

**No. 80**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**95th Legislature**  
**REGULAR SESSION OF 2010**

---

---

House Chamber, Lansing, Thursday, September 16, 2010.

10:00 a.m.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

|                      |                       |                  |                     |
|----------------------|-----------------------|------------------|---------------------|
| Agema—present        | Durhal—present        | Kurtz—present    | Proos—present       |
| Amash—present        | Ebli—present          | Lahti—present    | Roberts—present     |
| Angerer—present      | Elsenheimer—present   | LeBlanc—present  | Rocca—present       |
| Ball—present         | Espinoza—present      | Leland—present   | Rogers—present      |
| Barnett—present      | Geiss—present         | Lemmons—present  | Schmidt, R.—present |
| Bauer—present        | Genetski—present      | Lindberg—present | Schmidt, W.—present |
| Bennett—present      | Gonzales—present      | Lipton—present   | Schuitmaker—present |
| Bledsoe—present      | Green—present         | Liss—present     | Scott, B.—present   |
| Bolger—present       | Gregory—present       | Lori—present     | Scott, P.—present   |
| Booher—present       | Griffin—present       | Lund—present     | Scripps—present     |
| Brown, L.—present    | Haase—present         | Marleau—present  | Segal—present       |
| Brown, T.—present    | Haines—present        | Mayes—present    | Sheltrown—present   |
| Byrnes—present       | Hammel—present        | McDowell—present | Slavens—present     |
| Byrum—present        | Hansen—present        | McMillin—present | Slezak—present      |
| Calley—present       | Haugh—present         | Meadows—present  | Smith—present       |
| Caul—present         | Haveman—present       | Meekhof—present  | Spade—present       |
| Clemente—present     | Hildenbrand—present   | Melton—present   | Stamas—present      |
| Constan—present      | Horn—present          | Meltzer—present  | Stanley—present     |
| Corriveau—present    | Huckleberry—present   | Miller—present   | Switalski—present   |
| Crawford—present     | Jackson—excused       | Moss—present     | Tlaib—present       |
| Cushingberry—present | Johnson—present       | Nathan—present   | Tyler—present       |
| Daley—present        | Jones, Rick—present   | Nerat—present    | Valentine—present   |
| Dean—present         | Jones, Robert—present | Neumann—present  | Walsh—present       |
| Denby—present        | Kandrevas—present     | Opsommer—present | Warren—present      |
| DeShazor—present     | Kennedy—present       | Pavlov—present   | Womack—present      |
| Dillon—present       | Knollenberg—excused   | Pearce—present   | Young—present       |
| Donigan—present      | Kowall—present        | Polidori—present |                     |

e/d/s = entered during session

Rep. Kevin J. Green, from the 77th District, offered the following invocation:

“Lord, as we come together today, we ask for Your divine guidance and wisdom which will lead us in the right direction as we diligently work to address the issues of this great State. Lord don’t let us forget why we are here: to love and to protect not only our families but the families of our constituents.

We come before You, thankful for another day in these chambers to serve the people of the state of Michigan. As fall nears, You have blessed us with beautiful weather and we are reminded of the marvels and miracles You have created.

Let us not forget to keep the military men and women in our prayers as they continue to sacrifice for our freedoms and serve this wonderful country.

We thank You for the opportunity each of us has to serve our respective districts and we ask for wisdom to carry out legislation that glorifies You in all things. We ask Your blessings upon the members of the House of Representatives, the Senate and the Executive Branch and let us not forget the importance of kindness, trust and reconciliation.

In Jesus’ name,  
Amen.”

---

The Speaker Pro Tempore called Associate Speaker Pro Tempore Haase to the Chair.

---

Rep. Wayne Schmidt moved that Rep. Knollenberg be excused from today’s session.  
The motion prevailed.

Rep. Angerer moved that Rep. Jackson be excused from today’s session.  
The motion prevailed.

---

Rep. Angerer moved that House Committees be given leave to meet during the balance of today’s session.  
The motion prevailed.

### **Second Reading of Bills**

#### **House Bill No. 6390, entitled**

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 29 (MCL 791.229), as amended by 1998 PA 512.

The bill was read a second time.

Rep. Lipton moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

---

Rep. Opsommer moved that Rep. Ball be excused temporarily from today’s session.  
The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 6390, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 29 (MCL 791.229), as amended by 1998 PA 512.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 386**

**Yeas—102**

|              |               |          |             |
|--------------|---------------|----------|-------------|
| Agema        | Durhal        | Lahti    | Polidori    |
| Amash        | Ebli          | LeBlanc  | Proos       |
| Angerer      | Elsenheimer   | Leland   | Roberts     |
| Barnett      | Espinoza      | Lemmons  | Rocca       |
| Bauer        | Geiss         | Lindberg | Rogers      |
| Bennett      | Genetski      | Lipton   | Schmidt, R. |
| Bledsoe      | Gonzales      | Liss     | Schmidt, W. |
| Bolger       | Green         | Lori     | Schuitmaker |
| Booher       | Gregory       | Lund     | Scott, P.   |
| Brown, L.    | Griffin       | Marleau  | Scripps     |
| Brown, T.    | Haase         | Mayes    | Segal       |
| Byrnes       | Haines        | McDowell | Sheltrown   |
| Byrum        | Hammel        | McMillin | Slavens     |
| Calley       | Hansen        | Meadows  | Slezak      |
| Caul         | Haugh         | Meekhof  | Smith       |
| Clemente     | Haveman       | Melton   | Spade       |
| Constan      | Hildenbrand   | Meltzer  | Stamas      |
| Corriveau    | Horn          | Miller   | Stanley     |
| Crawford     | Huckleberry   | Moss     | Switalski   |
| Cushingberry | Johnson       | Nathan   | Tlaib       |
| Daley        | Jones, Rick   | Nerat    | Tyler       |
| Dean         | Jones, Robert | Neumann  | Valentine   |
| Denby        | Kandrevas     | Opsommer | Walsh       |
| DeShazor     | Kennedy       | Pavlov   | Warren      |
| Dillon       | Kowall        | Pearce   | Womack      |
| Donigan      | Kurtz         |          |             |

**Nays—0**

In The Chair: Haase

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

**Second Reading of Bills**

**House Bill No. 6389, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14 of chapter XI (MCL 771.14), as amended by 2000 PA 279.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 77, p. 1332),

The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Lipton moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Lipton moved to amend the bill as follows:

1. Amend page 5, line 4, after “**DEFENDANT:**” by striking out the balance of the line through “**ATTORNEY**” on line 5 and inserting “**THE PROSECUTOR AND THE DEFENDANT’S ATTORNEY OR THE DEFENDANT IF HE OR SHE IS NOT REPRESENTED BY AN ATTORNEY**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Lipton moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 6389, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14 of chapter XI (MCL 771.14), as amended by 2000 PA 279.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 387

#### Yeas—103

|              |               |          |             |
|--------------|---------------|----------|-------------|
| Agema        | Durhal        | Lahti    | Proos       |
| Amash        | Ebli          | LeBlanc  | Roberts     |
| Angerer      | Elsenheimer   | Leland   | Rocca       |
| Barnett      | Espinoza      | Lemmons  | Rogers      |
| Bauer        | Geiss         | Lindberg | Schmidt, R. |
| Bennett      | Genetski      | Lipton   | Schmidt, W. |
| Bledsoe      | Gonzales      | Liss     | Schuitmaker |
| Bolger       | Green         | Lori     | Scott, P.   |
| Booher       | Gregory       | Lund     | Scripps     |
| Brown, L.    | Griffin       | Marleau  | Segal       |
| Brown, T.    | Haase         | Mayer    | Sheltrown   |
| Byrnes       | Haines        | McDowell | Slavens     |
| Byrum        | Hammel        | McMillin | Slezak      |
| Calley       | Hansen        | Meadows  | Smith       |
| Caul         | Haugh         | Meekhof  | Spade       |
| Clemente     | Haveman       | Melton   | Stamas      |
| Constan      | Hildenbrand   | Meltzer  | Stanley     |
| Corriveau    | Horn          | Miller   | Switalski   |
| Crawford     | Huckleberry   | Moss     | Tlaib       |
| Cushingberry | Johnson       | Nathan   | Tyler       |
| Daley        | Jones, Rick   | Nerat    | Valentine   |
| Dean         | Jones, Robert | Neumann  | Walsh       |
| Denby        | Kandreas      | Opsommer | Warren      |
| DeShazor     | Kennedy       | Pavlov   | Womack      |
| Dillon       | Kowall        | Pearce   | Young       |
| Donigan      | Kurtz         | Polidori |             |

#### Nays—0

The House agreed to the title of the bill.  
Rep. Angerer moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### House Bill No. 4837, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 105 and 121 (MCL 389.105 and 389.121), section 105 as amended by 2003 PA 306 and section 121 as amended by 1997 PA 135.  
The bill was read a second time.

Rep. Walsh moved to substitute (H-4) the bill.  
The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.  
Rep. Walsh moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.  
Rep. Angerer moved that the bill be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4837, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 105 and 121 (MCL 389.105 and 389.121), section 105 as amended by 2003 PA 306 and section 121 as amended by 1997 PA 135.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 388

#### Yeas—55

|             |             |          |             |
|-------------|-------------|----------|-------------|
| Agema       | Geiss       | Lori     | Rogers      |
| Ball        | Genetski    | Lund     | Schmidt, W. |
| Bennett     | Griffin     | McMillin | Schuitmaker |
| Bolger      | Haase       | Melton   | Scripps     |
| Constan     | Haines      | Meltzer  | Sheltrown   |
| Corriveau   | Hammel      | Miller   | Slavens     |
| Crawford    | Hansen      | Nerat    | Slezak      |
| Daley       | Haveman     | Neumann  | Stamas      |
| Denby       | Hildenbrand | Opsommer | Stanley     |
| DeShazor    | Huckleberry | Pavlov   | Switalski   |
| Dillon      | Kowall      | Pearce   | Tyler       |
| Donigan     | LeBlanc     | Polidori | Valentine   |
| Elsenheimer | Lipton      | Proos    | Walsh       |
| Espinoza    | Liss        | Roberts  |             |

#### Nays—49

|           |          |          |             |
|-----------|----------|----------|-------------|
| Amash     | Dean     | Kennedy  | Nathan      |
| Angerer   | Durhal   | Kurtz    | Rocca       |
| Barnett   | Ebli     | Lahti    | Schmidt, R. |
| Bauer     | Gonzales | Leland   | Scott, B.   |
| Bledsoe   | Green    | Lemmons  | Scott, P.   |
| Booher    | Gregory  | Lindberg | Segal       |
| Brown, L. | Haugh    | Marleau  | Smith       |

|           |               |          |        |
|-----------|---------------|----------|--------|
| Brown, T. | Horn          | Mayes    | Spade  |
| Byrnes    | Johnson       | McDowell | Tlaib  |
| Byrum     | Jones, Rick   | Meadows  | Warren |
| Calley    | Jones, Robert | Meekhof  | Womack |
| Caul      | Kandrevas     | Moss     | Young  |
| Clemente  |               |          |        |

In The Chair: Haase

The question being on agreeing to the title of the bill,

Rep. Melton moved to amend the title to read as follows:

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 105 (MCL 389.105), as amended by 2003 PA 306.

The motion prevailed.

The House agreed to the title as amended.

Rep. Melton moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Kennedy moved that her name be removed as co-sponsor of the bill.

The motion prevailed.

### Second Reading of Bills

#### House Bill No. 5533, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 121 (MCL 389.121), as amended by 1997 PA 135.

The bill was read a second time.

Rep. Sheltroun moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Sheltroun moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Melton moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5533, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 121 (MCL 389.121), as amended by 1997 PA 135.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 389

### Yeas—55

|           |          |          |             |
|-----------|----------|----------|-------------|
| Agema     | Geiss    | Lori     | Rogers      |
| Ball      | Genetski | Lund     | Schmidt, W. |
| Bennett   | Griffin  | McMillin | Schuitmaker |
| Bolger    | Haase    | Melton   | Scripps     |
| Constan   | Haines   | Meltzer  | Sheltroun   |
| Corriveau | Hammel   | Miller   | Slavens     |
| Crawford  | Hansen   | Nerat    | Slezak      |
| Daley     | Haveman  | Neumann  | Stamas      |

|             |             |          |           |
|-------------|-------------|----------|-----------|
| Denby       | Hildenbrand | Opsommer | Stanley   |
| DeShazor    | Huckleberry | Pavlov   | Switalski |
| Dillon      | Kowall      | Pearce   | Tyler     |
| Donigan     | LeBlanc     | Polidori | Valentine |
| Elsenheimer | Lipton      | Proos    | Walsh     |
| Espinoza    | Liss        | Roberts  |           |

### Nays—48

|           |               |          |             |
|-----------|---------------|----------|-------------|
| Amash     | Dean          | Kennedy  | Nathan      |
| Barnett   | Durhal        | Kurtz    | Rocca       |
| Bauer     | Ebli          | Lahti    | Schmidt, R. |
| Bledsoe   | Gonzales      | Leland   | Scott, B.   |
| Booher    | Green         | Lemmons  | Scott, P.   |
| Brown, L. | Gregory       | Lindberg | Segal       |
| Brown, T. | Haugh         | Marleau  | Smith       |
| Byrnes    | Horn          | Mayes    | Spade       |
| Byrum     | Johnson       | McDowell | Tlaib       |
| Calley    | Jones, Rick   | Meadows  | Warren      |
| Caul      | Jones, Robert | Meekhof  | Womack      |
| Clemente  | Kandrevas     | Moss     | Young       |

In The Chair: Haase

The House agreed to the title of the bill.  
Rep. Melton moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

The Speaker Pro Tempore resumed the Chair.

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Angerer moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 6421**.

(For first notice see House Journal No. 79, p. 1407.)

The question being on the motion made by Rep. Angerer,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### House Bill No. 6421, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending sections 3, 5, 6, 7, 8, 8a, 13, 15, 17, and 18 (MCL 567.223, 567.225, 567.226, 567.227, 567.228, 567.228a, 567.233, 567.235, 567.237, and 567.238), section 15 as amended by 2008 PA 208 and section 18 as amended by 1997 PA 195.

The bill was read a second time.

Rep. Meadows moved to amend the bill as follows:

1. Amend page 15, line 25, after “**CONTRACTS.**” by inserting “**CONTRACTS, IF ANY, FOR THE WORK PROJECT AUTHORIZED BY THIS SUBSECTION SHALL BE SUBJECT TO COMPETITIVE SOLICITATION OF BIDS FROM THE PRIVATE SECTOR IN COMPLIANCE WITH SECTION 261 OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1261.**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Lund moved to amend the bill as follows:

1. Amend page 2, line 5, after “than” by striking out “3” and inserting “15”.
2. Amend page 2, line 6, after “within” by striking out “3” and inserting “15”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Durhal moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.



Rep. Warren moved that Rep. Smith be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 6421, entitled**

A bill to amend 1995 PA 29, entitled “Uniform unclaimed property act,” by amending sections 3, 5, 6, 7, 8, 8a, 13, 15, 17, and 18 (MCL 567.223, 567.225, 567.226, 567.227, 567.228, 567.228a, 567.233, 567.235, 567.237, and 567.238), section 15 as amended by 2008 PA 208 and section 18 as amended by 1997 PA 195.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 390**

**Yeas—60**

|           |               |          |             |
|-----------|---------------|----------|-------------|
| Angerer   | Durhal        | LeBlanc  | Schmidt, R. |
| Barnett   | Ebli          | Leland   | Scott, B.   |
| Bauer     | Espinoza      | Lemmons  | Scripps     |
| Bennett   | Geiss         | Lindberg | Segal       |
| Bledsoe   | Gonzales      | Lipton   | Sheltrown   |
| Brown, L. | Gregory       | Liss     | Slavens     |
| Brown, T. | Griffin       | McDowell | Slezak      |
| Byrnes    | Haase         | Meadows  | Spade       |
| Byrum     | Hammel        | Melton   | Stanley     |
| Clemente  | Haugh         | Miller   | Switalski   |
| Constan   | Huckleberry   | Nathan   | Tlaib       |
| Corriveau | Johnson       | Nerat    | Valentine   |
| Dean      | Jones, Robert | Neumann  | Warren      |
| Dillon    | Kandrevas     | Polidori | Womack      |
| Donigan   | Kennedy       | Roberts  | Young       |

**Nays—43**

|       |             |       |        |
|-------|-------------|-------|--------|
| Agema | Elsenheimer | Lahti | Pearce |
| Amash | Genetski    | Lori  | Proos  |



|          |             |          |             |
|----------|-------------|----------|-------------|
| Ball     | Green       | Lund     | Rocca       |
| Bolger   | Haines      | Marleau  | Rogers      |
| Booher   | Hansen      | Mayer    | Schmidt, W. |
| Calley   | Haveman     | McMillin | Schuitmaker |
| Caul     | Hildenbrand | Meekhof  | Scott, P.   |
| Crawford | Horn        | Meltzer  | Stamas      |
| Daley    | Jones, Rick | Moss     | Tyler       |
| Denby    | Kowall      | Opsommer | Walsh       |
| DeShazor | Kurtz       | Pavlov   |             |

In The Chair: Byrnes

The House agreed to the title of the bill.  
Rep. Angerer moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### House Bill No. 6426, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 205, 901, 903, 909, and 1027 (MCL 436.1205, 436.1901, 436.1903, 436.1909, and 436.2027), section 205 as amended by 2001 PA 274, section 901 as amended by 2008 PA 11, section 903 as amended by 2000 PA 431, and section 1027 as amended by 2008 PA 218, and by adding section 1029.

The bill was read a second time.

Rep. Johnson moved to substitute (H-1) the bill.  
The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Johnson moved to amend the bill as follows:

1. Amend page 24, line 17, by striking out all of subdivision (B) and inserting:

**"(B) THE CONSUMER SAMPLING EVENT IS LIMITED TO 3 EVENTS PER VENDOR OF SPIRITS OR MANUFACTURER PER SPECIALLY DESIGNATED DISTRIBUTOR LICENSE PER MONTH."**

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Johnson moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 6426, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 205, 901, 903, 909, and 1027 (MCL 436.1205, 436.1901, 436.1903, 436.1909, and 436.2027), section 205 as amended by 2001 PA 274, section 901 as amended by 2008 PA 11, section 903 as amended by 2000 PA 431, and section 1027 as amended by 2008 PA 218, and by adding section 1029.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 391

#### Yeas—60

|         |          |         |             |
|---------|----------|---------|-------------|
| Angerer | Geiss    | Leland  | Schmidt, R. |
| Barnett | Gonzales | Lemmons | Scott, B.   |

|           |               |          |           |
|-----------|---------------|----------|-----------|
| Bennett   | Gregory       | Lindberg | Scripps   |
| Brown, L. | Griffin       | Lipton   | Segal     |
| Brown, T. | Haase         | Liss     | Sheltrown |
| Byrnes    | Hammel        | McDowell | Slavens   |
| Clemente  | Haugh         | Meadows  | Slezak    |
| Constan   | Huckleberry   | Melton   | Spade     |
| Corriveau | Johnson       | Miller   | Stanley   |
| Dean      | Jones, Rick   | Nathan   | Switalski |
| Dillon    | Jones, Robert | Nerat    | Tlaib     |
| Donigan   | Kandrevas     | Neumann  | Valentine |
| Durhal    | Kennedy       | Polidori | Warren    |
| Ebli      | Lahti         | Roberts  | Womack    |
| Espinoza  | LeBlanc       | Rocca    | Young     |

### Nays—43

|          |             |          |             |
|----------|-------------|----------|-------------|
| Agema    | Daley       | Kowall   | Pavlov      |
| Amash    | Denby       | Kurtz    | Pearce      |
| Ball     | DeShazor    | Lori     | Proos       |
| Bauer    | Elsenheimer | Lund     | Rogers      |
| Bledsoe  | Genetski    | Marleau  | Schmidt, W. |
| Bolger   | Green       | Mayes    | Schuitmaker |
| Booher   | Haines      | McMillin | Scott, P.   |
| Byrum    | Hansen      | Meekhof  | Stamas      |
| Calley   | Haveman     | Meltzer  | Tyler       |
| Caul     | Hildenbrand | Moss     | Walsh       |
| Crawford | Horn        | Opsommer |             |

In The Chair: Byrnes

The question being on agreeing to the title of the bill,

Rep. Angerer moved to amend the title to read as follows:

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 205, 525, 543, 609, 901, 903, 909, and 1027 (MCL 436.1205, 436.1525, 436.1543, 436.1609, 436.1901, 436.1903, 436.1909, and 436.2027), section 205 as amended by 2001 PA 274, sections 525 and 1027 as amended by 2008 PA 218, section 543 as amended by 2005 PA 269, section 901 as amended by 2008 PA 11, and section 903 as amended by 2000 PA 431, and by adding sections 1029 and 1031.

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### House Bill No. 6427, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 159g (MCL 750.159g), as amended by 2009 PA 82.

The bill was read a second time.

Rep. Johnson moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 6427, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 2009 PA 82.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 392**

**Yeas—79**

|           |               |          |             |
|-----------|---------------|----------|-------------|
| Angerer   | Espinoza      | Lemmons  | Rogers      |
| Ball      | Geiss         | Lindberg | Schmidt, R. |
| Barnett   | Genetski      | Lipton   | Schmidt, W. |
| Bauer     | Gonzales      | Liss     | Scott, B.   |
| Bennett   | Gregory       | Lund     | Scripps     |
| Bledsoe   | Griffin       | Marleau  | Segal       |
| Bolger    | Haase         | Mayer    | Sheltrown   |
| Booher    | Haines        | McDowell | Slavens     |
| Brown, L. | Hammel        | Meadows  | Slezak      |
| Brown, T. | Hansen        | Melton   | Spade       |
| Byrnes    | Haugh         | Meltzer  | Stamas      |
| Byrum     | Huckleberry   | Miller   | Stanley     |
| Clemente  | Johnson       | Moss     | Switalski   |
| Constan   | Jones, Rick   | Nathan   | Tlaib       |
| Corriveau | Jones, Robert | Nerat    | Valentine   |
| Dean      | Kandrevas     | Neumann  | Walsh       |
| Dillon    | Kennedy       | Polidori | Warren      |
| Donigan   | Lahti         | Proos    | Womack      |
| Durhal    | LeBlanc       | Roberts  | Young       |
| Ebli      | Leland        | Rocca    |             |

**Nays—24**

|          |             |          |             |
|----------|-------------|----------|-------------|
| Agema    | Denby       | Horn     | Opsommer    |
| Amash    | DeShazor    | Kowall   | Pavlov      |
| Calley   | Elsenheimer | Kurtz    | Pearce      |
| Caul     | Green       | Lori     | Schuitmaker |
| Crawford | Haveman     | McMillin | Scott, P.   |
| Daley    | Hildenbrand | Meekhof  | Tyler       |

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Angerer moved that the Committee on Regulatory Reform be discharged from further consideration of **House Bill No. 4996**.

(For first notice see House Journal No. 79, p. 1410.)

The question being on the motion made by Rep. Angerer,

The motion prevailed, a majority of the members serving voting therefor.

The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### House Bill No. 4996, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 534, 537, 603, and 1027 (MCL 436.1534, 436.1537, 436.1603, and 436.2027), sections 537, 603, and 1027 as amended and section 534 as added by 2008 PA 218.

The bill was read a second time.

Rep. Scripps moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Scripps moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

---

Rep. Angerer moved that Rep. McDowell be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4996, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 534, 537, 603, and 1027 (MCL 436.1534, 436.1537, 436.1603, and 436.2027), sections 537, 603, and 1027 as amended and section 534 as added by 2008 PA 218.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 393

#### Yeas—83

|              |               |          |             |
|--------------|---------------|----------|-------------|
| Agema        | Ebli          | LeBlanc  | Schmidt, R. |
| Amash        | Elsenheimer   | Leland   | Schmidt, W. |
| Angerer      | Espinoza      | Lemmons  | Schuitmaker |
| Ball         | Geiss         | Lindberg | Scott, B.   |
| Barnett      | Gonzales      | Lipton   | Scripps     |
| Bauer        | Gregory       | Liss     | Segal       |
| Bennett      | Griffin       | Lund     | Sheltrown   |
| Booher       | Haase         | Marleau  | Slavens     |
| Brown, L.    | Haines        | Mayes    | Slezak      |
| Brown, T.    | Hammel        | Meadows  | Spade       |
| Byrnes       | Hansen        | Melton   | Stamas      |
| Byrum        | Haugh         | Meltzer  | Stanley     |
| Clemente     | Haveman       | Miller   | Switalski   |
| Constan      | Hildenbrand   | Moss     | Tlaib       |
| Corriveau    | Huckleberry   | Nathan   | Tyler       |
| Cushingberry | Johnson       | Nerat    | Valentine   |
| Dean         | Jones, Rick   | Neumann  | Walsh       |
| Denby        | Jones, Robert | Polidori | Warren      |
| Dillon       | Kandrevas     | Proos    | Womack      |
| Donigan      | Kennedy       | Roberts  | Young       |
| Durhal       | Lahti         | Rocca    |             |

**Nays—20**

|          |          |          |           |
|----------|----------|----------|-----------|
| Bledsoe  | Daley    | Kowall   | Opsommer  |
| Bolger   | DeShazor | Kurtz    | Pavlov    |
| Calley   | Genetski | Lori     | Pearce    |
| Caul     | Green    | McMillin | Rogers    |
| Crawford | Horn     | Meekhof  | Scott, P. |

In The Chair: Byrnes

The question being on agreeing to the title of the bill,

Rep. Angerer moved to amend the title to read as follows:

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 534, 537, 603, and 1027 (MCL 436.1534, 436.1537, 436.1603, and 436.2027), sections 537 and 1027 as amended and section 534 as added by 2008 PA 218 and section 603 as amended by 2009 PA 2.

The motion prevailed.

The House agreed to the title as amended.

---

The Speaker Pro Tempore called Associate Speaker Pro Tempore Haase to the Chair.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Angerer moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Angerer moved that when the House adjourns today it stand adjourned until Tuesday, September 21, at 10:00 a.m.

The motion prevailed.

Rep. Tyler offered the following resolution:

**House Resolution No. 329.**

A resolution to declare September 19-25, 2010, as Child Passenger Safety Week in the state of Michigan.

Whereas, Motor vehicle crashes are the leading cause of death for children from 3 to 14-years-old. In the United States during 2008, 968 children ages 14 years and younger died as occupants in motor vehicle crashes, and approximately 168,000 were injured. Children deserve the protection promised them under the law through the use of child restraint devices and seat belt usage; and

Whereas, To alleviate child fatalities and injuries suffered in automobile crashes, a law was passed in Michigan in 1982 making child restraint device use mandatory for children under the age of four. Thanks to this law, and others around the country, an estimated 8,959 lives were saved by child restraints from 1975 to 2008. An evaluation of the effectiveness of the proper use of child restraint devices found that the risk of serious injury for children between 12 and 47 months of age was 78 percent lower for children seated in forward facing child restraint devices than children restrained in seat belts alone; and

Whereas, It is estimated that close to three out of four parents do not properly use child restraints. In order to prevent the misuse of child restraint devices one week each year is devoted to the education and demonstration of proper usage. As part of the education effort Saturday, September 25, 2010, is Seat Check Saturday. Residents are encouraged to visit

one of the 236 Michigan locations for a free child restraint seat safety inspection. The 236 Michigan locations including fire stations, police departments, sheriff’s departments, schools, childcare centers, and hospitals should be commended for their willingness to assist residents in properly securing children; and

Whereas, Through public and private efforts, our community is taking the proper steps to educate and correct the misuse regarding child restraint devices. Child passenger safety is a serious issue. With the proper education thousands of children will be properly protected, saving thousands of lives; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare the week of September 19-25, 2010, as Child Passenger Safety Week in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Marleau offered the following resolution:

**House Resolution No. 330.**

A resolution to declare September 2010 as Auxiliary Police Officers Month in the state of Michigan.

Whereas; Auxiliary police are specially trained volunteer citizens granted the authority to enforce the law to protect and serve our local communities; and

Whereas; We join the family of Lt. Dan Kromer of the Taylor Auxiliary Police in honoring a life that was cut tragically short on September 7, 2010; and

Whereas; According to the Reserve Police Officers Association, there have been at least 26 police volunteers in the United States since November 2001 that have been killed in the line of duty including Lt. Dan Kromer; and

Whereas; Municipalities throughout Michigan utilize auxiliary officers in support of professional law enforcement and during times of emergency; and

Whereas; Michigan contains some of our nation’s most active auxiliary police forces with Taylor Police Department’s 45 volunteer officers donating over 14,000 hours and the Oakland County Sheriff’s Reserve of 100 officers donating more than 20,000 hours from traffic patrol and local events to major special events throughout Michigan; and

Whereas; This invaluable group of citizens is being honored for their commitment and dedication to the safety of our communities at the risk of their own lives; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2010 as Auxiliary Police Officers Month to recognize the sacrifices of our volunteer police forces; and be it further

Resolved, That a copy of this resolution be transmitted to the Oakland County Sheriff’s Office, the City of Taylor Police Department, Mrs. Shannon Edwards and Mrs. Joyce Kromer.

The question being on the adoption of the resolution,

The resolution was adopted.

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills and joint resolutions had been printed and placed upon the files of the members on Thursday, September 16:

|                                |             |             |             |             |             |             |             |             |             |             |             |             |             |
|--------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>House Bill Nos.</b>         | <b>6436</b> | <b>6437</b> | <b>6438</b> | <b>6439</b> | <b>6440</b> | <b>6441</b> | <b>6442</b> | <b>6443</b> | <b>6444</b> | <b>6445</b> | <b>6446</b> | <b>6447</b> | <b>6448</b> |
| <b>House Joint Resolutions</b> | <b>LLL</b>  | <b>MMM</b>  |             |             |             |             |             |             |             |             |             |             |             |
| <b>Senate Bill Nos.</b>        | <b>1494</b> | <b>1495</b> | <b>1496</b> | <b>1497</b> | <b>1498</b> | <b>1499</b> |             |             |             |             |             |             |             |
| <b>Senate Joint Resolution</b> | <b>CC</b>   |             |             |             |             |             |             |             |             |             |             |             |             |

The Clerk announced that the following Senate bills had been received on Thursday, September 16:

**Senate Bill Nos. 1035 1196 1267 1450 1451**

**Reports of Select Committees**

**House Bill No. 5875, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2011; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

(For text of conference report, see House Journal No. 79, p. 1368.)

The Senate has adopted the report of the Committee of Conference.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 5883, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2011; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain state and local departments, officials, and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

(For text of conference report, see House Journal No. 79, p. 1379.)

The Senate has adopted the report of the Committee of Conference.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**First Conference Report**

The Committee of Conference on the matters of difference between the two Houses concerning

**House Bill No. 5884, entitled**

A bill to make appropriations for the department of energy, labor, and economic growth and certain other state purposes for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

Recommends:

First: That the House and Senate agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to make appropriations for the department of energy, labor, and economic growth and certain other state purposes for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

**PART 1**

**LINE-ITEM APPROPRIATIONS**

Sec. 101. The amounts listed in this part are appropriated for the department of energy, labor, and economic growth, subject to the conditions set forth in this act, for the fiscal year ending September 30, 2011, from the funds identified in this part. The following is a summary of the appropriations in this part:

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

**APPROPRIATION SUMMARY**

|                                                                      |         |                         |
|----------------------------------------------------------------------|---------|-------------------------|
| Full-time equated unclassified positions.....                        | 58.5    |                         |
| Full-time equated classified positions .....                         | 4,359.5 |                         |
| <b>GROSS APPROPRIATION .....</b>                                     |         | <b>\$ 1,278,178,200</b> |
| Interdepartmental grant revenues:                                    |         |                         |
| Total interdepartmental grants and intradepartmental transfers ..... |         | 13,246,300              |
| <b>ADJUSTED GROSS APPROPRIATION .....</b>                            |         | <b>\$ 1,264,931,900</b> |
| Federal revenues:                                                    |         |                         |
| Total federal revenues.....                                          |         | 845,292,500             |
| Special revenue funds:                                               |         |                         |
| Total local revenues .....                                           |         | 16,020,400              |
| Total private revenues .....                                         |         | 6,085,000               |
| Total other state restricted revenues .....                          |         | 349,926,100             |
| State general fund/general purpose .....                             |         | \$ 47,607,900           |

**Sec. 102. DEPARTMENTAL ADMINISTRATION**

|                                                     |       |              |
|-----------------------------------------------------|-------|--------------|
| Full-time equated unclassified positions.....       | 58.5  |              |
| Full-time equated classified positions .....        | 153.0 |              |
| Unclassified salaries .....                         |       | \$ 4,625,200 |
| Executive director programs—49.0 FTE positions..... |       | 5,559,500    |
| Property management .....                           |       | 11,161,300   |
| Rent .....                                          |       | 12,675,800   |
| Worker’s compensation.....                          |       | 851,700      |
| Special project advances.....                       |       | 940,000      |

|                                                                                    | For Fiscal Year<br>Ending Sept. 30,<br>2011 |
|------------------------------------------------------------------------------------|---------------------------------------------|
| Administrative services—104.0 FTE positions .....                                  | 10,534,600                                  |
| GROSS APPROPRIATION .....                                                          | \$ 46,348,100                               |
| Appropriated from:                                                                 |                                             |
| Interdepartmental grant revenues:                                                  |                                             |
| IDG from department of community health.....                                       | 300,000                                     |
| Federal revenues:                                                                  |                                             |
| DED-OSERS, rehabilitation services, vocational rehabilitation of state grants..... | 4,171,900                                   |
| DOE-OEERE, multiple grants.....                                                    | 68,700                                      |
| DOL-ETA, unemployment insurance .....                                              | 11,314,800                                  |
| DOL-ETA, workforce investment act.....                                             | 902,900                                     |
| DOL, federal funds.....                                                            | 1,680,000                                   |
| DOL, multiple grants for safety and health .....                                   | 753,900                                     |
| Federal revenues.....                                                              | 615,600                                     |
| HHS, titles XVIII and XIX .....                                                    | 55,000                                      |
| HHS, temporary assistance for needy families .....                                 | 332,400                                     |
| Special revenue funds:                                                             |                                             |
| Local revenues.....                                                                | 131,300                                     |
| Private - special project advances .....                                           | 940,000                                     |
| Bank fees.....                                                                     | 342,900                                     |
| Boiler fee revenue .....                                                           | 244,400                                     |
| Construction code fund .....                                                       | 1,085,000                                   |
| Consumer finance fees .....                                                        | 73,400                                      |
| Contingent fund, penalty and interest account.....                                 | 872,300                                     |
| Corporation fees .....                                                             | 4,470,600                                   |
| Credit union fees .....                                                            | 355,400                                     |
| Deferred presentment service transaction fees.....                                 | 24,900                                      |
| Elevator fees.....                                                                 | 251,500                                     |
| Fees and collections/asbestos .....                                                | 98,200                                      |
| Fire service fees .....                                                            | 748,700                                     |
| Insurance licensing and regulation fees.....                                       | 1,772,400                                   |
| Insurance bureau fund .....                                                        | 492,400                                     |
| Licensing and regulation fees.....                                                 | 972,700                                     |
| Liquor purchase revolving fund .....                                               | 4,688,600                                   |
| MBLSLA fund.....                                                                   | 84,200                                      |
| Mobile home code fund.....                                                         | 252,300                                     |
| Motor carrier fees.....                                                            | 203,600                                     |
| Private occupational school license fees .....                                     | 14,000                                      |
| Public utility assessments.....                                                    | 2,251,600                                   |
| Retired engineers technical assistance program fund.....                           | 234,700                                     |
| Safety education and training fund .....                                           | 725,800                                     |
| Second injury fund .....                                                           | 247,500                                     |
| Securities fees.....                                                               | 2,400,700                                   |
| Self-insurers security fund.....                                                   | 88,300                                      |
| Silicosis and dust disease fund.....                                               | 109,900                                     |
| Tax tribunal fund .....                                                            | 176,500                                     |
| Video franchise assessments.....                                                   | 4,000                                       |
| Worker's compensation administrative revolving fund .....                          | 100,000                                     |
| State general fund/general purpose .....                                           | \$ 1,695,100                                |
| <b>Sec. 103. OFFICE OF FINANCIAL AND INSURANCE REGULATION</b>                      |                                             |
| Full-time equated classified positions .....                                       | 370.0                                       |
| Administration—35.0 FTE positions.....                                             | \$ 7,136,000                                |
| Financial evaluation—225.0 FTE positions .....                                     | 33,212,600                                  |
| Regulatory compliance and consumer assistance—110.0 FTE positions.....             | 18,068,200                                  |
| GROSS APPROPRIATION .....                                                          | \$ 58,416,800                               |



For Fiscal Year  
Ending Sept. 30,  
2011

|                                                         |            |
|---------------------------------------------------------|------------|
| Appropriated from:                                      |            |
| Federal revenues:                                       |            |
| Federal regulatory project revenue .....                | 50,400     |
| Federal revenues .....                                  | 2,000,000  |
| Special revenue funds:                                  |            |
| Bank fees .....                                         | 8,091,000  |
| Captive insurance regulatory and supervision fund ..... | 247,800    |
| Consumer finance fees .....                             | 4,061,700  |
| Credit union fees .....                                 | 5,953,800  |
| Deferred presentment service transaction fees .....     | 2,562,500  |
| Insurance bureau fund .....                             | 20,017,600 |
| Insurance continuing education fees .....               | 1,000,000  |
| Insurance licensing and regulation fees .....           | 4,579,300  |
| MBLSLA fund .....                                       | 4,577,500  |
| Multiple employer welfare arrangement .....             | 72,600     |
| Securities fees .....                                   | 4,202,600  |
| Securities investor education and training fund .....   | 1,000,000  |
| State general fund/general purpose .....                | \$ 0       |

**Sec. 104. PUBLIC SERVICE COMMISSION AND ENERGY SYSTEMS**

|                                                     |       |               |
|-----------------------------------------------------|-------|---------------|
| Full-time equated classified positions .....        | 213.0 |               |
| Public service commission—190.0 FTE positions ..... |       | \$ 26,380,500 |
| Bureau of energy systems—18.0 FTE positions .....   |       | 12,068,600    |
| METRO authority—5.0 FTE positions .....             |       | 334,900       |
| GROSS APPROPRIATION .....                           |       | \$ 38,784,000 |

Appropriated from:

|                                                           |            |
|-----------------------------------------------------------|------------|
| Federal revenues:                                         |            |
| DOE-OEERE, multiple grants .....                          | 9,680,600  |
| DOT-RSPA, gas pipeline safety .....                       | 430,000    |
| Special revenue funds:                                    |            |
| Private - oil overcharge .....                            | 30,000     |
| Children's protection registry fund .....                 | 272,600    |
| Motor carrier fees .....                                  | 1,689,100  |
| Public utility assessments .....                          | 24,239,700 |
| Restructuring mechanism assessment .....                  | 440,000    |
| Retired engineers technical assistance program fund ..... | 1,602,000  |
| Video franchise assessments .....                         | 400,000    |
| State general fund/general purpose .....                  | \$ 0       |

**Sec. 105. LIQUOR CONTROL COMMISSION**

|                                                            |       |               |
|------------------------------------------------------------|-------|---------------|
| Full-time equated classified positions .....               | 158.0 |               |
| Management support services—28.0 FTE positions .....       |       | \$ 3,670,700  |
| Liquor licensing and enforcement—130.0 FTE positions ..... |       | 14,178,600    |
| GROSS APPROPRIATION .....                                  |       | \$ 17,849,300 |

Appropriated from:

|                                                 |            |
|-------------------------------------------------|------------|
| Special revenue funds:                          |            |
| Direct shipper enhancement revolving fund ..... | 120,000    |
| Liquor license revenue .....                    | 6,813,600  |
| Liquor purchase revolving fund .....            | 10,915,700 |
| State general fund/general purpose .....        | \$ 0       |

**Sec. 106. OCCUPATIONAL REGULATION**

|                                                                          |       |              |
|--------------------------------------------------------------------------|-------|--------------|
| Full-time equated classified positions .....                             | 435.0 |              |
| Boiler inspection program—25.0 FTE positions .....                       |       | \$ 2,883,000 |
| Bureau of fire services—57.0 FTE positions .....                         |       | 5,559,000    |
| Code enforcement—120.0 FTE positions .....                               |       | 13,726,700   |
| Commercial services—170.0 FTE positions .....                            |       | 18,384,600   |
| Elevator inspection program—30.0 FTE positions .....                     |       | 3,102,200    |
| Manufactured housing and land resources program—22.0 FTE positions ..... |       | 2,651,600    |

|                                                                         | For Fiscal Year<br>Ending Sept. 30,<br>2011 |
|-------------------------------------------------------------------------|---------------------------------------------|
| Property development group—11.0 FTE positions .....                     | 1,658,300                                   |
| GROSS APPROPRIATION .....                                               | \$ 47,965,400                               |
| Appropriated from:                                                      |                                             |
| Interdepartmental grant revenues:                                       |                                             |
| IDG from department of community health, inspection contract.....       | 100,000                                     |
| Federal revenues:                                                       |                                             |
| DOT .....                                                               | 60,000                                      |
| FEMA .....                                                              | 28,000                                      |
| HHS, title XVIII and XIX.....                                           | 700,000                                     |
| Special revenue funds:                                                  |                                             |
| Accountancy enforcement fund.....                                       | 408,100                                     |
| Boiler fee revenue .....                                                | 3,306,500                                   |
| Builder enforcement fund.....                                           | 415,600                                     |
| Construction code fund .....                                            | 12,908,800                                  |
| Corporation fees .....                                                  | 6,149,000                                   |
| Elevator fees .....                                                     | 3,496,600                                   |
| Fire alarm fees.....                                                    | 111,300                                     |
| Fire safety standard and enforcement fund .....                         | 40,000                                      |
| Fire service fees .....                                                 | 1,919,700                                   |
| Land sales fees .....                                                   | 55,600                                      |
| Licensing and regulation fees.....                                      | 10,914,500                                  |
| Mobile home code fund.....                                              | 2,651,600                                   |
| Property development fees .....                                         | 298,900                                     |
| Real estate appraiser continuing education fund.....                    | 47,000                                      |
| Real estate education fund .....                                        | 283,800                                     |
| Real estate enforcement fund .....                                      | 350,400                                     |
| Security business fund.....                                             | 312,000                                     |
| Survey and remonumentation fund.....                                    | 749,600                                     |
| Unarmed combat fund.....                                                | 58,400                                      |
| State general fund/general purpose .....                                | \$ 2,600,000                                |
| <b>Sec. 107. MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION</b> |                                             |
| Full-time equated classified positions .....                            | 229.0                                       |
| Occupational safety and health—229.0 FTE positions .....                | \$ 27,750,500                               |
| GROSS APPROPRIATION .....                                               | \$ 27,750,500                               |
| Appropriated from:                                                      |                                             |
| Federal revenues:                                                       |                                             |
| DOL, multiple grants for safety and health .....                        | 12,946,600                                  |
| Special revenue funds:                                                  |                                             |
| Corporation fees .....                                                  | 3,664,400                                   |
| Fees and collections/asbestos .....                                     | 893,200                                     |
| Safety education and training fund .....                                | 8,289,900                                   |
| Securities fees.....                                                    | 1,956,400                                   |
| State general fund/general purpose .....                                | \$ 0                                        |
| <b>Sec. 108. BUREAU OF WORKER'S AND UNEMPLOYMENT COMPENSATION</b>       |                                             |
| Full-time equated classified positions .....                            | 1,551.0                                     |
| Worker's compensation administration—96.6 FTE positions .....           | \$ 9,417,400                                |
| Board of magistrates and appellate commission—19.4 FTE positions.....   | 2,881,000                                   |
| Insurance funds administration—28.0 FTE positions .....                 | 4,816,700                                   |
| Supplemental benefit fund.....                                          | 820,000                                     |
| Unemployment programs—1,302.7 FTE positions .....                       | 135,180,200                                 |
| Advocacy assistance program.....                                        | 1,500,000                                   |
| Expanded fraud control program—33.2 FTE positions .....                 | 3,428,400                                   |
| Special audit and collections program—34.0 FTE positions .....          | 2,993,200                                   |
| Training program for agency staff—2.1 FTE positions .....               | 1,821,400                                   |
| Wage and hour division—35.0 FTE positions.....                          | 3,346,800                                   |
| GROSS APPROPRIATION .....                                               | \$ 166,205,100                              |

For Fiscal Year  
Ending Sept. 30,  
2011

|                                                                    |               |
|--------------------------------------------------------------------|---------------|
| Appropriated from:                                                 |               |
| Federal revenues:                                                  |               |
| DOL-ETA, employment and training administration .....              | 1,173,800     |
| DOL-ETA, unemployment insurance .....                              | 137,754,900   |
| Federal Reed act funds .....                                       | 4,494,500     |
| Special revenue funds:                                             |               |
| Corporation fees .....                                             | 3,389,900     |
| Contingent fund, regular penalty and interest account.....         | 1,500,000     |
| Second injury fund .....                                           | 2,593,000     |
| Securities fees.....                                               | 2,535,300     |
| Self-insurers security fund.....                                   | 1,226,100     |
| Silicosis and dust disease fund.....                               | 997,600       |
| Worker's compensation administrative revolving fund .....          | 2,790,400     |
| State general fund/general purpose .....                           | \$ 7,749,600  |
| <b>Sec. 109. STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES</b> |               |
| Full-time equated classified positions .....                       | 178.0         |
| Administrative hearings and rules—178.0 FTE positions.....         | \$ 24,910,100 |
| GROSS APPROPRIATION .....                                          | \$ 24,910,100 |
| Appropriated from:                                                 |               |
| Interdepartmental grant revenues:                                  |               |
| IDG - administrative hearings and rules .....                      | 12,846,300    |
| Federal revenues:                                                  |               |
| Federal revenue - administrative hearings and rules .....          | 7,296,900     |
| Special revenue funds:                                             |               |
| State restricted revenue - administrative hearings and rules ..... | 4,766,900     |
| State general fund/general purpose .....                           | \$ 0          |
| <b>Sec. 110. INFORMATION TECHNOLOGY</b>                            |               |
| Information technology services and projects.....                  | \$ 42,296,300 |
| GROSS APPROPRIATION .....                                          | \$ 42,296,300 |
| Appropriated from:                                                 |               |
| Federal revenues:                                                  |               |
| DOL-ETA, unemployment insurance .....                              | 21,554,000    |
| DOL, multiple grants for safety and health .....                   | 273,700       |
| Federal revenues.....                                              | 6,454,300     |
| HHS, temporary assistance for needy families .....                 | 176,300       |
| Special revenue funds:                                             |               |
| Bank fees .....                                                    | 219,500       |
| Boiler fee revenue .....                                           | 320,500       |
| Construction code fund .....                                       | 1,027,500     |
| Consumer finance fees .....                                        | 95,100        |
| Corporation fees .....                                             | 2,833,700     |
| Credit union fees .....                                            | 192,100       |
| Deferred presentment service transaction fees .....                | 85,700        |
| Elevator fees .....                                                | 271,300       |
| Fees and collections/asbestos .....                                | 11,000        |
| Fire service fees .....                                            | 553,500       |
| Insurance bureau fund .....                                        | 545,500       |
| Insurance continuing education fees .....                          | 26,700        |
| Insurance licensing and regulation fees.....                       | 330,000       |
| Licensing and regulation fees.....                                 | 1,148,400     |
| Liquor purchase revolving fund .....                               | 2,630,900     |
| MBLSLA fund.....                                                   | 104,100       |
| Mobile home code fund.....                                         | 152,800       |
| Motor carrier fees.....                                            | 148,900       |
| Public utility assessments.....                                    | 979,100       |
| Retired engineers technical assistance program fund.....           | 23,200        |

|                                                                                    | For Fiscal Year<br>Ending Sept. 30,<br>2011 |
|------------------------------------------------------------------------------------|---------------------------------------------|
| Safety education and training fund .....                                           | 624,700                                     |
| Second injury fund .....                                                           | 143,600                                     |
| Securities fees.....                                                               | 923,500                                     |
| Self-insurers security fund.....                                                   | 71,500                                      |
| Silicosis and dust disease fund.....                                               | 61,500                                      |
| Tax tribunal fund .....                                                            | 210,000                                     |
| State general fund/general purpose .....                                           | \$ 103,700                                  |
| <b>Sec. 111. WORKFORCE DEVELOPMENT</b>                                             |                                             |
| Full-time equated classified positions .....                                       | 872.5                                       |
| Employment services—246.0 FTE positions .....                                      | \$ 49,389,600                               |
| Labor market information—52.0 FTE positions .....                                  | 6,564,400                                   |
| Michigan rehabilitation services—513.5 FTE positions .....                         | 73,641,400                                  |
| Workforce programs administration—61.0 FTE positions .....                         | 13,176,000                                  |
| <b>GROSS APPROPRIATION</b> .....                                                   | <b>\$ 142,771,400</b>                       |
| Appropriated from:                                                                 |                                             |
| 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..... | 56,890,000                                  |
| DED-OSERS, state grants for technical related assistance .....                     | 59,200                                      |
| DOL-ETA, workforce investment act.....                                             | 7,890,000                                   |
| DOL, federal funds.....                                                            | 49,477,500                                  |
| HHS, temporary assistance for needy families .....                                 | 3,337,600                                   |
| HHS-SSA, supplemental security income.....                                         | 3,770,800                                   |
| Special revenue funds:                                                             |                                             |
| Local revenue .....                                                                | 4,405,300                                   |
| Local vocational rehabilitation match .....                                        | 2,684,500                                   |
| Private - gifts, bequests, and donations .....                                     | 816,000                                     |
| Contingent fund, penalty and interest account.....                                 | 1,853,100                                   |
| Rehabilitation services fees .....                                                 | 1,350,300                                   |
| Second injury fund .....                                                           | 51,500                                      |
| State general fund/general purpose .....                                           | \$ 8,408,900                                |
| <b>Sec. 112. CAREER EDUCATION PROGRAMS</b>                                         |                                             |
| Full-time equated classified positions .....                                       | 30.0                                        |
| Postsecondary education—14.0 FTE positions .....                                   | \$ 3,038,300                                |
| Adult education—16.0 FTE positions .....                                           | 2,570,700                                   |
| <b>GROSS APPROPRIATION</b> .....                                                   | <b>\$ 5,609,000</b>                         |
| Appropriated from:                                                                 |                                             |
| Federal revenues:                                                                  |                                             |
| Federal revenues.....                                                              | 3,942,200                                   |
| Special revenue funds:                                                             |                                             |
| Defaulted loan collection fees .....                                               | 100,000                                     |
| Private occupational school license fees .....                                     | 662,000                                     |
| State general fund/general purpose .....                                           | \$ 904,800                                  |
| <b>Sec. 113. DEPARTMENT GRANTS</b>                                                 |                                             |
| Adult basic education .....                                                        | \$ 20,000,000                               |
| Carl D. Perkins grants .....                                                       | 19,000,000                                  |
| Gear-up program grants.....                                                        | 3,000,000                                   |
| Workforce training programs subgrantees.....                                       | 296,153,600                                 |
| Personal assistance services .....                                                 | 459,500                                     |
| Vocational rehabilitation customer support .....                                   | 57,986,700                                  |
| Independent living .....                                                           | 4,908,600                                   |
| Welfare-to-work programs.....                                                      | 96,923,800                                  |
| Fire protection grants .....                                                       | 10,910,500                                  |

|                                                                                    | For Fiscal Year<br>Ending Sept. 30,<br>2011 |
|------------------------------------------------------------------------------------|---------------------------------------------|
| Low-income energy efficiency assistance .....                                      | 95,000,000                                  |
| Liquor law enforcement grants.....                                                 | 6,600,000                                   |
| Remonumentation grants .....                                                       | 5,300,000                                   |
| Private grant programs .....                                                       | 3,000,000                                   |
| Michigan nursing corps .....                                                       | 500,000                                     |
| Subregional libraries state aid .....                                              | 451,800                                     |
| GROSS APPROPRIATION .....                                                          | \$ 620,194,500                              |
| 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..... | 37,056,700                                  |
| 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.....                                             | 225,227,700                                 |
| DOL, federal funds.....                                                            | 81,425,900                                  |
| HHS-SSA, supplemental security income.....                                         | 5,868,400                                   |
| HHS, temporary assistance for needy families .....                                 | 64,699,000                                  |
| Special revenue funds:                                                             |                                             |
| Local vocational rehabilitation facilities match.....                              | 1,278,300                                   |
| Local vocational rehabilitation match .....                                        | 7,000,000                                   |
| Private - gifts, bequests, and donations.....                                      | 400,000                                     |
| Private revenue .....                                                              | 3,000,000                                   |
| Contingent fund, penalty and interest account.....                                 | 1,000,000                                   |
| Low-income energy efficiency fund.....                                             | 95,000,000                                  |
| Fire protection fund.....                                                          | 8,500,000                                   |
| Liquor purchase revolving fund .....                                               | 2,410,500                                   |
| Liquor license revenue .....                                                       | 6,600,000                                   |
| Survey and remonumentation fund.....                                               | 5,300,000                                   |
| State general fund/general purpose .....                                           | \$ 19,923,200                               |
| <b>Sec. 114. BOARDS, AUTHORITIES, AND COMMISSIONS</b>                              |                                             |
| Full-time equated classified positions .....                                       | 170.0                                       |
| MES board of review program—18.0 FTE positions.....                                | \$ 2,378,700                                |
| Hispanic/Latino commission—2.0 FTE positions .....                                 | 267,300                                     |
| Commission on disability concerns—7.0 FTE positions .....                          | 1,190,500                                   |
| Commission for the blind—107.0 FTE positions.....                                  | 26,819,700                                  |
| Utility consumer representation.....                                               | 950,000                                     |
| Youth low vision program .....                                                     | 241,800                                     |
| Tax tribunal operations—15.0 FTE positions.....                                    | 2,867,900                                   |
| Employment and labor relations—21.0 FTE positions .....                            | 3,591,800                                   |
| GROSS APPROPRIATION .....                                                          | \$ 38,307,700                               |
| Appropriated from:                                                                 |                                             |
| Federal revenues:                                                                  |                                             |
| Federal revenues.....                                                              | 21,008,100                                  |
| EEOC, federal funds.....                                                           | 10,000                                      |
| DOL-ETA, unemployment insurance .....                                              | 2,378,700                                   |
| Special revenue funds:                                                             |                                             |
| Private revenues.....                                                              | 129,000                                     |
| Local revenues.....                                                                | 521,000                                     |
| Division on deafness fund .....                                                    | 93,400                                      |
| Securities fees.....                                                               | 3,581,800                                   |
| State restricted revenues .....                                                    | 545,200                                     |

|                                             | For Fiscal Year<br>Ending Sept. 30,<br>2011 |
|---------------------------------------------|---------------------------------------------|
| Tax tribunal fund .....                     | 2,867,900                                   |
| Utility consumer representation fund .....  | 950,000                                     |
| State general fund/general purpose .....    | \$ 6,222,600                                |
| <b>Sec. 115. CAPITAL OUTLAY</b>             |                                             |
| Kalamazoo training center renovations ..... | \$ 770,000                                  |
| <b>GROSS APPROPRIATION</b> .....            | <b>\$ 770,000</b>                           |
| Appropriated from:                          |                                             |
| Special revenue funds:                      |                                             |
| Private revenues .....                      | 770,000                                     |
| State general fund/general purpose .....    | \$ 0                                        |

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

**GENERAL SECTIONS**

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2010-2011 is \$397,534,000.00 and state spending from state resources to be paid to local units of government for fiscal year 2010-2011 is \$39,850,100.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

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

|                                                              |               |
|--------------------------------------------------------------|---------------|
| Fire protection grants .....                                 | \$ 10,910,500 |
| Liquor law enforcement .....                                 | 6,600,000     |
| Remuneration grants .....                                    | 5,300,000     |
| Firefighters training council .....                          | 1,363,000     |
| Welfare-to-work programs .....                               | 15,224,800    |
| Subregional state aid .....                                  | 451,800       |
| Total department of energy, labor, and economic growth ..... | \$ 39,850,100 |

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

Sec. 203. As used in this act:

- (a) "DAG" means the United States department of agriculture.
- (b) "DED" means the United States department of education.
- (c) "DED-OESE" means the DED office of elementary and secondary education.
- (d) "DED-OPSE" means the DED office of postsecondary education.
- (e) "DED-OSERS" means the DED office of special education rehabilitation services.
- (f) "DED-OVAE" means the DED office of vocational and adult education.
- (g) "Department" means the department of energy, labor, and economic growth.
- (h) "Director" means the director of the department of energy, 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) "DOT" means the United States department of transportation.
- (n) "DOT-RSPA" means the DOT research and special programs administration.
- (o) "EEOC" means equal employment opportunity commission.
- (p) "FEMA" means federal emergency management agency.
- (q) "Fire safety standard and enforcement fund" means fire safety standard and firefighter protection act enforcement fund created in section 9 of the fire safety standard and firefighter protection act, 2009 PA 56, MCL 29.499.
- (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) "HUD" means the United States department of housing and urban development.
- (w) "IDG" means interdepartmental grant.
- (x) "MARVIN" means Michigan's automated response voice interactive network.
- (y) "MBLSLA" means mortgage brokers, lenders, and servicers licensing act.
- (z) "MES" means Michigan employment security.
- (aa) "METRO" means metropolitan extension telecommunications rights-of-way oversight.

(bb) "MIOSHA" means Michigan occupational safety and health administration.

(cc) "SOAHR" means the state office of administrative hearings and rules.

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

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

Sec. 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 an Internet or Intranet site.

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

Sec. 210. The director shall take all reasonable steps to ensure that 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 businesses in depressed and deprived communities for services, supplies, or both.

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

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

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

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

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

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

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

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

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

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

(2) The department shall not approve the travel of more than 1 departmental employee to a specific professional development conference or training seminar that is located outside of this state unless a professional development conference or training seminar is funded by a federal or private funding source and requires more than 1 person from a department to attend, or the conference or training seminar includes multiple issues in which 1 employee from the department does not have expertise.

(3) Not later than January 1, 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 senate and house of representatives standing committees on appropriations, the senate and house fiscal agencies, and the state budget director. The report shall include the following information:

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

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

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

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

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

Sec. 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. Within 14 days after the receipt of federal pass-through funds, the department shall notify the house and senate chairpersons of the subcommittees, the fiscal agencies, and the state budget director of pass-through funds appropriated under this section.

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

Sec. 223. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$45,000,000.00 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 \$31,000,000.00 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 \$8,000,000.00 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 \$600,000.00 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.

Sec. 225. (1) 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.

(2) The department shall report to the house and senate chairpersons of the subcommittees, the fiscal agencies, and the state budget director by January 15 on the amount and uses of the federal energy program grants appropriated in part 1 in the line item for the bureau of energy systems.

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

Sec. 227. 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. In addition to the funds appropriated in part 1, these 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 (2002), 2008 PA 551, MCL 451.2101 to 451.2703.

(e) Labor law books.

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

(g) Construction code manuals.

(h) Copies of transcripts from administrative law hearings.

Sec. 228. Unless prohibited by law, the department may accept credit card or other electronic means of payment for licenses, fees, or permits.

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

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

(3) The department shall not expend more than \$10,000.00 from the appropriations in part 1 to implement the requirements of this section.



**REGULATORY**

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

Sec. 301a. (1) Cities, villages, and townships receiving fire protection grant funds in accordance with 1977 PA 289, MCL 141.951 to 141.956, shall submit a report to the department detailing the expenditures made by the local unit from fire protection grant funds, the fire-related activities of the local unit’s police and fire departments on state property, and the costs of such activities. The local unit shall provide a report no later than January 1, covering the state fiscal years ending September 30, 2010.

(2) The department shall provide a standard template for use by local units of government when submitting a report to the department.

(3) The department shall prepare a summary of the local submissions and provide it to the house and senate chairpersons of the subcommittees, the fiscal agencies, and the state budget director by March 31.

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

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

Sec. 302a. In addition to the funds appropriated in part 1, the funds credited to the cigarette fire safety standard and firefighter protection act fund created in section 13 of the fire safety standard and firefighter protection act, 2009 PA 56, MCL 29.503, shall be appropriated to be expended for the purposes provided for in the fire safety standard and firefighter protection act, 2009 PA 56, MCL 29.491 to 29.513. These funds are appropriated for expenditure when they are received.

Sec. 303. The funds collected by the department for licenses, permits, and other elevator regulation fees set forth in the Michigan administrative code and as determined under section 8 of 1976 PA 333, MCL 338.2158, and section 16 of 1967 PA 227, MCL 408.816, that are unexpended at the end of the fiscal year shall carry forward to the subsequent fiscal year.

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

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

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

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

Sec. 330. 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 director and the subcommittees of the purpose and amount of each grant award.

Sec. 332. Not later than April 11, 2011, the department shall have a contract in place to modernize, improve, and integrate the unemployment insurance agency computer system.

Sec. 333. The department shall report quarterly to the members of the house and senate committees on appropriations, the fiscal agencies, and the state budget director on the percentage of unemployment claimants that meet the certification

requirements for receiving benefits by using the Internet MARVIN system. The department shall implement improvements to the Internet MARVIN system that promote greater ease of access and security with a goal of reaching 50% of users certifying by using the Internet MARVIN system.

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

Sec. 341. (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 and September 1 of each year, the department shall provide a report to the fiscal agencies and 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.

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

Sec. 342. From the funds appropriated in part 1 for Michigan occupational safety and health consultation education and training (CET) grants, not less than \$80,000.00 shall be allocated to nonprofit organizations representing the aggregate industry in Michigan.

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

Sec. 361. (1) 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.

(2) The public service commission shall report by November 1 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.

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

Sec. 368. No later than March 1, the department shall submit a report to the state budget office, the fiscal agencies, and the subcommittees, providing expenditure and revenue data and statistical data on licensing and regulatory activities of the bureau of commercial services and the bureau of construction codes during the previous fiscal year. To the extent possible, the data required shall be reported for each individual occupation, trade, or industry regulated.

Sec. 370. (1) Local units of government receiving liquor law enforcement grant funds in accordance with section 543 of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1543, shall submit a report to the liquor control commission detailing the expenditures made by the local unit in enforcing the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1101 to 436.2303, and rules promulgated under that act. Local units shall also provide a report to the liquor control commission listing, for the local unit's most recently completed fiscal year, each liquor-related fee imposed by the local unit and the amount of revenue generated by each fee. Both reports required by this section shall be due to the liquor control commission not later than February 15.

(2) The liquor control commission shall provide a standard template for use by the local units of government when submitting a report to the commission.

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

Sec. 371. (1) From the funds appropriated in part 1 for liquor licensing and enforcement, the liquor control commission shall coordinate its investigation and enforcement activities concerning the illegal sale, delivery, and importation of spirits with the investigation and enforcement activities of the department of state police concerning tobacco taxes and other illegal cash transactions.

(2) The commission shall provide an annual report to the subcommittees, the fiscal agencies, and the state budget office summarizing its investigation and enforcement activities concerning the illegal sale, delivery, and importation of spirits. As the commission considers appropriate, the report may include information concerning the number and value of products seized, the number of arrests, the amount of penalties imposed, and the amount of additional taxes imposed and collected.

#### **OFFICE OF FINANCIAL AND INSURANCE REGULATION**

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

Sec. 402. In addition to the funds appropriated in part 1, 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. These funds are appropriated for expenditure when they are received by the department of treasury and shall not lapse to the general fund at the end of the fiscal year.

Sec. 403. (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.

#### **MICHIGAN REHABILITATION SERVICES AND MICHIGAN COMMISSION FOR THE BLIND**

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

Sec. 602. The Michigan rehabilitation service shall make every effort to ensure that all sources of matching funds in this state are used to obtain federal vocational rehabilitation funds. All sources include, but are not limited to, privately raised funds to support public nonprofit rehabilitation centers as permitted by the rehabilitation act of 1973, Public Law 93-112.

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

Sec. 604. All funds appropriated in part 1 for independent living shall be used for the support of centers for independent living in compliance with federal rules and regulations for such centers, by existing centers in serving underserved areas, 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 department. Funds must be used in a manner consistent with the state plan for independent living.

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

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

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

Sec. 612. The youth low-vision program is considered the payer of last resort. Other available public or private insurance coverage, including Medicaid or MICHild, and special education funds, shall be exhausted prior to using any funds appropriated in part 1 to purchase low-vision devices or equipment for an individual.

Sec. 613. (1) The funds appropriated in part 1 for a regional or subregional library shall not be released until a budget for that regional or subregional library has been approved by the department for expenditures for library services directly serving the blind and persons with disabilities.

(2) In order to receive subregional state aid as appropriated in part 1, a regional or subregional library's fiscal agency shall agree to maintain local funding support at the same level in the current fiscal year as in the fiscal agency's preceding fiscal year. If a reduction in expenditures equally affects all agencies in a local unit of government that is the regional or subregional library's fiscal agency, that reduction shall not be interpreted as a reduction in local support and shall not disqualify a regional or subregional library from receiving state aid under part 1. If a reduction in income affects a library cooperative or district library that is a regional or subregional library's fiscal agency or a reduction in expenditures for the regional or subregional library's fiscal agency, a reduction in expenditures for the regional or subregional library shall not be interpreted as a reduction in local support and shall not disqualify a regional or subregional library from receiving state aid under part 1.

Sec. 615. The department may provide and enter into agreements to provide general services, training, meetings, information, special equipment, software, facility use, and technical consulting services to other principal executive departments, state agencies, local units of government, the judicial branch of government, other organizations, and patrons of department facilities. The department may charge fees for these services that are reasonably related to the cost of providing the services. In addition to the funds appropriated in part 1, funds collected by the department for these services are appropriated for all expenses necessary. The funds appropriated under this section are allotted for expenditure when they are received by the department of treasury.

#### **CAREER EDUCATION**

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

Sec. 704. (1) The department shall collaborate with the state board of education, the department of human services, and the department of community health, 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 cochairs, representing the department, the state board of education, the department of human services, and the department of community health shall name a fiduciary agent and may authorize the fiduciary to expend funds and hire people to accomplish the work of the Michigan after-school partnership.

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

Sec. 710a. From the funds appropriated in part 1 for workforce programs subgrantees, the department may allocate funding for grants to nonprofit organizations that offer programs to WIA-eligible youth focusing on entrepreneurship, work-readiness skills, job shadowing, and financial literacy. Organizations eligible for funding under this section must have the capacity to provide similar programs in urban areas, as determined by the United States bureau of the census according to the most recent federal decennial census. Additionally, programs eligible for funding under this section must include the participation of local business partners. The department shall develop other appropriate eligibility requirements to ensure compliance with applicable federal rules and regulations.

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

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

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

Sec. 735. The department shall compile the information received from community colleges on the number and types of associate degrees and other certificates awarded during the previous fiscal year and shall submit this compilation to the house and senate appropriations subcommittees on community colleges, the fiscal agencies, and the state budget director by January 7.

### **WORKFORCE DEVELOPMENT**

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

Sec. 802. (1) Using all relevant state data sources, the department shall conduct a 3-year longitudinal study of all former work first and jobs, education, and training 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 range of wages earned by those employed.
  - (d) The number and percentage receiving health care benefits from their employer.
  - (e) The type of jobs obtained by former participants in general categories.
  - (f) 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.
  - (g) The number and percentage continuing to receive any type of public assistance.
- (2) The department shall notify the subcommittees, fiscal agencies, and state budget director electronically by March 15 of the location of the Internet site where the report containing the identified data is located.
- (3) The department shall cooperate with the department of human services in formulating and acquiring the identified data.

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

Sec. 810. 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, parents of public school pupils, and, at the board's discretion, representatives of organizations that provide school-based curriculum and youth programs focusing on entrepreneurship, work-readiness skills, and financial literacy.

Sec. 811. (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. The employee shall refer any veteran needing or requesting veterans services to the disabled veterans outreach program specialist or local veterans employment representative assigned to the center.

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

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

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

Sec. 812. (1) In addition to the funds appropriated in part 1, any unencumbered and unrestricted federal workforce investment act or trade adjustment assistance 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.

Sec. 813. Of the funds appropriated in part 1 for workforce training program subgrantees, up to \$200,000.00 shall be allocated for grants to 2 work force development programs, meeting the following criteria:

(a) Up to \$100,000.00 shall be allocated to 1 nonprofit organization to expand an existing innovative, employer-led, public/private workforce development program. Grant funds may be used for program operating expenses such as staffing, rent, equipment, and other expenses. To be eligible for funding under this subdivision, a program must meet the following criteria:

(i) Provide program participants with early intervention services that promote employment stabilization and alleviate barriers to job attainment, retention, or advancement, including assistance with transportation, language barriers, childcare, housing, and facilitating access to services available through public agencies and community-based organizations.

(ii) Provide program participants with training in basic job skills, basic life skills, and career exploration.

(iii) Provide program participants with opportunities for advancement within the network of partnering employers by facilitating incumbent worker training programs.

(iv) Demonstrate a quantifiable return on investment for participating employers, as evidenced by costs savings achieved through pooled training/workforce development activities, and increases in employee retention, attendance, satisfaction, and productivity.

(v) Have a regional impact across more than 3 counties.

(b) Up to \$100,000.00 shall be allocated to 1 nonprofit organization to expand an existing workforce development program operated collaboratively with local businesses and educational institutions to link unemployed and dislocated workers with new market industries and to spur the development of small businesses. To be eligible for funding under this subdivision, a program must meet the following criteria:

(i) Provide low-wage, unemployed, and dislocated workers assistance in developing career pathways that provide education and career options for program participants to meet the workforce needs of new markets and in-demand occupations.

(ii) Provide educational programs and seminars that provide an introduction to the values and basic entrepreneurial skills necessary to successfully start a new business.

(iii) Provide programs that provide business incubation and support services, including entrepreneurial education and access to capital.

(iv) Provide program participants with job placement assistance, including on-the-job training, apprenticeships, and internships.

Sec. 815. Local Michigan works! agencies may utilize a portion of the funds received under part 1 for services provided by local libraries that serve as access points, service centers, or local partners serving high-demand service areas or underserved areas.

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

Sec. 817. It is the intent of the legislature that a portion of the workforce investment act, statewide activities funds be allocated to support coordinated efforts between local Michigan works! agencies and police and sheriff departments to create

programs that offer gang diversion activities and support services to at-risk youth in Wyoming, Benton Harbor, Saginaw, Mt. Morris Charter Township, and Detroit.

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

- (a) Involves prospective employers as community partners.
- (b) Retrains displaced workers for health care industry jobs including pharmacy technician and medical coding in programs that require participants to complete at least 90 hours of field experience.
- (c) Provides training at either no cost to participants or at a cost to participants of not more than 25% of the per student cost of offering the training program.
- (d) Demonstrates a placement rate of 80% or more.

Sec. 821. (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 cash or in-kind 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 or doctorate of nursing practice 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. 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) One or more grants may be awarded to health care research, training, or development agencies for the purpose of development, implementation, or training related to educational technologies, including simulation or other virtual educational methods for the purpose of building capacity to educate a continuous supply of nurses for Michigan's workforce.

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

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

(8) 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 \$500,000.00 and the tentative completion date is September 30, 2012. These funds shall be used in accordance with the requirements of the workforce investment act of 1998, Public Law 105-220.

Sec. 830. (1) Of the funds appropriated in part 1 for the workforce training programs subgrantees, the department shall provide a report by December 15 to the house and senate chairs of the subcommittees, the state budget director, 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 and the total funding allocated to the no-worker-left-behind program statewide by fund source.
- (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.

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

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

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

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

Sec. 832. 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.

#### **CAPITAL OUTLAY**

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

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

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

Second: That the House and Senate agree to the title of the bill to read as follows:

A bill to make appropriations for the department of energy, labor, and economic growth and certain other state purposes for the fiscal year ending September 30, 2011; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

Richard Hammel  
Jon Switalski  
Bill Rogers  
Conferees for the House

Mark Jansen  
Thomas M. George  
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

#### **Reports of Standing Committees**

The Committee on Great Lakes and Environment, by Rep. Warren, Chair, reported

#### **House Bill No. 5580, entitled**

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending sections 7a, 16, and 18 (MCL 252.307a, 252.316, and 252.318), section 7a as added by 2006 PA 447 and sections 16 and 18 as amended by 2006 PA 448.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

#### **Favorable Roll Call**

To Report Out:

Yeas: Reps. Warren, Nerat, Ebli, Kennedy, Leland, Roberts, Scripps and Rick Jones

Nays: Reps. Meekhof, Daley, Haveman and Pavlov

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Warren, Chair, of the Committee on Great Lakes and Environment, was received and read:

Meeting held on: Thursday, September 16, 2010

Present: Reps. Warren, Nerat, Bledsoe, Ebli, Kennedy, Leland, Meadows, Roberts, Scripps, Meekhof, Daley, Haveman, Rick Jones, Pavlov and Wayne Schmidt

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Melton, Chair, of the Committee on Education, was received and read:

Meeting held on: Thursday, September 16, 2010

Present: Reps. Melton, Lisa Brown, Bledsoe, Byrum, Corriveau, Geiss, Haase, Kennedy, Lindberg, Nathan, Roberts, Sheltrown, Valentine, Pavlov, Amash, Ball, McMillin, Pearce, Paul Scott, Tyler and Walsh

Absent: Reps. Polidori and DeShazor

Excused: Rep. Polidori

**Messages from the Senate****Senate Bill No. 1035, entitled**

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending section 3 (MCL 28.273), as amended by 2007 PA 76.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

**Senate Bill No. 1196, entitled**

A bill to amend 1967 PA 291, entitled "An act to authorize state universities and colleges to enact parking, traffic and pedestrian ordinances and to provide for the enforcement of the ordinances; and to dispose of fines collected," by amending section 2a (MCL 390.892a), as amended by 1998 PA 441.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Judiciary.

**Senate Bill No. 1267, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 21550 (MCL 324.21550), as amended by 2004 PA 390.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

**Senate Bill No. 1450, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30104b (MCL 324.30104b), as added by 2006 PA 592.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

**Senate Bill No. 1451, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30306b (MCL 324.30306b), as amended by 2009 PA 120; and to repeal acts and parts of acts.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.



### Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **Senate Bill No. 884**.

Rep. Angerer

### Introduction of Bills

Reps. Huckleberry, Liss, Nerat, Slezak, Barnett, Valentine, Bledsoe, Slavens, Cushingberry, Constan, Gonzales and Scripps introduced

**House Bill No. 6449, entitled**

A bill to amend 1974 PA 163, entitled "C.J.I.S. policy council act," by amending section 4 (MCL 28.214), as amended by 2005 PA 311.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Smith introduced

**House Bill No. 6450, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 33, 33e, 34, and 35 (MCL 791.233, 791.233e, 791.234, and 791.235), section 33 as amended by 1998 PA 320, section 33e as added by 1992 PA 181, section 34 as amended by 2006 PA 167, and section 35 as amended by 1998 PA 315, and by adding section 32a.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Agema, Rogers, Genetski, Rick Jones, Wayne Schmidt, Paul Scott, Caul, Proos, Knollenberg, Lund, DeShazor, Opsommer, Meekhof, Stamas, Green and Ball introduced

**House Bill No. 6451, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2008 PA 361.

The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Ball and Segal introduced

**House Bill No. 6452, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21529 (MCL 333.21529), as added by 2010 PA 23, and by adding section 21531; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on Health Policy.

Rep. Slavens introduced

**House Bill No. 6453, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 279.

The bill was read a first time by its title and referred to the Committee on Education.

Reps. Barnett, Haugh, Liss, Lipton, Clemente and Griffin introduced

**House Bill No. 6454, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 106, 108, 109, 202, 211, 541a, and 821 (MCL 450.1106, 450.1108, 450.1109, 450.1202, 450.1211, 450.1541a, and 450.1821), section 106 as amended by 2006 PA 68, sections 108, 202, and 821 as amended and section 541a as added by 1989 PA 121, section 109 as amended by 1993 PA 91, and section 211 as amended by 2008 PA 402.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Reps. Genetski, Hildenbrand, LeBlanc, Rick Jones, Agema, McMillin, Walsh, Crawford, Horn, Stamas and Opsommer introduced

**House Bill No. 6455, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 2002 PA 494.

The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Rep. Segal introduced

**House Bill No. 6456, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100d, 232a, 752, 754, 756, 757, 758, 772, 774, 776, 780, 784, and 786 (MCL 330.1100d, 330.1232a, 330.1752, 330.1754, 330.1756, 330.1757, 330.1758, 330.1772, 330.1774, 330.1776, 330.1780, 330.1784, and 330.1786), sections 100d, 232a, 756, 757, 758, 772, 774, 776, 780, 784, and 786 as added and section 752 as amended by 1995 PA 290 and section 754 as amended by 2006 PA 604; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Rep. Mayes introduced

**House Bill No. 6457, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2008 PA 337.

The bill was read a first time by its title and referred to the Committee on Agriculture.

Reps. Leland and Huckleberry introduced

**House Bill No. 6458, entitled**

A bill to amend 1981 PA 93, entitled "Michigan right to farm act," (MCL 286.471 to 286.474) by adding section 3a.

The bill was read a first time by its title and referred to the Committee on Urban Policy.

Rep. Angerer introduced

**House Bill No. 6459, entitled**

A bill to limit civil liability arising from motor vehicle racing events; to allow exculpatory agreements that limit liability arising from racing events; and to impose certain duties on organizers of racing events.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Polidori introduced

**House Bill No. 6460, entitled**

A bill to amend 1885 PA 152, entitled "An act to authorize the establishment of facilities for former members of the armed forces of the United States in the state of Michigan; to create funds; and to provide for the promulgation of rules," by amending section 11 (MCL 36.11), as amended by 1982 PA 391.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

Rep. Johnson introduced

**House Bill No. 6461, entitled**

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 10 (MCL 207.630), as amended by 2009 PA 156.

The bill was read a first time by its title and referred to the Committee on Appropriations.

---

Rep. Hammel moved that the House adjourn.

The motion prevailed, the time being 4:20 p.m.

Associate Speaker Pro Tempore Haase declared the House adjourned until Tuesday, September 21, at 10:00 a.m.

RICHARD J. BROWN  
Clerk of the House of Representatives

