

# LINE ITEM AND BOILERPLATE SUMMARY

## INSURANCE AND FINANCIAL SERVICES

Fiscal Year 2023-24  
Article 7, Public Act 119 of 2023  
House Bill 4437 as Enacted



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September 2023

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September 2023

TO: Members of the Michigan House of Representatives

The House Fiscal Agency has prepared a **Line Item Summary** for each of the FY 2023-24 appropriation acts. Each **Summary** contains line-by-line appropriation and revenue source detail, and a brief explanation of each boilerplate section in the appropriation bill.

In this report, line item vetoes are presented in the following manner: appropriation amounts shown in ~~strikeout~~ are those that appear in the enrolled bill; amounts shown directly below ~~strikeout~~ amounts reflect the effect of the veto.

Line Item Summaries are available on the HFA website ([www.house.mi.gov/hfa](http://www.house.mi.gov/hfa)), or from Kathryn Bateson, Administrative Assistant (373-8080 or [kbateson@house.mi.gov](mailto:kbateson@house.mi.gov)).

A handwritten signature in black ink that reads "Mary Ann Cleary".

Mary Ann Cleary, Director



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# GLOSSARY

## STATE BUDGET TERMS

### **Line Item**

Specific funding amount in an appropriation bill which establishes spending authorization for a particular program or function.

### **Boilerplate**

Specific language sections in an appropriation bill which direct, limit, or restrict line-item expenditures, express legislative intent, and/or require reports.

### **Lapse**

Appropriated amounts that are unspent or unobligated at the end of a fiscal year; appropriations are automatically terminated at the end of a fiscal year unless otherwise provided by law.

### **Work Project**

Account authorized through statutory process which allows appropriated spending authorization from one fiscal year to be utilized for expenditures in a succeeding fiscal year or years for a specific project or purpose.

## APPROPRIATIONS AND FUND SOURCES

### **Appropriations**

Authority to expend funds for a particular purpose. An appropriation is not a mandate to spend.

**Gross:** Total of all applicable appropriations in an appropriation bill.

**Adjusted Gross:** Net amount of gross appropriations after subtracting interdepartmental grants (IDGs) and intradepartmental transfers (IDTs).

### **Interdepartmental Grant (IDG) Revenue**

Funds received by one state department from another state department—usually for service(s) provided.

### **Intradepartmental Transfer (IDT) Revenue**

Funds transferred from one appropriation unit to another within the same departmental budget.

### **Federal Revenue**

Federal grant or match revenue; generally dedicated to specific programs or purposes.

### **Local Revenue**

Revenue received from local units of government for state services.

### **Private Revenue**

Revenue from non-government entities: rents, royalties or interest payments, payments from hospitals or individuals, or gifts and bequests.

### **State Restricted Revenue**

State revenue restricted by the State Constitution, state statute, or outside restriction that is available only for specified purposes; includes most fee revenue; at year-end, unused restricted revenue generally remains in the restricted fund.

### **General Fund/General Purpose (GF/GP) Revenue**

Unrestricted general fund revenue available to fund basic state programs and other purposes determined by the legislature; unused GF/GP revenue lapses to the General Fund at the end of a fiscal year.

## MAJOR STATE FUNDS

### **General Fund**

The state's primary operating fund; receives state revenue not dedicated to another state fund.

### **School Aid Fund (SAF)**

A restricted fund that serves as the primary state funding source for K-12 schools and Intermediate School Districts. Constitutionally, SAF revenue may also be used for postsecondary education.

### **Budget Stabilization Fund**

The Countercyclical Economic and Budget Stabilization Fund (also known as the "rainy day fund"); the Management and Budget Act provides guidelines for making deposits into and withdrawals from the fund.



## DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

*The Department of Insurance and Financial Services (DIFS) is responsible for regulating the insurance and financial services industries within Michigan. The department also provides consumer protection by managing consumer information and inquiries, investigating consumer complaints, and providing consumer education. DIFS implements, administers, and enforces state statutes pertaining to state-chartered banks and credit unions; mortgage brokers, lenders, and servicers; consumer finance entities; insurance companies, agents, and products; and health maintenance organizations.*

Full-time equated unclassified positions	6.0	Full-time equated (FTE) positions not in the state classified service.
Full-time equated classified positions	388.5	Full-time equated (FTE) positions in the state classified service. <i>Note: based on 2,088 hours for 1.0 FTE position.</i>
<b>GROSS APPROPRIATION</b>	<b>\$74,147,900</b>	<b>Total of all applicable line item appropriations.</b>
Total interdepartmental grant/intradepartmental transfer revenue	732,100	Revenue received from other departments or transferred within the department.
<b>ADJUSTED GROSS APPROPRIATION</b>	<b>\$73,415,800</b>	<b>Gross appropriation less (or minus) interdepartmental grant (IDG) or intradepartmental transfer (IDT) revenue.</b>
Total federal revenue	1,017,100	Revenue received from federal departments and agencies.
Total local revenue	0	Revenue received from local units of government.
Total private revenue	0	Revenue received from private individuals and entities.
Total state restricted revenue	72,398,700	State revenue dedicated to a specific fund (other than the General Fund) or restricted for a specific purpose.
<b>STATE GENERAL FUND/ GENERAL PURPOSE</b>	<b>\$0</b>	<b>Unrestricted state revenue from taxes and other sources.</b>

## SECTION 102: DEPARTMENTAL ADMINISTRATION AND SUPPORT

*This appropriation unit provides funding for unclassified positions, executive direction, financial and administrative services, policy research and development, property management, administrative hearings, and workers' compensation.*

Full-time equated unclassified positions	6.0	Full-time equated (FTE) positions not in the state classified service.
Full-time equated classified positions	23.5	Full-time equated (FTE) positions in the state classified service.
Unclassified salaries – 6.0 FTE positions	\$910,000	Salaries for unclassified positions, including the DIFS director.
		Funding Source(s): IDG/IDT 7,100 Restricted 902,900
		<i>Related Boilerplate Section(s): 202</i>
Administrative hearings	173,700	Supports costs for administrative hearings regarding rules and statutes administered and enforced by DIFS; hearings are conducted by the Michigan Office of Administrative Hearings and Rules (MOAHR).
		Funding Source(s): Restricted 173,700
		<i>Related Boilerplate Section(s): 202</i>
Department services – 20.0 FTE positions	4,065,300	Supports staff and operations of the DIFS director, deputy directors, human resources manager, director of receivership, and the Office of Financial and Administrative Services, which manages budget development, purchasing, contracts, grants, fiscal oversight, business applications support, and other administrative functions.
		Funding Source(s): IDG/IDT 39,200 Restricted 4,026,100
		<i>Related Boilerplate Section(s): 202, 204, 206, 208, 212, 213, 214, 215, 216, 219, 220, 221, 222, 224, 225, 301, 302, 303, 304, 305</i>
Executive director programs – 3.5 FTE positions	912,400	Supports staff and operations of DIFS' deputy directors and the department's external affairs activities.
		Funding Source(s): IDG/IDT 9,700 Restricted 902,700
		<i>Related Boilerplate Section(s): 202</i>
Property management	1,348,100	Supports lease obligations for state-owned facilities managed by the Department of Technology, Management, and Budget (DTMB) and occupied by DIFS.
		Funding Source(s): IDG/IDT 14,600 Restricted 1,333,500
		<i>Related Boilerplate Section(s): 202</i>
Worker's compensation	1,300	Supports workers' compensation insurance estimated claims and reserve requirements, administered by DTMB.
		Funding Source(s): Restricted 1,300
		<i>Related Boilerplate Section(s): 202</i>
<b>GROSS APPROPRIATION</b>	<b>\$7,410,800</b>	<b>Total of all applicable line item appropriations.</b>

IDG from LARA, debt management	70,600	<u>Source:</u> Filing, registration, investigation, and other fees from individuals and entities (e.g., broker-dealers, agents, investment advisers, adviser representatives, and long-term care facilities) regulated in the securities or long-term care industries. <u>Use:</u> DIFS' implementation and enforcement of the Debt Management Act of 1975 (fees collected under that act are credited directly to the general fund).
Bank fees	585,400	Supervisory, examination, and other fees collected from state-chartered banks, savings banks, trust-only banks, and business and industrial development companies (BIDCOs).
Captive insurance regulatory and supervision fund	56,000	Statutory filing and examination fees collected from captive insurance companies.
Consumer finance fees	285,100	Licensure, examination, and investigation fees and fines collected from individuals and entities (e.g., lenders, creditors, and servicers) licensed in the consumer finance industry.
Credit union fees	967,400	Fees and fines collected from state-chartered credit unions.
Deferred presentment service transaction fees	260,300	Licensure fees and fines collected from individuals and entities providing deferred presentment service transactions and from licensees' customers.
Insurance bureau fund	2,365,300	Actual costs of examinations and investigations, or a regulatory fee derived from statutory formula, and various statutory fees collected from insurance licensees.
Insurance continuing education fees	67,500	Filing and authorization fees collected from providers of insurance producer programs of study.
Insurance licensing and regulation fees	1,992,300	Filing, licensure, and examination fees and fines collected from licensed individuals and entities in the insurance industry.
MBLSLA Fund	759,600	Licensure, registration, examination, and investigation fees collected from licensed individuals and entities engaged in brokering, lending, or servicing original or secondary mortgages.
Multiple employer welfare arrangement	1,300	Filing fees and 0.25% annual assessment collected from individuals and entities establishing or maintaining a multiple employer welfare arrangement.
<b>STATE GENERAL FUND/ GENERAL PURPOSE</b>	<b>\$0</b>	<b>Unrestricted state revenue from taxes and other sources.</b>

## SECTION 103: INSURANCE AND FINANCIAL SERVICES REGULATION

*This appropriation unit supports the state's regulatory oversight of the insurance and financial services industries, including state-chartered banks and credit unions; mortgage brokers, lenders, and servicers; various consumer finance providers; insurance companies, agents, and products; and health maintenance organizations. The unit also supports DIFS' legal counsel and consumer services and protection functions.*

Full-time equated classified positions	365.0	Full-time equated (FTE) positions in the state classified service.
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Consumer services and protection – 91.0 FTE positions	\$13,329,100	<p>Supports consumer protection and legal representation functions, including:</p> <p><u>Fraud Investigation Unit</u>: Investigates criminal and fraudulent activity in matters under DIFS' authority and jurisdiction.</p> <p><u>Office of Communications</u>: Manages department communications and education/outreach efforts for health insurance, auto insurance, and financial services (focusing on financial literacy); develops department webpages.</p> <p><u>Office of Consumer Services</u>: Manages consumer information, inquiries, and complaints; investigates complaints against regulated entities and individuals; oversees the communication center, which is the initial point of contact for incoming calls and visitors.</p> <p><u>Office of General Counsel</u>: Provides legal advice and representation to DIFS regarding enforcement actions, administrative hearings, receivership proceedings, orders, rules, statutes, regulations, bulletins, and declaratory rulings; serves as FOIA coordinator; acts as liaison to the attorney general.</p> <p><u>Office of Innovation and Research</u>: Assesses, researches, and interprets innovation trends; coordinates and streamlines decision-making processes and links entities to DIFS resources capable of providing technical assistance; provides support to the DIFS legislative director through legislative tracking, research, analysis, committee testimony, and legislative outreach.</p> <p><u>Office of Research, Rules, and Appeals</u>: Provides research and assistance on special projects; promulgates administrative rules; issues bulletins and other informal and formal guidance; processes appeals under the Patient's Right to Independent Review Act (2000 PA 251), utilization reviews required under No-Fault reform legislation (2019 PA 21 and 2019 PA 22), calculation reviews and requests for arbitration under the Surprise Medical Billing Act, and appeals under the Clean Claims Act.</p>
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Funding Source(s):	IDG/IDT	61,600
	Restricted	13,267,500

*Related Boilerplate Section(s): 202, 220*



Credit union fees	9,315,900	Fees and fines collected from state-chartered credit unions.
Deferred presentment service transaction fees	2,350,200	Licensure fees and fines collected from individuals and entities providing deferred presentment service transactions and from licensees' customers.
Insurance bureau fund	22,478,900	Actual costs of examinations and investigations, or a regulatory fee derived from statutory formula, and various statutory fees collected from insurance licensees.
Insurance continuing education fees	1,309,600	Filing and authorization fees collected from providers of insurance producer programs of study.
Insurance licensing and regulation fees	10,249,000	Filing, licensure, and examination fees and fines collected from licensed individuals and entities in the insurance industry.
MBLSLA Fund	6,906,100	Licensure, registration, examination, and investigation fees collected from licensed individuals and entities engaged in brokering, lending, or servicing original or secondary mortgages.
Multiple employer welfare arrangement	88,300	Filing fees and 0.25% annual assessment collected from individuals and entities establishing or maintaining a multiple employer welfare arrangement.
<b>STATE GENERAL FUND/ GENERAL PURPOSE</b>	<b>\$0</b>	<b>Unrestricted state revenue from taxes and other sources.</b>

## SECTION 104: INFORMATION TECHNOLOGY

*This appropriation unit includes one line item which supports department-wide IT services and projects provided by the Department of Technology, Management, and Budget.*

Information technology services and projects	\$2,344,300	Supports various information technology services and projects provided by DTMB.
		Funding Source(s): IDG/IDT 25,200 Restricted 2,319,100

*Related Boilerplate Section(s): 202*

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**GROSS APPROPRIATION      \$2,344,300      Total of all applicable line item appropriations.**

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IDG from LARA, debt management	25,200	<u>Source:</u> Filing, registration, investigation, and other fees from individuals and entities (e.g., broker-dealers, agents, investment advisers, adviser representatives, and long-term care facilities) regulated in the securities or long-term care industries. <u>Use:</u> DIFS' implementation and enforcement of the Debt Management Act of 1975 (fees collected under that act are credited directly to the general fund).
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Bank fees	145,500	Supervisory, examination, and other fees collected from state-chartered banks, savings banks, trust-only banks, and BIDCOs.
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Captive insurance regulatory and supervision fund	13,500	Statutory filing and examination fees collected from captive insurance companies.
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Consumer finance fees	72,000	Licensure, examination, and investigation fees and fines collected from individuals and entities (e.g., lenders, creditors, and servicers) licensed in the consumer finance industry.
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Credit union fees	246,000	Fees and fines collected from state-chartered credit unions.
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Deferred presentment service transaction fees	49,500	Licensure fees and fines collected from individuals and entities providing deferred presentment service transactions and from licensees' customers.
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Insurance bureau fund	459,000	Actual costs of examinations and investigations, or a regulatory fee derived from statutory formula, and various statutory fees collected from insurance licensees.
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Insurance continuing education fees	9,000	Filing and authorization fees collected from providers of insurance producer programs of study.
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Insurance licensing and regulation fees	1,135,300	Filing, licensure, and examination fees and fines collected from licensed individuals and entities in the insurance industry.
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MBLSLA Fund	189,300	Licensure, registration, examination, and investigation fees collected from licensed individuals and entities engaged in brokering, lending, or servicing original or secondary mortgages.
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**STATE GENERAL FUND/ GENERAL PURPOSE      \$0      Unrestricted state revenue from taxes and other sources.**

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## BOILERPLATE SECTION INFORMATION

### GENERAL SECTIONS

**Sec. 201. State Spending and Payments to Local Units of Government**

Provides total state spending from state sources and payments to be made to local units of government.

**Sec. 202. Applicability of Management and Budget Act**

Subjects appropriations to Management and Budget Act, 1984 PA 431.

**Sec. 203. Terms and Acronyms**

Defines various terms and acronyms contained in the article.

**Sec. 204. Internet Reporting Requirements**

Requires DIFS to use the internet to fulfill reporting requirements, including transmission of reports via e-mail.

**Sec. 205. Standard List of Report Recipients**

Requires all reports required in boilerplate to be submitted to the House and Senate Appropriations Subcommittees on LARA/DIFS, the House and Senate fiscal agencies, the House and Senate policy offices, and the State Budget Office.

**Sec. 206. Purchase of Foreign Goods**

Prohibits purchase of foreign goods or services if competitively priced and comparable quality American goods or services are available; gives preference to goods and services from Michigan businesses and Michigan businesses owned and operated by veterans.

**Sec. 207. Communication with the Legislature – UNENFORCEABLE**

Prohibits DIFS from taking disciplinary action against employees for communicating with legislators or their staff, unless the communication is prohibited by law. *(Governor's signing letter states this section is unenforceable.)*

**Sec. 208. Out-of-State Travel Report**

Requires DIFS to report on out-of-state travel expenses in the prior fiscal year that were paid for, in whole or in part, with state appropriations.

**Sec. 209. Hiring of External Legal Counsel**

Prohibits using appropriations to hire a person to provide legal services that are the responsibility of the attorney general; prohibition does not apply to legal services for bonding activities or services authorized by attorney general.

**Sec. 210. General Fund Lapse Report**

Requires SBO to report on estimated general fund lapses by major program or program areas at close of prior fiscal year.

**Sec. 211. Contingency Authorization**

Appropriates up to \$200,000 in federal and \$1.0 million in state restricted contingency authorization; authorizes expenditure after legislative transfer to specific line items.

**Sec. 212. Transparency Website**

Requires DIFS, in cooperation with DTMB, to maintain a searchable website accessible by public at no cost that includes information on expenditures, vendor payments, number of active employees, job specifications, and wage rates.

**Sec. 213. Restricted Funds Report**

Requires DIFS to work with SBO to report on estimated restricted fund revenues, expenditures, and balances for the prior two fiscal years.

**Sec. 214. Department Information Website**

Requires DIFS to maintain, on a publicly accessible website, information that identifies, tracks, and regularly updates key metrics used to monitor and improve department performance.

**Sec. 215. Geographically Disadvantaged Business Enterprises**

Requires DIFS director to make an effort to contract with geographically disadvantaged businesses enterprises.

**Sec. 216. FTE Report**

Requires DIFS to submit quarterly reports containing FTE volumes and a comparison of actual and authorized FTE position counts.

## BOILERPLATE SECTION INFORMATION

**Sec. 217. Work Project Usage – UNENFORCEABLE**

Stipulates that appropriations are not to be expended, if possible, until all existing work project authorization for the same purpose is exhausted. *(Governor's signing letter states this section is unenforceable.)*

**Sec. 218. State Administrative Board Transfers – UNENFORCEABLE**

Stipulates that the legislature may intertransfer funds via concurrent resolution if the State Administrative Board transfers funds. *(Governor's signing letter states this section is unenforceable.)*

**Sec. 219. Retention of Reports**

Requires DIFS to receive and retain copies of all reports funded by the department's budget, while complying with federal and state guidelines for records retention.

**Sec. 220. Report on Policy Changes for Public Act Implementation**

Requires DIFS to report on policy changes made to implement public acts that took effect during the prior calendar year.

**Sec. 221. Severance Pay Reporting**

Requires DIFS to report any severance pay for a director or other high-ranking official not later than 14 days after a severance agreement is signed; report the total amount of severance pay remitted and the number of DIFS employees receiving severance pay in FY 2022-23.

**Sec. 222. In-Person Work**

Expresses legislative intent that DIFS maximize the efficiency of the state workforce and prioritize in-person work where possible, and post DIFS' in-person, remote, or hybrid work policy on its website.

**Sec. 223. Access to Government Services**

Prohibits funding from being used to restrict or impede a marginalized community's access to government resources, programs, or facilities; requires local governments to report any action or policy that attempts to restrict or interfere with a local health officer's duties.

**Sec. 224. Increased Payment Options**

Authorizes DIFS to receive payment for licenses, permits, and fees via credit card or other electronic payment means.

**Sec. 225. Television and Radio Production Expenditure Report**

Requires DIFS to report any expenditure of funds to a third-party vendor for television or radio productions; delineates information to be included.

**Sec. 226. Insurance Bureau Fund Use**

Authorizes Insurance Bureau Fund appropriations for use to support legislative participation in insurance activities coordinated by insurance and legislative associations, in accordance with Insurance Code of 1956.

**INSURANCE AND FINANCIAL SERVICES REGULATION**

**Sec. 301. Health Insurance Rate Change Report**

Requires DIFS to electronically transmit the annual health insurance rate change report prepared pursuant to 45 CFR 154.301(b).

**Sec. 302. Conservatorship and Insurance Liquidation Funds**

Requires funds collected by DIFS in connection with a conservatorship pursuant to section 32 of 1987 PA 173 and from corporations being liquidated pursuant to 1956 PA 218 to be appropriated for expenses necessary to provide required services and to not lapse to General Fund; limits appropriations to \$1.0 million.

**Sec. 303. Fees for Customized Listings**

Permits DIFS to provide customized lists of non-confidential information to interested parties and to charge reasonable fees; states that funds lapse to appropriate restricted fund accounts and limits amount appropriated to \$1.0 million.

**Sec. 304. Annual Reports Transmission**

Requires DIFS to electronically transmit the annual report required under the Insurance Code of 1956 and the Banking Code of 1999.

**Sec. 305. Financial Institutions Marihuana Evaluation Guidance**

Requires DIFS to update examination manuals and letters of guidance to reflect how institutions will be evaluated that provide financial services to businesses involved in the marihuana industry.



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**AREAS OF RESPONSIBILITY**

Agriculture and Rural Development.....	William E. Hamilton
Attorney General .....	Michael Clossen
Auditor General .....	Viola Bay Wild
Bill Analysis .....	Rick Yuille
	Edith Best; Holly Kuhn; Josh Roesner; Alex Stegbauer
Capital Outlay .....	Perry Zielak
Civil Rights.....	Michael Clossen
Community Colleges.....	Perry Zielak
Corrections .....	Robin R. Risko
Economic and Revenue Forecasting .....	Benjamin Gielczyk; Jim Stansell
Education (Department) .....	Noel Benson
Environment, Great Lakes, and Energy .....	Austin Scott
Executive Office .....	Viola Bay Wild
Fiscal Oversight, Audit, and Litigation .....	Mary Ann Cleary
Health and Human Services:	
Child Welfare, Child Support, Community Services, Public Health and Aging.....	Sydney Brown
Medicaid, Physical and Behavioral Health .....	Kevin Koorstra
Public Assistance, Field Operations, Medicaid-backup.....	Kent Dell
Higher Education.....	Perry Zielak
Insurance and Financial Services .....	Marcus Coffin
Judiciary.....	Robin R. Risko
Labor and Economic Opportunity .....	Viola Bay Wild
Legislature .....	Viola Bay Wild
Licensing and Regulatory Affairs.....	Marcus Coffin
Local Finance .....	Benjamin Gielczyk
Lottery .....	Viola Bay Wild; Benjamin Gielczyk
Michigan Strategic Fund .....	Viola Bay Wild
Military and Veterans Affairs.....	Michael Clossen
Natural Resources.....	Austin Scott
Natural Resources Trust Fund.....	Austin Scott
Retirement.....	Benjamin Gielczyk
Revenue Forecasting .....	Benjamin Gielczyk; Jim Stansell
Revenue Sharing .....	Benjamin Gielczyk; Jim Stansell
School Aid.....	Noel Benson; Jacqueline Mullen
State (Department) .....	Michael Clossen
State Police .....	Marcus Coffin
Supplemental Coordinator .....	Robin R. Risko
Tax Analysis .....	Benjamin Gielczyk; Jim Stansell
Technology, Management, and Budget.....	Michael Clossen
Transfer Coordinator .....	Viola Bay Wild
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