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Senate Bill 836 (S-1 as reported)  
Committee: Appropriations

Throughout this document Senate means Appropriations Committee.

FULL-TIME EQUATED (FTE) CLASSIFIED POSITIONS/FUNDING SOURCE	FY 2021-22 YEAR-TO-DATE*	FY 2022-23 SEN FULL COMM.	CHANGES FROM FY 2021-22 YEAR-TO-DATE	
			AMOUNT	PERCENT
FTE Positions .....	1,827.9	1,537.5	(290.4)	(15.9)
<b>GROSS</b> .....	<b>542,236,400</b>	<b>508,745,500</b>	<b>(33,490,900)</b>	<b>(6.2)</b>
Less:				
Interdepartmental Grants Received .....	45,079,800	47,026,900	1,947,100	4.3
<b>ADJUSTED GROSS</b> .....	<b>497,156,600</b>	<b>461,718,600</b>	<b>(35,438,000)</b>	<b>(7.1)</b>
Less:				
Federal Funds .....	29,030,900	29,659,200	628,300	2.2
Local and Private .....	0	0	0	0.0
<b>TOTAL STATE SPENDING</b> .....	<b>468,125,700</b>	<b>432,059,400</b>	<b>(36,066,300)</b>	<b>(7.7)</b>
Less:				
Other State Restricted Funds .....	258,929,800	250,045,900	(8,883,900)	(3.4)
<b>GENERAL FUND/GENERAL PURPOSE</b> .....	<b>209,195,900</b>	<b>182,013,500</b>	<b>(27,182,400)</b>	<b>(13.0)</b>
<b>PAYMENTS TO LOCALS</b> .....	<b>169,417,400</b>	<b>169,555,900</b>	<b>138,500</b>	<b>0.1</b>

\*As of April 12, 2022.

	Gross	GF/GP
<b>FY 2021-22 Year-to-Date Appropriation</b> .....	<b>\$542,236,400</b>	<b>\$209,195,900</b>

**Changes from FY 2021-22 Year-to-Date:**

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|--|-----------|-----------|
| 1. <b>Michigan Saves.</b> The Governor included a total of \$5.0 million GF/GP for the Michigan Saves Green Bank, a \$3.5 million increase from YTD. The Senate included \$1.0 million GF/GP, a \$500,000 reduction from YTD.  | (500,000) | (500,000) |
| 2. <b>Corporations Online Filing System.</b> The Governor included \$2.3 million in one-time Restricted funds to update the Corporations Online Filing system. The Senate concurred.   | 2,343,600 | 0         |
| 3. <b>State Nursing Home Surveyors.</b> The Governor included \$1.6 million GF/GP and 10.0 FTEs for education and consultation activities to improve care at skilled nursing facilities. The Senate concurred but did not increase FTE allocation due current vacancies. | 1,580,000 | 1,580,000 |
| 4. <b>CSB Technical Adjustments.</b> The Governor made \$1.1 million Gross in IDG and State Restricted technical adjustments due to changes in revenue estimates. The Senate concurred.  | 1,068,400 | 0         |
| 5. <b>Task Force on Foreign-Trained Medical Professional Licensing.</b> The Governor included \$1.0 million in State Restricted funds to implement recommendations of the new Task Force. The Senate concurred.  | 1,000,000 | 0         |

6. <b>Marijuana Regulatory Agency.</b> The Governor included \$813,600 in Restricted funds and 5.0 FTEs for the Marijuana Regulatory Agency due to increased workloads related to the adult-use marijuana market. The Senate included the funding but not the FTE increase.	813,700	0
7. <b>Liquor Control Commission Staffing.</b> The Governor included \$600,000 in Restricted Funds to support additional staff due to increased workloads. The Senate did not include the funds.	0	0
8. <b>Public Service Commission Community Education and Outreach.</b> The Governor included 2.0 FTEs and \$282,600 for the Public Service Commission to undertake additional community outreach and education related to the Customer Education and Participation MI Power Grid and the Energy Affordability and Accessibility Collaborative. The Senate included the funding but not the FTEs.	282,600	0
9. <b>Utility Consumer Participation Board.</b> The Governor included \$100,000 from Restricted funds for the Board due to increased revenue. The Senate concurred.	100,000	0
10. <b>Cannabis Regulatory Agency.</b> The Senate moved three line items and relevant boilerplate pertaining to the Cannabis Regulatory Agency to a separate section.	0	0
11. <b>Michigan Indigent Defense.</b> The Senate reduced funding to the Indigent Defense Commission line item by \$138,500 and added that amount to the MIDC grants line item.	0	0
12. <b>Removal of FY 2021-22 Supplemental Funding.</b> The Governor did not include \$25.0 million for low carbon energy infrastructure enhancement and development appropriated in Public Act 53 of 2022. The Senate concurred.	(25,000,000)	(25,000,000)
13. <b>Removal of Marihuana Treatment Research.</b> The Governor removed a \$20.0 million appropriation for research on the use of marijuana to treat veterans' medical conditions, as it is no longer required under Initiated Law 1 of 2018. The Senate concurred.	(20,000,000)	0
14. <b>General Fund Replacements.</b> The Senate replaced \$2.6 million GF/GP across five line items with \$2.6 million Restricted.	0	(2,580,000)
15. <b>Removal of FY 2021-22 One-time Appropriations.</b> The Governor removed FY 2021-22 one-time GF/GP appropriations for Nursing Home Infection Control Surveys (\$1.1 million) and a Renewable Natural Gas Study (\$250,000). The Senate concurred.	(1,350,000)	(1,350,000)
16. <b>Marihuana Funding Alignments (net to zero).</b> The Governor shifted 49.0 FTEs and \$5.3 million from Medical Marihuana Facilities Licensing and Tracking line to the Recreational Marihuana Regulation line, and an additional \$200,000 from the Medical Marihuana Program to the Recreational Marihuana Regulation line due to market changes. The Senate concurred with fund shifts, but differed in FTE amounts, which were transferred but adjusted proportionally to FTE levels for the first quarter of FY 2021-22.	0	0
17. <b>Economic Adjustments.</b> Includes \$6.2 million Gross and \$667,600 GF/GP for total economic adjustments, of which an estimated negative \$2.4 million Gross and negative \$283,000 GF/GP is for legacy retirement costs (pension and retiree health).	6,170,800	667,600
18. <b>Comparison to Governor's Recommendation.</b> The Senate is \$4,600,000 Gross and \$6,580,000 GF/GP under the Governor		
Total Changes .....	(\$33,490,900)	(\$27,182,400)
<b>FY 2022-23 Senate Appropriations Committee Recommendation .....</b>	<b>\$508,745,500</b>	<b>\$182,013,500</b>

**FY 2022-23 Boilerplate Changes from FY 2021-22 Year-to-Date:**

1. **Disciplinary Action.** The Governor deleted and declared unenforceable language prohibiting the Department from taking disciplinary action against an employee for communicating with the Legislature unless otherwise prohibited by law. The Senate retained. (Sec. 206)
2. **Reimbursement for Legal Services.** The Governor included language prohibiting departments and agencies from hiring outside council for legal services that are the responsibility of the Attorney General. The Senate revised to permit such use and allow departments to request reimbursement from Attorney General appropriations for this purpose. (Sec. 208)
3. **FTE and Remote Work Report.** The Governor deleted language requiring the department to submit a quarterly report on FTEs and remote work. The Senate retained. (Sec. 216)
4. **Work Project Authorization Requirement.** The Governor deleted and declared unenforceable language prohibiting the department from expending funds until all existing work project authorization available for the same purpose were exhausted. The Senate retained. (Sec. 217)
5. **Ad Board Transfers.** The Governor deleted and declared unenforceable language that allowed for the intertransfer of funds by the Legislature under certain conditions if those funds had been previously transferred by the State Administrative Board. The Senate retained. (Sec. 218)
6. **Report Retention.** The Governor deleted language requiring the Department to retain all reports funded from part 1 appropriations and to follow related state and federal guidelines. The Senate retained. (Sec. 219)
7. **Policy Change Reporting Requirement.** The Governor deleted a report that required the Department to specify policy changes made to implement enacted legislation in the previous fiscal year. The Senate retained. (Sec. 220)
8. **Severance Pay Reports.** The Governor deleted reporting and webpage requirements related to severance pay for certain department officials. The Senate retained. (Sec. 221)
9. **COVID-19 Vaccine Passport.** The Governor deleted prohibitions on certain government agencies or bodies from requiring a vaccine or vaccine passport as well as other vaccine-related language. The Senate retained. (Sec. 222)
10. **Regulatory Programs Report.** The Governor changed report content to refer only to the previous fiscal year rather than the previous three. The Senate retained. (Sec. 228)
11. **Employee Performance Monitoring Process.** The Governor deleted language requiring LARA to establish an employee performance monitoring process. The Senate retained. (Sec. 229)
12. **Pending Litigation Delays.** The Governor deleted language stating that pending litigation must not delay investigations or licensing actions unless otherwise prohibited by law. The Senate retained. (Sec. 232)
13. **NEW -- Publication of Employee Training Materials.** The Senate included a section requiring the department to publish materials related to mandatory training on a publicly accessible website with a requirement that the department submit a notice in case of potential cybersecurity risk and confidentiality issues. (Sec. 233)
14. **Direct Shipper Enforcement.** The Governor deleted portions of this section prioritizing unlicensed out-of-state retailers and third-party marketers, requiring those identified to be referred to the Attorney General, and related reporting requirements. The Senate retained. (Sec. 401)
15. **Prohibition on Children's Masking Enforcement.** The Governor deleted language prohibiting LARA from enforcing any directive requiring children under 5 to wear masks. The Senate retained. (Sec. 510)
16. **Homeowner Construction Lien Recovery Fund.** The Governor restored language deleted in FY 2021-22 to allow LARA to receive outstanding restitution payments for the Fund. The Senate concurred. (Sec. 512)
17. **MIDC Grants for New Structures.** The Governor deleted and declared unenforceable a prohibition on locals using MIDC grants to support construction expenses for new structures. The Senate retained. (Sec. 803)
18. **Renewable Natural Gas Study.** The Governor deleted language pertaining to a one-time study included in FY 2021-22. The Senate concurred. (Sec. 1002)

Date Completed: 4-26-22

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberation.