



SENATE
FISCAL
AGENCY

MICHIGAN STRATEGIC FUND
P.A. 261 of 2008

08/20/2008

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FULL-TIME EQUATED (FTE) POSITIONS/ FUNDING SOURCE	FY 2007-08 YEAR-TO-DATE	FY 2008-09 GOV'S REC.	FY 2008-09	FY 2008-09	FY 2008-09 ENACTED	CHANGES FROM FY 2007-08 YEAR-TO-DATE	
			SENATE PASSED	HOUSE PASSED		<u>ENACTED</u> AMOUNT PERCENT	
FTE Positions.....	152.0	153.0	153.0	147.0	153.0	1.0	0.7
GROSS.....	219,972,500	161,514,200	161,514,100	161,523,600	149,643,700	(70,328,800)	(32.0)
Less:							
Interdepartmental Grants Received.....	80,000	80,300	80,300	80,300	80,300	300	0.4
ADJUSTED GROSS.....	219,892,500	161,433,900	161,433,800	161,443,300	149,563,400	(70,329,100)	(32.0)
Less:							
Federal Funds.....	55,430,700	55,438,800	55,438,800	55,438,800	55,438,800	8,100	0.0
Local and Private.....	712,800	715,600	715,600	715,600	715,600	2,800	0.4
TOTAL STATE SPENDING.....	163,749,000	105,279,500	105,279,400	105,288,900	93,409,000	(70,340,000)	(43.0)
Less:							
Other State Restricted Funds.....	130,755,200	75,555,200	75,555,100	75,005,200	63,805,200	(66,950,000)	(51.2)
GENERAL FUND/GENERAL PURPOSE.....	32,993,800	29,724,300	29,724,300	30,283,700	29,603,800	(3,390,000)	(10.3)
PAYMENTS TO LOCALS.....	7,441,200	1,800,000	1,800,000	2,400,000	1,800,000	(5,641,200)	(75.8)

		FY 2007-08 YTD	FY 2008-09 GOVERNOR	FY 2008-09 HOUSE	FY 2008-09 SENATE	FY 2008-09 CONF./ENACTED	GOVERNOR LESS YTD	HOUSE LESS YTD	SENATE	CONFERENCE	
MICHIGAN STRATEGIC FUND											
1.	Administration	FTE	22.0	22.0	22.0	22.0	22.0	0.0	0.0	0.0	0.0
	Governor: Economics - \$12,700.	Gross	2,542,300	2,555,100	2,555,100	2,555,000	2,555,100	12,800	12,800	12,700	12,800
		GF/GP	2,542,300	2,555,100	2,555,100	2,555,000	2,555,100	12,800	12,800	12,700	12,800
	House: Concurred with Governor.										
	Senate: Reduced by \$100.										
	Conference: Concurred with House.										
2.	HR Optimization User Charges	Gross	17,800	0	0	0	0	(17,800)	(17,800)	(17,800)	(17,800)
	Governor: Eliminate charge due to consolidation.	GF/GP	17,800	0	0	0	0	(17,800)	(17,800)	(17,800)	(17,800)
	House: Concurred with Governor.										
	Senate: Concurred with Governor and House.										
	Conference: House and Senate concurred.										
3.	Job Creation Services	FTE	130.0	125.0	125.0	125.0	125.0	(5.0)	(5.0)	(5.0)	(5.0)
	Governor: Economics - \$65,900.	Gross	17,003,100	17,069,000	17,069,000	17,068,900	17,069,000	65,900	65,900	65,800	65,900
	Reduce 5.0 FTE's to reflect staffing levels.	IDG	80,000	80,300	80,300	80,300	80,300	300	300	300	300
		Federal	2,430,700	2,438,800	2,438,800	2,438,800	2,438,800	8,100	8,100	8,100	8,100
	House: Concurred with Governor.	Private	712,800	715,600	715,600	715,600	715,600	2,800	2,800	2,800	2,800
		Restricted	5,200	5,200	5,200	5,200	5,200	0	0	0	0
	Senate: Reduced by \$100.	GF/GP	13,774,400	13,829,100	13,829,100	13,829,000	13,829,100	54,700	54,700	54,600	54,700
	Conference: Concurred with House.										
4.	Jobs for Michigan Investment Program: 21st Century	Gross	75,000,000	75,000,000	75,000,000	74,999,900	62,000,000	0	0	(100)	(13,000,000)
	Jobs Fund	Restricted	75,000,000	75,000,000	75,000,000	74,999,900	62,000,000	0	0	(100)	(13,000,000)
	Governor: No change from current year.	GF/GP	0	0	0	0	0	0	0	0	0
	House: Concurred with Governor.										
	Senate: Reduced by \$100.										
	Conference: Reduce by \$10,000,000 per leadership agreement.										
	VETO: Governor vetoed the boilerplate language that allocated \$3.0 million to Lakeshore Advantage.										
5.	Michigan Promotion Program	Gross	11,417,500	5,717,500	5,717,500	5,717,600	5,717,500	(5,700,000)	(5,700,000)	(5,699,900)	(5,700,000)
	Governor: Eliminate one time Jobs for Michigan	Restricted	5,700,000	0	0	0	0	(5,700,000)	(5,700,000)	(5,700,000)	(5,700,000)
	Fund revenue - (\$5,700,000).	GF/GP	5,717,500	5,717,500	5,717,500	5,717,600	5,717,500	0	0	100	0
	House: Concurred with Governor.										
	Senate: Increased by \$100.										
	Conference: Concurred with House.										

		FY 2007-08 YTD	FY 2008-09 GOVERNOR	FY 2008-09 HOUSE	FY 2008-09 SENATE	FY 2008-09 CONF./ENACTED	GOVERNOR LESS YTD	HOUSE LESS YTD	SENATE	CONFERENCE	
MICHIGAN STRATEGIC FUND											
6.	Economic Development Job Training Grants Governor: No change from current year.	Gross GF/GP	7,441,000 7,441,000	7,441,000 7,441,000	7,441,000 7,441,000	7,440,900 7,440,900	7,320,500 7,320,500	0 0	0 0	(100) (100)	(120,500) (120,500)
	House: Concurred with Governor.										
	Senate: Reduced by \$100.										
	Conference: Reduced by (\$120,500).										
7.	Community Development Block Grants Governor: No change from current year.	Gross Federal GF/GP	53,000,000 53,000,000 0	53,000,000 53,000,000 0	53,000,000 53,000,000 0	53,000,000 53,000,000 0	53,000,000 53,000,000 0	0 0 0	0 0 0	0 0 0	0 0 0
	House: Concurred with Governor.										
	Senate: Concurred with Governor and House.										
	Conference: House and Senate concurred.										
8.	Business incubator - Macomb County Governor: No provision.	Gross GF/GP	0 0	0 0	0 0	100 100	0 0	0 0	0 0	100 100	0 0
	House: No provision.										
	Senate: Added \$100 GF/GP.										
	Conference: See Business Incubator Program below.										
9.	Business incubator - Washtenaw County Governor: No provision.	Gross GF/GP	0 0	0 0	0 0	100 100	0 0	0 0	0 0	100 100	0 0
	House: No provision.										
	Senate: Added \$100 GF/GP.										
	Conference: See Business Incubator Program below.										
10.	Business incubator program Governor:	Gross Restricted GF/GP	100 0 100	0 0 0	0 0 0	0 0 0	1,250,000 1,250,000 0	(100) 0 (100)	(100) 0 (100)	(100) 0 (100)	1,249,900 1,250,000 (100)
	House: Concurred with Governor.										
	Senate: Concurred with Governor and House.										
	Conference: Included \$1,250,000 from Jobs for Michigan Investment Fund - Returns to Fund for a business incubator grants to 5 counties: Berrien, Genesee, Macomb, Washtenaw, and Wayne.										

		FY 2007-08 YTD	FY 2008-09 GOVERNOR	FY 2008-09 HOUSE	FY 2008-09 SENATE	FY 2008-09 CONF./ENACTED	GOVERNOR LESS YTD	HOUSE LESS YTD	SENATE	CONFERENCE
MICHIGAN STRATEGIC FUND										
11.	Berrien County Brownfield Redevelopment Authority Governor:	Gross GF/GP	100 100	0 0	0 0	0 0	(100) (100)	(100) (100)	(100) (100)	(100) (100)
House: Concurred with Governor.										
Senate: Concurred with Governor and House.										
Conference: House and Senate concurred.										
12.	Detroit Institute of Arts Governor:	Gross GF/GP	100 100	0 0	0 0	0 0	(100) (100)	(100) (100)	(100) (100)	(100) (100)
House: Concurred with Governor.										
Senate: Concurred with Governor and House.										
Conference: House and Senate concurred.										
13.	McBain Township, Missaukee County Governor:	Gross GF/GP	100 100	0 0	0 0	0 0	(100) (100)	(100) (100)	(100) (100)	(100) (100)
House: Concurred with Governor.										
Senate: Concurred with Governor and House.										
Conference: House and Senate concurred.										
14.	Detroit Historical Museum Governor:	Gross GF/GP	100 100	0 0	0 0	0 0	(100) (100)	(100) (100)	(100) (100)	(100) (100)
House: Concurred with Governor.										
Senate: Concurred with Governor and House.										
Conference: House and Senate concurred.										
15.	Detroit Zoological Institute Governor:	Gross GF/GP	100 100	0 0	0 0	0 0	(100) (100)	(100) (100)	(100) (100)	(100) (100)
House: Concurred with Governor.										
Senate: Concurred with Governor and House.										
Conference: House and Senate concurred.										

		FY 2007-08 YTD	FY 2008-09 GOVERNOR	FY 2008-09 HOUSE	FY 2008-09 SENATE	FY 2008-09 CONF./ENACTED	GOVERNOR LESS YTD	HOUSE LESS YTD	SENATE	CONFERENCE
MICHIGAN STRATEGIC FUND										
16.	Michigan State University bio-energy research center Governor: Eliminate placeholder.	Gross GF/GP	100 100	0 0	0 0	0 0	(100) (100)	(100) (100)	(100) (100)	(100) (100)
House: Concurred with Governor.										
Senate: Concurred with House and Governor.										
Conference: House and Senate concurred.										
17.	Michigan State University bio-energy research center Supplemental P.A. 113 of 2008 (H.B. 5344) included \$3.5 million in FY 2007-08 for this project.	Gross GF/GP	3,500,000 3,500,000	0 0	0 0	0 0	(3,500,000) (3,500,000)	(3,500,000) (3,500,000)	(3,500,000) (3,500,000)	(3,500,000) (3,500,000)
Senate: Not continued in FY 2008-09.										
Conference: House and Senate concurred.										
18.	Community Development Block Grant Technical Assistance	Gross GF/GP	0 0	0 0	66,000 66,000	0 0	0 0	66,000 66,000	0 0	0 0
Governor: No provision.										
House: New line item would provide 66,000 GF/GP for technical assistance grants to local planning agencies that received CDBG technical assistance grants in 2008 from the MEDC, in the same amount that they received in FY 2007-08.										
Senate: Did not include.										
Conference:										
19.	Energy Efficiency Grant Program	Gross GF/GP	0 0	0 0	600,000 600,000	0 0	0 0	600,000 600,000	0 0	0 0
Governor: No provision.										
House: New line item would provide 600,000 for pilot residential energy efficiency programs of 200,000 each in the cities of Ann Arbor, Grand Rapids and Lansing.										
Senate: Did not include.										
Conference: Concurred with Senate.										

		FY 2007-08 YTD	FY 2008-09 GOVERNOR	FY 2008-09 HOUSE	FY 2008-09 SENATE	FY 2008-09 CONF./ENACTED	GOVERNOR LESS YTD	HOUSE LESS YTD	SENATE	CONFERENCE	
MICHIGAN STRATEGIC FUND											
20.	Detroit Festival of the Arts	Gross	0	0	75,000	0	0	0	75,000	0	0
		GF/GP	0	0	75,000	0	0	0	75,000	0	0
	Governor: No provision.										
	House: New line item.										
	Senate: Did not include.										
	Conference: Concurred with Senate.										
21.	Film Office	FTE	N/A	6.0	N/A	6.0	6.0	6.0	0.0	6.0	6.0
	Revised Governor: Per a revised recommendation dated 5/2/08, the Film Office would be moved from the Department of History, Arts and Libraries to MSF consistent with the recently passed film package. Provided authority for 6.0 FTEs, \$550,000 from the Michigan Film Promotion Fund, and \$181,600 GF/GP.	Gross	N/A	731,600	N/A	731,600	731,600	731,600	0	731,600	731,600
		Restricted	N/A	550,000	N/A	550,000	550,000	550,000	0	550,000	550,000
		GF/GP	N/A	181,600	N/A	181,600	181,600	181,600	0	181,600	181,600
	Senate: Concurs with revised Governor.										
	Conference: Concurred with Senate and revised Governor.										
22.	Tourism and Business Marketing Supplemental P.A. 98 of 2008 provided one-time supplemental funding of \$50,000,000 to enhance marketing activities over a two-year period.	Gross	50,000,000	0	0	0	0	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)
		GF/GP	50,000,000	0	0	0	0	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)
	House: Not included.										
	Senate: Concurred with House.										
	Conference: House and Senate concurred.										



STRATEGIC FUND AGENCY BOILERPLATE

		<u>FY 2008-09 Changes to Current Act</u>			
FY 2007-08 CURRENT ACT/NEW LANGUAGE (IN BOLD)		GOVERNOR	HOUSE	SENATE	ENACTED
1.	<p>Contingency Fund Transfers</p> <p>Sec. 1001. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$10,000,000.00 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, MCL18.1393.</p>	1001	1001	1001	1001
	(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 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.	(2)	(2)	(2)	(2)
	(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$700,000.00 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.	(3)	(3)	(3)	(3)
2.	<p>Economic Development Jobs Training Grants</p> <p>Sec. 1002. (1) The appropriation in part 1 to the fund for the economic development job training program is focused on skills businesses need to compete in the twenty-first century. The purpose of this program is to develop a specific skill, identified for a particular business that assists that company to compete in the global economy and to create or retain high-paying jobs for Michigan residents.</p>	1002 Added preference for Michigan residents and businesses.	1002 Concurred with Governor.	1002 Concurred with Governor and House.	1002
	(2) Not more than \$800,000.00 of the total appropriation in part 1 may be expended for administrative costs by the fund. Not more than 10% of the total grant award may be expended by a recipient for administration costs.	(2)	(2)	(2)	(2)

		<u>FY 2008-09 Changes to Current Act</u>			
	FY 2007-08 CURRENT ACT/NEW LANGUAGE (IN BOLD)	GOVERNOR	HOUSE	SENATE	ENACTED
	(3) No funds appropriated in part 1 to the fund for the economic development job training program grants may be expended for the training of permanent striker replacement workers, unless a strike exceeds 3 years and good faith negotiations are ongoing.	(3)	(3)	(3)	(3)
	(4) Of the total funds appropriated in part 1 for the economic development job training program grants, \$4,500,000.00 of the funds shall be awarded to community colleges or a consortium of community colleges and other eligible applicants pursuant to subsection (5). Remaining funds may be awarded to any of the entities listed in subsection (5) or businesses which create at least 100 new jobs at a single location in a period not to exceed 2 years from the date of the grant award.	Deleted	Concurred with Governor.	Concurred with Governor and House.	
	(5) An applicant may be a school district, intermediate school district, community college, public or private nonprofit college or university, nonprofit organization whose primary purpose is to provide education programs or employment and training services or vocational rehabilitation programs or school-to-work transition programs, local workforce development board, the headquarters of a federal and state-sponsored manufacturing technology center, or a consortium consisting of any combination of school districts, intermediate school districts, community colleges, nonprofit organizations described in this subsection, or public or private nonprofit colleges or universities described in this subsection or businesses which meet the criteria set in subsection (4).	(4) Moved job creation criteria from previous (4) and added " ..or a business with less than 50 employees and an individual grant award of less than \$20,000.00 or a consortium consisting of any combination of any of the applicants listed. "	(4) Concurred with Governor.	(4) Concurred with Governor and House.	(4)
	(6) On or before October 1, the fund shall publish proposed application criteria, instructions, and forms for use by eligible applicants. The fund shall provide at least a 2-week period for public comment prior to finalization of the application criteria, instructions, and forms.	(5)	(5)	(5)	(5)
	(7) The award process will include a simple notice of intent to be reviewed to see if the application merits further consideration. If so, a full application may be submitted. Applications for all grants shall be submitted to the fund, and each application shall contain at least all of the following:	(6)	(6)	(6)	(6)

		<u>FY 2008-09 Changes to Current Act</u>			
	FY 2007-08 CURRENT ACT/NEW LANGUAGE (IN BOLD)	GOVERNOR	HOUSE	SENATE	ENACTED
	(a) The name, address, and total number of employees of each business organization whose employees are receiving job training.	(a)	(a)	(a)	(a)
	(b) A description of the specific job skills that will be taught.	(b)	(b)	(b)	(b)
	(c) A clear statement of the project's scope of activities and number of participants to be involved.	(c)	(c)	(c)	(c)
	(d) A commitment to maintain participant records in a form and manner required by the fund.	(d)	(d)	(d)	(d)
	(8) Priority in the fund's awarding of grants shall be based on the following criteria:	(7)	(7)	(7)	(7)
	(a) Demonstrated need for the type of training offered.	(a)	(a)	(a)	(a)
	(b) Creation and/or retention of high wage and high skilled level jobs within a predetermined time period. If the employer does not create or retain the number of jobs specified within the predetermined time period, the employer shall reimburse the state for the entire grant awarded under this program. The number of jobs created and retained will be verified by the employer via audit after the training is completed.	(b) Changed the clawback provision by adding: "...reimburse the state for the entire direct grant awarded..." and added " prorated to the number of actual jobs created or trained compared to the number in the original jobs identified in the grant application. "	(b) Concurred with Governor.	(b) Concurred with Governor and House.	(b)
	(c) Other criteria determined by the fund to be important.	(c)	(c)	(c)	(c)
	(9) Participants in the economic development job training program shall be 16 years or older and not enrolled and counted in membership in a school district, intermediate school district, or community college, or any other program funded with state funding. Any training provider that receives state appropriated funds shall not include in the enrollment data reported for determining state aid any student credit hours or student contact hours for a student who is a participant in the economic	(8)	(8)	(8)	(8)

		<u>FY 2008-09 Changes to Current Act</u>			
FY 2007-08 CURRENT ACT/NEW LANGUAGE (IN BOLD)		GOVERNOR	HOUSE	SENATE	ENACTED
	development job training program. Exclusions of these students is intended to avoid payment of state aid for the same individuals for whom training costs are paid for through the economic development job training program.				
	(10) A recipient of a grant under this section shall not charge tuition or fees to participants in the program funded by the economic development job training program grant. However, a nonprofit organization may charge tuition or fees if the tuition plan or fees are recognized by the state and the nonprofit organization receives additional funding from other governmental or private funding sources for its programs.	(9)	(9)	(9)	(9)
	(11) For training delivered to incumbent workers, the employer receiving the benefit of the training shall provide a minimum of 30% of the program costs in matching funds as necessitated by the program.	(10) Changed match rate from a minimum of 30% to up to 50%.	(10) Concurred with Governor.	(10) Maintained current year language.	(10) Directed a range of 30% to 50%.
	(12) Grant funds shall be expended on a cost reimbursement basis.	(11)	(11)	(11)	(11)
	(13) A recipient of a grant under this section shall allow the fund or the agency's designee to audit all records related to the grant for all entities that receive money, either directly or indirectly through a contract, from the grant funds. A grant recipient or contractor shall reimburse the state for all disallowances found in the audit. Costs disallowed under subsection (8)(b) based on the employer job creation and retention requirements are not the same as the training costs that are disallowed in this subsection.	(12)	(12)	(12)	(12)
	(14) The fund shall provide to the state budget director and the fiscal agencies by November 1 of each year a report on the economic development job training program grants. The report shall provide this information for each grant or contract awarded during the preceding full fiscal year. The report shall contain all of the following:	(13)	(13)	(13)	(13)
	(a) The amount and recipient of each grant or contract.	(a)	(a)	(a)	(a)
	(b) The number of participants under each grant or contract and the number of new hires who are in training under the grant.	(b)	(b)	(b)	(b)

		FY 2008-09 Changes to Current Act			
	FY 2007-08 CURRENT ACT/NEW LANGUAGE (IN BOLD)	GOVERNOR	HOUSE	SENATE	ENACTED
	(c) The names, addresses, and total number of employees of all business organizations for whom training is or will be provided.	(c)	(c)	(c)	(c)
	(d) The matching funds, if any, to be provided by a business organization.	(d)	(d)	(d)	(d)
	(e) The number of jobs created as a result of the grant.	N/A	N/A	(e) New language added.	(e) Concurred with Senate.
	(15) As a condition of receiving funds under part 1 of this act, the fund shall not expend any of the economic development job training program funds to train any employee who is an officer of a corporation in a corporation employing more than 250 employees.	(14)	(14)	(14)	(14)
	(16) The Michigan strategic fund shall allocate \$500,000.00 for aerospace certification grants as described in this subsection. The grants shall be funded from the appropriation in part 1 for economic development job training grants or work project funds available for the defense contract coordination center, or both. The Michigan strategic fund shall report to the senate and house subcommittees on general government, the fiscal agencies, and the state budget office by January 15, 2008 on the sources of funding for this program. \$500,000.00 shall be allocated for the following purposes:	Deleted	Deleted	(15) Revised report date to January 15, 2009.	(15) Concurred with Senate.
	(a) \$250,000.00 shall be allocated for aerospace certification grants to assist manufacturers in becoming certified for aerospace manufacturing. Priority shall be given to ISO or TS certified companies that are members of a state of Michigan nonprofit, tax-exempt aerospace manufacturers association and have received a request for quotes or request for proposal from an aerospace company. Grant awards of up to \$10,000.00 shall be given to a qualifying company seeking such certification. As used in this section, "ISO" means international organization for standardization and "TS" means technical specification.	Deleted	Deleted	(a) Maintain current language.	(a) Concurred with Senate.
	(b) \$250,000.00 shall be provided to the Michigan aerospace manufacturers association, a nonprofit, tax-exempt, aerospace-based manufacturing association. Funding shall be used for organizational assistance and to advance and promote the aerospace manufacturing community in the state of Michigan within the global economy.	Deleted	Deleted	(b) Maintain current language.	(b) Concurred with Senate.

		FY 2008-09 Changes to Current Act			
FY 2007-08 CURRENT ACT/NEW LANGUAGE (IN BOLD)		GOVERNOR	HOUSE	SENATE	ENACTED
	(16) Of the funds appropriated in part 1 for economic development job training grants, \$50,000.00 shall be allocated to Mack Alive for employment readiness, job training and other eligible activities under this section.				(16) New language added.
3.	Michigan Growth Capital Fund Sec. 1003. The Michigan growth capital fund shall be used to develop the technology business sector in Michigan. The Michigan growth capital fund will be used to encourage private and public investment in the technology business sector, and all of the following apply:	1003	1003	1003	1003
	(a) An applicant must match state funds on a 1:1 basis.	(a)	(a)	(a)	(a)
	(b) Eligible uses of the Michigan growth capital fund include investments in organizations and programs that promote the development of new industry sectors in Michigan; inducements to attract additional venture capital funds to finance technology development; support organizations, initiatives, or events that promote entrepreneurship; provide match for university federal research grants; and support technology transfer and commercialization programs with universities and the private sector.	(b)	(b)	(b)	(b)
	(c) The Michigan economic development corporation shall administer the Michigan growth capital fund.	(c)	(c)	(c)	(c)
	(d) All funds received from repayment of loans, unused grants, revenues received from sales or cash flow participation agreements, guarantees, or any combination thereof or interest thereon, originally distributed as part of the Michigan growth capital fund, shall be received, held, and applied by the fund for the purposes described in this section.	(d)	(d)	(d)	(d)
	(e) The Michigan economic development corporation shall provide an annual report on the status of the Michigan growth capital fund to the senate appropriations committee subcommittee on economic development, the house appropriations committee subcommittee on general government, the senate and house fiscal agencies, and the state budget office by January 31.	(e)	(e)	(e)	(e)

		<u>FY 2008-09 Changes to Current Act</u>			
FY 2007-08 CURRENT ACT/NEW LANGUAGE (IN BOLD)		GOVERNOR	HOUSE	SENATE	ENACTED
4.	<p>Travel Michigan Authority to Collect and Expend Fees</p> <p>Sec. 1004. Travel Michigan may establish and collect a fee to cover the cost of materials and processing of photographic prints, slides, videotapes, and travel product database information that are requested by the media and other segments of the public and private sectors. The fees collected shall be appropriated for all expenses necessary to purchase and distribute these photographic prints, slides, videotapes, and travel product database information. The funds are available for expenditure when they are received by the department of treasury.</p>	1004	1004	1004	1004
5.	<p>Travel Michigan Licensing Revenue</p> <p>Sec. 1005. Travel Michigan may receive and expend private revenue related to the use of the "Michigan Great Lakes. Great Times.", "The Upper Hand", and "Pure Michigan" copyrighted slogans and images. This revenue may come from the direct licensing of the name and image or from the royalty payments from various merchandise sales. Revenue collected is appropriated for the marketing of the state as a travel destination. The funds are available for expenditure when they are received by the department of treasury.</p>	1005	1005	1005	1005
6.	<p>Part-year Grant Report</p> <p>Sec. 1006. The fund shall submit on February 15 to the subcommittees, the state budget office, and the fiscal agencies a listing of all grants which have been awarded by the fund or by the Michigan economic development corporation from the funds appropriated in part 1. The list shall include all of the following:</p>	1006	1006	1006	1006
	(a) The name of the recipient.	(a)	(a)	(a)	(a)
	(b) The amount awarded to the recipient.	(b)	(b)	(b)	(b)
	(c) The purpose of the grant.	(c)	(c)	(c)	(c)

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7.	<p>MEDC Annual Report</p> <p>Sec. 1007. (1) The fund shall provide reports to the relevant subcommittees, the state budget director, and the fiscal agencies concerning the activities of the Michigan economic development corporation grants and investment programs financed from the fund using investment or Indian gaming revenues. The report shall provide a list of individual grants and loans made from the fund. The report shall include, but not be limited to, the following programs funded in part 1:</p>	1007	1007	1007	1007
	(a) Travel Michigan.	(a)	(a)	<p>(a) Added: "... including any expenditures authorized under section 89b of the Michigan strategic fund act, 1984 PA 270, MCL 125.2089b, to supplement the Michigan Promotion Program. The report shall include the number of commercials produced, the markets in which media buys have been made and any web based products that were created with these funds."</p>	(a) Concurred with Senate.

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	(b) Business attraction, retention, and growth.	(b)	(b)	(b) Added: "...including any expenditures authorized under section 89b of the Michigan strategic fund act, 1984 PA 270, MCL 125.2089b to supplement the Michigan Business Marketing program. The report shall include the number of commercials produced, the markets in which media buys have been made and any web based products that were created as a result of this appropriation."	(b) Concurred with Senate.
	(c) Business services.	(c)	(c)	(c)	(c)
	(d) Community development block grants.	(d)	(d)	(d)	(d)
	(e) Strategic fund administration.	(e)	(e)	(e)	(e)
	(f) Renaissance zones.	(f)	(f)	(f)	(f)
	(g) 21st Century investment program.	(g)	(g)	(g)	(g)
	(h) Business and clean air ombudsman.	(h)	(h)	(h)	(h)
	(i) Economic development job training program grants.	(i)	(i)	(i)	(i)

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	(j) Any other programs of the fund.	(j)	(j)	(j)	(j)
	(2) The reports in subsection (1) shall be submitted by January 15. The report for each program in subsection (1)(a) through (j) shall include details on the actual spending and number of FTEs for that program for the previous fiscal year.	(2)	(2)	(2) Changed to: "The report for each program in subsection (1)(a) through (j) shall include details on all revenue sources, the actual spending actual expenditures , and number of FTEs for that program for the previous fiscal year."	(2) Concurred with Senate.
	(3) The fund shall also provide as part of this report a listing of all economic development projects in the state for the previous three fiscal years, where tax or financial incentives have been provided, The list shall also include the number of direct jobs that were initially estimated to be created and the number of direct jobs that have actually been created as result of those incentives.	N/A	N/A	(3) New language added.	Concurred with House.
8.	Cooperative Agreements with Local Partners Sec. 1008. As a condition of receiving funds under part 1, any interlocal agreement entered into by the fund shall include language which states that if a local unit of government has a contract or memorandum of understanding with a private economic development agency, the Michigan economic development corporation will work cooperatively with that private organization in that local area.	1008	1008	1008	1008
9.	Prohibitions on Land Purchases Sec. 1009. (1) Of the funds appropriated to the fund or through grants to the Michigan economic development corporation, no funds shall be expended for the purchase of options on land or the purchase of land unless at least 1 of the following conditions applies:	1009	1009	1009	1009

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	(a) The land is located in an economically distressed area.	(a)	(a)	(a)	(a)
	(b) The land is obtained through a purchase or exercise of an option at the invitation of the local unit of government and local economic development agency.	(b)	(b)	(b)	(b)
	(2) Consideration may be given to purchases where the proposed use of the land is consistent with a regional land use plan, will result in the redevelopment of an economically distressed area, can be supported by existing infrastructure, and will not cause shifts in population away from the area's population centers.	(2)	(2)	(2)	(2)
	(3) As used in this section, "economically distressed area" means an area in a city, village, or township that has been designated as blighted; a city, village, or township that shows negative population change from 1970 and a poverty rate and unemployment rate greater than the statewide average; or an area certified as a neighborhood enterprise zone.	(3)	(3)	(3)	(3)
10.	Limits Expenditures on Promotional Items Sec. 1010. The money appropriated in part 1 to the fund is subject to the condition that none is spent for premiums or advertising material involving personal effects or apparel including, but not limited to, T-shirts, hats, coffee mugs, or other promotional items, except travel Michigan.	1010	1010	1010	1010
11.	Lapse Requirements Sec. 1011. (1) From the general fund/general purpose appropriations in part 1 to the fund and granted or transferred to the Michigan economic development corporation, any unexpended or unencumbered balance shall be disposed of in accordance with the requirements in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, unless carryforward authorization has been otherwise provided for.	1011	1011	1011	1011
	(2) Any encumbered funds shall be used for the same purposes for which funding was originally appropriated in this act.	(2)	(2)	(2)	(2)

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12.	Compliance with Other Acts Sec. 1012. (1) As a condition of receiving funds under part 1, the fund shall ensure that the MEDC and the fund comply with all of the following:	1012	1012	1012	1012
	(a) The freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.	(a)	(a)	(a)	(a)
	(b) The open meetings act, 1976 PA 267, MCL 15.261 to 15.275.	(b)	(b)	(b)	(b)
	(c) Annual audits of all financial records by the auditor general or his or her designee.	(c)	(c)	(c)	(c)
	(d) All reports required by law to be submitted to the legislature.	(d)	(d)	(d)	(d)
	(2) If the MEDC is unable for any reason to perform duties under this act, the fund may exercise those duties.	(2)	(2)	(2)	(2)
13.	Separation of Private Fund-Raising Sec. 1013. As a condition for receiving the appropriations in part 1, any staff of the Michigan economic development corporation involved in private fund-raising activities shall not be party to any decisions regarding the awarding of grants or tax abatements from the fund, the Michigan economic development corporation, or the Michigan economic growth authority.	1013	1013	1013	1013
14.	Core Communities Fund Sec. 1014. (1) The funding appropriated in part 1 of 2000 PA 291 for the Michigan core communities fund may be used to create an urban revitalization infrastructure program in the fund for economic development awards to create new jobs or contribute to redevelopment and encourage private investment in core communities.	1014	1014	1014	1014
	(2) Awards may be provided to qualified local governmental units as defined in the obsolete property rehabilitation act, 2000 PA 146, MCL 125.2781 to 125.2797, or certified technology parks, as defined in the local development financing act, 1986 PA 281, MCL 125.2151 to 125.2174.	(2)	(2)	(2)	(2)

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	(3) Awards can be used for land and property acquisition and assembly, demolition, site development, utility modifications and improvements, street and road improvements, telecommunication infrastructure, site location and relocation, infrastructure improvements, and any other costs related to the successful development and implementation of core community or certified technology park projects, at the discretion of the Michigan economic development corporation.	(3)	(3)	(3)	(3)
	(4) Funding may be provided in the form of loans, grants, sales or cash flow participation agreements, guarantees, or any combination of these. A cash match of at least 10%, or local repayment guarantee with a dedicated funding source, is required. Priority shall be given to projects which are integrated with existing economic development programs and to projects in proportion to the amount that local matching rates exceed 10%.	(4)	(4)	(4)	(4)
	(5) The Michigan economic development corporation shall have all administrative responsibility for the Michigan core communities fund and shall establish application and application scoring criteria and approve awards. The Michigan economic development corporation may utilize up to 1/2 of 1% of the fund for administrative purposes.	(5)	(5)	(5)	(5)
	(6) Funds will be awarded through an open competitive process based on criteria including the following: project impact, project marketability, lack of adequate infrastructure or land assembly financing sources, local administrative capacity, and the level of local matching funds. Awardees shall agree to expedite the local development process, such as fast-track permitting procedures, streamlined regulatory requirements, standardized construction and building codes, and the use of competitive construction permitting fees.	(6)	(6)	(6)	(6)
	(7) No single applicant shall be awarded more than \$10,000,000.00 per project.	(7)	(7)	(7)	(7)
	(8) Fifteen days prior to the award of the funds, notification shall be provided to the speaker of the house of representatives, the senate majority leader, the members of the house and senate appropriations committees, the fiscal agencies, and the state budget director.	(8)	(8)	(8)	(8)

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	(9) Funds shall not be awarded for any of the following purposes:	(9)	(9)	(9)	(9)
	(a) Land sited for use as, or support for, a gaming facility.	(a)	(a)	(a)	(a)
	(b) Land or other facilities owned or operated by a gaming facility.	(b)	(b)	(b)	(b)
	(c) Publicly owned land or facilities which may directly or indirectly support a gaming facility.	(c)	(c)	(c)	(c)
	(10) All funds received from repayment of loans, unused grants, revenues received from sales or cash flow participation agreements, guarantees, or any combination thereof or interest thereon, originally distributed as part of the core communities fund, shall be received, held, and applied by the fund for the purposes described in this part.	(10)	(10)	(10)	(10)
	(11) The fund shall provide an annual report on the status of this fund. The report shall be provided to the subcommittees, the fiscal agencies, and the state budget office by January 31.	(11)	(11)	(11)	(11)
15.	PROPOSED: CDBG Technical Assistance Grants Sec. 1015. The funds appropriated in part 1 to the Michigan strategic fund for CDBG technical assistance grants shall be used to fund technical assistance grants to local planning agencies that received CDBG technical assistance grants in 2008 from the MEDC. From the \$66,000 included in part 1 for CDBG technical assistance grants, each of the qualifying agencies shall receive an amount equal to the funding the agency received in the 2008 state fiscal year from the MEDC.	No provision.	New language added.	1015 Changed to: " The Fund shall continue to contract with regional planning commissions for technical assistance to member municipalities. The contracts shall be awarded at the FY 2007-08 level. "	1015 Concurred with Senate.
16.	Audit of Job Created by Firms Receiving MEGA Credits Sec. 1016. The Michigan economic development corporation may implement procedures to annually audit the number of jobs claimed to be created by firms receiving Michigan economic growth authority credits, and all other claims of job creation for which MEDC has provided tax credits or other economic incentives.	Deleted	1016 Amended as follows: "...receiving tax Michigan economic growth authority credits, and all	1016 Maintained current language, except changed from "may" to "shall".	1016 New language added: " The MEDC shall utilize the audit procedures developed in

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			other claims of job creation for which MEDC has provided tax credits or other economic incentives.		section 1016 of P.A. 127 of 2007 to audit the job claims from firms receiving financial or tax incentives from the state. The agency shall review the results of the audit and report the findings to the legislature by May 1."
17.	Employee Salary Report Sec. 1017. The Michigan economic development corporation shall report on the number of individuals it employs with an annual salary of \$80,000.00 or more to the subcommittees, the fiscal agencies, and the state budget office by October 31, 2007. The report shall include the name, the job title, and a description of the duties and responsibilities of all such employees.	Deleted	Deleted	1017 Changed salary amount to "\$79,499".	Concurred with House.
18.	PROPOSED: Energy Efficiency Pilot Program Sec. 1018. (1) The funds appropriated in part 1 for the energy efficiency pilot program shall be expended for pilot residential energy efficiency programs in the cities of Ann Arbor, Grand Rapids, and Lansing. Each city shall be awarded \$200,000.00 to create or maintain 1 or more residential energy efficiency programs within the city. A residential energy efficiency program funded in whole or in part under this section shall be administered directly by the city or through sub-contractors hired by the city. Funds received under this section shall be used only as follows:	No provision.	New language added.	Not Included.	Concurred with Senate.
	(a) Not more than \$25,000.00 shall be expended by each city for program administration.			Not Included.	

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	(b) Not more than \$25,000.00 shall be expended by each city for any equipment.			Not Included.	
	(c) Not more than \$150,000.00 shall be expended by each city for any combination of the following:			Not Included.	
	(i) Low-interest or interest-free loans for residential energy efficiency improvements.			Not Included.	
	(ii) Rebates for residential energy audits.			Not Included.	
	(iii) Rebates for residential energy efficiency improvements.			Not Included.	
	(2) As a condition of receiving funding under subsection (1), the city shall submit a report for the immediately preceding fiscal year ending September 30 to the senate and house standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, and the state budget director by November 30 detailing the expenditures from the energy efficiency grant program award.			Not Included.	
19.	PROPOSED: Agriculture Product Promotion Sec. 1019. In accordance with chapter 8B of 1984 PA 270, MCL 125.2089 to 125.2089d, it is the intent of the legislature that the Michigan strategic fund, its employees, contract employees and individuals working on its behalf collaborate with the Michigan department of agriculture to promote business development of Michigan agricultural products to achieve outcomes that include, but are not limited to increases in export sales, increases in the number of retailers carrying Michigan commodities both within and outside of this state, and increased sales of Michigan products at chain grocers.			1019 New language added.	1019 Concurred with Senate.
20.	Appropriation of Federal Pass-Through Funds/Report Sec. 1020. 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. The fund may carry forward into the succeeding fiscal year unexpended federal pass-through funds	1020	1020	1020	1020

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	to local institutions and governments that do not require additional state matching funds. The fund shall report the amount and source of the funds to the senate appropriation subcommittee on economic development, the house appropriation subcommittee on general government, the senate and house fiscal agencies, and the state budget office within 10business days after receiving any additional pass-through funds.				
21.	Michigan Promotion Work Project Sec. 1021. (1) From the funds appropriated in part 1 for the Michigan promotion program, \$5,700,000.00 shall be used to accelerate efforts to promote the state's tourism industry and business marketing activities. The MEDC shall work to coordinate with local tourism efforts, where appropriate.	Deleted	Deleted	1021 Replaced with: "There is \$50,000,000.00 general fund/general purpose revenue appropriated in P.A. 98 of 2008 available for tourism promotion and business marketing in accordance with that statute."	1021 Concurred with Senate.
	(2) The funds are considered work project appropriations and any unencumbered or unallotted funds at year-end shall be carried forward into the succeeding fiscal year. The following is in compliance with section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a:	Deleted	Deleted	Deleted	Deleted
	(a) The purpose of the funding is to promote the state's tourism industry and business marketing activities.	Deleted	Deleted	Deleted	Deleted
	(b) The project shall be accomplished by contract or employees employed by the Michigan strategic fund or the Michigan economic development corporation.	Deleted	Deleted	Deleted	Deleted
	(c) The total estimated cost of the project is \$5,700,000.00.	Deleted	Deleted	Deleted	Deleted
	(d) The expected completion date is September 30, 2010.	Deleted	Deleted	Deleted	Deleted

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	(3) It is the intent of the legislature that if additional funds become available during fiscal year 2007-2008, that the appropriation for the Michigan promotion program shall be increased by \$4,300,000.00 to be distributed as described in this section.	Deleted	Deleted	Deleted	Deleted
22.	Business Incubator Sec. 1022. (1) From the funds appropriated in part 1 for the business incubator program, the Michigan strategic fund shall administer competitive grants and loans that are designed to foster the creation of new jobs in competitive edge technology as defined in section 88a of the Michigan strategic fund act, 1984 PA 270, MCL 125.2088a. Funding shall be awarded to grantees located in a distressed area. The Michigan strategic fund board shall ensure that \$1,000,000.00 is allocated to grantees for projects in each of the 4 qualifying distressed areas. As used in this section, "distressed area" means a local governmental unit that meets 1 of the following criteria:	Deleted	Deleted	Deleted	Deleted
	(a) A city with a population greater than 750,000.	Deleted	Moved to 1024 (a)	Deleted	Deleted
	(b) A city with a population in the 2000 census between 11,000 and 12,000 and had a population loss of greater than 30% since 1970.	Deleted	Moved to 1024 (b)	Deleted	Deleted
	(c) A city with a population in the 2000 census between 124,000 and 125,000 and had a population loss greater than 35% since the 1970 census.	Deleted	Moved to 1024 (c)	Deleted	Deleted
	(d) A county with median household income from 2004 United States bureau of the census small area income and poverty estimates that is below \$28,000.00.	Deleted	Deleted	Deleted	Deleted
	(2) It is the intent of the legislature that if additional funds become available during fiscal year 2007-2008, that the appropriation for the business incubator program shall be increased by \$4,000,000.00 to be distributed as described in this section.	Deleted	Deleted	Deleted	Deleted
23.	Tourism Promotion Sec. 1023. Tourism promotion shall include, but is not limited to, the Mackinac Island State Park, Michigan state historical parks, cultural, vacation, recreational, leisure, hunting-related, motor	N/A	N/A	Sec. 1023 New language added.	Sec. 1023 Concurred with Senate.

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sports entertainment-related, and agriculture-related travel across this state that includes activities that promote tourism in all 4 seasons.					
24.	SBIR/STTR Allocation Sec. 1024. (1) From the funds appropriated in part 1 for the 21st century jobs fund program, \$1,400,000.00 shall be granted by the Michigan strategic fund board to the Michigan small business and technology development centers to be used for the SBIR or STTR grant or loan matching program. These funds shall only be used to provide the required match. Grants or loans under this section shall not exceed 25% of the federal funds and must leverage third-party commercialization funding at both the phase I and phase II levels.	Deleted	1024 Deleted (1)	1024 Maintained current year language.	1024 Concurred with Senate.
	(2) All funds available to the strategic economic investment and commercialization board from grant and loan awards from the competitive edge technology grant and loan program as created in 2005 PA 225 that are not accepted or claimed by awardees shall be allocated to the Michigan small business technology development centers to fund the federal SBIR and STTR matching grant and loan programs as provided in this section.	Deleted	Changed to" ...allocated for existing business incubator programs in distressed areas. From the first \$1,500,000.00 of returned funding, the Michigan strategic fund board shall fund grants of up to \$500,000.00 to business incubator programs in each of the distressed areas. As used in this section , "distressed area" means a local governmental unit that meets 1 of the	Deleted	Deleted

		FY 2008-09 Changes to Current Act			
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			following criteria:" Moved 1022 (a), (b), and (c). 9		
25.	Reporting of Projected Jobs Created Sec. 1025. The MEDC shall separately report the number of actual direct jobs and the number of indirect jobs that are projected to be created as a result of any financial or tax incentive package that is offered to a business. Additionally, information regarding total salaries and employer sponsored benefits shall be included if available. This includes all publications issued by the agency for marketing and public information purposes.	Deleted	Deleted	1025 Maintain current year language.	Concurred with House.
26.	Lakeshore Advantage Sec. 1027. (1) The Michigan strategic fund shall amend the contract entered into pursuant to Michigan strategic fund board resolution 2007-079 approved on June 27, 2007, to provide that at least \$3,000,000.00 of the \$3,400,000.00 contract amount shall be distributed not later than March 31, 2008, and that the purposes for which the funds can be used be expanded to include all types of operating expenses.	Deleted	Deleted	1027 Changed to: " Of the funds appropriated in part 1 for the Jobs for Michigan Investment Program: 21st Century Jobs Fund, \$3,000,000.00 shall be allocated to Lakeshore Advantage for the same purposes as the FY 2007-08 allocation. "	1027 Concurred with Senate. Governor vetoed this language section.
	(2) If the contract is not amended as described in subsection (1) by February 28, 2008, then from the appropriation in part 1 for 21st century jobs trust fund programs, an amount of not more than \$3,000,000.00 shall be allocated to Lakeshore Advantage in fiscal year 2007-2008 to bring the total payments to that organization to \$3,000,000.00 in fiscal year 2007-2008.	Deleted	Deleted	Not included.	Not included.

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27.	Intent on Award of Incentives Sec. 1029. It is the intent of the legislature that the fund only award tax breaks or other economic development incentives to companies that give preference to Michigan workers.	Deleted	1029 Maintained current year language.	1029 Maintained current year language.	1029 Maintained current year language.
28.	Berrien County Ethanol Plant Sec. 1030. The funds appropriated in part 1 to the Berrien County brownfield redevelopment authority shall be expended for a brownfield redevelopment project in Watervliet Township to construct an ethanol plant.	Deleted	Deleted	Deleted	Deleted
29.	McBain Township Infrastructure Improvements Sec. 1031. The funds appropriated in part 1 to McBain Township, Missaukee County, shall be used for grants and loans to the township and shall be expended by the township for infrastructure improvements.	Deleted	Deleted	Deleted	Deleted
30.	Michigan Film Office Sec. 1032. The Michigan Film Office shall report to the subcommittees and the fiscal agencies by September 30 on the status of the new film tax credit program. The report shall include:	N/A	N/A	1032 New language added.	1032 Concurred with Senate.
	a) The number of contracts signed. b) The number of films that have completed shooting. c) The total amount of the tax credits provided. d) The counties where the films were made. e) The number of temporary and permanent jobs created.				
31.	Film Commission Minutes Sec. 1033. The fund shall publish the proposed minutes of the Michigan film office advisory council on the Internet within 8 business days after the meeting to which the minutes refer. Approved minutes of the Michigan film office advisory council shall be posted on the Internet within 8 business days after their approval.	Deleted In the History, Arts and Libraries budget HB 5804.	Concurred with Governor.	Sec. 1033 Maintained current year language from the History, Arts and Libraries budget, P.A. 117 of 2007.	Sec. 1033 Changed to: " The fund shall make available to the public the minutes of the Michigan film advisory council. "

		FY 2008-09 Changes to Current Act			
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32.	<p>Business Incubator Programs</p> <p>Sec. 1034. (1) The funds appropriated in part 1 for the business incubator program shall be awarded on a competitive basis within each of the following counties:</p> <p>(a) Berrien (b) Genesee (c) Macomb (d) Washtenaw (e) Wayne</p>				1034 New language added.
	<p>(2) Eligible recipients for these awards must be operational on October 1, 2008 and submit a comprehensive business plan that demonstrates sustainable operating capacity.</p> <p>(3) Awards shall be announced by March 31, 2009.</p>				