



To: Members of the Public Policy Committee
Board of Commissioners

From: Janet Welch, Executive Director
Peter Cunningham, Director of Governmental Relations
Kathryn L. Hennessey, Public Policy Counsel

Date: May 7, 2019

Re: FY 2019-2020 Budget for the Michigan Indigent Defense Commission as contained
in SB 143 (S-1) and the Executive Budget Recommendation.

Background

In 2013, the Michigan Indigent Defense Commission Act (Act) was enacted as Public Act 93. That Act, supported by the State Bar of Michigan (SBM), created the Michigan Indigent Defense Commission (MIDC) and required the MIDC to develop standards for local indigent defense systems. Once those standards are approved, the local systems are required to develop compliance plans that include costs, and the state is obligated to fund any increased costs required to meet the new standards.

After the MIDC adopted the first four standards,¹ local systems developed and submitted compliance plans for MIDC approval, and now the state is required to fund the increased costs of implementing those compliance plans. FY 2018-19 is the first year that the state has provided funding to local indigent defense systems. SBM supported the Executive Budget Recommendation for FY 2018-2019 which was fully funded by the legislature.

¹ SBM supported the first four minimum standards, which are:

1. Education and Training of Defense Counsel - Requires defense counsel to know certain areas of the law including forensic and scientific issues, use applicable technologies, and annually complete continuing legal education courses.
2. Initial Review - Directs defense counsel to be prepared to interview and to evaluate client capability to participate in their representation after appointment of the counsel and before any court proceeding in a confidential setting.
3. Investigation and Experts - Obligates defense counsel to perform investigations, request funds when appropriate to retain a professional defense investigator, and to seek the assistance of experts if necessary.
4. Counsel at First Appearance and Other Critical Stages - Mandates that a defense counsel be assigned to a defendant as soon as the individual is determined to be indigent. Furthermore, counsel must also be provided to defendants at pretrial appearances and for other critical stages at all criminal proceedings.

For FY 2019-20, the Executive Budget Recommendation includes an \$83.7 million appropriation for the MIDC, most of which is to award grants to local indigent defense systems in support the four initial minimum standards. This is a \$5.9 million reduction from the current fiscal year because one-time costs, such as construction costs, were eliminated. The Governor’s recommendation also includes an increase of \$205,000 to centralize training and evaluations of attorneys who support indigent defendants in order to standardize statewide education for these services. This additional funding would allow the MIDC to comply with new legislatively-mandated duties to establish standards for MIDC-funded training and education and to measure the quality of training. 2018 PA 214.² The Senate version of the MIDC budget, SB 143 (S-1), contains this increase in funding for training and evaluation, but the House did not include this new funding in their initial budget in HB 4239 (H-2).

***Keller* Considerations**

SBM has a long history of supporting improvements to Michigan’s indigent defense system, including supporting the initial four minimum standards for indigent defense systems as well as the underlying legislation and the most recent amendments to the statute. The Executive Budget Recommendation would directly provide funding to improve the quality of legal services for indigent criminal defendants, including the newly appropriated \$205,000, which would provide for the development and implementation of a system for the evaluation of proposals for indigent defense training, regular assessment of training quality, and monitoring of attorney training compliance.

***Keller* Quick Guide**

THE TWO PERMISSIBLE SUBJECT-AREAS UNDER <i>KELLER</i>:	
Regulation of Legal Profession	Improvement in Quality of Legal Services
<p>As interpreted by AO 2004-1</p> <ul style="list-style-type: none"> • Regulation and discipline of attorneys • Ethics • Lawyer competency • Integrity of the Legal Profession • Regulation of attorney trust accounts 	<ul style="list-style-type: none"> • Improvement in functioning of the courts ✓ Availability of legal services to society

Staff Recommendation

The bill satisfies the requirements of *Keller* and may be considered on its merits.

² SBM supported the 2018 amendments to the Act.

Senate Bill 0143 (2019) rss?

Friendly Link: <http://legislature.mi.gov/doc.aspx?2019-SB-0143>

Sponsor

Aric Nesbitt (district 26)
(click name to see bills sponsored by that person)

Categories

Appropriations: zero budget; Appropriations: licensing and regulatory affairs;

Appropriations; zero budget; department of licensing and regulatory affairs; provide for fiscal year 2019-2020. Creates appropriation act.

Bill Documents

Bill Document Formatting Information

[x]

The following bill formatting applies to the 2019-2020 session:

- New language in an amendatory bill will be shown in **BOLD AND UPPERCASE**.
- Language to be removed will be ~~stricken~~.
- Amendments made by the House will be blue with square brackets, such as: [House amended text].
- Amendments made by the Senate will be red with double greater/lesser than symbols, such as: <<Senate amended text>>.

(gray icons indicate that the action did not occur or that the document is not available)

Documents



Senate Introduced Bill

Introduced bills appear as they were introduced and reflect no subsequent amendments or changes.



As Passed by the Senate

As Passed by the Senate is the bill, as introduced, that includes any adopted Senate amendments.



As Passed by the House

As Passed by the House is the bill, as received from the Senate, that includes any adopted House amendments.



Senate Enrolled Bill

Enrolled bill is the version passed in identical form by both houses of the Legislature.

Bill Analysis

Senate Fiscal Analysis



SENATE SUBCOMMITTEE REC. (Date Completed: 4-25-19)

This document analyzes: SB0143



SENATE APPROPRIATIONS REC. (Date Completed: 4-30-19)

This document analyzes: SB0143

History

(House actions in lowercase, Senate actions in UPPERCASE)

Date ▲	Journal	Action
2/28/2019	SJ 21 Pg. 186	INTRODUCED BY SENATOR ARIC NESBITT

2/28/2019 SJ 21 Pg. 186 REFERRED TO COMMITTEE ON APPROPRIATIONS
5/7/2019 SJ 43 Pg. 445 REPORTED FAVORABLY WITH SUBSTITUTE S-1
5/7/2019 SJ 43 Pg. 445 COMMITTEE RECOMMENDED IMMEDIATE EFFECT
5/7/2019 SJ 43 Pg. 445 REFERRED TO COMMITTEE OF THE WHOLE WITH SUBSTITUTE S-1

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Department of Licensing and Regulatory Affairs

Governor's Recommended Budget for Fiscal Years 2020 and 2021

The Department of Licensing and Regulatory Affairs (LARA) serves as the state's primary regulatory agency, providing oversight for a wide range of program areas, including health and child care, business, construction, employment, energy, marijuana, indigent criminal defense, liquor, and professional occupations.

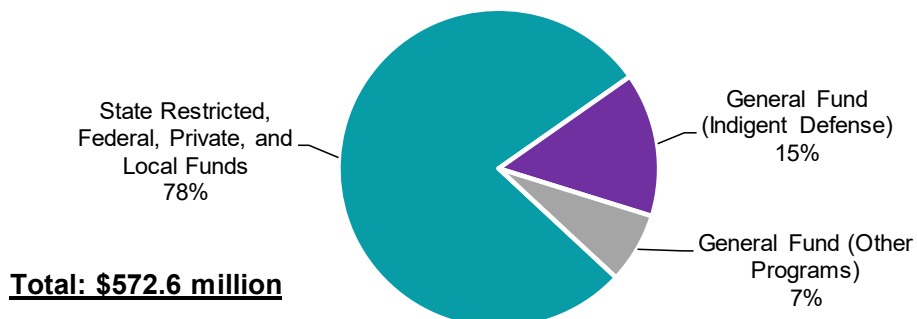
The Governor's recommended budget for fiscal year 2020 includes total ongoing funding of \$572.1 million, of which \$124.3 million is from the state's general fund. The Governor also recommends \$520,000 in one-time funding in fiscal year 2020, all of which is from federal funds.

Highlights

The Governor's recommended budget provides:

- ♦ **\$83.7 million for Indigent Criminal Defense** (\$83.5 million general fund) for 134 trial court funding units to meet the ongoing requirements established under a statutory process for the effective assistance of counsel. While total costs are down \$5.9 million from the fiscal year 2019 level, an increase of \$205,200 is recommended to centralize training and evaluations of attorneys who support indigent defendants in order to standardize statewide education for these services.
- ♦ **\$47.3 million for Marijuana Regulation** (all funded from restricted revenues) to administer the state's medical and recreational marijuana laws. In accordance with Initiated Law 1 of 2018, \$20 million is allocated to support research for veteran medical conditions and preventing veteran suicide.

Over Three-Quarters of the LARA Budget is Supported With Restricted Sources



Continuing Funding

Beyond the highlights above, the Governor's recommended budget reflects the following:

- ♦ **\$29.3 million for Refugee Support** to reflect the incorporation of services that were transferred from the Department of Health and Human Services to the Michigan Office for New Americans. This includes a total of \$3.8 million in federal funds to increase support for unaccompanied minors, and \$520,000 in one-time funds for information technology enhancements.
- ♦ **Removal of the First Responder Presumed Coverage Fund** due to the elimination of the 3% excise tax on medical marijuana sales with the passage of Initiated Law 1 of 2018. Work project reserves will continue to support the program until a new dedicated revenue source can be identified.

Department of Licensing and Regulatory Affairs
Governor's Recommended Budget for Fiscal Years 2020 and 2021
 \$ in Thousands

FY 2020 Adjustments

	<u>GF/GP</u>	<u>GROSS</u>
FY 2019 Current Law	\$135,670.3	\$526,712.2
Removal of FY 2019 One-Time Funding	(\$6,200.0)	(\$6,200.0)
FY 2020 Ongoing Investments		
Michigan Indigent Defense Commission - Statewide training evaluation	\$205.2	\$205.2
FY 2020 Reductions		
None recommended	\$0.0	\$0.0
FY 2020 Baseline Adjustments		
Michigan Indigent Defense Commission - Removal of One-Time Costs	(\$5,850.4)	(\$5,850.4)
Medical and Recreational Marijuana Regulation	\$0.0	\$6,900.0
Veterans Treatment Research - Initiated Law 1 of 2018	\$0.0	\$20,000.0
First Responder Presumed Coverage Fund - Remove Excise Tax	\$0.0	(\$5,445.0)
Incorporation of Refugee Services from the Department of Health and Human Services	\$0.0	\$28,769.0
Firefighter Training and Testing Enhancements	\$0.0	\$1,089.9
Employee Payroll Related Adjustments	\$443.0	\$5,083.4
Other Technical Adjustments	\$0.0	\$828.2
FY 2020 Total Executive Recommendation - Ongoing Funding	\$124,268.1	\$572,092.5
FY 2020 One-Time Investments		
Michigan Office for New Americans - Refugee services database	\$0.0	\$520.0
FY 2020 Total Executive Recommendation - One-Time Funding	\$0.0	\$520.0
FY 2020 Total Executive Recommendation - Ongoing and One-Time	\$124,268.1	\$572,612.5
\$ Change from FY 2019 - Total Funding	(\$11,402.2)	\$45,900.3
% Change from FY 2019 - Total Funding	(8.4%)	8.7%

FY 2021 Adjustments

	<u>GF/GP</u>	<u>GROSS</u>
FY 2020 Total Executive Recommendation	\$124,268.1	\$572,612.5
Removal of FY 2020 One-Time Funding	\$0.0	(\$520.0)
FY 2021 Baseline Adjustments - Remove FY 2020 one-time employee salary increase	(\$325.7)	(\$2,926.4)
FY 2021 Total Executive Recommendation	\$123,942.4	\$569,166.1
\$ Change from FY 2020 - Total Funding	(\$325.7)	(\$3,446.4)
% Change from FY 2020 - Total Funding	(0.3%)	(0.6%)

**SUBSTITUTE FOR
SENATE BILL NO. 143**

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2020; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2020, from the following funds:

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

APPROPRIATION SUMMARY

Full-time equated unclassified positions..... 57.5

Full-time equated classified positions..... 2,346.3

GROSS APPROPRIATION..... \$ 571,864,840

1	Interdepartmental grant revenues:	
2	IDG from MDE, child care licensing.....	18,096,700
3	IDG from MDIFS, accounting services.....	150,000
4	IDG from MDTED, unemployment hearings.....	4,943,100
5	IDG revenues, administrative hearings and rules.....	25,824,400
6	Total interdepartmental grants and intradepartmental	
7	transfers	49,014,200
8	ADJUSTED GROSS APPROPRIATION.....	\$ 522,850,640
9	Federal revenues:	
10	DED, vocational rehabilitation and independent living	20,588,200
11	DHS, fire training systems.....	528,000
12	DOE, heating oil and propane.....	3,864,200
13	DOL, occupational safety and health.....	13,472,200
14	DOT, gas pipeline safety.....	2,278,500
15	DOT, hazardous materials training and planning.....	60,000
16	EPA, underground storage tanks.....	933,600
17	HHS, mammography quality standards.....	513,300
18	HHS, refugee assistance program fund.....	29,289,000
19	HHS-Medicaid, certification of health care providers	
20	and suppliers	9,239,800
21	HHS-Medicare, certification of health care providers	
22	and suppliers	15,085,700
23	Total federal revenues.....	95,852,500
24	Special revenue funds:	
25	Blind services, local.....	100,000
26	Total local revenues.....	100,000
27	Blind services, private.....	111,800

1	Private funds.....	140,000
2	Total private revenues.....	251,800
3	Aboveground storage tank fees.....	350,000
4	Accountancy enforcement fund.....	756,800
5	Administrative hearings and rules.....	12,249,000
6	Adult foster care facilities licenses fund.....	410,000
7	Asbestos abatement fund.....	1,000,000
8	Boiler inspection fund.....	4,016,800
9	Builder enforcement fund.....	745,700
10	Child care home and center licenses fund.....	500,000
11	Construction code fund.....	9,564,600
12	Corporation fees.....	27,706,200
13	Direct shipper enforcement revolving fund.....	302,300
14	Distance education fund.....	363,300
15	Division on deafness fund.....	93,400
16	Elevator fees.....	5,129,500
17	Fire alarm fees.....	137,300
18	Fire safety standard and enforcement fund.....	45,600
19	Fire service fees.....	3,249,500
20	Fireworks safety fund.....	3,407,900
21	Health professions regulatory fund.....	27,303,300
22	Health systems fees.....	4,432,600
23	Licensing and regulation fund.....	14,805,800
24	Liquor control enforcement and license investigation	
25	revolving fund	175,000
26	Liquor license fee enhancement fund.....	76,400
27	Liquor license revenue.....	16,390,000

1	Liquor purchase revolving fund.....	19,662,200
2	Local indigent defense reimbursement.....	200,000
3	Marihuana registry fund.....	9,070,800
4	Marihuana regulation fund.....	26,000,000
5	Marihuana regulatory fund.....	12,140,500
6	Michigan business enterprise program fund.....	350,000
7	Michigan unarmed combat fund.....	138,900
8	Mobile home code fund.....	3,517,100
9	Nurse aid registration fund.....	600,000
10	Nurse professional fund.....	2,004,000
11	Nursing home administrative penalties.....	100,000
12	PMECSEMA fund.....	1,972,100
13	Private occupational school license fees.....	564,600
14	Property development fees.....	300,000
15	Public utility assessments.....	36,166,400
16	Radiological health fees.....	3,270,100
17	Real estate appraiser education fund.....	69,300
18	Real estate education fund.....	359,300
19	Real estate enforcement fund.....	715,800
20	Refined petroleum fund.....	3,000,000
21	Restructuring mechanism assessments.....	622,200
22	Retired engineers technical assistance program fund..	498,200
23	Safety education and training fund.....	11,304,300
24	Second injury fund.....	3,000,000
25	Securities fees.....	18,556,000
26	Securities investor education and training fund.....	500,000
27	Security business fund.....	241,400

1	Self-insurers security fund.....		2,012,700
2	Silicosis and dust disease fund.....		888,200
3	Survey and remonumentation fund.....		8,345,700
4	Tax tribunal fund.....		1,008,800
5	Utility consumer representation fund.....		804,000
6	Worker's compensation administrative revolving fund..		1,932,300
7	Total other state restricted revenues.....		303,125,900
8	State general fund/general purpose.....	\$	123,520,440
9	Sec. 102. DEPARTMENTAL ADMINISTRATION		
10	Full-time equated unclassified positions.....	57.5	
11	Full-time equated classified positions.....	104.0	
12	Unclassified salaries--57.5 FTE positions.....		\$ 5,309,100
13	Administrative services--80.0 FTE positions.....		9,361,100
14	Executive director programs--24.0 FTE positions.....		3,337,000
15	Property management.....		11,903,000
16	Worker's compensation.....		<u>232,700</u>
17	GROSS APPROPRIATION.....		\$ 30,142,900
18	Appropriated from:		
19	Interdepartmental grant revenues:		
20	IDG from MDIFS, accounting services.....		150,000
21	IDG from MDTED, unemployment hearings.....		625,400
22	Federal revenues:		
23	DED, vocational rehabilitation and independent living		921,600
24	DOE, heating oil and propane.....		30,000
25	DOL, occupational safety and health.....		713,600
26	EPA, underground storage tanks.....		29,000
27	HHS-Medicaid, certification of health care providers		

1	and suppliers	405,200
2	HHS-Medicare, certification of health care providers	
3	and suppliers	589,300
4	Special revenue funds:	
5	Aboveground storage tank fees.....	92,400
6	Accountancy enforcement fund.....	60,900
7	Asbestos abatement fund.....	150,900
8	Boiler inspection fund.....	280,300
9	Builder enforcement fund.....	101,700
10	Construction code fund.....	772,600
11	Corporation fees.....	5,757,100
12	Elevator fees.....	304,200
13	Fire alarm fees.....	7,300
14	Fire safety standard and enforcement fund.....	2,100
15	Fire service fees.....	459,300
16	Fireworks safety fund.....	60,100
17	Health professions regulatory fund.....	1,625,900
18	Health systems fees.....	244,200
19	Licensing and regulation fund.....	902,400
20	Liquor license revenue.....	300,000
21	Liquor purchase revolving fund.....	3,647,200
22	Marihuana registry fund.....	720,500
23	Marihuana regulatory fund.....	422,000
24	Michigan unarmed combat fund.....	5,900
25	Mobile home code fund.....	283,800
26	Nurse professional fund.....	38,200
27	PMECSEMA fund.....	45,800

1	Private occupational school license fees.....	55,500
2	Property development fees.....	7,400
3	Public utility assessments.....	2,998,500
4	Radiological health fees.....	284,900
5	Real estate appraiser education fund.....	2,600
6	Real estate education fund.....	11,100
7	Real estate enforcement fund.....	11,400
8	Refined petroleum fund.....	173,300
9	Restructuring mechanism assessments.....	32,300
10	Retired engineers technical assistance program fund..	7,000
11	Safety education and training fund.....	828,300
12	Second injury fund.....	272,800
13	Securities fees.....	3,639,400
14	Securities investor education and training fund.....	9,300
15	Security business fund.....	7,000
16	Self-insurers security fund.....	150,000
17	Silicosis and dust disease fund.....	111,300
18	Survey and remonumentation fund.....	97,600
19	Tax tribunal fund.....	825,300
20	Utility consumer representation fund.....	54,000
21	Worker's compensation administrative revolving fund..	90,100
22	State general fund/general purpose.....	\$ 724,900
23	Sec. 103. ENERGY AND UTILITY PROGRAMS	
24	Full-time equated classified positions.....	209.0
25	Michigan agency for energy--27.0 FTE positions.....	\$ 7,318,800
26	Public service commission--182.0 FTE positions.....	<u>32,171,100</u>
27	GROSS APPROPRIATION.....	\$ 39,489,900

1	Appropriated from:		
2	Federal revenues:		
3	DOE, heating oil and propane.....		3,810,200
4	DOT, gas pipeline safety.....		2,233,500
5	Special revenue funds:		
6	Private funds.....		140,000
7	Public utility assessments.....		31,701,500
8	Restructuring mechanism assessments.....		561,800
9	Retired engineers technical assistance program fund..		491,200
10	State general fund/general purpose.....	\$	551,700
11	Sec. 104. LIQUOR CONTROL COMMISSION		
12	Full-time equated classified positions.....	145.0	
13	Liquor licensing and enforcement--116.0 FTE positions	\$	16,243,700
14	Management support services--29.0 FTE positions.....		<u>4,564,100</u>
15	GROSS APPROPRIATION.....	\$	20,807,800
16	Appropriated from:		
17	Special revenue funds:		
18	Direct shipper enforcement revolving fund.....		302,300
19	Liquor control enforcement and license investigation		
20	revolving fund		175,000
21	Liquor license fee enhancement fund.....		76,400
22	Liquor license revenue.....		7,690,000
23	Liquor purchase revolving fund.....		12,564,100
24	State general fund/general purpose.....	\$	0
25	Sec. 105. OCCUPATIONAL REGULATION		
26	Full-time equated classified positions.....	1,161.9	
27	Bureau of community and health systems--426.9 FTE		

1	positions	\$	64,565,800
2	Bureau of construction codes--189.0 FTE positions		24,769,300
3	Bureau of fire services--79.0 FTE positions		12,026,200
4	Bureau of marihuana regulation--150.0 FTE positions ..		22,008,500
5	Bureau of professional licensing--205.0 FTE positions		40,091,300
6	Corporations, securities, and commercial licensing		
7	bureau--112.0 FTE positions		14,917,400
8	Marihuana treatment research.....		<u>20,000,000</u>
9	GROSS APPROPRIATION.....	\$	198,378,500
10	Appropriated from:		
11	Interdepartmental grant revenues:		
12	IDG from MDE, child care licensing.....		18,096,700
13	Federal revenues:		
14	DHS, fire training systems.....		528,000
15	DOT, hazardous materials training and planning.....		60,000
16	EPA, underground storage tanks.....		804,400
17	HHS-Medicaid, certification of health care providers		
18	and suppliers		8,497,200
19	HHS-Medicare, certification of health care providers		
20	and suppliers		13,854,500
21	Special revenue funds:		
22	Aboveground storage tank fees.....		223,000
23	Accountancy enforcement fund.....		694,800
24	Adult foster care facilities license fund.....		410,000
25	Boiler inspection fund.....		3,397,700
26	Builder enforcement fund.....		644,000
27	Child care home and center licenses fund.....		500,000

1	Construction code fund.....	8,013,200
2	Corporation fees.....	7,236,000
3	Distance education fund.....	357,700
4	Division on deafness fund.....	93,400
5	Elevator fees.....	4,348,400
6	Fire alarm fees.....	130,000
7	Fire safety standard and enforcement fund.....	40,500
8	Fire service fees.....	2,591,000
9	Fireworks safety fund.....	1,000,600
10	Health professions regulatory fund.....	24,389,700
11	Health systems fees.....	3,840,200
12	Licensing and regulation fund.....	12,001,700
13	Liquor purchase revolving fund.....	144,700
14	Marihuana registry fund.....	5,040,000
15	Marihuana regulation fund.....	26,000,000
16	Marihuana regulatory fund.....	11,468,500
17	Michigan unarmed combat fund.....	126,200
18	Mobile home code fund.....	3,061,900
19	Nurse aid registration fund.....	600,000
20	Nurse professional fund.....	1,965,800
21	Nursing home administrative penalties.....	100,000
22	PMECSEMA fund.....	1,857,700
23	Private occupational school license fees.....	487,200
24	Property development fees.....	292,600
25	Real estate appraiser education fund.....	65,700
26	Real estate education fund.....	346,300
27	Real estate enforcement fund.....	704,400

1	Refined petroleum fund.....		2,655,900
2	Securities fees.....		4,840,300
3	Securities investor education and training fund.....		489,700
4	Security business fund.....		234,400
5	Survey and remonumentation fund.....		874,000
6	State general fund/general purpose.....	\$	25,270,500
7	Sec. 106. EMPLOYMENT SERVICES		
8	Full-time equated classified positions.....	470.4	
9	Bureau of employment relations--22.0 FTE positions ...	\$	4,357,000
10	Bureau of services for blind persons--113.0 FTE		
11	positions		25,035,400
12	Compensation supplement fund.....		1,820,000
13	Insurance funds administration--23.0 FTE positions ...		4,665,600
14	Michigan occupational safety and health		
15	administration--218.4 FTE positions.....		33,199,100
16	Office for new Americans--9.0 FTE positions		29,240,000
17	Wage and hour program--29.0 FTE positions		3,897,500
18	Workers' compensation agency--56.0 FTE positions		<u>8,006,300</u>
19	GROSS APPROPRIATION.....	\$	110,220,900
20	Appropriated from:		
21	Federal revenues:		
22	DED, vocational rehabilitation and independent living		18,916,800
23	DOL, occupational safety and health.....		12,231,300
24	HHS, mammography quality standards.....		513,300
25	HHS, refugee assistance program fund.....		28,769,000
26	Special revenue funds:		
27	Asbestos abatement fund.....		813,700

1	Blind services, local.....	100,000
2	Blind services, private.....	111,800
3	Corporation fees.....	9,761,700
4	Michigan business enterprise program fund.....	350,000
5	Radiological health fees.....	2,841,900
6	Safety education and training fund.....	10,071,800
7	Second injury fund.....	2,363,100
8	Securities fees.....	8,933,800
9	Self-insurers security fund.....	1,604,000
10	Silicosis and dust disease fund.....	698,500
11	Worker's compensation administrative revolving fund..	1,702,900
12	State general fund/general purpose.....	\$ 10,437,300
13	Sec. 107. MICHIGAN ADMINISTRATIVE HEARING SYSTEM	
14	Full-time equated classified positions.....	236.0
15	Michigan administrative hearing system--218.0 FTE	
16	positions	\$ 38,919,700
17	Michigan compensation appellate commission--18.0 FTE	
18	positions	<u>4,660,500</u>
19	GROSS APPROPRIATION.....	\$ 43,580,200
20	Appropriated from:	
21	Interdepartmental grant revenues:	
22	IDG from MDTED, unemployment hearings.....	4,317,700
23	IDG revenues, administrative hearings and rules.....	25,824,400
24	Federal revenues:	
25	DOL, occupational safety and health.....	154,200
26	Special revenue funds:	
27	Administrative hearings and rules.....	12,249,000

1	Corporation fees.....		203,500
2	Worker's compensation administrative revolving fund..		139,300
3	State general fund/general purpose.....	\$	692,100
4	Sec. 108. COMMISSIONS		
5	Full-time equated classified positions.....	20.0	
6	Asian Pacific American affairs commission--1.0 FTE		
7	position	\$	134,800
8	Commission on Middle Eastern American affairs--1.0 FTE		
9	position		122,640
10	Hispanic/Latino commission of Michigan--1.0 FTE		
11	position		285,200
12	Michigan indigent defense commission--17.0 FTE		
13	positions		<u>2,654,400</u>
14	GROSS APPROPRIATION.....	\$	3,197,040
15	Appropriated from:		
16	State general fund/general purpose.....	\$	3,197,040
17	Sec. 109. DEPARTMENT GRANTS		
18	Firefighter training grants.....	\$	2,300,000
19	Liquor law enforcement grants.....		8,400,000
20	Medical marihuana operation and oversight grants.....		3,000,000
21	Michigan indigent defense commission grants.....		80,999,600
22	Remonumentation grants.....		7,300,000
23	Subregional libraries state aid.....		451,800
24	Utility consumer representation fund.....		<u>750,000</u>
25	GROSS APPROPRIATION.....	\$	103,201,400
26	Appropriated from:		
27	Special revenue funds:		

1	Fireworks safety fund.....	2,300,000
2	Liquor license revenue.....	8,400,000
3	Local indigent defense reimbursement.....	200,000
4	Marihuana registry fund.....	3,000,000
5	Survey and remonumentation fund.....	7,300,000
6	Utility consumer representation fund.....	750,000
7	State general fund/general purpose.....	\$ 81,251,400
8	Sec. 110. INFORMATION TECHNOLOGY	
9	Information technology services and projects.....	\$ <u>22,326,200</u>
10	GROSS APPROPRIATION.....	\$ 22,326,200
11	Appropriated from:	
12	Federal revenues:	
13	DED, vocational rehabilitation and independent living	749,800
14	DOE, heating oil and propane.....	24,000
15	DOL, occupational safety and health.....	373,100
16	DOT, gas pipeline safety.....	45,000
17	EPA, underground storage tanks.....	100,200
18	HHS-Medicaid, certification of health care providers	
19	and suppliers	337,400
20	HHS-Medicare, certification of health care providers	
21	and suppliers	641,900
22	Special revenue funds:	
23	Aboveground storage tank fees.....	34,600
24	Accountancy enforcement fund.....	1,100
25	Asbestos abatement fund.....	35,400
26	Boiler inspection fund.....	338,800
27	Construction code fund.....	778,800

1	Corporation fees.....	4,747,900
2	Distance education fund.....	5,600
3	Elevator fees.....	476,900
4	Fire safety standard and enforcement fund.....	3,000
5	Fire service fees.....	199,200
6	Fireworks safety fund.....	47,200
7	Health professions regulatory fund.....	1,287,700
8	Health systems fees.....	348,200
9	Licensing and regulation fund.....	1,901,700
10	Liquor purchase revolving fund.....	3,306,200
11	Marihuana registry fund.....	310,300
12	Marihuana regulatory fund.....	250,000
13	Michigan unarmed combat fund.....	6,800
14	Mobile home code fund.....	171,400
15	PMECSEMA fund.....	68,600
16	Private occupational school license fees.....	21,900
17	Public utility assessments.....	1,466,400
18	Radiological health fees.....	143,300
19	Real estate appraiser education fund.....	1,000
20	Real estate education fund.....	1,900
21	Refined petroleum fund.....	170,800
22	Restructuring mechanism assessments.....	28,100
23	Safety education and training fund.....	404,200
24	Second injury fund.....	364,100
25	Securities fees.....	1,142,500
26	Securities investor education and training fund.....	1,000
27	Self-insurers security fund.....	258,700

1	Silicosis and dust disease fund.....		78,400
2	Survey and remonumentation fund.....		74,100
3	Tax tribunal fund.....		183,500
4	State general fund/general purpose.....	\$	1,395,500
5	Sec. 111. ONE-TIME BASIS ONLY		
6	Refugee assistance program fund.....	\$	<u>520,000</u>
7	GROSS APPROPRIATION.....	\$	520,000
8	Appropriated from:		
9	Federal revenues:		
10	HHS, refugee assistance program fund.....		520,000
11	State general fund/general purpose.....	\$	0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

FOR FISCAL YEAR 2019-2020

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state sources under part 1 for fiscal year 2019-2020 is \$426,646,340.00 and state spending from state sources to be paid to local units of government for fiscal year 2019-2020 is \$102,451,400.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

24	Firefighter training grants.....	\$	2,300,000
25	Liquor law enforcement grants.....		8,400,000

1	Medical marihuana operation and oversight grants	3,000,000
2	Michigan indigent defense commission grants	80,999,600
3	Remonumentation grants	7,300,000
4	Subregional libraries state aid	<u>451,800</u>
5	Total department of licensing and regulatory affairs .	\$ 102,451,400

6 Sec. 202. The appropriations authorized under part 1 are
7 subject to the management and budget act, 1984 PA 431, MCL 18.1101
8 to 18.1594.

9 Sec. 203. As used in this part and part 1:

10 (a) "DED" means the United States Department of Education.

11 (b) "Department" means the department of licensing and
12 regulatory affairs.

13 (c) "DHS" means the United States Department of Homeland
14 Security.

15 (d) "DIFS" means the department of insurance and financial
16 services.

17 (e) "Director" means the director of the department.

18 (f) "DOE" means the United States Department of Energy.

19 (g) "DOL" means the United States Department of Labor.

20 (h) "DOT" means the United States Department of
21 Transportation.

22 (i) "EPA" means the United States Environmental Protection
23 Agency.

24 (j) "FOIA" means the freedom of information act, 1976 PA 442,
25 MCL 15.231 to 15.246.

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

27 (l) "HHS" means the United States Department of Health and

1 Human Services.

2 (m) "IDG" means interdepartmental grant.

3 (n) "IT" means information technology.

4 (o) "MDE" means the Michigan department of education.

5 (p) "PMECSEMA" means pain management education and controlled
6 substances electronic monitoring and antidiversion.

7 (q) "Subcommittees" means the subcommittees of the house and
8 senate appropriations committees with jurisdiction over the budget
9 for the department.

10 (r) "TED" means the Michigan department of talent and economic
11 development.

12 Sec. 204. The department and agencies receiving appropriations
13 in part 1 shall use the internet to fulfill the reporting
14 requirements of this part. This requirement may include
15 transmission of reports via electronic mail to the recipients
16 identified for each reporting requirement, or it may include
17 placement of reports on an internet or intranet site.

18 Sec. 205. Funds appropriated in part 1 shall not be used for
19 the purchase of foreign goods or services, or both, if
20 competitively priced and of comparable quality American goods or
21 services, or both, are available. Preference shall be given to
22 goods or services, or both, manufactured or provided by Michigan
23 businesses, if they are competitively priced and of comparable
24 quality. In addition, preference shall be given to goods or
25 services, or both, that are manufactured or provided by Michigan
26 businesses owned and operated by veterans, if they are
27 competitively priced and of comparable quality.

1 Sec. 206. The director shall take all reasonable steps to
2 ensure businesses in deprived and depressed communities compete for
3 and perform contracts to provide services or supplies, or both. The
4 director shall strongly encourage firms with which the department
5 contracts to subcontract with certified businesses in depressed and
6 deprived communities for services, supplies, or both.

7 Sec. 207. (1) Out-of-state travel shall be limited to
8 situations when travel is approved by a departmental employee's
9 immediate supervisor and in which 1 or more of the following
10 conditions apply:

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

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

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

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

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

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

25 (2) The department shall not approve the travel of more than 1
26 departmental employee to a specific professional development
27 conference or training seminar that is located outside of this

1 state unless a professional development conference or training
2 seminar is funded by a federal or private funding source and
3 requires more than 1 individual from the department to attend, or
4 the conference or training seminar includes multiple issues in
5 which 1 employee from the department does not have expertise.

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

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

16 (b) The destination of each travel occurrence.

17 (c) The dates of each travel occurrence.

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

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

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

27 Sec. 208. Funds appropriated in part 1 shall not be used by a

1 principal executive department, state agency, or authority to hire
2 a person to provide legal services that are the responsibility of
3 the attorney general. This prohibition does not apply to legal
4 services for bonding activities and for those outside services that
5 the attorney general authorizes.

6 Sec. 209. Not later than November 30, the state budget office
7 shall prepare and transmit a report that provides for estimates of
8 the total general fund/general purpose appropriation lapses at the
9 close of the prior fiscal year. This report shall summarize the
10 projected year-end general fund/general purpose appropriation
11 lapses by major departmental program or program areas. The report
12 shall be transmitted to the chairpersons of the senate and house
13 appropriations committees and the senate and house fiscal agencies.

14 Sec. 211. The department shall cooperate with the department
15 of technology, management, and budget to maintain a searchable
16 website accessible by the public at no cost that includes, but is
17 not limited to, all of the following for the department and each
18 agency:

19 (a) Fiscal year-to-date expenditures by category.

20 (b) Fiscal year-to-date expenditures by appropriation unit.

21 (c) Fiscal year-to-date payments to a selected vendor,
22 including the vendor name, payment date, payment amount, and
23 payment description.

24 (d) The number of active department employees by job
25 classification.

26 (e) Job specifications and wage rates.

27 Sec. 212. Within 14 days after the release of the executive

1 budget recommendation, the department shall cooperate with the
2 state budget office to provide the senate and house appropriations
3 chairs, the senate and house appropriations subcommittees chairs,
4 and the senate and house fiscal agencies with an annual report on
5 estimated state restricted fund balances, state restricted fund
6 projected revenues, and state restricted fund expenditures for the
7 fiscal years ending September 30, 2019 and September 30, 2020.

8 Sec. 213. The department shall maintain, on a publicly
9 accessible website, a department scorecard that identifies, tracks,
10 and regularly updates key metrics that are used to monitor and
11 improve the department's performance.

12 Sec. 214. Total authorized appropriations from all sources
13 under part 1 for legacy costs for the fiscal year ending September
14 30, 2020 are estimated at \$54,351,800.00. From this amount, total
15 agency appropriations for pension-related legacy costs are
16 estimated at \$26,421,700.00. Total agency appropriations for
17 retiree health care legacy costs are estimated at \$27,930,100.00.

18 Sec. 215. Unless prohibited by law, the department may accept
19 credit card or other electronic means of payment for licenses,
20 fees, or permits.

21 Sec. 218. The department shall not take disciplinary action
22 against an employee for communicating with a member of the
23 legislature or his or her staff.

24 Sec. 219. The department shall not develop or produce any
25 television or radio productions.

26 Sec. 220. The department, in conjunction with the department
27 of health and human services, shall maintain an accounting

1 structure within this state's accounting system that will allow
2 expenditures associated with the administration of the Healthy
3 Michigan plan to be identified.

4 Sec. 221. The department may carry into the succeeding fiscal
5 year unexpended federal pass-through funds to local institutions
6 and governments that do not require additional state matching
7 funds. Federal pass-through funds to local institutions and
8 governments that are received in amounts in addition to those
9 included in part 1 and that do not require additional state
10 matching funds are appropriated for the purposes intended. Within
11 14 days after the receipt of federal pass-through funds, the
12 department shall notify the house and senate chairpersons of the
13 subcommittees, the senate and house fiscal agencies, and the state
14 budget director of pass-through funds appropriated under this
15 section.

16 Sec. 222. (1) Grants supported with private revenues received
17 by the department are appropriated upon receipt and are available
18 for expenditure by the department, subject to subsection (3), for
19 purposes specified within the grant agreement and as permitted
20 under state and federal law.

21 (2) Within 10 days after the receipt of a private grant
22 appropriated in subsection (1), the department shall notify the
23 house and senate chairpersons of the subcommittees, the senate and
24 house fiscal agencies, and the state budget director of the receipt
25 of the grant, including the fund source, purpose, and amount of the
26 grant.

27 (3) The amount appropriated under subsection (1) shall not

1 exceed \$1,500,000.00.

2 Sec. 223. (1) The department may charge registration fees to
3 attendees of informational, training, or special events sponsored
4 by the department, and related to activities that are under the
5 department's purview.

6 (2) These fees shall reflect the costs for the department to
7 sponsor the informational, training, or special events.

8 (3) Revenue generated by the registration fees is appropriated
9 upon receipt and available for expenditure to cover the
10 department's costs of sponsoring informational, training, or
11 special events.

12 (4) Revenue generated by registration fees in excess of the
13 department's costs of sponsoring informational, training, or
14 special events shall carry forward to the subsequent fiscal year
15 and not lapse to the general fund.

16 (5) The amount appropriated under subsection (3) shall not
17 exceed \$500,000.00.

18 Sec. 224. The department may make available to interested
19 entities otherwise unavailable customized listings of
20 nonconfidential information in its possession, such as names and
21 addresses of licensees. The department may establish and collect a
22 reasonable charge to provide this service. The revenue received
23 from this service is appropriated when received and shall be used
24 to offset expenses to provide the service. Any balance of this
25 revenue collected and unexpended at the end of the fiscal year
26 shall lapse to the appropriate restricted fund.

27 Sec. 225. (1) The department shall sell documents at a price

1 not to exceed the cost of production and distribution. Money
2 received from the sale of these documents shall revert to the
3 department. In addition to the funds appropriated in part 1, these
4 funds are available for expenditure when they are received by the
5 department of treasury. This subsection applies only for the
6 following documents:

7 (a) Corporation and securities division documents, reports,
8 and papers required or permitted by law pursuant to section 1060(6)
9 of the business corporation act, 1972 PA 284, MCL 450.2060.

10 (b) The Michigan liquor control code of 1998, 1998 PA 58, MCL
11 436.1101 to 436.2303.

12 (c) The mobile home commission act, 1987 PA 96, MCL 125.2301
13 to 125.2350; the business corporation act, 1972 PA 284, MCL
14 450.1101 to 450.2098; the nonprofit corporation act, 1982 PA 162,
15 MCL 450.2101 to 450.3192; and the uniform securities act (2002),
16 2008 PA 551, MCL 451.2101 to 451.2703.

17 (d) Worker's compensation health care services rules.

18 (e) Construction code manuals.

19 (f) Copies of transcripts from administrative law hearings.

20 (2) In addition to the funds appropriated in part 1, funds
21 appropriated for the department under sections 57, 58, and 59 of
22 the administrative procedures act of 1969, 1969 PA 306, MCL 24.257,
23 24.258, and 24.259, and section 203 of the legislative council act,
24 1986 PA 268, MCL 4.1203, are appropriated for all expenses
25 necessary to provide for the cost of publication and distribution.

26 (3) Unexpended funds at the end of the fiscal year shall carry
27 forward to the subsequent fiscal year and not lapse to the general

1 fund.

2 Sec. 226. (1) Not later than March 1, the department shall
3 submit a report to the subcommittees and the senate and house
4 fiscal agencies pertaining to licensing and regulatory programs
5 during the previous fiscal year for the following agencies:

6 (a) Public service commission.

7 (b) Liquor control commission.

8 (c) Bureau of fire services.

9 (d) Bureau of construction codes.

10 (e) Corporations, securities, and commercial licensing bureau.

11 (f) Bureau of professional licensing.

12 (g) Bureau of community and health systems.

13 (h) Michigan occupational safety and health administration.

14 (2) The report shall be in a format that is consistent between
15 the agencies listed in subsection (1) and shall provide, but is not
16 limited to, the following information, as applicable, for each
17 agency in subsection (1):

18 (a) Revenue generated by and expenditures disbursed for each
19 regulatory product.

20 (b) Number of applications, both initial and renewal, for each
21 regulatory product.

22 (c) Number of applications, both initial and renewal, approved
23 for each regulatory product.

24 (d) Number of applications, both initial and renewal, denied
25 for each regulatory product.

26 (e) Average amount of time, both tolled and untolled, to
27 approve or deny applications, both initial and renewal, for each

1 regulatory product.

2 (f) Number of examinations proctored for initial applications
3 for each regulatory product.

4 (g) Number of complaints received pertaining to each regulated
5 activity.

6 (h) Number of investigations opened pertaining to each
7 regulated activity.

8 (i) Number of investigations closed pertaining to each
9 regulated activity.

10 (j) Average amount of time to close investigations pertaining
11 to each regulated activity.

12 (k) Number of enforcement actions pertaining to each regulated
13 activity.

14 (l) Number of administrative hearings pertaining to each
15 regulated activity.

16 (m) Number of administrative hearing adjudications pertaining
17 to each regulated activity.

18 (n) The type and amount of each fee charged to support each
19 regulated activity.

20 (3) As used in subsection (2), "regulatory product" means
21 licensure, certification, registration, inspection, review,
22 permitting, approval, or any other regulatory service provided by
23 the agencies specified in subsection (1) for each regulated
24 activity. As used in this subsection and subsection (2), "regulated
25 activity" means the particular activities, entities, facilities,
26 and industries regulated by the agencies specified in subsection
27 (1).

1 Sec. 227. It is the intent of the legislature that the
2 department establish an employee performance monitoring process
3 that is consistent throughout the department in addition to current
4 civil service commission evaluations. By April 1, the department
5 shall submit a report to the state budget office, the
6 subcommittees, and the senate and house fiscal agencies on changes
7 to the employee performance monitoring process that are planned or
8 implemented, as well as the number of employee evaluations
9 performed.

10 **ENERGY AND UTILITY PROGRAMS**

11 Sec. 301. The public service commission administers the low-
12 income energy assistance grant program on behalf of the Michigan
13 department of health and human services via an interagency
14 agreement. Funds supporting the grant program are appropriated in
15 the department upon awarding of grants and may be expended for
16 grant payments and administrative related expenses incurred in the
17 operation of the program.

18 **LIQUOR CONTROL COMMISSION**

19 Sec. 401. (1) From the appropriations in part 1 from the
20 direct shipper enforcement fund, the liquor control commission
21 shall expend these funds as required under section 203(11) of the
22 Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1203, to
23 investigate and audit unlawful direct shipments of wine by
24 unlicensed wineries and retailers, with priority directed toward
25 unlicensed out-of-state retailers and third-party marketers. The

1 commission shall use shipping records available to it under section
2 203(21) of the Michigan liquor control code of 1998, 1998 PA 58,
3 MCL 436.1203, to assist with this effort. The liquor control
4 commission must refer all unlicensed out-of-state retailers and
5 third-party marketers identified with the shipping records to the
6 attorney general.

7 (2) By February 1, the liquor control commission shall provide
8 a report to the legislature and the subcommittees detailing the
9 commission's activities to investigate and audit the illegal
10 shipping of wine and the results of these activities. The report
11 shall include the following:

12 (a) Work hours spent, specific actions undertaken, and the
13 number of FTEs dedicated to identify and stop unlicensed out-of-
14 state retailers, third-party marketers, and wineries that ship
15 illegally in Michigan.

16 (b) General overview of expenditures associated with efforts
17 to identify and stop unlicensed out-of-state retailers, third-party
18 marketers, and wineries that ship illegally in Michigan.

19 (c) Number of out-of-state entities found to have illegally
20 shipped wine into Michigan and total number of bottles (750 ml),
21 number of cases with 750 ml bottles, number of liters, or number of
22 gallons of illegally shipped wine. These items must be broken down
23 by total number of retailers and total number of wineries.

24 (d) Suggested areas of focus on how to address direct shipper
25 enforcement and illegal importation in the future.

26 (e) Number of unlicensed out-of-state entities found to have
27 illegally shipped wine into Michigan identified with the shipping

1 records under subsection (1).

2 (f) Number of notices sent under subsection (3).

3 (3) From the appropriations in part 1 from the direct shipper
 4 enforcement fund, the liquor control commission shall send a notice
 5 to each unlicensed out-of-state entity found to have illegally
 6 shipped wine into Michigan that has been identified via the
 7 shipping records under subsection (1). The notice must include all
 8 of the following:

9 (a) Notification that shipping wine into Michigan by retailers
 10 and third-party marketers is illegal, and wineries shipping into
 11 Michigan must obtain a direct shipper license.

12 (b) Under section 909 of the Michigan liquor control code of
 13 1998, 1998 PA 58, MCL 436.1909, making unlawful shipments of wine
 14 into Michigan may be a felony punishable by imprisonment for not
 15 more than 4 years or a fine of not more than \$5,000.00, or both.

16 (c) Notice that the matter has been referred to the attorney
 17 general.

18 **OCCUPATIONAL REGULATION**

19 Sec. 501. Money appropriated under this part and part 1 for
 20 the bureau of fire services shall not be expended unless, in
 21 accordance with section 2c of the fire prevention code, 1941 PA
 22 207, MCL 29.2c, inspection and plan review fees will be charged
 23 according to the following schedule:

24 Operation and maintenance inspection fee

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

Plan review and construction inspection fees for
hospitals and schools

<u>Project cost range</u>	<u>Fee</u>
\$101,000.00 or less	minimum fee of \$155.00
\$101,001.00 to \$1,500,000.00	\$1.60 per \$1,000.00
\$1,500,001.00 to \$10,000,000.00	\$1.30 per \$1,000.00
\$10,000,001.00 or more	\$1.10 per \$1,000.00
	or a maximum fee of \$60,000.00.

Sec. 502. 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. 503. Not later than February 15, the department shall submit a report to the senate and house appropriations subcommittees on licensing and regulatory affairs and insurance and financial services, the senate and house fiscal agencies, and the state budget director providing the following information:

(a) The number of veterans who were separated from service in the Armed Forces of the United States with an honorable character of service or under honorable conditions (general) character of service, individually or if a majority interest of a corporation or limited liability company, that were exempted from paying licensure, registration, filing, or any other fees collected under each licensure or regulatory program administered by the bureau of construction codes, the bureau of professional licensing, and the

1 corporations, securities, and commercial licensing bureau during
2 the preceding fiscal year.

3 (b) The specific fees and total amount of revenue exempted
4 under each licensure or regulatory program administered by the
5 bureau of construction codes, the bureau of professional licensing,
6 and the corporations, securities, and commercial licensing bureau
7 during the preceding fiscal year.

8 (c) The actual costs of providing licensing and other
9 regulatory services to veterans exempted from paying licensure,
10 registration, filing, or any other fees during the preceding fiscal
11 year and a description of how these costs were calculated.

12 (d) The estimated amount of revenue that will be exempted
13 under each licensure or regulatory program administered by the
14 bureau of construction codes and the corporations, securities, and
15 commercial licensing bureau in both the current and subsequent
16 fiscal years and a description of how the exempted revenue was
17 estimated.

18 Sec. 504. Funds remaining in the homeowner construction lien
19 recovery fund are appropriated to the department for payment of
20 court-ordered homeowner construction lien recovery fund judgments
21 entered prior to August 23, 2010. Pursuant to available funds, the
22 payment of final judgments shall be made in the order in which the
23 final judgments were entered and began accruing interest.

24 Sec. 505. The department shall submit a report by January 31
25 to the senate and house appropriations subcommittees on licensing
26 and regulatory affairs and insurance and financial services, the
27 senate and house fiscal agencies, and the state budget director

1 that includes all of the following information for the prior fiscal
2 year regarding the medical marihuana program under the Michigan
3 medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430:

4 (a) The number of initial applications received.

5 (b) The number of initial applications approved and the number
6 of initial applications denied.

7 (c) The average amount of time, from receipt to approval or
8 denial, to process an initial application.

9 (d) The number of renewal applications received.

10 (e) The number of renewal applications approved and the number
11 of renewal applications denied.

12 (f) The average amount of time, from receipt to approval or
13 denial, to process a renewal application.

14 (g) The percentage of initial applications not approved or
15 denied within the time requirements established in section 6 of the
16 Michigan medical marihuana act, 2008 IL 1, MCL 333.26426.

17 (h) The percentage of renewal applications not approved or
18 denied within the time requirements established in section 6 of the
19 Michigan medical marihuana act, 2008 IL 1, MCL 333.26426.

20 (i) The percentage of registry identification cards for
21 approved initial applications not issued within the time
22 requirements established in section 6 of the Michigan medical
23 marihuana act, 2008 IL 1, MCL 333.26426.

24 (j) The percentage of registry identification cards for
25 approved renewal applications not issued within the time
26 requirements established in section 6 of the Michigan medical
27 marihuana act, 2008 IL 1, MCL 333.26426.

1 (k) The number of registry identification cards issued to or
2 renewed for patients residing in each county as of September 30 of
3 the preceding fiscal year under the Michigan medical marihuana act,
4 2008 IL 1, MCL 333.26421 to 333.26430.

5 (l) The amount collected from the medical marihuana program
6 application and renewal fees authorized in section 5 of the
7 Michigan medical marihuana act, 2008 IL 1, MCL 333.26425.

8 (m) The costs of administering the medical marihuana program
9 under the Michigan medical marihuana act, 2008 IL 1, MCL 333.26421
10 to 333.26430.

11 Sec. 506. If the revenue collected by the department for
12 health systems administration or radiological health administration
13 and projects from fees and collections exceeds the amount
14 appropriated in part 1, the revenue may be carried forward into the
15 subsequent fiscal year. The revenue carried forward under this
16 section shall be used as the first source of funds in the
17 subsequent fiscal year.

18 Sec. 507. Not later than February 1, the department shall
19 submit a report to the senate and house appropriations
20 subcommittees on licensing and regulatory affairs and insurance and
21 financial services, the senate and house fiscal agencies, and state
22 budget director providing the following information:

23 (a) The total amount of reimbursements made to local units of
24 government for delegated inspections of fireworks retail locations
25 pursuant to section 11 of the Michigan fireworks safety act, 2011
26 PA 256, MCL 28.461, from the funds appropriated in part 1 for the
27 bureau of fire services during the preceding fiscal year.

1 (b) The amount of reimbursement for delegated inspections of
2 fireworks retail locations for each local unit of government that
3 received reimbursement from the funds appropriated in part 1 for
4 the bureau of fire services during the preceding fiscal year.

5 Sec. 508. (1) Beginning October 1, for the purpose of
6 defraying the costs associated with responding to false final
7 inspection appointments and to discourage the practice of calling
8 for final inspections when the project is incomplete or
9 noncompliant with a plan of correction previously provided by the
10 bureau of fire services, the bureau of fire services may assess a
11 fee not to exceed \$200.00 for responding to a second or subsequent
12 confirmed false inspection appointment. Fees collected under this
13 section shall be deposited into the restricted account referenced
14 by section 2c(2) of the fire prevention code, 1941 PA 207, MCL
15 29.2c, and explicitly identified within the statewide integrated
16 governmental management applications system.

17 (2) Not later than September 30, the department shall prepare
18 a report that provides the amount of the fee assessed under
19 subsection (1), the number of fees assessed and issued per region,
20 the cost allocation for the work performed and reduced as a result
21 of this section, and any recommendations for consideration by the
22 legislature. The department shall submit this information to the
23 state budget director, the subcommittees, and the senate and house
24 fiscal agencies.

25 Sec. 509. (1) The department shall assess and collect fees in
26 the licensing and regulation of child care organizations, as
27 described in 1973 PA 116, MCL 722.111 to 722.128, and adult foster

1 care facilities, as described in the adult foster care facility
2 licensing act, 1979 PA 218, MCL 400.701 to 400.737.

3 (2) The department shall report the total amount of fees
4 assessed and collected under subsection (1) during the preceding
5 fiscal year to the senate and house fiscal agencies not later than
6 December 1 and shall provide information requested by the senate
7 and house fiscal agencies as they consider necessary to shift
8 authorization equivalent to that amount from the general
9 fund/general purpose to a state restricted fund within the
10 department's budget for fiscal year 2019-2020.

11 Sec. 510. The department shall submit a report on the Michigan
12 automated prescription system to the senate and house
13 appropriations committees on licensing and regulatory affairs and
14 insurance and financial services, the senate and house fiscal
15 agencies, and the state budget director by November 30. The report
16 shall include, but is not limited to, the following:

17 (a) Total number of licensed health professionals registered
18 to the Michigan automated prescription system.

19 (b) Total number of dispensers registered to the Michigan
20 automated prescription system.

21 (c) Total number of prescribers using the Michigan automated
22 prescription system.

23 (d) Total number of dispensers using the Michigan automated
24 prescription system.

25 (e) Number of cases related to overprescribing,
26 overdispensing, and drug diversion where the department took
27 administrative action as a result of information and data generated

1 from the Michigan automated prescription system.

2 (f) The number of hospitals, doctor's offices, pharmacies, and
3 other health facilities that have integrated the Michigan automated
4 prescription system into their electronic health records systems.

5 (g) Total number of delegate users registered to the Michigan
6 automated prescription system.

7 Sec. 511. From the amount appropriated in part 1 for the
8 bureau of community and health systems, upon receipt of the order
9 of suspension of a licensed adult foster care home, home for the
10 aged, or nursing home, the department shall serve the facility and
11 provide contemporaneous notice to the offices of legislators
12 representing a district where the licensed facility is situated.

13 Sec. 512. The department shall submit a report regarding the
14 medical marihuana facilities licensing and tracking program to the
15 standing committees on appropriations of the senate and house on
16 licensing and regulatory affairs and insurance and financial
17 services, the senate and house fiscal agencies, and the state
18 budget director by March 1. The report shall include, but is not
19 limited to, the following:

20 (a) The number of initial license applications received for
21 each license category.

22 (b) The number of initial applications approved and the number
23 of initial license applications denied.

24 (c) The average amount of time, from receipt to approval or
25 denial, to process an initial application.

26 (d) The total number of license applications approved by
27 license category and by county.

1 (e) The total amount collected from application fees.

2 (f) The total amount collected from any established regulatory
3 assessment.

4 (g) The costs of administering the medical marihuana
5 facilities licensing and tracking program.

6 **EMPLOYMENT SERVICES**

7 Sec. 701. (1) The appropriation in part 1 for the bureau of
8 services for blind persons includes funds for case services. These
9 funds may be used for tuition payments for blind clients.

10 (2) Revenue collected by the bureau of services for blind
11 persons and from private and local sources that is unexpended at
12 the end of the fiscal year may carry forward to the subsequent
13 fiscal year.

14 Sec. 702. The bureau of services for blind persons shall work
15 collaboratively with service organizations and government entities
16 to identify qualified match dollars to maximize use of available
17 federal vocational rehabilitation funds.

18 Sec. 703. The bureau of services for blind persons may provide
19 and enter into agreements to provide general services, training,
20 meetings, information, special equipment, software, facility use,
21 and technical consulting services to other principal executive
22 departments, state agencies, local units of government, the
23 judicial branch of government, other organizations, and patrons of
24 department facilities. The department may charge fees for these
25 services that are reasonably related to the cost of providing the
26 services. In addition to the funds appropriated in part 1, funds

1 collected by the department for these services are appropriated for
2 all expenses necessary. The funds appropriated under this section
3 are allotted for expenditure when they are received by the
4 department of treasury.

5 **COMMISSIONS**

6 Sec. 801. If Byrne formula grant funding is awarded to the
7 Michigan indigent defense commission, the Michigan indigent defense
8 commission may receive and expend Byrne formula grant funds in an
9 amount not to exceed \$250,000.00 as an interdepartmental grant from
10 the department of state police. The Michigan indigent defense
11 commission, created under section 5 of the Michigan indigent
12 defense commission act, 2013 PA 93, MCL 780.985, may receive and
13 expend federal grant funding from the United States Department of
14 Justice in an amount not to exceed \$300,000.00 as other federal
15 grants.

16 Sec. 802. From the funds appropriated in part 1, the Michigan
17 indigent defense commission shall submit a report by September 30
18 to the senate and house appropriations subcommittees on licensing
19 and regulatory affairs and insurance and financial services, the
20 senate and house fiscal agencies, and the state budget director on
21 the incremental costs associated with the standard development
22 process, the compliance plan process, and the collection of data
23 from all indigent defense systems and attorneys providing indigent
24 defense. Particular emphasis shall be placed on those costs that
25 may be avoided after standards are developed and compliance plans
26 are in place.

1 Sec. 804. The Michigan office for new Americans is to
2 coordinate with the Asian Pacific American affairs commission, the
3 Commission on Middle Eastern American affairs, and the
4 Hispanic/Latino commission of Michigan to produce a report by
5 January 31 that is to be transmitted to the senate and house
6 subcommittee chairpersons on licensing and regulatory affairs and
7 insurance and financial services, the senate and house fiscal
8 agencies, and the state budget director. The report shall include,
9 but is not limited to, the following:

10 (a) Total number of people with whom each commission directly
11 interacts through programming.

12 (b) Total number of public events that each commission
13 conducted.

14 (c) Description of the activities that the commissions
15 initiated to promote cooperation between the commissions.

16 (d) Total number of meetings that each commission held with
17 foreign diplomats.

18 (e) Programmatic costs of each commission.

19 Sec. 805. An expenditure of funds appropriated in part 1 by
20 the Asian Pacific American affairs commission, the Commission on
21 Middle Eastern American affairs, or the Hispanic/Latino commission
22 of Michigan for a commission event must directly relate to the
23 mission statement of that commission.

24 **DEPARTMENT GRANTS**

25 Sec. 901. (1) The department shall expend the funds
26 appropriated in part 1 for medical marihuana operation and

1 oversight grants for grants to counties for education and outreach
2 programs relating to the Michigan medical marihuana program
3 pursuant to section 6(1) of the Michigan medical marihuana act,
4 2008 IL 1, MCL 333.26426. These grants shall be distributed
5 proportionately based on the number of registry identification
6 cards issued to or renewed for the residents of each county that
7 applied for a grant under subsection (2). For the purposes of this
8 subsection, operation and oversight grants are for education,
9 communication, and outreach regarding the Michigan medical
10 marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430. Grants
11 provided under this section must not be used for law enforcement
12 purposes.

13 (2) Not later than December 1, the department shall post a
14 listing of potential grant money available to each county on its
15 website. In addition, the department shall work collaboratively
16 with counties regarding the availability of these grant funds. A
17 county requesting a grant shall apply on a form developed by the
18 department and available on its website. The form shall contain the
19 county's specific projected plan for use of the money and its
20 agreement to maintain all records and to submit documentation to
21 the department to support the use of the grant money.

22 (3) In order to be eligible to receive a grant under
23 subsection (1), a county shall apply not later than January 1 and
24 agree to report how the grant was expended and to provide that
25 report to the department not later than September 15. The
26 department shall submit a report not later than October 15 of the
27 subsequent fiscal year to the state budget director, the senate and

1 house appropriations subcommittees on licensing and regulatory
2 affairs and insurance and financial services, and the senate and
3 house fiscal agencies detailing the grant amounts by recipient and
4 the reported uses of the grants in the preceding fiscal year.

5 Sec. 902. (1) The amount appropriated in part 1 for
6 firefighter training grants shall only be expended for payments to
7 counties to reimburse organized fire departments for firefighter
8 training and other activities required under the firefighters
9 training council act, 1966 PA 291, MCL 29.361 to 29.377.

10 (2) If the amount appropriated in part 1 for firefighter
11 training grants is expended by the firefighters training council,
12 established in section 3 of the firefighters training council act,
13 1966 PA 291, MCL 29.363, for payments to counties under section 14
14 of the firefighters training council act, 1966 PA 291, MCL 29.374,
15 it is the intent of the legislature that:

16 (a) The amount appropriated in part 1 for firefighter training
17 grants shall be allocated pursuant to section 14(2) of the
18 firefighters training council act, 1966 PA 291, MCL 29.374.

19 (b) If the amount allocated to any county under subdivision
20 (a) is less than \$5,000.00, the amounts disbursed to each county
21 under subdivision (a) shall be adjusted to provide for a minimum
22 payment of \$5,000.00 to each county.

23 (3) Not later than February 1, the department shall submit a
24 financial report to the senate and house appropriations
25 subcommittees on licensing and regulatory affairs and insurance and
26 financial services, the senate and house fiscal agencies, and the
27 state budget director identifying the following information for the

1 preceding fiscal year:

2 (a) The amount of the payments that would be made to each
3 county if the distribution formula described by the first sentence
4 of section 14(2) of the firefighters training council act, 1966 PA
5 291, MCL 29.374, would have been utilized to allocate the total
6 amount appropriated in part 1 for firefighter training grants.

7 (b) The amount of the payments approved by the firefighters
8 training council for allocation to each county.

9 (c) The amount of the payments actually expended or encumbered
10 within each county.

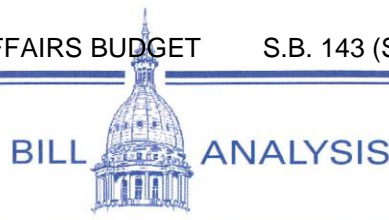
11 (d) A description of any other payments or expenditures made
12 under the authority of the firefighters training council.

13 (e) The amount of payments approved for allocations to
14 counties that was not expended or encumbered and lapsed back to the
15 fireworks safety fund.

16 Sec. 903. (1) The funds appropriated in part 1 for a regional
17 or subregional library shall not be released until a budget for
18 that regional or subregional library has been approved by the
19 department for expenditures for library services directly serving
20 the blind and persons with disabilities.

21 (2) In order to receive subregional state aid as appropriated
22 in part 1, a regional or subregional library's fiscal agency shall
23 agree to maintain local funding support at the same level in the
24 current fiscal year as in the fiscal agency's preceding fiscal
25 year. If a reduction in expenditures equally affects all agencies
26 in a local unit of government that is the regional or subregional
27 library's fiscal agency, that reduction shall not be interpreted as

1 a reduction in local support and shall not disqualify a regional or
2 subregional library from receiving state aid under part 1. If a
3 reduction in income affects a library cooperative or district
4 library that is a regional or subregional library's fiscal agency
5 or a reduction in expenditures for the regional or subregional
6 library's fiscal agency, a reduction in expenditures for the
7 regional or subregional library shall not be interpreted as a
8 reduction in local support and shall not disqualify a regional or
9 subregional library from receiving state aid under part 1.



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Senate Bill 143 (S-1 as reported)
Committee: Appropriations

Throughout this document Senate means Appropriation Committee.

FULL-TIME EQUATED (FTE) CLASSIFIED POSITIONS/FUNDING SOURCE	FY 2018-19 YEAR-TO-DATE*	FY 2019-20 SEN. FULL COMM.	CHANGES FROM FY 2018-19 YEAR-TO-DATE	
			AMOUNT	PERCENT
FTE Positions	2,327.3	2,346.3	19.0	0.8
GROSS	552,356,700	571,864,840	19,508,140	3.5
Less:				
Interdepartmental Grants Received	48,414,300	49,014,200	599,900	1.2
ADJUSTED GROSS	503,942,400	522,850,640	18,908,240	3.8
Less:				
Federal Funds	91,213,900	95,852,500	4,638,600	5.1
Local and Private	411,800	351,800	(60,000)	(14.6)
TOTAL STATE SPENDING	412,316,700	426,646,340	14,329,640	3.5
Less:				
Other State Restricted Funds	276,471,400	303,125,900	26,654,500	9.6
GENERAL FUND/GENERAL PURPOSE	135,845,300	123,520,440	(12,324,860)	(9.1)
PAYMENTS TO LOCALS	105,251,900	102,451,400	(2,800,500)	(2.7)

*As of March 5, 2019.

	Gross	GF/GP
FY 2018-19 Year-to-Date Appropriation	\$552,356,700	\$135,845,300

Changes from FY 2018-19 Year-to-Date:

- | | | |
|---|------------|-------------|
| 1. Marihuana Research. Governor included \$20.0 million in funding to support research on the use of marihuana to treat veterans' health conditions, as required by Initiated Law (IL) 1 of 2018, the Michigan Regulation and Taxation of Marijuana Act. Senate concurred. | 20,000,000 | 0 |
| 2. Recreational Marihuana Regulation. Governor included an additional \$1.0 million and 30.0 FTEs to support the implementation and administration of IL 1 of 2018 and shifted \$5.0 million in funding from GF/GP to Restricted. Senate concurred. | 1,000,000 | (5,000,000) |
| 3. Unaccompanied Refugee Minors. Governor included \$3.8 million in Federal funds to enable MONA's support of service providers who assist unaccompanied refugee minors. Senate concurred. | 3,790,900 | 0 |
| 4. Child Care and Adult Foster Care Revenue. Governor included \$500,000 in restricted funds to reflect the availability of revenues to be collected from Child Day Care Centers and Homes, and \$410,000 in restricted funds to reflect the availability of revenues to be collected from Adult Foster Care facilities. Senate concurred. | 910,000 | 0 |
| 5. Medical Marihuana Regulation. Governor included \$900,000 and eliminated 13.0 FTEs to reflect anticipated costs associated with the Medical Marihuana Facilities Licensing Act (Public Act 281 of 2016). Senate concurred. | 900,000 | 0 |

6. Bureau of Fire Services. Governor included \$500,000 to allow for the receipt of Federal funds for firefighter training and fire prevention as well as \$289,900 in State Restricted funds to support new testing requirements for fire services members. Senate concurred.	789,900	0
7. One-Time Refugee Services Database Funding. Governor included \$520,000 in Federal funds for the development of a database for the Refugee Services Program within the Michigan Office for New Americans. Senate concurred.	520,000	0
8. Marihuana Regulatory Fund Adjustment. Governor included \$422,000 from the Marihuana Regulatory Fund for administrative functions. Senate concurred.	422,000	0
9. Firefighter Training Grants. Governor included an additional \$300,000 in restricted funds for Firefighter Training Grants. Senate concurred.	300,000	0
10. Indigent Defense Training Evaluation. Governor included funding for the Michigan Indigent Defense Commission (MIDC) for the implementation of a system to evaluate indigent defense training. Senate concurred.	205,200	205,200
11. Vehicle Supply Equipment Program. Governor included private funds to support the Light-Duty Zero Emission Vehicle Supply Equipment Program. This program is pursuant to the Volkswagen Settlement Beneficiary Mitigation Plan agreement. Senate concurred.	140,000	0
12. First Responder Presumed Coverage Fund Revenue. Governor removed \$5.4 million in restricted funds for the First Responder Presumed Coverage Fund. The enactment of IL 1 of 2018 resulted in the elimination of the Medical Marihuana Excise Tax, the Fund's only ongoing, dedicated revenue stream. Senate concurred.	(5,445,000)	0
13. MIDC Grants. Governor removed \$5.9 million in one-time GF/GP costs for Fiscal Year 2019 indigent defense compliance plans but retained \$2.8 million as ongoing funding. This included \$200,000 in local indigent defense reimbursements. Senate concurred.	(5,850,400)	(5,850,400)
14. Reversal of FY 2018-19 Adjustments. Governor removed \$1.2 million one-time supplemental funding for an opioid treatment and community resource locator and adjusted out a \$500,000 Federal fire services grant included in an FY 2018-19 contingency fund transfer. Senate concurred.	(1,700,000)	(1,200,000)
15. Refugee Services Transfers. Governor included an additional \$8,600 in Federal funds for the transfer of refugee services functions to the Michigan Office for New Americans for the Department of Health and Human Services through Executive order 2018-7. Governor also removed one-time funding of \$175,000 GF/GP for a refugee assistance grant. Senate concurred.	(166,400)	(175,000)
16. State Restricted Deducts. Governor made technical adjustments to align authorization levels to available revenues. Senate concurred.	(643,800)	0
17. Reductions to Various Line Items. Senate reduced GF/GP funding for a number of line items by approximately 1.9%. Items affected included the Bureau of Community and Health Systems, the Bureau of Professional Licensing, and the Workers' Compensation Agency. These reductions totaled \$747,660 GF/GP.	(747,660)	(747,660)
18. Economic Adjustments. Includes \$5,083,400 Gross and \$443,000 GF/GP for total economic adjustments, of which an estimated negative \$3,443,100 Gross and \$375,600 GF/GP is for legacy retirement costs (pension and retiree health).	5,083,400	443,000
19. Comparison to Governor's Recommendation. The Senate is \$747,660 Gross and \$747,660 GF/GP under the Governor.		
Total Changes	\$19,508,140	(\$12,324,860)
FY 2019-20 Senate Appropriations Committee Gross Appropriation	\$571,864,840	\$123,520,440

Boilerplate Changes from FY 2018-19 Year-to-Date:

1. **Out-of-State Travel Report.** The Governor replaced this report with a less detailed version that is consistent with the report found in most other budget bills. The replacement section also removed restrictions on the circumstances for such travel. The Senate retained. (Sec. 207)
2. **Contingency Funds.** The Senate removed language appropriating contingency funds. (Sec. 210)
3. **Communication with the Legislature.** The Governor removed a prohibition against taking disciplinary action against Department employees who communicate with the Legislature. The Senate retained. (Sec. 218)
4. **TV or Radio Productions.** The Governor removed a prohibition against the Department producing radio or TV productions. The Senate retained. (Sec. 219)
5. **Healthy Michigan Plan Accounting Structure.** The Governor removed a section requiring LARA and DHHS to maintain an accounting structure allowing for identification of expenditures related with the administration of the Health Michigan Plan. The Senate retained. (Sec. 220)
6. **Regulatory Activities Report.** The Governor removed a report providing details on licensing/regulatory activities undertaken by each agency or bureau in the Department. The Senate retained. (Sec. 226)
7. **Employee Performance Monitoring.** The Governor removed a section stating the intent of the Legislature that the Department establish an employee performance monitoring process in addition to what is required by the Civil Service Commission. The Senate retained. (Sec. 227)
8. **Fast Charging Stations Study.** The Governor removed a section requiring the Michigan Agency for Energy to complete a study assessing optimal siting locations for direct current fast charging stations. The study is expected to be complete by September 30, 2019. The Senate concurred. (Sec. 302)
9. **Medical Marihuana Registry Program Report.** The Governor deleted language specifying information to be included in the Department's annual report to the Legislature regarding the State's medical marihuana program. The Senate retained. (Sec. 505)
10. **Child Care and Adult Foster Care Fee Revenue.** The Governor deleted a section requiring the Department to assess, collect, and report fees for the licensing and regulation of certain child care organizations and adult foster care facilities. The Senate retained. (Sec. 509)
11. **Department Reporting for Suspended Facilities.** The Governor deleted a section requiring the Department to serve an order of suspension to a licensed adult foster care home, home for the aged, or nursing home and notify legislators representing the district where the facility is located. The Senate retained. (Sec. 511)
12. **Bureau of Services for Blind Persons (BSBP).** The Governor removed a requirement that BSBP work with service organizations to identify qualified Federal match dollars. The Senate retained. (Sec. 702)
13. **First Responder Presumed Coverage Fund.** The Governor deleted a section appropriating excess funds for first responder presumed coverage claims. The ongoing dedicated revenue source for this Fund was eliminated by the passage of Initiated Law 1 of 2018. The Senate concurred. (Sec. 704)
14. **MIDC Performance Metrics.** The Governor deleted a section requiring the MIDC to develop and implement performance metrics. This language is included in Public Act 214 of 2018. The Senate concurred. (Sec. 803)
15. **MIDC Grant Compliance.** The Governor deleted a section stating that an indigent criminal defense system's obligation to comply with MIDC standards is contingent on sufficient state grant funding, as appropriations for funds were addressed by Public Act 214 of 2018. The Senate concurred. (Sec. 904)

Date Completed: 4-30-19

Fiscal Analyst: Elizabeth Raczkowski

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

Public Policy Position
State Budget for Michigan Indigent Defense Commission

Support

Explanation

The committee voted unanimously to support the Governor's budget recommendation for the Michigan Indigent Defense Commission as presented in SB 143 (S-1).

Position Vote:

Voted For position: 12

Voted against position: 0

Abstained from vote: 1

Did not vote (absent): 4

Keller Explanation:

The committee agreed that this legislation is *Keller* permissible because funding for the MIDC would affect the availability of legal services to society and improve the functioning of the Courts. Additionally, because some of the MIDC's funding would regulate and provide training for defense attorneys, funding of the MIDC could impact the regulation of the legal profession.

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