

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 286

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1

PART 1

2

LINE-ITEM APPROPRIATIONS

3

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

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the department of consumer and industry services, subject to the

5

conditions set forth in this act, for the fiscal year ending

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September 30, 2004, from the funds identified in this part. The

1 following is a summary of the appropriations in this part:

2 **DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

3 APPROPRIATION SUMMARY:

4	Full-time equated unclassified positions.....	63.5	
5	Full-time equated classified positions.....	3,472.0	
6	GROSS APPROPRIATION.....		\$ 603,591,700
7	Interdepartmental grant revenues:		
8	Total interdepartmental grants and intradepartmental		
9	transfers.....		111,100
10	ADJUSTED GROSS APPROPRIATION.....		\$ 603,480,600
11	Federal revenues:		
12	Total federal revenues.....		283,831,500
13	Special revenue funds:		
14	Total local revenues.....		0
15	Total private revenues.....		770,000
16	Total other state restricted revenues.....		298,694,400
17	State general fund/general purpose.....		\$ 20,184,700
18	<b>Sec. 102. EXECUTIVE DIRECTION</b>		
19	Full-time equated unclassified positions.....	63.5	
20	Full-time equated classified positions.....	142.0	
21	Unclassified salaries.....		\$ 5,568,200
22	Energy office--9.0 FTE positions.....		2,654,200
23	Executive director programs--27.0 FTE positions.....		2,881,400
24	Policy development--16.0 FTE positions.....		1,746,800
25	Utility consumer representation.....		550,000
26	Regulatory efficiency improvements/backlog reduction		
27	initiative.....		750,000

1	MES board of review program--18.0 FTE positions.....	1,773,900
2	Bureau of hearings--72.0 FTE positions.....	<u>8,070,800</u>
3	GROSS APPROPRIATION..... \$	23,995,300
4	Appropriated from:	
5	Federal revenues:	
6	DOE-OEERE, multiple grants.....	2,179,100
7	DOL-ETA, unemployment insurance.....	8,518,400
8	DOL, multiple grants for safety and health.....	160,300
9	Special revenue funds:	
10	Private-oil overcharge.....	30,000
11	Bank fees.....	165,200
12	Boiler fee revenue.....	33,500
13	Construction code fund.....	438,800
14	Consumer finance fees.....	61,200
15	Corporation fees.....	2,178,500
16	Credit union fees.....	112,700
17	Elevator fees.....	37,400
18	Fees and collections/asbestos.....	11,100
19	Health professions regulatory fund.....	1,277,800
20	Health systems fees and collections.....	184,300
21	Insurance regulatory fees.....	531,900
22	Licensing and regulation fees.....	742,600
23	Liquor license fees.....	100,000
24	Liquor purchase revolving fund.....	1,594,100
25	Manufactured housing commission fees.....	272,800
26	Michigan state housing development authority fees	
27	and charges.....	444,100

1	Motor carrier fees.....	36,100
2	Public utility assessments.....	1,296,600
3	Safety education and training fund.....	226,200
4	Second injury fund.....	82,300
5	Securities fees.....	2,094,800
6	Self-insurers security fund.....	22,300
7	Silicosis and dust disease fund.....	32,700
8	Tax tribunal fees.....	1,100
9	Utility consumer representation fund.....	550,000
10	Worker's compensation administrative revolving fund.	80,800
11	State general fund/general purpose..... \$	498,600
12	<b>Sec. 103. MANAGEMENT SERVICES</b>	
13	Full-time equated classified positions.....136.0	
14	Administrative services--136.0 FTE positions..... \$	9,982,600
15	Building occupancy charges - property development	
16	services.....	12,727,400
17	Rent.....	12,884,100
18	Worker's compensation.....	1,714,000
19	Special project advances.....	<u>740,000</u>
20	GROSS APPROPRIATION..... \$	38,048,100
21	Appropriated from:	
22	Federal revenues:	
23	DOL-ETA, unemployment insurance.....	14,835,100
24	DOL, multiple grants for safety and health.....	610,700
25	Federal funds.....	418,000
26	HHS, federal funds.....	45,600
27	Special revenue funds:	

1	Private-special project advances.....	740,000
2	Bank fees.....	439,800
3	Boiler fee revenue.....	227,600
4	Construction code fund.....	1,217,900
5	Consumer finance fees.....	162,500
6	Corporation fees.....	3,048,100
7	Credit union fees.....	324,500
8	Elevator fees.....	242,500
9	Fees and collections/asbestos.....	52,600
10	Fire service fees.....	62,000
11	Health professions regulatory fund.....	963,200
12	Health systems fees and collections.....	343,300
13	Insurance regulatory fees.....	776,000
14	Licensing and regulation fees.....	947,500
15	Licensing fees.....	5,800
16	Liquor purchase revolving fund.....	3,929,300
17	Manufactured housing commission fees.....	319,300
18	Michigan state housing development authority fees	
19	and charges.....	3,078,900
20	Motor carrier fees.....	209,200
21	Public utility assessments.....	1,293,300
22	Safety education and training fund.....	539,600
23	Second injury fund.....	185,700
24	Securities fees.....	2,196,100
25	Self-insurers security fund.....	50,800
26	Silicosis and dust disease fund.....	75,200
27	Tax tribunal fees.....	33,100

1	Worker's compensation administrative revolving fund.	674,900
2	State general fund/general purpose..... \$	0
3	<b>Sec. 104. OFFICE OF FINANCIAL AND INSURANCE</b>	
4	<b>SERVICES</b>	
5	Full-time equated classified positions.....254.0	
6	Administration--8.0 FTE positions..... \$	2,583,300
7	Financial evaluation--133.0 FTE positions.....	18,076,100
8	Policy conduct and consumer assistance--113.0 FTE	
9	positions.....	<u>12,158,900</u>
10	GROSS APPROPRIATION..... \$	32,818,300
11	Appropriated from:	
12	Federal revenues:	
13	Federal regulatory project revenue.....	50,400
14	Special revenue funds:	
15	Bank fees.....	6,147,300
16	Consumer finance fees.....	3,102,000
17	Credit union fees.....	4,292,200
18	Insurance continuing education fees.....	700,900
19	Insurance licensing and regulation fees.....	3,112,000
20	Insurance regulatory fees.....	12,721,700
21	Multiple employer welfare arrangement.....	65,700
22	Securities fees.....	2,626,100
23	State general fund/general purpose..... \$	0
24	<b>Sec. 105. PUBLIC SERVICE COMMISSION</b>	
25	Full-time equated classified positions.....138.0	
26	Administration, planning and regulation--138.0 FTE	
27	positions..... \$	16,687,500

1	Low-income/energy efficiency assistance fund.....	<u>57,000,000</u>
2	GROSS APPROPRIATION..... \$	73,687,500
3	Appropriated from:	
4	Federal revenues:	
5	DOE-OEERE, multiple grants.....	149,000
6	DOT-RSPA, gas pipeline safety.....	285,900
7	Special revenue funds:	
8	Low-income and energy efficiency assistance fund....	57,000,000
9	Motor carrier fees.....	1,856,600
10	Public utility assessments.....	14,396,000
11	State general fund/general purpose..... \$	0
12	<b>Sec. 106. LIQUOR CONTROL COMMISSION</b>	
13	Full-time equated classified positions.....152.0	
14	Management support services--28.0 FTE positions..... \$	2,709,300
15	Liquor licensing and enforcement--124.0 FTE	
16	positions.....	10,968,000
17	Liquor law enforcement grants.....	6,000,000
18	Grant to department of agriculture, wine industry	
19	council.....	<u>457,200</u>
20	GROSS APPROPRIATION..... \$	20,134,500
21	Appropriated from:	
22	Special revenue funds:	
23	Liquor license revenue.....	11,076,700
24	Liquor purchase revolving fund.....	8,600,600
25	Non-retail liquor license revenue.....	457,200
26	State general fund/general purpose..... \$	0
27	<b>Sec. 107. MICHIGAN STATE HOUSING DEVELOPMENT</b>	

1 **AUTHORITY**

2	Full-time equated classified positions.....	232.0	
3	Payments on behalf of tenants.....		\$ 120,000,000
4	Housing and rental assistance program--232.0 FTE		
5	positions.....		<u>30,337,800</u>
6	GROSS APPROPRIATION.....		\$ 150,337,800
7	Appropriated from:		
8	Federal revenues:		
9	HUD, lower income housing assistance program.....		136,280,900
10	Special revenue funds:		
11	Michigan state housing development authority fees		
12	and charges.....		14,056,900
13	State general fund/general purpose.....		\$ 0
14	<b>Sec. 108. TAX TRIBUNAL</b>		
15	Full-time equated classified positions.....	12.0	
16	Operations--12.0 FTE positions.....		\$ <u>1,276,000</u>
17	GROSS APPROPRIATION.....		\$ 1,276,000
18	Appropriated from:		
19	Special revenue funds:		
20	Tax tribunal fees.....		640,500
21	State general fund/general purpose.....		\$ 635,500
22	<b>Sec. 109. GRANTS</b>		
23	Fire protection grants.....		\$ <u>15,839,000</u>
24	GROSS APPROPRIATION.....		\$ 15,839,000
25	Appropriated from:		
26	Special revenue funds:		
27	Liquor purchase revolving fund.....		15,839,000



1	State general fund/general purpose.....	\$	0
2	<b>Sec. 110. HEALTH REGULATORY SYSTEMS</b>		
3	Full-time equated classified positions.....	336.0	
4	Health systems administration--184.0 FTE positions..	\$	17,180,700
5	Emergency medical services program state staff--7.0		
6	FTE positions.....		904,600
7	Radiological health administration and		
8	projects--25.0 FTE positions.....		2,023,600
9	Substance abuse program administration--4.0 FTE		
10	positions.....		397,800
11	Emergency medical services grants and contracts.....		1,046,100
12	Health services--116.0 FTE positions.....		<u>14,207,000</u>
13	GROSS APPROPRIATION.....	\$	35,759,800
14	Appropriated from:		
15	Federal revenues:		
16	Federal funds.....		12,952,400
17	Special revenue funds:		
18	Pain management education and controlled substances,		
19	electronic monitoring and anti-diversion fund.....		1,362,300
20	Health professions regulatory fund.....		11,333,700
21	Health systems fees and collections.....		4,468,500
22	Nurse professional fund.....		823,100
23	State general fund/general purpose.....	\$	4,819,800
24	<b>Sec. 111. REGULATORY SERVICES</b>		
25	Full-time equated classified positions.....	219.0	
26	AFC, children's welfare and day care		
27	licensure--219.0 FTE positions.....	\$	<u>22,980,200</u>

1	GROSS APPROPRIATION.....	\$	22,980,200
2	Appropriated from:		
3	Federal revenues:		
4	HHS, federal funds.....		11,093,700
5	Special revenue funds:		
6	Health systems fees and collections.....		94,200
7	Licensing fees.....		490,500
8	State general fund/general purpose.....	\$	11,301,800
9	<b>Sec. 112. OCCUPATIONAL REGULATION</b>		
10	Full-time equated classified positions.....389.0		
11	Commissions and boards.....	\$	49,700
12	Code enforcement--157.0 FTE positions.....		13,757,800
13	Boiler inspection program--23.0 FTE positions.....		2,195,200
14	Elevator inspection program--27.0 FTE positions.....		2,280,400
15	Commercial services--149.0 FTE positions.....		13,993,400
16	Local manufactured housing communities inspections..		250,000
17	Manufactured housing and land resources		
18	program--22.0 FTE positions.....		2,625,000
19	Property development group--11.0 FTE positions.....		1,338,700
20	Remuneration grants.....		<u>6,000,000</u>
21	GROSS APPROPRIATION.....	\$	42,490,200
22	Appropriated from:		
23	Interdepartmental grant revenues:		
24	IDG from department of community health, inspection		
25	contract.....		111,100
26	Federal revenues:		
27	Federal funds.....		872,300

1	Special revenue funds:	
2	Boiler fee revenue.....	2,344,000
3	Construction code fund.....	13,164,000
4	Corporation fees.....	4,837,100
5	Elevator fees.....	2,389,800
6	Homeowner construction lien recovery fund.....	1,532,800
7	Licensing and regulation fees.....	7,843,100
8	Limited liability partnership revenue.....	10,000
9	Manufactured housing commission fees.....	2,276,900
10	Property development fees.....	241,300
11	Remonumentation fees.....	6,605,300
12	Real estate appraiser continuing education fund.....	45,000
13	Real estate education fund.....	217,500
14	State general fund/general purpose..... \$	0
15	<b>Sec. 113. EMPLOYMENT RELATIONS</b>	
16	Full-time equated classified positions.....25.0	
17	Fact finding and arbitration..... \$	137,000
18	Employment and labor relations--25.0 FTE positions..	<u>2,774,300</u>
19	GROSS APPROPRIATION..... \$	2,911,300
20	Appropriated from:	
21	Federal revenues:	
22	EEOC, federal funds.....	10,000
23	State general fund/general purpose..... \$	2,901,300
24	<b>Sec. 114. SAFETY AND REGULATION</b>	
25	Full-time equated classified positions.....229.0	
26	Commissions and boards..... \$	21,400
27	Subgrantees.....	1,226,900

1	Occupational safety and health--229.0 FTE positions.	<u>21,209,800</u>
2	GROSS APPROPRIATION..... \$	22,458,100
3	Appropriated from:	
4	Federal revenues:	
5	DOL, multiple grants for safety and health.....	10,366,100
6	Special revenue funds:	
7	Corporation fees.....	1,851,300
8	Fees and collections/asbestos.....	704,300
9	Licensing and regulation fees.....	1,000,000
10	Safety education and training fund.....	6,685,300
11	Securities fees.....	1,851,100
12	State general fund/general purpose..... \$	0
13	<b>Sec. 115. BUREAU OF WORKER'S AND UNEMPLOYMENT</b>	
14	<b>COMPENSATION</b>	
15	Full-time equated classified positions.....1,208.0	
16	Administration--96.6 FTE positions..... \$	8,130,100
17	Appellate commission administration--11.4 FTE	
18	positions.....	435,300
19	Board of magistrates administration--8.0 FTE	
20	positions.....	1,916,800
21	Employment standards enforcement--31.0 FTE positions	2,194,300
22	Insurance funds administration--28.0 FTE positions..	5,500,800
23	Supplemental benefit fund.....	1,300,000
24	Grant to department of career development, hire the	
25	handicapped program.....	50,000
26	Unemployment program--955.7 FTE positions.....	67,980,300
27	Advocacy assistance program--8.0 FTE positions.....	1,500,000

1	Expanded fraud control program--33.2 FTE positions..	2,566,200
2	Special audit and collections program--34.0 FTE	
3	positions.....	2,245,900
4	Training program for agency staff--2.1 FTE positions	<u>1,756,400</u>
5	GROSS APPROPRIATION..... \$	95,576,100
6	Appropriated from:	
7	Federal revenues:	
8	DOL-ETA, employment and training administration.....	529,200
9	DOL-ETA, unemployment insurance.....	69,786,100
10	Federal Reed act funds.....	4,233,500
11	Special revenue funds:	
12	Corporation fees.....	1,804,000
13	Contingent fund, penalty and interest account.....	8,933,700
14	Licensing and regulation fees.....	650,000
15	Second injury fund.....	3,021,500
16	Securities fees.....	1,803,900
17	Self-insurers security fund.....	1,386,500
18	Silicosis and dust disease fund.....	1,142,800
19	Worker's compensation administrative revolving fund.	2,115,400
20	State general fund/general purpose..... \$	169,500
21	<b>Sec. 116. INFORMATION TECHNOLOGY</b>	
22	Information technology services and projects..... \$	<u>25,479,600</u>
23	GROSS APPROPRIATION..... \$	25,479,600
24	Appropriated from:	
25	Federal revenues:	
26	DOL-ETA, unemployment insurance.....	10,360,300
27	DOL, multiple grants for safety and health.....	38,000

1	Federal funds.....	56,500
2	Special revenue funds:	
3	Bank fees.....	223,800
4	Boiler fee revenue.....	94,300
5	Construction code fund.....	724,600
6	Consumer finance fees.....	85,800
7	Contingent fund, penalty and interest account.....	122,800
8	Corporation fees.....	1,672,100
9	Credit union fees.....	157,900
10	Elevator fees.....	89,800
11	Fees and collections/asbestos.....	17,500
12	Health professions regulatory fund.....	484,800
13	Health systems fees and collections.....	244,500
14	Insurance regulatory fees.....	471,700
15	Licensing and regulation fees.....	979,700
16	Liquor purchase revolving fund.....	4,270,300
17	Manufactured housing commission fees.....	47,500
18	Michigan state housing development authority fees	
19	and charges.....	1,182,400
20	Motor carrier fees.....	164,700
21	Public utility assessments.....	1,092,200
22	Safety education and training fund.....	178,200
23	Second injury fund.....	215,300
24	Securities fees.....	1,410,900
25	Self-insurers security fund.....	76,800
26	Silicosis and dust disease fund.....	99,600
27	Worker's compensation administrative revolving fund.	859,300

1	State general fund/general purpose.....	\$	58,300
2	<b>Sec. 117. ADMINISTRATIVE SAVINGS</b>		
3	Administrative savings.....	\$	<u>(200,100)</u>
4	GROSS APPROPRIATION.....	\$	(200,100)
5	Appropriated from:		
6	State general fund/general purpose.....	\$	(200,100)

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

7  
8  
9  
10 Sec. 201. Pursuant to section 30 of article IX of the state  
11 constitution of 1963, total state spending from state resources under  
12 part 1 for fiscal year 2003-2004 is \$318,879,100.00 and state spending  
13 from state resources to be paid to local units of government for  
14 fiscal year 2003-2004 is \$29,315,900.00. The itemized statement below  
15 identifies appropriations from which spending to units of local  
16 government will occur:

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

17	DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES		
18	Fire protection grants.....	\$	15,839,000
19	Liquor law enforcement.....		6,000,000
20	Local manufactured housing inspections.....		250,000
21	Remonumentation grants.....		6,000,000
22	Subgrantees.....		<u>1,226,900</u>
23	Total department of consumer and industry services..	\$	29,315,900

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

1 18.1594.

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

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

4 (b) "Department" means the department of consumer and industry  
5 services.

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

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

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

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

11 (g) "DOT" means the United States department of transportation.

12 (h) "DOT-RSPA" means the DOT research and special programs  
13 administration.

14 (i) "EEOC" means equal employment opportunity commission.

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

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

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

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

22 (n) "IDG" means interdepartmental grant.

23 (o) "MES" means Michigan employment security.

24 (p) "Subcommittees" means all members of the subcommittees  
25 of the house and senate appropriations committees with jurisdiction over  
26 the  
27 budget for the department.



1           Sec. 204. The department of civil service shall bill departments  
2 and agencies at the end of the first fiscal quarter for the 1% charge  
3 authorized by section 5 of article XI of the state constitution of  
4 1963. Payments shall be made for the total amount of the billing by  
5 the end of the second fiscal quarter.

6           Sec. 205. (1) A hiring freeze is imposed on the state classified  
7 civil service. State departments and agencies are prohibited from  
8 hiring any new full-time state classified civil service employees and  
9 prohibited from filling any vacant state classified civil service  
10 positions. This hiring freeze does not apply to internal transfers of  
11 classified employees from 1 position to another within a department or  
12 state classified civil service positions funded by federal funds.

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

24           Sec. 207. At least 60 days before beginning any effort to  
25 privatize, the department shall submit a complete project plan to the  
26 subcommittees and the fiscal agencies. The plan shall include the  
27 criteria under which the privatization initiative will be evaluated.

1 The evaluation shall be completed and submitted to the fiscal agencies  
2 and to the subcommittees within 30 months.

3 Sec. 208. Unless otherwise specified, the department shall use  
4 the Internet to fulfill the reporting requirements of this act. This  
5 may include transmission of reports via electronic mail to the  
6 recipients identified for each reporting requirement or it may include  
7 placement of reports on the Internet or Intranet site.

8 Sec. 209. Funds appropriated in part 1 shall not be used for the  
9 purchase of foreign goods or services, or both, if competitively  
10 priced and of comparable quality American goods or services, or both,  
11 are available. Preference should be given to goods or services or  
12 both manufactured or provided by Michigan businesses if they are  
13 competitively priced and of comparable value.

14 Sec. 210. The director of each department receiving  
15 appropriations in part 1 is encouraged to take all reasonable steps to  
16 ensure businesses in deprived and depressed communities compete for  
17 and perform contracts to provide services or supplies, or both. Each  
18 director will strongly encourage firms with which the department  
19 contracts to subcontract with certified businesses in depressed and  
20 deprived communities for services, supplies, or both.

21 Sec. 211. The department shall establish and maintain  
22 affirmative action programs based on guidelines developed by the state  
23 equal opportunity workforce planning council which was created by  
24 Executive Order No. 1996-13 in order to receive general fund/general  
25 purpose dollars.

26 Sec. 212. The departments and state agencies receiving  
27 appropriations under this act shall receive and retain copies of all

1 reports funded from appropriations in part 1. These departments and  
2 state agencies shall follow federal and state guidelines for  
3 short-term and long-term retention of these reports and records.

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

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

17 **DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

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

23 Sec. 302. The funds collected by the office of financial and  
24 insurance services in connection with a conservatorship pursuant to  
25 section 32 of the mortgage brokers, lenders, and servicers licensing  
26 act, 1987 PA 173, MCL 445.1682, shall be appropriated for all expenses

1 necessary to provide for the required services. Funds are available  
2 for expenditure when they are received by the department of treasury  
3 and shall not lapse to the general fund at the end of the fiscal  
4 year.

5 Sec. 303. The funds collected by the department from  
6 corporations being liquidated pursuant to the insurance code of 1956,  
7 1956 PA 218, MCL 500.100 to 500.8302, shall be appropriated for all  
8 expenses necessary to provide for the required services. Funds are  
9 available for expenditure when they are received by the department of  
10 treasury and shall not lapse to the general fund at the end of the  
11 fiscal year.

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

26 Sec. 306. The Michigan state housing development authority shall  
27 annually present a report to the state budget office and the

1 subcommittees on the status of the authority's housing production  
 2 goals under all financing programs established or administered by the  
 3 authority. The report shall give special attention to efforts to  
 4 raise affordable multifamily housing production goals.

5 Sec. 307. The department shall assess and collect fees in the  
 6 licensing and regulation of child care organizations as defined in  
 7 1973 PA 116, MCL 722.111 to 722.128, and adult foster care facilities  
 8 as defined in the adult foster care facility licensing act, 1979  
 9 PA 218, MCL 400.701 to 400.737. Fees collected by the department  
 10 shall be used exclusively for the purpose of licensing and regulating  
 11 child care organizations and adult foster care facilities.

[Sec. 308. The funds collected by the department for licenses,  
 permits, and other elevator regulation fees set forth in R 408.8151 of  
 the Michigan administrative code and as determined under section 8 of  
 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL 408.816,  
 that are unexpended at the end of the fiscal year shall carry forward to  
 the subsequent fiscal year. The department shall submit a report on an  
 annual basis to the state budget office and the subcommittees on the  
 amount of funds available under this section.]

Sec. 309. If the revenue collected by the department for  
 occupational safety and health, health systems administration, or  
 radiological health administration and projects from fees and collections  
 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.]

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

16 Operation and maintenance inspection fee

17 <u>Facility type</u>	18 <u>Facility size</u>	19 <u>Fee</u>
20 Hospitals	Any	\$8.00 per bed
21 <u>Plan review and construction inspection fees for hospitals and schools</u>		
22 <u>Project cost range</u>		<u>Fee</u>
\$101,000.00 or less		minimum fee of \$155.00

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23	\$101,001.00 to \$1,500,000.00	\$1.60 per \$1,000.00
24	\$1,500,001.00 to \$10,000,000.00	\$1.30 per \$1,000.00
25	\$10,000,001.00 or more	\$1.10 per \$1,000.00

26 or a maximum fee of \$60,000.00.

27 Sec. 311. The department shall furnish the clerk of the house,  
28 the secretary of the senate, the state budget office, and all members  
29 of the house and senate appropriations committees with a summary of

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1 any evaluation reports and subsequent approvals or disapprovals of  
2 juvenile residential facilities operated by the family independence  
3 agency, as required by section 6 of 1973 PA 116, MCL 722.116. If no  
4 evaluations are conducted during the fiscal year, the department shall  
5 notify the fiscal agencies and all members of the appropriate  
6 subcommittees of the house and senate appropriations committees.

7       Sec. 312. (1) From the amount appropriated in part 1 to health  
8 systems administration, the department shall provide funding for not  
9 less than 113 inspectors to annually survey and investigate the care  
10 and services delivered in nursing homes, county medical care  
11 facilities, and hospital long-term care units in accordance with  
12 provisions in the public health code, 1978 PA 368, MCL 333.1101 to  
13 333.25211, and federal Medicare and Medicaid certification standards.

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

[Sec. 313. If the revenue collected by the department from  
licensing and regulation fees 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.]

19       Sec. 314. Funds earned or authorized by the United States  
20 department of labor in excess of the gross appropriation in part 1 for  
21 the bureau of worker's and unemployment compensation from the United  
22 States department of labor are appropriated and may be expended for  
23 staffing and related expenses incurred in the operation of its  
24 programs. These funds may be spent after the department notifies the  
25 state budget office and the subcommittees of the purpose and amount of  
26 each grant award.

27       Sec. 315. The department shall sell documents at a price not to

1 exceed the cost of production and distribution. Money received from  
2 the sale of these documents shall revert to the department. The funds  
3 are available for expenditure when they are received by the department  
4 of treasury and may only be used for costs directly related to the  
5 continued updating and distribution of the documents pursuant to this  
6 section. This section applies only for the following documents:

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

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

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

14 (d) The mobile home commission act, 1987 PA 96, MCL 125.2301 to  
15 125.2349; the business corporation act, 1972 PA 284, MCL 450.1101 to  
16 450.2098; the nonprofit corporation act, 1982 PA 162, MCL 450.2101 to  
17 450.3192; and the uniform securities act, 1964 PA 265, MCL 451.501 to  
18 451.818.

19 (e) Labor law books.

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

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

22 (h) Construction code manuals.

23 (i) Copies of transcripts from administrative law hearings.

24 Sec. 316. The department shall provide electronic notification  
25 to the state budget office, the fiscal agencies, and the subcommittees  
26 on April 30 and October 31 on the initial and follow-up surveys  
27 conducted on all nursing homes in this state. The notification shall



1 contain the location of the Internet site where the report is posted.

2 The report shall include all of the following information:

3 (a) The number of surveys conducted.

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

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

7 (d) The number of citations per home.

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

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

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

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

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

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

22 Sec. 318. The department shall report by November 1 to the state  
23 budget office, the legislature, and the fiscal agencies the status of  
24 the nursing home complaint investigation backlog.

25 Sec. 319. As a condition for receiving the general fund/general  
26 purpose appropriations in part 1 for health systems administration,  
27 the department shall provide assistance to any person making an oral

1 request for a nursing home investigation in putting his or her request  
2 into writing, shall initiate investigations on all written nursing  
3 home complaints filed with the department within 15 days of receipt of  
4 the complaint, and shall provide a written response to the complainant  
5 within 30 days of receipt of the written complaint.

6       Sec. 320. The bureau of worker's and unemployment compensation,  
7 during its transition to the remote initial claims system, may operate  
8 a sufficient number of unemployment agency offices, including  
9 itinerant or satellite offices, within Michigan's Upper Peninsula to  
10 ensure that the citizens of the Upper Peninsula can access these  
11 offices without excessive travel or, in cases where unemployment  
12 claims are filed or renewed by phone, without excessive long-distance  
13 toll charges.

14       Sec. 321. The department shall continue to work with grantees  
15 supported through the appropriation in part 1 for emergency medical  
16 services grants and contracts to ensure that a sufficient number of  
17 qualified emergency medical services personnel exist to serve rural  
18 areas of the state.

19       Sec. 322. From the funds appropriated in part 1 for utility  
20 consumer representation, the department shall produce and facilitate  
21 the airing of public service announcements that inform utility  
22 customers of the availability and purpose of these funds. The utility  
23 consumer participation board shall report to the subcommittees, fiscal  
24 agencies, and state budget office by September 30 on its efforts in  
25 this area, including the amount of expenditures made for this  
26 purpose.

27       Sec. 323. (1) The department in consultation with nursing home

1 provider groups, the department of community health, the state  
2 long-term care ombudsman, and the federal health care finance  
3 administration shall continue to work to clarify the following terms  
4 as those terms are used in title XVIII and title XIX and applied by  
5 the department to provide more consistent regulation of nursing homes  
6 in Michigan:

7 (a) Immediate jeopardy.

8 (b) Harm.

9 (c) Potential harm.

10 (d) Avoidable.

11 (e) Unavoidable.

12 (2) The department shall semiannually provide for joint training  
13 with nursing home surveyors and providers on at least 1 of the 10 most  
14 frequently issued federal citations in this state during the past  
15 calendar year. The department shall provide a mechanism to measure  
16 the effect of the training and shall report to the legislature and the  
17 state budget office on the effect of the training by January 15.

18 Sec. 324. The bureau of worker's and unemployment compensation  
19 shall work collaboratively with the department of career development  
20 to ensure each 1-stop center has the ability to assist individuals or  
21 respond to inquiries regarding unemployment benefits and the remote  
22 initial claims system.

23 Sec. 325. (1) The department shall post on the Internet the  
24 executive summary of the latest inspection for each licensed nursing  
25 home.

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

1           Sec. 327. When hiring any new nursing home inspectors funded  
2 through appropriations in part 1, the department shall make every  
3 effort to hire individuals with past experience in the long-term care  
4 industry.

5           Sec. 329. It is the intent of the legislature that the funds  
6 appropriated in part 1 for the nurse scholarship program, established  
7 in section 16315 of the public health code, 1978 PA 368, MCL  
8 333.16315, are used to increase the number of nurses practicing in  
9 Michigan. The board of nursing is encouraged to structure  
10 scholarships funded under this act in a manner that rewards recipients  
11 who practice nursing in Michigan. In addition, it is the intent of  
12 the legislature that the department and the board of nursing work  
13 cooperatively with the Michigan higher education assistance authority  
14 to identify and monitor the location in which scholarship recipients  
15 practice nursing.

16           Sec. 330. (1) The bureau of worker's and unemployment  
17 compensation shall include in the remote initial claims center (RICCS)  
18 automated phone system a choice to speak with an employee of the  
19 unemployment agency as an option. This option should be provided in  
20 the system as early as possible as deemed appropriate in the system  
21 design. The department shall monitor the system to ensure compliance  
22 with these guidelines.

23           (2) The bureau of worker's and unemployment compensation should  
24 continue to provide training opportunities to employees affected with  
25 the implementation of the RICCS.

26           Sec. 331. Nursing facilities shall report in the quarterly staff  
27 report to the department, the total patient care hours provided each

1 month, by state licensure and certification classification, and the  
2 percentage of pool staff, by state licensure and certification  
3 classification, used each month during the preceding quarter. The  
4 department shall make available to the public, the quarterly staff  
5 report compiled for all facilities including the total patient care  
6 hours and the percentage of pool staff used, by classification.

7       Sec. 332. It is the intent of the legislature that the  
8 department make every effort to hold administrative law hearings on  
9 actions initiated by the department against regulated businesses or  
10 against individuals in regulated occupations in locations that are  
11 within 150 miles of the regulated business or of the office of the  
12 individual in a regulated occupation. In addition, it is the intent  
13 of the legislature that the department make every effort to hold  
14 administrative law hearings on actions initiated by an individual  
15 outside the department in locations within 150 miles of the home of  
16 the individual bringing the action if that individual wishes to  
17 testify at the hearing.

18       Sec. 335. (1) The public service commission shall report by June  
19 1 of each year to the subcommittees, the state budget office, and the  
20 fiscal agencies on the distribution of funds appropriated in part 1  
21 for the low-income/energy efficiency assistance program.

22       (2) Of the funds appropriated in part 1 for low-income/energy  
23 efficiency assistance, \$3,000,000.00 shall be allocated to community  
24 action agencies across the state to support shut-off protection  
25 programs for low-income individuals. Funds shall be distributed to  
26 the community action agencies no later than November 1 of each year.  
27 The community action agencies shall abide by any reporting and

1 monitoring requirements imposed by the public service commission on  
2 other grant recipients receiving funding through this program.

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

8       Sec. 337. The department shall work cooperatively with the  
9 family independence agency and with representatives from the Michigan  
10 federation of private child and family agencies to form a licensing  
11 and contract compliance review team pilot to coordinate and conduct  
12 joint reviews of 1 child placing agency and 1 child caring institution  
13 between October 1 and February 1. The Michigan federation of private  
14 child and family agencies will survey team participants and involved  
15 agencies regarding the process and provide feedback to the  
16 department. The department shall report during the annual budget  
17 presentation to the subcommittees regarding pilot outcomes.

18       Sec. 340. The office of financial and insurance services shall  
19 provide copies of the quarterly and annual financial filings of health  
20 maintenance organizations to the senate and house fiscal agencies on a  
21 timely basis.

22       Sec. 341. The report required under section 911 of the business  
23 corporation act, 1972 PA 284, MCL 450.1911, shall be filed with the  
24 administrator together with a \$25.00 filing fee. The filing fee under  
25 this section shall be adjusted to accommodate any inflationary changes  
26 as reflected in the latest Detroit consumer price index as of the  
27 effective date of this act.

1           Sec. 342. A report required under section 911 of the nonprofit  
 2 corporation act, 1982 PA 162, MCL 450.2911, shall be filed with the  
 3 administrator together with a \$20.00 filing fee. The filing fee under  
 4 this section shall be adjusted to accommodate any inflationary changes  
 5 as reflected in the latest Detroit consumer price index as of the  
 6 effective date of this act.

7           Sec. 343. (1) Subject to subsection (7) and pursuant to section  
 8 1101 of the Michigan limited liability company act, 1993 PA 23, MCL  
 9 450.5101, the fees to be paid to the administrator when the documents  
 10 described in this subsection are delivered to him or her for filing  
 11 are as follows:

12	(a) Certificate of correction.....	\$	25.00
13	(b) Articles of organization.....	\$	50.00
14	(c) Amendment to the articles of organization.....	\$	25.00
15	(d) Restated articles of organization.....	\$	50.00
16	(e) Application for reservation of name.....	\$	25.00
17	(f) Certificate of assumed name or a certificate of		
18	termination of assumed name.....	\$	25.00
19	(g) Annual statement of resident agent and		
20	registered office.....	\$	25.00
21	(h) Certificate of restoration of good standing.....	\$	50.00
22	(i) Notice of resignation of resident agent or		
23	statement of change of registered office or		
24	resident agent.....	\$	5.00
25	(j) Certificate of merger as provided in article 7..	\$	100.00
26	(k) Certificate of abandonment.....	\$	10.00
27	(l) Certificate of conversion.....	\$	25.00

1	(m) Certificate of dissolution.....	\$	10.00
2	(n) Application of a foreign limited liability		
3	company for a certificate of authority to transact		
4	business in this state.....	\$	50.00
5	(o) Certificate correcting statement contained in an		
6	application for a certificate of authority to		
7	transact business in this state.....	\$	25.00
8	(p) Certificate attesting to the occurrence of a		
9	merger of a foreign limited liability company, as		
10	provided in section 1005.....	\$	10.00
11	(q) Application for withdrawal and issuance of a		
12	certificate of withdrawal of a foreign limited		
13	liability company.....	\$	10.00

14       (2) Subject to subsection (7) and in addition to a fee required to  
15 file a document, the administrator may charge a fee of \$50.00 if the  
16 document is filed by facsimile or other electronic transmission or the  
17 administrator is requested to transmit a document by facsimile or  
18 other electronic transmission.

19       (3) The fees prescribed in subsections (1) and (2), no part of  
20 which shall be refunded, when collected shall be paid into the  
21 treasury of the state and credited to the administrator to be used  
22 solely by the department in carrying out those duties required by  
23 law.

24       (4) Subject to subsection (7), a minimum charge of \$1.00 for each  
25 certificate and 50 cents per folio shall be paid to the administrator  
26 for certifying a part of a file or record pertaining to a domestic or  
27 foreign limited liability company if a fee is not set forth in



1 subsection (1). The administrator may furnish copies of documents,  
2 reports, and papers required or permitted by law to be filed with the  
3 administrator and shall charge for those copies pursuant to a schedule  
4 of fees that the administrator shall adopt with the approval of the  
5 state administrative board. The administrator shall retain the  
6 revenue collected under this subsection to be used by the department  
7 to defray the costs of its copying and certifying services.

8 (5) If a domestic or foreign limited liability company pays fees  
9 or penalties by check and the check is dishonored, the fee is  
10 considered unpaid and the filing of all related documents will be  
11 rescinded.

12 (6) The administrator may accept a credit card, instead of cash or  
13 check, as payment of a fee under this act. The administrator shall  
14 determine which credit cards may be accepted for payment.

15 (7) The filing fees under this section shall be adjusted to  
16 accommodate any inflationary changes as reflected in the latest  
17 Detroit consumer price index as of the effective date of this act.

18 Sec. 344. Pursuant to section 202 of the uniform securities act,  
19 1964 PA 265, MCL 451.602, every applicant for registration shall pay a  
20 filing fee and every registrant shall pay an annual fee of \$300.00 in  
21 the case of a broker-dealer, \$65.00 in the case of an agent, and  
22 \$200.00 in the case of an investment adviser. Every applicant filing  
23 an application for registration of a successor pursuant to section  
24 202(d) of the uniform securities act, 1964 PA 265, MCL 451.602, shall  
25 pay a filing fee of \$125.00 for the unexpired portion of the year. A  
26 registered agent who has terminated his or her connection with a  
27 broker-dealer shall pay a transfer fee of \$20.00 when transferring his

1 or her connection to another broker-dealer. The filing fee under this  
 2 section shall be adjusted to accommodate any inflationary changes as  
 3 reflected in the latest Detroit consumer price index as of the  
 4 effective date of this act.

5 Sec. 345. (1) The fees appropriated by this section shall be  
 6 used only to offset the cost of operating the department.

7 (2) Subject to subsection (3), fees for a person certified,  
 8 registered, or licensed or seeking certification, registration, or  
 9 licensure to engage in the following professions under the  
 10 occupational code, 1980 PA 299, MCL 339.101 to 339.2721, are as  
 11 follows:

12 PUBLIC ACCOUNTING

13	(a) Application processing fee.....	\$	35.00
14	(b) License to practice and registration of		
15	certificate, per year.....	\$	40.00
16	(c) Registration:		
17	Individual's registration of certificate, per year..	\$	15.00
18	Firm or corporation, or branch office, per year.....	\$	35.00
19	(d) Permit for temporary practice.....	\$	15.00

20 ARCHITECT

21	(a) Application processing.....	\$	30.00
22	(b) Supplemental application processing.....	\$	20.00
23	(c) License fee, per year.....	\$	35.00

24 PROFESSIONAL ENGINEER

25	(a) Application processing.....	\$	35.00
26	(b) Supplemental application fee processing.....	\$	20.00
27	(c) License fee, per year.....	\$	40.00

1	LAND SURVEYOR		
2	(a) Application processing fee.....	\$	35.00
3	(b) Supplemental application processing fee.....	\$	20.00
4	(c) Examination fees:		
5	Complete examination.....	\$	110.00
6	Part 1 of the examination (fundamentals).....	\$	55.00
7	Part 2a of the examination (principles and practice)	\$	45.00
8	Part 2b of the examination (Michigan practice).....	\$	40.00
9	(d) Examination review.....	\$	20.00
10	(e) License fee, per year.....	\$	50.00
11	LANDSCAPE ARCHITECT		
12	(a) Application processing fee.....	\$	35.00
13	(b) Supplemental application processing fee.....	\$	20.00
14	(c) Examination fees:		
15	Complete examination.....	\$	265.00
16	Section 1 of the examination.....	\$	25.00
17	Section 2 of the examination.....	\$	35.00
18	Section 3 of the examination.....	\$	100.00
19	Section 4 of the examination.....	\$	125.00
20	(d) Examination review.....	\$	25.00
21	(e) Registration fee, per year.....	\$	40.00
22	BARBER, STUDENT BARBER, STUDENT INSTRUCTOR, OR BARBER INSTRUCTOR,		
23	BARBERSHOP OR BARBER COLLEGE		
24	(a) Application processing fees:		
25	Student barber, barber, student instructor, barber		
26	instructor.....	\$	20.00
27	Barbershop.....	\$	50.00

1	Barber college.....	\$	75.00
2	(b) Examination fees:		
3	Complete barber or instructor examination.....	\$	75.00
4	Written portion only.....	\$	35.00
5	Practical portion only.....	\$	45.00
6	(c) Examination review.....	\$	20.00
7	(d) License fees, per year:		
8	Student barber, barber, student instructor.....	\$	30.00
9	Barber instructor.....	\$	40.00
10	Barbershop.....	\$	40.00
11	Barber college.....	\$	150.00
12	(e) Demonstrator's or demonstration temporary permit	\$	15.00
13	COLLECTION AGENCY; COLLECTION AGENCY MANAGER		
14	Compiled Laws are as follows:		
15	(a) Application processing fees:		
16	Agency nonowner manager.....	\$	35.00
17	Agency.....	\$	100.00
18	(b) Examination fee.....	\$	50.00
19	(c) Examination review fee.....	\$	20.00
20	(d) License fee, per year:		
21	Agency nonowner manager.....	\$	50.00
22	Agency.....	\$	125.00
23	PROFESSIONAL COMMUNITY PLANNER		
24	(a) Application processing fee.....	\$	35.00
25	(b) Supplemental application processing fee.....	\$	20.00
26	(c) Examination fee; Michigan portion.....	\$	100.00
27	(d) Examination review.....	\$	25.00

1	(e) Registration fee, per year.....	\$	50.00
2	COSMETOLOGIST, MANICURIST, NATURAL HAIR CULTURIST, ESTHETICIAN,		
3	ELECTROLOGIST, OR INSTRUCTOR OR COSMETOLOGY ESTABLISHMENT OR SCHOOL OF		
4	COSMETOLOGY		
5	(a) Application processing fees:		
6	Apprenticeship program or cosmetology establishment.	\$	25.00
7	Cosmetologist, manicurist, natural hair culturist,		
8	esthetician, electrologist, or instructor.....	\$	15.00
9	School of cosmetology.....	\$	100.00
10	(b) Examination fees:		
11	Complete examination for cosmetologist, manicurist,		
12	natural hair culturist, esthetician,		
13	electrologist, or instructor.....	\$	25.00
14	Written portion only or practical portion only.....	\$	15.00
15	Examination review.....	\$	20.00
16	(c) License fees, per year:		
17	Cosmetologist, manicurist, natural hair culturist,		
18	esthetician, electrologist, or instructor.....	\$	24.00
19	Cosmetology establishment.....	\$	25.00
20	School of cosmetology.....	\$	100.00
21	(d) Student registration or transfer fee.....	\$	15.00
22	EMPLOYMENT OR CONSULTING AGENT; PERSONNEL AGENCY		
23	(a) Application processing fees:		
24	Personnel agency.....	\$	225.00
25	Employment or consulting agent.....	\$	30.00
26	Officer or stockholder change.....	\$	25.00
27	(b) Examination fee.....	\$	50.00

1	(c) Examination review.....	\$	20.00
2	(d) License fee, per year:		
3	Personnel agency.....	\$	125.00
4	Employment or consulting agent.....	\$	40.00
5	FORESTER		
6	(a) Application processing fee.....	\$	50.00
7	(b) Registration fee, per year.....	\$	40.00
8	HEARING AID DEALER, SALESPERSON		
9	(a) Application processing fees:		
10	Dealer or salesperson.....	\$	20.00
11	Trainee.....	\$	10.00
12	(b) Examination fees:		
13	Complete dealer or salesperson examination.....	\$	100.00
14	Dealer examination, per part.....	\$	35.00
15	Salesperson examination, per part.....	\$	30.00
16	(c) Examination review.....	\$	20.00
17	(d) License fees, per year:		
18	Dealer.....	\$	80.00
19	Salesperson.....	\$	50.00
20	Trainee.....	\$	40.00
21	REAL ESTATE BROKER, ASSOCIATE BROKER, SALESPERSON, OR BRANCH		
22	(a) Application processing fees:		
23	Brokers and associate brokers.....	\$	35.00
24	Salespersons or branch office.....	\$	10.00
25	(b) License fees, per year:		
26	Brokers and associate brokers.....	\$	36.00
27	Salespersons.....	\$	26.00

1	(c) Branch office fee, per year.....	\$	20.00
2	(d) Sale of out of state property:		
3	Application to sell or renewal of approval to sell..	\$	20.00
4	Property registration.....	\$	500.00

5 A fee shall not be required for the registration of property  
6 approved under the land sales act, 1972 PA 286, MCL 565.801 to  
7 565.835.

8 STATE LICENSED REAL ESTATE APPRAISER, CERTIFIED GENERAL REAL  
9 ESTATE APPRAISER, CERTIFIED RESIDENTIAL REAL ESTATE APPRAISER, OR A  
10 LIMITED REAL ESTATE APPRAISER

11	(a) Application processing fees for certified		
12	general real estate appraiser, certified		
13	residential real estate appraiser, state licensed		
14	real estate appraiser, limited real estate		
15	appraiser.....	\$	35.00

16	(b) Examination fees, if the department conducts its		
17	own examinations certified general real estate		
18	appraiser, certified residential real estate		
19	appraiser, state licensed real estate appraiser...	\$	100.00

20	(c) License fee, per year:		
21	Certified general real estate appraiser, certified		
22	residential real estate appraiser, state licensed		
23	real estate appraiser.....	\$	175.00
24	Limited real estate appraisers or temporary permit		
25	fee.....	\$	125.00

26 The license fee includes a fee imposed by the federal government  
27 under sections 1113 and 1114 of title XI of the financial institutions

1 reform, recovery and enforcement act of 1989, Public Law 101-73, 12  
 2 U.S.C. 3331 to 3351, for certified general real estate appraisers,  
 3 certified residential real estate appraisers, and state licensed real  
 4 estate appraisers, which shall not exceed \$50.00 per licensee and  
 5 which the department shall collect and pay to the federal government  
 6 pursuant to section 2637 of the occupational code, 1980 PA 299, MCL  
 7 339.2637.

8 RESIDENTIAL BUILDER OR RESIDENTIAL MAINTENANCE AND ALTERATION  
 9 CONTRACTOR, SALESPERSON, OR BRANCH OFFICE

10	(a) Application processing fee.....	\$	15.00
11	(b) Examination fees:		
12	Complete builder or maintenance and alteration		
13	contractor exam.....	\$	50.00
14	Law and rules portion or practice or trades or		
15	salesperson exam.....	\$	30.00
16	(c) Examination review.....	\$	20.00
17	(d) License fee, per year.....	\$	40.00
18	MORTUARY SCIENCE; FUNERAL ESTABLISHMENT; RESIDENT TRAINEE;		
19	EMBALMER OR FUNERAL DIRECTOR		
20	(a) Application processing fees:		
21	Mortuary science license.....	\$	20.00
22	Funeral establishment license.....	\$	115.00
23	Resident trainee.....	\$	15.00
24	(b) Examination fees:		
25	Complete examination.....	\$	200.00
26	National examination only.....	\$	150.00
27	State examination only.....	\$	50.00



1	(c) Examination review.....	\$	25.00
2	(d) License fees, per year:		
3	Mortuary science.....	\$	40.00
4	Funeral establishment.....	\$	55.00
5	Embalmer or funeral director.....	\$	40.00
6	Resident trainee.....	\$	30.00
7	PROFESSIONAL BOXER, PROFESSIONAL WRESTLER, JUDGE, MANAGER,		
8	REFEREE, TIMEKEEPER, ANNOUNCER, SECOND, BOXING CLUB, PROMOTER,		
9	MATCHMAKER, OR PHYSICIAN		
10	(a) Application processing fees:		
11	Professional boxer license and passport.....	\$	35.00
12	All other licenses.....	\$	30.00
13	(b) License fee, per year:		
14	Professional boxer, professional wrestler, second...	\$	20.00
15	Judge, physician, announcer, timekeeper.....	\$	30.00
16	Boxing club.....	\$	40.00
17	Manager or matchmaker or amateur referee.....	\$	50.00
18	Professional referee.....	\$	75.00
19	Professional promoter.....	\$	250.00
20	(c) Professional boxing or wrestling permit fee, per		
21	show.....	\$	50.00
22	(d) Duplicate boxer passport fee.....	\$	30.00
23	OCULARIST; APPRENTICE OCULARIST		
24	(a) Application processing fee.....	\$	35.00
25	(b) Registration fee, per year:		
26	Ocularist.....	\$	40.00
27	Apprentice.....	\$	20.00

1 (3) The filing fees under this section shall be adjusted to  
 2 accomodate any inflationary changes as reflected in the latest Detroit  
 3 consumer price index as of the effective date of this act.

4 Sec. 346. (1) Fees authorized by this section shall be used only  
 5 to offset the costs of operating the department.

6 (2) Subject to subsection (12), money appropriated under this act  
 7 for health facility regulation shall not be expended unless the  
 8 department assesses annual fees for health facility and agency  
 9 licenses and assesses fees for permits, surveys, and plan reviews in  
 10 accordance with the following fee schedule:

11	(a) Hospitals.....	\$	10.00 per bed
12	(b) Nursing homes, county medical care facilities,		
13	and hospital long-term care units.....	\$	10.00 per bed
14	(c) Freestanding surgical outpatient facilities.....	\$	450.00 per
15			facility
16	(d) Hospice residences.....	\$	200.00 per
17			survey plus
18			\$20.00 per bed
19	(e) Psychiatric hospitals.....	\$	600.00 renewal
20			fee plus \$10.00
21			per bed
22	(f) Psychiatric treatment positions.....	\$	7.50 per
23			treatment
24			position
25	(g) Construction permit reviews.....		1% of first
26			\$1.0 million of
27			capital

expenditure and  
.85% of capital  
expenditure  
over \$1.0  
million (not to  
exceed  
\$60,000.00 per  
project)

1		
2		
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8		
9	(h) Substance abuse programs.....	\$ 100.00
10	(i) EMS life support agencies (ambulance operations,	
11	nontransport prehospital life support operations,	
12	or aircraft transport operations).....	\$ 100.00
13	(j) Ambulance, nontransport prehospital life support	
14	vehicle, or aircraft transport vehicle.....	\$ 35.00 land;
15		\$100.00 air.

16 (3) Subject to subsection (12), a person shall pay, and the  
17 department shall accept, fees established in this section in lieu of  
18 any equivalent licensure survey or review fee established by the  
19 public health code, 1978 PA 368, MCL 333.1101 to 333.25211. Fees not  
20 addressed in this section shall be assessed and collected as  
21 prescribed by law.

22 (4) Subject to subsection (12), if a hospital requests the  
23 department to conduct a certification survey for purposes of title  
24 XVIII or title XIX, the hospital shall pay a license fee surcharge of  
25 \$23.00 per bed. As used in this subsection, "title XVIII" and "title  
26 XIX" mean those terms as defined in section 20155 of the public health  
27 code, 1978 PA 368, MCL 333.20155.

1           (5) The license renewal fees described in subsection (2) shall be  
2 assessed annually regardless of the term of a license.

3           (6) Fees described in this section are payable to the department  
4 at the time they are assessed. If an application is denied or if a  
5 license or permit is revoked before its expiration date, the  
6 department shall not refund fees paid to the department.

7           (7) The fee for an initial, provisional, or upgrade license or  
8 temporary permit is the same as for a license. A license may be  
9 issued at the expiration date of a temporary permit without an  
10 additional fee for the balance of the period for which the fee was  
11 paid if the requirements for licensure are met.

12           (8) Subject to subsection (12), the application fee for a waiver  
13 under section 21564 of the public health code, 1978 PA 368, MCL  
14 333.21564, is \$200.00 plus \$40.00 per hour for the professional  
15 services and travel expenses directly related to processing the  
16 application. The travel expenses shall be calculated in accordance  
17 with the state standardized travel regulations of the department of  
18 management and budget in effect at the time of the travel.

19           (9) Subject to subsection (12), if an application for renewal of  
20 an ambulance operation, nontransport prehospital life support  
21 operation, or aircraft transport operation license is received by the  
22 department after the expiration date of the license, the applicant  
23 shall pay a late fee in the amount of \$300.00 in addition to the  
24 renewal fee. If an application for renewal is not received by the  
25 department within 60 days after the license expires, the department  
26 shall not issue a renewal license unless the licensee completes the  
27 requirements for initial licensure and pays the late fee.

1           (10) Subject to subsection (12), if an application for renewal of  
2 an ambulance or nontransport prehospital life support vehicle or  
3 aircraft transport vehicle license is received by the department after  
4 the expiration date of the license, the applicant shall pay a late fee  
5 in the amount of \$100.00 in addition to the renewal fee. If an  
6 application for renewal is not received by the department within 60  
7 days after the license expires, the department shall not issue a  
8 renewal license unless the licensee completes the requirements for  
9 initial licensure and pays the late fee.

10           (11) The department shall give nursing home providers the  
11 voluntary option of requesting an informal review of the  
12 appropriateness of a citation by an independent agency with  
13 qualifications to conduct informal deficiency dispute resolutions as  
14 required by federal law. The department shall enter a contract with a  
15 qualified agency for these reviews and shall charge a fee to a  
16 facility requesting an independent review sufficient to cover the  
17 actual cost. The independent agency shall be required to formulate  
18 trends and develop outcomes on areas within the OBRA rules and  
19 regulations that need clarification. Providers shall be allowed to  
20 challenge citations of noncompliance whether or not a remedy is  
21 imposed, challenge the scope and severity of a citation, and challenge  
22 the recommended remedy, including the modification to related  
23 citations. The independent agency shall provide facilities with the  
24 opportunity to request a face-to-face review of the proposed  
25 decision. The decision of the independent agency shall be binding on  
26 the parties.

27           (12) The filing fees under this section shall be adjusted to

1 accommodate any inflationary changes as reflected in the latest  
2 Detroit consumer price index as of the effective date of this act.

3       Sec. 347. Of the funds appropriated in part 1 for the fire  
4 protection grants, \$12,128,500.00 of this funding is contingent upon  
5 statutory changes that would increase the deposit into the liquor  
6 purchase revolving fund.

7       Sec. 348. It is the intent of the legislature that the next  
8 vacancy on the worker's compensation board of magistrates be filled by  
9 an individual that is a permanent resident in the Upper Peninsula.

10       Sec. 349. It is the intent of the legislature that the  
11 department and the Michigan state housing development authority work  
12 collaboratively with other state departments and agencies to maximize  
13 the use of available Michigan state housing development authority fund  
14 equity to provide senior assisted living that offers a continuum of  
15 care from independent apartments to assisted living to nursing care  
16 and Alzheimer programs.

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

23       (2) As used in this section, "covered person" means that term as  
24 defined in section 3 of the patient's right to independent review act,  
25 2000 PA 251, MCL 550.1903.

26       Sec. 351. (1) The department shall issue a report to the  
27 subcommittees by the end of each calendar year, but not later than

1 December 31 of each year, showing the date each real estate continuing  
2 education course was submitted for approval and the date of final  
3 disposition, approval, or denial.

4 (2) The department shall post on its website the approved real  
5 estate continuing education courses, as well as the dates, times,  
6 instructors, locations, and credit hours of the courses.

7 (3) The department shall have available to the public the  
8 prelicensure and continuing education course approvals. The  
9 information described in this subsection shall be available online not  
10 later than November 15, 2003.

11 (4) It is the intent of the legislature that sponsors of  
12 continuing education be able to report an applicant's or licensee's  
13 completion of courses to the department via electronic methods and  
14 such reporting procedure shall be in place not later than the end of  
15 fiscal year 2004.

16 Sec. 352. Of the funds appropriated in part 1 for activities of  
17 the board of magistrates and the worker's compensation appellate  
18 commission, expenditures shall be made so that the 2 bodies shall  
19 decide worker's compensation cases in a timely manner.

20 Sec. 353. All existing and new state and federal regulatory  
21 requirements to the OBRA process affecting the operations of a nursing  
22 home must go through a process of review, definition, and agreement  
23 between the department and stakeholders as defined in section 20155 of  
24 the public health code, 1978 PA 368, MCL 333.20155, before  
25 implementation.

26 Sec. 354. (1) The department's nursing home survey agency shall  
27 perform its functions in the time frame set forth in the state

Senate Bill No. 286 (H-1) as amended June 17, 2003

1 operations manual.

2 (2) In the event the department fails to adhere to the timeline  
3 set forth in the state operations manual and that failure results in  
4 negative enforcement against a nursing home provider, the department  
5 shall delay the implementation of any enforcement remedy equal to the  
6 delay caused by the failure to meet the obligations set forth in the  
7 state operations manual.

[Sec. 355. Before issuing a license for a day care facility, the  
department shall, as part of licensing review and facility inspection,  
inspect for the presence of lead and lead-based paint in that facility.]