditor general.**

Sec. 217. The department shall pay within 60 days of submission the full amount of any bills submitted by the auditor general for all costs incurred by the auditor general while conducting audits of federally funded programs. The department shall expend federal funds allowable under federal law to satisfy any charges billed by the auditor general.

### **Contingency funds.**

Sec. 219. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 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 \$700,000.00 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 \$250,000.00 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 \$3,000,000.00 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.

**Request for data from legislature; providing in timely manner.**

Sec. 220. The department shall provide data requested by a member of the legislature, his or her staff, or the house and senate fiscal agencies in a timely manner.

**Legal services.**

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.

**Policy changes; rules.**

Sec. 222. (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 house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house 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.

**STATE BOARD/OFFICE OF THE SUPERINTENDENT**

**State board meetings; per diem payments; report.**

Sec. 301. (1) The appropriations in part 1 may be used for per diem payments to the state board for meetings at which a quorum is present or for performing official business authorized by the state board. The per diem payments shall be at a rate as follows:

(a) State board of education - president - \$110.00 per day.

(b) State board of education - member other than president - \$100.00 per day.

(2) A state board of education member shall not be paid a per diem for more than 30 days per year.

(3) The state board executive shall report to the public, the senate and house fiscal agencies, and the state budget director the previous quarter's expenses by fund source for members of the state board of education.

### **Travel related to duties of state board of education.**

Sec. 302. From the amount appropriated in part 1 to the state board of education, not more than \$35,000.00 shall be expended for in-state travel and out-of-state travel directly related to the duties of the state board of education.

## **MICHIGAN SCHOOLS FOR THE DEAF AND BLIND**

### **Employees for purposes of service credits, retirement, and insurance benefits.**

Sec. 401. The employees at the Michigan schools for the deaf and blind who work on a school year basis shall be considered annual employees for purposes of service credits, retirement, and insurance benefits.

### **Assessment of cost of operating student's instructional program.**

Sec. 402. For each student enrolled at the Michigan schools for the deaf and blind, the department shall assess the intermediate school district of residence 100% of the cost of operating the student's instructional program. The amount shall exclude room and board related costs and the cost of weekend transportation between the school and the student's home.

### **Rent or leased space.**

Sec. 404. (1) The department may assess rent or lease excess property located on the campus of the Michigan schools for the deaf and blind in Flint to private or publicly funded organizations.

(2) In addition to those funds appropriated in part 1, the department may receive and expend additional funds from lease agreements at the Michigan schools for the deaf and blind Flint campus that have been negotiated with the approval of the department of management and budget. These funds are appropriated to the department for the operation, maintenance, and renovation expenses associated with the leased space.

(3) From the unexpended balances of appropriations for the schools for the deaf and blind operations, up to \$250,000.00 of any unexpended and unencumbered funds remaining on September 30, 2008 may be carried forward as a work project and expended for special maintenance and repairs of facilities at the campus of the Michigan schools for the deaf and blind in Flint. The work shall be carried out by state employees, or by contract as necessary, at an estimated cost of \$250,000.00. The estimated completion date of the work is September 30, 2009.

(4) From the tenant rent appropriation for Fay hall, up to \$100,000.00 of any unexpended and unencumbered funds remaining on September 30, 2008 may be carried forward as a work project or as restricted revenue and expended for special maintenance and repairs of facilities at Fay hall. The work project may be performed by state employees, or by contract when necessary, at an estimated cost of \$100,000.00. The estimated completion date of the work project is September 30, 2009.

**Reimbursement for services provided from federal Medicaid program.**

Sec. 405. The department may assist the department of community health, other departments, and local school districts to secure reimbursement for eligible services provided in Michigan schools from the federal Medicaid program. The department may submit reports of direct expenses related to this effort to the department of community health for reimbursement.

**Promotion of residential program; distribution of information; educational placement.**

Sec. 406. (1) The Michigan schools for the deaf and blind may promote its residential program as a possible appropriate option for children who are deaf or hard of hearing or who are blind or visually impaired. The Michigan schools for the deaf and blind shall distribute information detailing its services to all intermediate school districts in the state.

(2) Upon knowledge of or recognition by an intermediate school district that a child in the district is deaf or hard of hearing or blind or visually impaired, the intermediate school district shall provide to the parents of the child the literature distributed by the Michigan schools for the deaf and blind to intermediate school districts under subsection (1).

(3) Parents will continue to have a choice regarding the educational placement of their deaf or hard of hearing children.

**PROFESSIONAL PREPARATION SERVICES****Professional personnel register and certificate revocation/felony conviction files; maintenance.**

Sec. 501. From the funds appropriated in part 1 for professional preparation services, the department shall maintain the professional personnel register and certificate revocation/felony conviction files.

**Earning of student teaching credits through substitute teaching; alternative program.**

Sec. 502. The department shall authorize teacher preparation institutions to provide an alternative program by which up to 1/2 of the required student internship or student teaching credits may be earned through substitute teaching. The department shall require that teacher preparation institutions collaborate with school districts to ensure that the quality of instruction provided to student teachers is comparable to that required in a traditional student teaching program.

**Teacher preparation programs; allocation to universities.**

Sec. 503. Of the funds appropriated in part 1 for professional preparation operations, \$100,000.00 shall be allocated to Central Michigan University for the alternative route to certification program. Of the funds appropriated in part 1 for professional preparation operations, \$100,000.00 shall be allocated to Wayne State University for the pathways to teaching program. Not later than March 1, 2008, the department shall provide the senate and house appropriations committees and senate and house fiscal agencies with a report including all of the following:

- (a) How many teachers were certified under the programs.
- (b) How long participating teachers served in the classroom.



(c) A comparison of teacher evaluations of participating teachers and teachers with traditional teacher certifications.

**Application to national board for professional teaching certificates; payment of application fee.**

Sec. 505. From the funds appropriated in part 1 for national board certification, the department shall pay 1/2 of the application fee for teachers who are considered by the department to be qualified to apply to the national board for professional teaching standards for professional teaching certificates or licenses and to provide grants to recognize and reward teachers who receive certification or licensure.

**OFFICE OF SCHOOL IMPROVEMENT**

**Charter school office.**

Sec. 601. From the amount appropriated in part 1 for the office of school improvement, there is allocated \$350,000.00 and 3.5 FTE positions to operate a charter school office to administer charter school legislation and associated regulations, and to coordinate the activities of the department relating to charter schools.

**Subject area content expectations and guidelines.**

Sec. 603. The funds appropriated in part 1 for subject area content expectations and guidelines shall be used for the development, approval, and implementation of subject area content expectations and guidelines that apply to the credit requirements of the Michigan merit standard, as required under section 1278b of the revised school code, 1976 PA 451, MCL 380.1278b.

**INFORMATION TECHNOLOGY**

**Comprehensive educational information system.**

Sec. 701. The department shall work in collaboration with the center for educational performance and information to support the comprehensive educational information system and all data collection efforts of the department.

**GRANTS ADMINISTRATION AND SCHOOL SUPPORT SERVICES**

**Receipt of grants; notice to legislature.**

Sec. 901. Within 10 days of the receipt of a grant appropriated in the federal and private grants line item in part 1, the department shall notify the house and senate chairpersons of the appropriations subcommittees responsible for the department budget, the house and senate fiscal agencies, and the state budget director of the receipt of the grant, including the funding source, purpose, and amount of the grant.

This act is ordered to take immediate effect.

Approved October 31, 2007.

Filed with Secretary of State October 31, 2007.

[No. 120]

(HB 4360)

AN ACT to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

*The People of the State of Michigan enact:*

PART 1

LINE-ITEM APPROPRIATIONS

**Appropriations; community colleges.**

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for community colleges and certain other state purposes relating to education for the fiscal year ending September 30, 2008, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**COMMUNITY COLLEGES**

APPROPRIATION SUMMARY:

GROSS APPROPRIATION .....	\$	318,928,800
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		0
ADJUSTED GROSS APPROPRIATION .....	\$	318,928,800
Total federal revenues .....		0
Total local revenues.....		0
Total private revenues.....		0
Total other state restricted revenues .....		0
State general fund/general purpose .....	\$	318,928,800

**Operations.**

**Sec. 102. OPERATIONS**

Alpena Community College .....	\$	5,034,800
Bay de Noc Community College.....		5,084,400
Delta College .....		13,458,400
Glen Oaks Community College .....		2,259,100
Gogebic Community College.....		4,207,700
Grand Rapids Community College.....		16,879,000
Henry Ford Community College .....		20,524,100
Jackson Community College.....		11,338,500
Kalamazoo Valley Community College .....		11,643,300
Kellogg Community College.....		9,129,600
Kirtland Community College.....		2,781,000
Lake Michigan College .....		4,919,800
Lansing Community College .....		29,183,800
Macomb Community College.....		31,158,600
Mid Michigan Community College .....		4,202,200
Monroe County Community College.....		4,054,300
Montcalm Community College .....		2,919,500

	For Fiscal Year Ending Sept. 30, 2008
C.S. Mott Community College.....	\$ 14,730,200
Muskegon Community College.....	8,369,000
North Central Michigan College.....	2,838,000
Northwestern Michigan College .....	8,531,900
Oakland Community College .....	19,698,200
St. Clair County Community College .....	6,600,400
Schoolcraft College .....	11,516,300
Southwestern Michigan College.....	6,174,000
Washtenaw Community College .....	11,841,800
Wayne County Community College .....	15,586,500
West Shore Community College .....	2,156,900
One-time supplemental payment .....	25,759,800
GROSS APPROPRIATION .....	\$ 312,581,100
Appropriated from:	
State general fund/general purpose .....	\$ 312,581,100
 <b>Grants.</b>	
<b>Sec. 103. GRANTS</b>	
At-risk student success program.....	\$ 3,322,700
Renaissance zone tax reimbursement funding.....	3,025,000
GROSS APPROPRIATION .....	\$ 6,347,700
Appropriated from:	
State general fund/general purpose .....	\$ 6,347,700

## PART 2

## PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS****Total state spending; payments to local units of government.**

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 \$318,928,800.00 and state spending from state resources to be paid to local units of government for fiscal year 2007-2008 is \$318,928,800.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

Operations.....	\$ 312,581,100
At-risk student success program.....	3,322,700
Renaissance zone tax reimbursement program .....	3,025,000
TOTAL.....	\$ 318,928,800

**Appropriations subject to MCL 18.1101 to 18.1594.**

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.

**Reporting requirements; use of Internet.**

Sec. 203. Unless otherwise specified, a community college receiving appropriations in part 1 and the department of labor and economic growth 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 an Internet or Intranet site.

**Accelerated entrepreneurship curriculum.**

Sec. 208. The department of labor and economic growth shall continue to work collaboratively with community colleges to implement an accelerated entrepreneurship curriculum, including an associate degree, to provide students with the skills and knowledge needed for creating their own businesses.

**Purchase of foreign goods or services.**

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.

**Businesses in deprived and depressed communities; contracts to provide services or supplies.**

Sec. 210. The principal executive officer of each community college receiving appropriations in part 1 shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each principal executive officer shall strongly encourage firms with which the community college contracts to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both.

**Payments; monthly installments; 1-time supplemental payment; use.**

Sec. 211. (1) The money appropriated in this act is appropriated for community colleges with fiscal years ending June 30, 2008, and, except for the 1-time supplemental payment described in subsection (2), shall be paid out of the state treasury and distributed by the state treasurer to the respective community colleges in 11 monthly installments on the sixteenth of each month, or the next succeeding business day, beginning with October 16, 2007. Each community college shall accrue its July and August 2008 payments to its institutional fiscal year ending June 30, 2008. However, if a community college fails to submit all verified Michigan community colleges activities classification structure data for school year 2006-2007 to the department of labor and economic growth by November 1, 2007, the monthly installments shall be withheld from that community college until those data are submitted. The amount from the money appropriated in part 1 that is allocated to address the special needs of at-risk students shall be paid in full by the state treasurer by November 1, 2007. The amount distributed to a community college or department shall not exceed the net state allocation authorized by this act.

(2) The funds appropriated in part 1 to community colleges for the 1-time supplemental payment shall be paid out of the state treasury and distributed by the state treasurer to the respective community colleges on October 16, 2007. The payment made to each community college shall be equal to the sum of the delayed payment reduction contained in Executive Order No. 2007-3 and the payment delay reduction contained in section 106 of 2007 PA 17. Each community college shall accrue this payment to its institutional fiscal year ending June 30, 2007.

(3) Except as otherwise provided by law, each of the amounts appropriated shall be used solely for the respective purposes stated in this act. The money appropriated in this act may be used to match the cost of any available programs under the Carl D. Perkins vocational and applied technology education act of 1998, 20 USC 2301 to 2415, including local administration.

**Employer's contributions to Michigan public school employees' retirement system; payment by community college.**

Sec. 216. (1) A community college shall pay the employer's contributions to the Michigan public school employees' retirement system created by the public school employees retirement act of 1979, 1980 PA 300, MCL 38.1301 to 38.1408, as a condition of receiving money appropriated under this act.

(2) A community college shall not pay an employer's contribution to more than 1 retirement fund providing benefits for an employee.

**Self-liquidating project; payment for construction or maintenance prohibited.**

Sec. 217. Money appropriated in part 1 shall not be used to pay for the construction or maintenance of a self-liquidating project. A community college shall comply with the current use and finance requirements of the joint capital outlay subcommittee (JCOS) for any construction, renovation, or other capital outlay projects pursuant to JCOS policy.

**ITEM funding; restoration.**

Sec. 220. It is the intent of the legislature that the legislature restore the infrastructure, technology, equipment, and maintenance (ITEM) funding provided in previous fiscal years.

**Collaboration and cooperation with 4-year universities.**

Sec. 224. Recognizing the critical importance of education in strengthening Michigan's workforce, the legislature encourages the state's public community colleges to explore ways of increasing collaboration and cooperation with 4-year universities, particularly in the areas related to training, instruction, and program articulation.

**Diversity; duty of community colleges to promote.**

Sec. 234. Community colleges shall do the following:

(a) Undertake active measures to promote equal opportunities, eliminate discrimination, and foster a diverse student body and administration among all people including, but not limited to, women, minorities, seniors, veterans, and people with disabilities.

(b) Review, analyze, and eradicate activities that may tend to discriminate.

**State university admission and enrollment policies; workgroup; report.**

Sec. 235. It is the intent of the legislature that a workgroup be formed to evaluate, discuss, and make recommendations for future action regarding state university admission and enrollment policies that specifically address the acceptance and application of college credits earned by students through the postsecondary enrollment options act, 1996 PA 160, MCL 388.511 to 388.524. The Michigan community college association may create and administer the workgroup and is encouraged to include members representing university and K-12 school organizations. The workgroup shall submit a report containing its findings and recommendations to the house and senate appropriations subcommittees on community colleges, the house and senate fiscal agencies, and the state budget director by March 1, 2008.

**Increase of appropriation to state-supported 4-year universities; similar action or proposal for state-supported community colleges intended.**

Sec. 239. The legislature intends that any executive or legislative proposal or action, subsequent to the adoption of a recommendation for appropriations for community colleges for the fiscal year ending September 30, 2008, to increase appropriations to state-supported 4-year universities in excess of the governor's original recommendation for the fiscal year ending September 30, 2008, will be accompanied by a similar action or proposal for state-supported community colleges.

**Nursing education programs.**

Sec. 241. It is the intent of the legislature that community colleges expand their current nursing education programs and increase nursing education program enrollments. This expansion may include, but is not limited to, creating partnerships with hospitals and other health care providers, expanding the focus and utilization of the nursing scholarship program, and redirecting existing institutional resources toward nursing education programs.

**Payments in lieu of taxes; discussion.**

Sec. 242. It is the intent of the legislature that the Michigan community college association, the legislature, and other interested parties continue the discussion regarding payments in lieu of taxes, especially for those community college districts that contain significant portions of nontaxable land.

**STATE AID - OPERATIONS****Data; reporting basis; documentation of financial need.**

Sec. 301. Unless otherwise stated, all data items used in determining state aid in this act are as defined in the 2001 Manual for Uniform Financial Reporting, Michigan Public Community Colleges, which shall be the basis for reporting data, and the Activities Classification Structure Manual for Michigan Community Colleges, as amended, which shall be used to document financial needs of the community colleges.

**Student incarcerated in Michigan penal institution; exclusion from enrollment data.**

Sec. 302. A community college shall not include in the enrollment data reported for determining state aid under this act any student credit hours or student contact hours for a student incarcerated in a Michigan penal institution. Exclusion of these students is intended to avoid the payment of state aid under this act for the same individuals for whom reimbursement is provided by the state correctional system.

**Performance indicators task force; use of funding formula.**

Sec. 304. (1) It is the intent of the legislature that the funding formula developed by the performance indicators task force formed pursuant to section 242 of 2005 PA 154 be used for funding distribution in future years and that the data collected and used to generate the activities classification structure data book continue to be collected and maintained.

(2) It is the intent of the legislature that the recommendations and performance measures developed by the performance indicators task force pursuant to section 242 of 2005 PA 154 be reviewed and more fully implemented for distribution of state funding to community colleges in future years.

**GRANTS****Community college at-risk student success program.**

Sec. 401. (1) The community college at-risk student success program is continued. The funding shall be prorated among community colleges based on the number of student contact hours for developmental and preparatory instruction reported by each community college to the department of labor and economic growth pursuant to the Activities Classification Structure Manual for Michigan Community Colleges, as amended. Of the amount appropriated in part 1 for the at-risk student success program, \$1,120,000.00 is allocated for base grants of \$40,000.00 each, to address the special needs of at-risk students at community colleges.

(2) Of the amount appropriated in part 1 for the at-risk student success program, the balance of the appropriated money shall be distributed on a proration utilizing the sum of the most recent 3 years developmental/preparatory contact hours divided by the sum of the 3-year total contact hours at each college. Each community college's percentage shall be divided by the sum of all the percentages systemwide to obtain each community college's prorated grant amount.

(3) For the fiscal year ending September 30, 2008, the at-risk student success program money is allocated as follows:

Alpena Community College .....	\$	80,500
Bay de Noc Community College .....		76,600
Delta College .....		99,400
Glen Oaks Community College .....		115,100
Gogebic Community College.....		58,200
Grand Rapids Community College.....		128,700
Henry Ford Community College .....		159,200
Jackson Community College.....		113,800
Kalamazoo Valley Community College .....		91,100
Kellogg Community College.....		167,400
Kirtland Community College.....		129,000
Lake Michigan College .....		155,100
Lansing Community College .....		143,800
Macomb Community College.....		84,300
Mid Michigan Community College .....		147,900
Monroe County Community College.....		103,900
Montcalm Community College .....		66,000
C.S. Mott Community College.....		105,700
Muskegon Community College.....		81,800
North Central Michigan College.....		116,200
Northwestern Michigan College .....		122,600
Oakland Community College .....		147,500
St. Clair Community College.....		110,500
Schoolcraft College .....		128,500
Southwestern Michigan College.....		145,100
Washtenaw Community College .....		153,700
Wayne County Community College .....		147,400
West Shore Community College .....		143,700

(4) As used in this act, "at-risk students" means students who meet 1 or more of the following criteria:

(a) Are initially placed in 1 or more developmental courses as a result of standardized testing or as a result of failure to make satisfactory academic progress.

(b) Are diagnosed as learning disabled.

(c) Require English as a second language (ESL) assistance.

(5) Grant funding under this section shall be utilized to address the special needs of at-risk students. Activities related to services provided to at-risk students include, but are not limited to, pretesting for academic ability, counseling contacts, and special programs. Equipment or information technology hardware or software purchased under this section must be associated with the operation of a program designed to address the needs of at-risk students.

(6) Grant funding under this section shall not be used for indirect costs including, but not limited to, rent, utilities, or, except as provided in this section, college administration.

(7) Each community college shall report to the department of labor and economic growth a summary of all accomplishments under, expenditures for, and compliance with the intent of this program, including the number of at-risk students served. The report is subject to audit as provided for in section 502(1). The report shall be submitted not later than 90 days after the end of the state's fiscal year.

### **Renaissance zone reimbursements.**

Sec. 404. The appropriation in part 1 for renaissance zone reimbursements shall be made to each eligible recipient no later than 60 days after the department of treasury certifies to the state budget director that it has received all necessary information to properly determine the amounts due each eligible recipient under section 12 of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2692.

### **Nursing grants; funding.**

Sec. 405. (1) It is the intent of the legislature that the legislature appropriate funding for nursing grants to encourage the expansion of nursing programs at community colleges. Any funds appropriated shall be allocated to each community college on a proportional basis based on the number of 2005-2006 ADN/RN nursing program awards reported by the community colleges to the office of postsecondary services in the department of labor and economic growth.

(2) It is the intent of the legislature that community colleges use any funds appropriated pursuant to subsection (1) to increase nursing program completions and expand existing nursing program capacity. These funds may be used for any of the following:

(a) Maintaining sustainability of existing programs in order to ensure that current programs are not reduced or eliminated due to high operational costs.

(b) Reducing attrition by utilizing counselors, mentors, better assessment and screening tools, and other student support services to ensure that students who enter a nursing program complete that program.

(c) Purchasing equipment and technology to increase efficiency and program capacity through the use of simulators, software, online curriculum development, and other program technology.

(d) Retaining and acquiring qualified faculty in an increasingly competitive recruiting market.

(3) By January 1, 2008, each community college receiving funds under this section shall report to the house and senate appropriations subcommittees on community colleges, the house and senate fiscal agencies, and the department of management and budget on the impact of these funds on nursing program completions at that college. In addition, each community college shall include in its report its plans for future nursing program enrollment expansion and indicate any barriers to that expansion.



## **REPORTS AND AUDITS**

### **Activities classification structure data book; publication.**

Sec. 501. The department of labor and economic growth shall publish the activities classification structure data book for Michigan community colleges on or before March 1, 2008, for use by the legislature during budget development for the fiscal year ending September 30, 2009.

### **Performance audits.**

Sec. 502. (1) The auditor general or a certified public accountant appointed by the auditor general may conduct performance audits of community colleges as the auditor general considers necessary.

(2) Not more than 60 days after an audit report is released by the office of the auditor general, the principal executive officer of the community college that was audited shall submit to the house and senate appropriations committees, the house and senate fiscal agencies, the department of labor and economic growth, the auditor general, and the state budget director a plan to comply with audit recommendations. The plan shall contain projected dates and resources required, if any, to achieve compliance with the audit recommendations, or a documented explanation of the college's noncompliance with the audit recommendations concerning the matters on which the audited community college and office of the auditor general disagree.

### **Class summaries, class lists, registration documents, and student transcripts; retention.**

Sec. 504. (1) A community college shall retain certified class summaries, class lists, registration documents, and student transcripts that are consistent with the taxonomy of courses. For each enrollment period during the fiscal year, these certified documents shall identify clearly by course the number of in-district and out-of-district student credit and contact hours. The class summaries and class lists shall be consistent with each other and shall include the course prefix and numbers, course title, course credit and contact hours, credit and contact hours generated by each student, and activity classifications consistent with the taxonomy. An auditable process shall be used by the community college to determine the unduplicated head count for in-district students, out-of-district students, and prisoners for each enrollment period during the fiscal year.

(2) Contracts between the community college and agencies that reimburse the community college for the costs of instruction shall be retained for audit purposes.

### **Annual audit by independent auditor.**

Sec. 505. Each community college shall have an annual audit of all income and expenditures performed by an independent auditor and shall furnish the independent auditor's management letter and an annual audited accounting of all general and current funds income and expenditures including audits of college foundations to the members of the senate and house appropriations subcommittees on community colleges, the senate and house fiscal agencies, the auditor general, the department of labor and economic growth, and the state budget director before November 15, 2007. If a community college fails to furnish the audit materials, the monthly state aid installments shall be withheld from that college until the information is submitted. All reporting shall conform to the requirements set forth in the 2001 Manual for Uniform Financial Reporting, Michigan Public Community Colleges.

### **Indian tuition waivers; report; compilation.**

Sec. 506. (1) Each community college shall report the following to the department of labor and economic growth no later than November 1, 2007:

(a) The number of North American Indian students enrolled each term for the previous fiscal year, using guidelines and procedures developed by the department of labor and economic growth and the Michigan commission on Indian affairs.

(b) The number of Indian tuition waivers granted each term, and the monetary value of the waivers for the previous fiscal year.

(2) Colleges shall use the criteria cited in 1976 PA 174, MCL 390.1251 to 390.1253, to determine eligibility for tuition waivers, and shall grant those waivers to individuals who meet the criteria and request tuition waivers.

(3) The department of labor and economic growth shall compile the information received under subsection (1) and shall submit this compilation to the house and senate appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director by January 7, 2008.

### **Aggregate academic status; report to high schools.**

Sec. 507. Upon request, a community college shall inform interested Michigan high schools of the aggregate academic status of its students for the prior academic year, in a manner prescribed by the Michigan community college association and in cooperation with the Michigan association of secondary school principals.

### **Tuition and fees; report.**

Sec. 508. (1) Each community college shall report to the house and senate fiscal agencies, the state budget director, and the department of labor and economic growth by August 31, 2007, the tuition and mandatory fees paid by a full-time in-district student and a full-time out-of-district student as established by the college governing board for the 2007-2008 academic year. This report should also include the annual cost of attendance based on a full-time course load of 30 credits. Each community college shall also report any revisions to the reported 2007-2008 academic year tuition and mandatory fees adopted by the college governing board to the house and senate fiscal agencies, the state budget director, and the department of labor and economic growth within 15 days of being adopted.

(2) The department of labor and economic growth shall prepare and provide to community colleges a standard format for reporting tuition and fees pursuant to subsection (1).

### **Number and type of associate degrees and certificates; report.**

Sec. 509. (1) Each community college shall report to the department of labor and economic growth the numbers and type of associate degrees and other certificates awarded during the previous fiscal year. The report shall be made not later than November 15, 2007.

(2) The department of labor and economic growth shall compile the information received under subsection (1) and shall submit this compilation to the house and senate appropriations subcommittees on community colleges, the senate and house fiscal agencies, and the state budget director by January 7, 2008.

### **Student right-to-know and campus security act; availability of public information.**

Sec. 510. A community college receiving funding under this act and also subject to the student right-to-know and campus security act, Public Law 101-542, 104 Stat. 2381, shall make a copy of all material prepared in accordance with the public information reporting requirements under the crime awareness and campus security act of 1990, title II of the student right-to-know and campus security act, Public Law 101-542, 104 Stat. 2384, available in hard copy and electronic format accessible through the Internet for school districts, parents, and students.

### **State plan under Perkins act; copies; grant application process; "Perkins act" defined.**

Sec. 511. (1) At least 30 days before submission of a new state plan to the United States department of education for approval under the Perkins act, the department of labor and

economic growth shall provide copies of the proposed plan to the members of the senate and house appropriations subcommittees on community colleges for their review and comment. Copies of the proposed plan shall be provided to the senate and house fiscal agencies and the state budget director at the same time that they are provided to the senate and house subcommittees.

(2) The Perkins grant application process and content shall be streamlined to the extent possible.

(3) As used in this section, “Perkins act” means the Carl D. Perkins vocational and applied technology education act of 1998, 20 USC 2301 to 2415.

**Tax revenue losses from TIFA and tax abatements; report.**

Sec. 513. The department of treasury shall annually collect and compile data on the tax revenue losses to community colleges resulting from tax increment financing authorities (TIFA) and tax abatements. The department of treasury shall produce a report detailing the data. The report shall be completed and presented to the house and senate appropriations subcommittees on community colleges, the department of career development, and the department of management and budget not later than March 1, 2008. The report shall include, but is not limited to, the following:

(a) Estimated revenue losses for each community college for the calendar year 2007.

(b) Confirmed revenue losses for each community college for the calendar years 2005 and 2006.

(c) Other requirements requested by the house and senate appropriations subcommittees on community colleges.

This act is ordered to take immediate effect.

Approved October 31, 2007.

Filed with Secretary of State October 31, 2007.

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**[No. 121]**

**(HB 4358)**

AN ACT to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

*The People of the State of Michigan enact:*

PART 1

LINE-ITEM APPROPRIATIONS

**Appropriations; department of environmental quality.**

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of environmental quality for the fiscal year ending

September 30, 2008, from the funds indicated in this part. The following is a summary of the appropriations in this part:

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

APPROPRIATION SUMMARY:

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	1,561.7	
<b>GROSS APPROPRIATION .....</b>		<b>\$ 370,844,400</b>
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers.....		18,662,900
<b>ADJUSTED GROSS APPROPRIATION .....</b>		<b>\$ 352,181,500</b>
Federal revenues:		
Total federal revenues .....		131,750,500
Special revenue funds:		
Total local revenues.....		0
Total private revenues.....		455,100
Total other state restricted revenues .....		188,212,700
State general fund/general purpose .....		\$ 31,763,200

FUND SOURCE SUMMARY:

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	1,561.7	
<b>GROSS APPROPRIATION .....</b>		<b>\$ 370,844,400</b>
Interdepartmental grant revenues:		
IDG-MDCH, local public health operations .....		10,472,500
IDG-MDSP .....		880,400
IDG, Michigan transportation fund .....		1,057,000
IDT, interdivisional charges .....		2,053,400
IDT, laboratory services.....		4,199,600
Total interdepartmental grants and intradepartmental transfers.....		18,662,900
<b>ADJUSTED GROSS APPROPRIATION .....</b>		<b>\$ 352,181,500</b>
Federal revenues:		
DHHS, federal.....		6,200
DHS, federal.....		3,609,300
DOC-NOAA, federal .....		3,670,200
DOD, federal.....		1,202,600
DOI, federal .....		594,000
EPA, brownfield cleanup revolving loan fund.....		1,000,000
EPA, multiple .....		121,668,200
Total federal revenues .....		131,750,500
Special revenue funds:		
Private funds .....		455,100
Total private revenues.....		455,100
Aboveground storage tank fees .....		760,400
Air emissions fees.....		13,654,900
Aquifer protection revolving fund.....		400,000
Campground fund .....		237,600
Clean Michigan initiative - administration.....		335,500
Clean Michigan initiative - clean water fund.....		3,372,000
Clean Michigan initiative - response activities.....		5,663,200
Cleanup and redevelopment fund .....		12,383,100

	For Fiscal Year Ending Sept. 30, 2008
Community pollution prevention fund .....	\$ 250,000
Environmental pollution prevention fund .....	2,033,000
Environmental protection fund .....	3,907,100
Environmental response fund .....	6,299,700
Fees and collections .....	552,500
Financial instruments .....	5,000,000
Great Lakes protection fund .....	1,603,100
Groundwater discharge permit fees.....	2,826,000
Hazardous materials transportation permit fund .....	218,500
Infrastructure construction fund .....	400,000
Laboratory data quality recognition fund.....	16,200
Land and water permit fees .....	4,252,500
Landfill maintenance trust fund .....	55,900
Medical waste emergency response fund.....	240,300
Metallic mining surveillance fee revenue .....	93,500
Mineral well regulatory fee revenue.....	246,000
Nonferrous metallic mineral surveillance .....	218,600
NPDES fees.....	3,362,400
Oil and gas regulatory fund .....	7,829,100
On-site wastewater treatment program fund .....	592,500
Orphan well fund .....	2,051,900
Public swimming pool fund .....	541,300
Public utility assessments .....	786,100
Public water supply fees .....	3,949,600
Publication revenue.....	120,200
Refined petroleum fund.....	30,684,500
Restricted funds.....	18,448,500
Retired engineers technical assistance fund.....	1,474,300
Revitalization revolving loan fund.....	84,300
Revolving loan revenue bonds .....	11,400,000
Saginaw Bay and River restoration revenue .....	174,800
Sand extraction fee revenue.....	198,300
Scrap tire regulatory fund .....	5,846,300
Septage waste contingency fund.....	37,700
Septage waste program fund.....	720,200
Settlement funds.....	2,093,100
Sewage sludge land application fee .....	850,800
Small business pollution prevention revolving loan fund.....	107,700
Soil erosion and sedimentation control training fund .....	114,700
Solid waste program fees .....	4,493,500
Stormwater permit fees .....	2,799,400
Strategic water quality initiatives fund .....	10,000,000
Underground storage tank fees .....	3,125,500
Waste reduction fee revenue .....	4,479,600
Wastewater operator training fees.....	172,100
Water analysis fees.....	3,317,600
Water pollution control revolving fund.....	3,066,400
Water quality protection fund .....	25,000

For Fiscal Year  
Ending Sept. 30,  
2008

Water use reporting fees.....	\$	245,700
Total other state restricted revenues .....		188,212,700
State general fund/general purpose .....	\$	31,763,200

**Executive operations and department support.**

**Sec. 102. EXECUTIVE OPERATIONS AND DEPARTMENT SUPPORT**

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions .....	78.0	
Unclassified salaries—6.0 FTE positions .....		\$ 587,600
Administrative hearings.....		441,800
Automated data processing .....		2,053,400
Central operations—62.0 FTE positions .....		6,757,100
Environmental support projects.....		5,000,000
Executive direction—9.0 FTE positions .....		2,306,100
Human resource optimization user charges.....		98,600
Office of the Great Lakes—7.0 FTE positions .....		1,048,900
Building occupancy charges.....		7,291,400
Rent - privately owned property.....		2,145,900
GROSS APPROPRIATION .....		\$ 27,730,800

Appropriated from:

Interdepartmental grant revenues:

IDG-MDSP.....		112,100
IDT, interdivisional charges .....		2,053,400
IDT, laboratory services.....		471,400

Federal revenues:

DOC-NOAA, federal .....		22,500
DOI, federal .....		160,300
EPA, multiple .....		265,100

Special revenue funds:

Financial instruments .....		5,000,000
Great Lakes protection fund .....		603,100
Restricted funds.....		13,248,100
Settlement funds.....		104,400
State general fund/general purpose .....	\$	5,690,400

**Air quality.**

**Sec. 103. AIR QUALITY**

Full-time equated classified positions .....	241.5	
Air quality programs—241.5 FTE positions.....		\$ 26,408,400
GROSS APPROPRIATION .....		\$ 26,408,400

Appropriated from:

Federal revenues:

DHS, federal.....		2,027,600
EPA, multiple .....		4,470,600

Special revenue funds:

Air emissions fees.....		12,889,300
Environmental response fund .....		106,200

	For Fiscal Year Ending Sept. 30, 2008
Fees and collections .....	\$ 408,400
Oil and gas regulatory fund .....	107,500
Refined petroleum fund .....	2,850,700
State general fund/general purpose .....	\$ 3,548,100

### **Environmental science and services.**

#### **Sec. 104. ENVIRONMENTAL SCIENCE AND SERVICES**

Full-time equated classified positions .....	184.0
Program services and grant management—27.5 FTE positions .....	\$ 3,886,300
Laboratory services—68.0 FTE positions .....	6,822,900
Municipal assistance—35.5 FTE positions .....	5,305,100
Pollution prevention and technical assistance—53.0 FTE positions...	5,085,800
Pollution prevention outreach .....	300,000
Retired engineers technical assistance program .....	1,474,300
Revitalization revolving loan program .....	1,000,000
GROSS APPROPRIATION .....	\$ 23,874,400
Appropriated from:	
Interdepartmental grant revenues:	
IDT, laboratory services .....	3,577,800
Federal revenues:	
DOC-NOAA, federal .....	353,000
EPA, brownfield cleanup revolving loan fund .....	1,000,000
EPA, multiple .....	3,432,400
Special revenue funds:	
Private funds .....	
Air emissions fees .....	300,000
Environmental protection fund .....	765,600
Environmental response fund .....	68,500
Laboratory data quality recognition fund .....	662,500
Public water supply fees .....	16,200
Retired engineers technical assistance fund .....	252,100
Revitalization revolving loan fund .....	1,474,300
Settlement funds .....	84,300
Small business pollution prevention revolving loan fund .....	234,400
Stormwater permit fees .....	107,700
Strategic water quality initiatives fund .....	95,500
Waste reduction fee revenue .....	400,000
Wastewater operator training fees .....	4,405,000
Water analysis fees .....	172,100
Water pollution control revolving fund .....	3,317,600
State general fund/general purpose .....	2,398,300
	\$ 757,100

### **Office of geological survey.**

#### **Sec. 105. OFFICE OF GEOLOGICAL SURVEY**

Full-time equated classified positions .....	68.0
Coal and sand dune management—3.0 FTE positions .....	\$ 626,000
Metallic mine reclamation—1.0 FTE position .....	93,500
Mineral wells management—3.0 FTE positions .....	246,000

	For Fiscal Year Ending Sept. 30, 2008
Nonferrous metallic mining—2.0 FTE positions .....	\$ 218,600
Orphan well—2.0 FTE positions.....	2,051,900
Services to oil and gas—57.0 FTE positions .....	7,478,300
GROSS APPROPRIATION .....	<u>\$ 10,714,300</u>
Appropriated from:	
Federal revenues:	
DOI, federal.....	427,700
Special revenue funds:	
Metallic mining surveillance fee revenue .....	93,500
Mineral well regulatory fee revenue.....	246,000
Nonferrous metallic mineral surveillance .....	218,600
Oil and gas regulatory fund .....	7,358,100
Orphan well fund .....	2,051,900
Publication revenue.....	120,200
Sand extraction fee revenue .....	198,300
State general fund/general purpose .....	\$ 0

**Land and water management.**

**Sec. 106. LAND AND WATER MANAGEMENT**

Full-time equated classified positions.....	129.0
Program direction—8.0 FTE positions.....	\$ 938,700
Field permitting and project assistance—72.0 FTE positions .....	7,514,900
Great Lakes shorelands—28.0 FTE positions.....	2,662,700
Water management—21.0 FTE positions .....	2,688,600
GROSS APPROPRIATION .....	<u>\$ 13,804,900</u>
Appropriated from:	
Interdepartmental grant revenues:	
IDG, Michigan transportation fund .....	1,002,500
Federal revenues:	
DHS, federal.....	999,700
DOC-NOAA, federal .....	1,508,800
EPA, multiple .....	1,047,400
Special revenue funds:	
Land and water permit fees .....	3,653,300
State general fund/general purpose .....	\$ 5,593,200

**Remediation and redevelopment.**

**Sec. 107. REMEDIATION AND REDEVELOPMENT**

Full-time equated classified positions.....	297.5
Contaminated site investigation, cleanup, and revitalization— 230.5 FTE positions.....	\$ 22,924,100
Federal cleanup project management—67.0 FTE positions.....	8,385,800
Emergency cleanup actions .....	4,000,000
Refined petroleum product cleanup program.....	20,000,000
Environmental cleanup and redevelopment program.....	5,663,200
Environmental cleanup support.....	2,340,000
Superfund cleanup .....	4,000,000
GROSS APPROPRIATION .....	<u>\$ 67,313,100</u>



For Fiscal Year  
Ending Sept. 30,  
2008

Appropriated from:	
Federal revenues:	
DHHS, federal.....	\$ 6,200
DOD, federal.....	1,174,500
EPA, multiple .....	8,403,500
Special revenue funds:	
Private funds .....	155,100
Clean Michigan initiative - response activities.....	5,663,200
Cleanup and redevelopment fund .....	12,383,100
Environmental protection fund .....	3,838,600
Environmental response fund .....	5,231,400
Landfill maintenance trust fund .....	55,900
Refined petroleum fund.....	26,790,900
Settlement funds.....	1,504,300
State general fund/general purpose .....	\$ 2,106,400

**Waste and hazardous materials.**

**Sec. 108. WASTE AND HAZARDOUS MATERIALS**

Full-time equated classified positions .....	183.5
Aboveground storage tank program—8.0 FTE positions .....	\$ 760,400
Hazardous waste management program—61.0 FTE positions .....	6,463,200
Low-level radioactive waste authority—2.0 FTE positions .....	786,100
Medical waste program—2.0 FTE positions.....	240,300
Radiological protection program—14.5 FTE positions.....	1,418,800
Scrap tire regulatory program—11.0 FTE positions .....	1,061,200
Solid waste management program—50.0 FTE positions .....	4,568,100
Underground storage tank program—35.0 FTE positions .....	3,394,600
GROSS APPROPRIATION .....	\$ 18,692,700

Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDSP .....	740,400
Federal revenues:	
EPA, multiple .....	4,006,600
Special revenue funds:	
Aboveground storage tank fees .....	760,400
Environmental pollution prevention fund .....	2,033,000
Hazardous materials transportation permit fund .....	218,500
Medical waste emergency response fund .....	240,300
Public utility assessments .....	786,100
Scrap tire regulatory fund .....	1,061,200
Solid waste program fees.....	4,493,500
Underground storage tank fees .....	3,125,500
Waste reduction fee revenue .....	74,600
State general fund/general purpose .....	\$ 1,152,600

**Water.**

**Sec. 109. WATER**

Full-time equated classified positions .....	358.2
Aquifer protection program.....	\$ 350,000

For Fiscal Year  
Ending Sept. 30,  
2008

Aquifer protection and dispute resolution - IDG to Michigan department of agriculture .....	\$	50,000
Drinking water and environmental health—114.2 FTE positions.....		16,093,800
Expedited water/wastewater permits—3.0 FTE positions .....		400,000
Fish contaminant monitoring .....		316,100
Groundwater discharge—22.0 FTE positions .....		2,965,300
NPDES nonstormwater program—118.4 FTE positions.....		10,975,900
Sewage sludge land application program—6.5 FTE positions.....		850,800
Surface water—94.1 FTE positions .....		15,339,700
GROSS APPROPRIATION .....	\$	47,341,600
Appropriated from:		
Federal revenues:		
EPA, multiple .....		18,070,000
Special revenue funds:		
Aquifer protection revolving fund.....		400,000
Campground fund .....		237,600
Clean Michigan initiative - administration.....		335,500
Clean Michigan initiative - clean water fund.....		3,372,000
Environmental response fund .....		167,100
Fees and collections .....		144,100
Groundwater discharge permit fees.....		2,826,000
Infrastructure construction fund .....		400,000
Land and water permit fees .....		599,200
NPDES fees.....		3,362,400
On-site wastewater treatment program fund .....		592,500
Public swimming pool fund .....		541,300
Public water supply fees .....		2,297,500
Refined petroleum fund.....		959,200
Saginaw Bay and River restoration revenue .....		174,800
Septage waste contingency fund.....		37,700
Septage waste program fund.....		320,200
Sewage sludge land application fee .....		850,800
Soil erosion and sedimentation control training fund .....		114,700
Stormwater permit fees .....		2,703,900
Water pollution control revolving fund.....		668,100
Water use reporting fees.....		245,700
State general fund/general purpose .....	\$	7,921,300

**Criminal investigations.**

**Sec. 110. CRIMINAL INVESTIGATIONS**

Full-time equated classified positions.....	22.0	
Environmental investigations—22.0 FTE positions.....	\$	2,587,400
GROSS APPROPRIATION .....	\$	2,587,400
Appropriated from:		
Federal revenues:		
DHS, federal .....		557,600
EPA, multiple .....		154,100
Special revenue funds:		
Environmental response fund .....		132,500