



D E P A R T M E N T O F

Management & Budget

POLICY CHANGES IMPLEMENTING 2008 PUBLIC ACTS

Prepared for the Michigan House and
Senate Appropriations Subcommittees on
General Government; the Joint
Committee on Administrative Rules; and
the House and Senate Fiscal Agencies

April 1, 2009

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EXECUTIVE SUMMARY

The Department of Management and Budget, in accordance with Section 221(1) of Public Act 261 of 2008, has prepared this Policy Changes Implementing 2008 Public Acts Report. The Acts states:

“Sec. 221. (1) Each department shall report no later than April 1, 2009 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.”

With the exception of appropriations bills, during calendar year 2008, 17 acts impacting department activities became law. Following enactment, the Department made policy changes or took other actions to implement those acts where necessary.

The following chart lists the changes made to implement each act as of March 31, 2009. Please contact Lisa Webb Sharpe, Director, Department of Management and Budget at 517-373-1004 for more information.

2008 Public Acts Impacting DMB

| <i>2008 Public Act</i> | <i>Bill</i> | <i>Act Description</i> | <i>Policy Changes</i> |
|------------------------|-------------|---|--|
| DMB Management | | | |
| 34 | SB 523 | The Act authorizes the Department of Management and Budget to convey properties in Lapeer county. | Property sold to private entity per the terms of the Act. |
| 42 | HB 5184 | The Act allows the state to receive certain property previously conveyed by the state and reconvey with altered usage restrictions. | Reconveyance in process. |
| 133 | SB 751 | Increases the goal of awarding certain contracts to service disabled veteran business from 3% to 5%. | DMB literature changed to reflect the goal. DMB continues to increase the number of awards to these businesses. In FY 2008, these awards grew by 500%. |
| 150 | HB 4965 | Transfers reversionary interest of certain state owned property previously conveyed. | Right of reversionary interest in process of being conveyed. |
| 174 | HB 6094 | Exchanges two pieces of property in Ingham County between the City of Lansing and the State of Michigan | Exchange completed. |
| 193 | SB 412 | Requires state agencies to avoid purchasing products containing mercury under certain circumstances. | <p>The Department has placed the following language in its Requests for Proposals (RFP) template:</p> <p>"B. Mercury Content. It is the clear intent of state agencies to avoid purchasing products that contain intentionally-added mercury whenever possible. Bidders shall offer mercury-free product alternatives whenever available. Should mercury-free alternatives not exist, as presently is the case with a few select products and devices such as fluorescent lamps or where the alternative is not yet cost competitive, such as dental amalgam, bidders shall offer the lowest mercury content available for a given application. Bidders shall disclose whenever products contain added-mercury by using the following format."</p> <p>The bidders are also required to disclose that a "Product contains added-Mercury (attach an explanation that includes: the amount or concentration of mercury and justification as to why this particular product is essential)."</p> <p>In addition, the bidder shall also ensure that all products to be purchased containing intentionally added-mercury shall be labeled as: "product contains mercury/recycle or dispose of properly."</p> <p>DMB has also placed similar language in applicable contracts.</p> |

| <i>2008 Public Act</i> | <i>Bill</i> | <i>Act Description</i> | <i>Policy Changes</i> |
|--|---|--|---|
| DMB Management (continued) | | | |
| 295 | SB 213 | Requires state energy providers to generate a certain portion of energy from alternative energy sources, to encourage the state to purchase green energy, among other items. | <p>Defined energy analysis and audit for each state building and created audit plan as required in the Act.</p> <p>Strengthening ties with the State Energy Office.</p> <p>Updated leases to include energy star appliances and ratings.</p> <p>Creating state-wide energy use website to educate the state departments and residents on energy efficiency.</p> <p>Planning peak use energy plan.</p> |
| 302 | HB 6403 | The Act authorizes the Department of Management and Budget to convey property in Clinton county. | Environmental analysis being completed in preparation for sale to Emergent Biosolutions per the Act. |
| 348 | HB 6189 | Removes requirement that a social security number be included on an EDRO. | Requires no policy change from DMB as the Act pertains to court issued documents. |
| 362 | SB 1403 | The bill authorizes the sale of State Property in Wayne County with first offer to Wayne State University. | Process for sale has begun, but not yet complete. |
| 363 | SB 1443 | The bill authorizes the fair market value sale of 19 properties totaling about 272 acres that are currently under the jurisdiction of the Department of State Police located throughout the state. | Process for sales has begun, but sales are not yet complete. |
| PA 355 PA 353 PA 354 PA 366 PA 514 | HB 6640 HB 6636 HB 6638 SB 1640 SB 1642 | Puts each of the five retirement Acts into compliance with IRS regulations by making technical changes. | The Office of Retirement Systems (ORS) annual report to the IRS on these issues will reference the statutory change. |
| 502 | HB 6113 | Revises the service time for eligibility for retirement allowance under the reciprocal retirement system. (Act 88) from 15 to 20 years. | ORS website and literature will reflect the change. |

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| Budget | | | |
| | | No Public Acts | |

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|------------------------------------|--|----------------|--|
| Agencies | | | |
| Office of the Children's Ombudsman | | No Public Acts | |
| Office of the State Employer | | No Public Acts | |
| Michigan State Fair | | No Public Acts | |