



# HOUSE BILL No. 5260

## EXECUTIVE BUDGET BILL

December 23, 1993, Introduced by Reps. Walberg, Stille, McBryde, Middleton, Gilmer, Allen and Bobier and referred to the Committee on Appropriations.

A bill to make appropriations for the department of transportation and certain transportation purposes for the fiscal year ending September 30, 1995; to provide for the imposition of fees; to provide for reports; to create certain funds; to prescribe certain powers and duties of certain state departments and officials; and to provide for the expenditure of the appropriations.

### THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 101. There is appropriated for the department of  
2 transportation and certain state purposes designated in this act for  
3 the fiscal year ending September 30, 1995, from the funds identified as  
4 follows:

5 DEPARTMENT OF TRANSPORTATION

## 1 APPROPRIATIONS SUMMARY:

2	Full-time equated unclassified positions . . . . .	6.0	
3	Full-time equated classified positions . . . . .	3,832.4	
4	GROSS APPROPRIATION . . . . .		\$ 2,523,726,100
5	Interdepartmental grant revenues:		
6	Total interdepartmental grants and		
7	intradepartmental transfers . . . . .		702,784,500
8	ADJUSTED GROSS APPROPRIATION . . . . .		\$ 1,820,941,600
9	Federal revenues:		
10	Total federal revenues . . . . .		389,206,800
11	Special revenue funds:		
12	Total local revenues . . . . .		5,000,000
13	Total private revenues . . . . .		0
14	Total other state restricted revenues . . . . .		1,426,734,800
15	State general fund/general purpose . . . . .		\$ 0
16	THE MICHIGAN TRANSPORTATION FUND PROGRAM		
17	APPROPRIATION SUMMARY:		
18	To trunkline fund for:		
19	Rail grade crossing . . . . .		\$ 3,000,000
20	Executive direction/workers' compensation . . . . .		33,200
21	Bureau of transportation planning . . . . .		5,052,200
22	Highways for engineering . . . . .		2,035,600
23	Finance and administration . . . . .		455,100
24	Critical bridge fund . . . . .		8,000,000
25	Economic development fund . . . . .		36,775,000
26	Local grant program . . . . .		33,000,000
27	Subtotal to state trunkline fund . . . . .		88,351,100
28	Transfer to comprehensive transportation fund		
29	for administration of railroad safety and		

1	tariffs . . . . .	1,194,000
2	To state general fund for:	
3	Legislative auditor general . . . . .	153,100
4	Department of state . . . . .	73,563,000
5	Department of treasury . . . . .	6,060,800
6	Department of state police . . . . .	601,100
7	Department of civil service . . . . .	606,100
8	Department of natural resources . . . . .	316,200
9	Department of management and budget . . . . .	263,300
10	Subtotal to other state departments . . . . .	81,603,600
11	Recreation improvement fund . . . . .	12,888,800
12	10% to comprehensive transportation . . . . .	121,338,700
13	39.1% of adjusted net gross to state trunkline . . . . .	397,753,700
14	39.1% of adjusted net gross to county road	
15	commissions . . . . .	397,753,700
16	21.8% of adjusted net gross to cities	
17	and villages . . . . .	<u>221,765,400</u>
18	GROSS APPROPRIATION . . . . .	\$ 1,322,649,000
19	Special revenue funds:	
20	Michigan transportation fund . . . . .	1,322,649,000
21	State general fund/general purpose . . . . .	\$ 0
22	STATE TRUNKLINE FUND PROGRAM	
23	APPROPRIATION SUMMARY:	
24	Full-time equated unclassified positions . . . . .	6.0
25	Full-time equated classified positions . . . . .	3,646.2
26	GROSS APPROPRIATION . . . . .	\$ 985,050,600
27	Interdepartmental grant revenues:	
28	Total interdepartmental grants and	
29	intradepartmental transfers . . . . .	182,498,100

1	ADJUSTED GROSS APPROPRIATION . . . . .	\$	802,552,500
2	Federal revenues:		
3	Total federal revenues . . . . .		358,146,800
4	Special revenue funds:		
5	Total local revenues . . . . .		5,000,000
6	Total private revenues . . . . .		0
7	Total other state restricted revenues . . . . .		439,405,700
8	State general fund/general purpose . . . . .	\$	0
9	DEBT SERVICE		
10	Trunkline debt service . . . . .	\$	<u>27,997,100</u>
11	GROSS APPROPRIATION . . . . .	\$	27,997,100
12	Appropriated from:		
13	Special revenue funds:		
14	State trunkline fund . . . . .		27,997,100
15	State general fund/general purpose . . . . .	\$	0
16	INTERDEPARTMENT & STATUTORY CONTRACTS		
17	To state general fund for:		
18	Department of civil service . . . . .	\$	3,265,800
19	Legislative auditor general . . . . .		250,400
20	Department of attorney general . . . . .		2,220,100
21	Department of management and budget . . . . .		992,400
22	Building occupancy charges-property management . . . . .		4,229,000
23	Department of treasury . . . . .		18,600
24	Department of commerce (Washington office) . . . . .		9,400
25	Department of state police . . . . .		5,754,400
26	Department of natural resources . . . . .		<u>25,200</u>
27	GROSS APPROPRIATION . . . . .	\$	16,765,300
28	Appropriated from:		
29	Special revenue funds:		

1	State trunkline fund . . . . .		16,765,300
2	State general fund/general purpose . . . . .	\$	0
3	EXECUTIVE DIRECTION		
4	Full-time equated unclassified positions . . . . .	6.0	
5	Full-time equated classified positions . . . . .	241.7	
6	Members of the state transportation commission		
7	(per diem payments) . . . . .	\$	60,000
8	Director . . . . .		87,300
9	Unclassified positions . . . . .		331,900
10	Administration and data center—164.2 FTE positions		26,630,700
11	Human resources—40.5 FTE positions . . . . .		2,719,100
12	Commission audit—37.0 FTE positions . . . . .		2,919,800
13	Rent . . . . .		1,600,000
14	Workers' compensation . . . . .		<u>2,266,300</u>
15	GROSS APPROPRIATION . . . . .	\$	36,615,100
16	Appropriated from:		
17	Interdepartmental grant revenues:		
18	IDT-MTF to STF program . . . . .		33,200
19	IDT-AF to STF program . . . . .		717,200
20	IDT-CTF to STF program . . . . .		1,690,700
21	Special revenue funds:		
22	State trunkline fund . . . . .		34,174,000
23	State general fund/general purpose . . . . .	\$	0
24	BUREAU OF FINANCE AND ADMINISTRATION		
25	Full-time equated classified positions . . . . .	264.9	
26	Administration—264.9 FTE positions . . . . .	\$	<u>18,306,200</u>
27	GROSS APPROPRIATION . . . . .	\$	18,306,200
28	Appropriated from:		
29	Interdepartmental grant revenues:		

1	IDT-MTF to STF program . . . . .		455,100
2	Special revenue funds:		
3	State trunkline fund . . . . .		17,851,100
4	State general fund/general purpose . . . . .	\$	0
5	BUREAU OF TRANSPORTATION PLANNING		
6	Full-time equated classified positions . . . . .	205.1	
7	Administration-205.1 FTE positions . . . . .	\$	16,978,700
8	Grants to regional planning councils . . . . .		<u>488,800</u>
9	GROSS APPROPRIATION . . . . .	\$	17,467,500
10	Appropriated from:		
11	Interdepartmental grant revenues:		
12	IDT-road and bridge construction . . . . .		1,530,200
13	IDT-AF to STF-administration . . . . .		226,700
14	IDT-CTF to STF-administration . . . . .		1,618,500
15	IDT-MTF to STF program . . . . .		5,052,200
16	Federal revenues:		
17	DOT-FHWA Highway research, planning,		
18	and construction . . . . .		6,000,000
19	Special revenue funds:		
20	State trunkline fund . . . . .		3,039,900
21	State general fund/general purpose . . . . .	\$	0
22	BUREAU OF HIGHWAYS		
23	Full-time equated classified positions . . . . .	2,929.5	
24	Engineering operations-1,086.9 FTE positions . . . . .	\$	69,188,200
25	Maintenance operations-1,027.6 FTE positions . . . . .		101,605,200
26	Program services-815.0 FTE positions . . . . .		56,323,600
27	Contract maintenance . . . . .		<u>105,094,600</u>
28	GROSS APPROPRIATION . . . . .	\$	332,211,600
29	Appropriated from:		

1	Interdepartmental grant revenues:	
2	IDT-equipment rental credit from other	
3	department units . . . . .	18,000,000
4	IDT-sign and signal credit from road and	
5	bridge programs . . . . .	1,500,000
6	IDT-testing service credit from road and	
7	bridge programs . . . . .	11,000,000
8	IDT-buildings and facilities-STF . . . . .	400,000
9	IDT-road and bridge programs . . . . .	57,463,700
10	IDT-MTF to STF program . . . . .	2,035,600
11	Federal revenues:	
12	DOT-FHWA Highway research, planning,	
13	and construction . . . . .	2,000,000
14	DOT-NHTSA, State and community highway safety . . . . .	146,800
15	Special revenue funds:	
16	State trunkline fund . . . . .	239,665,500
17	State general fund/general purpose . . . . .	\$ 0
18	HIGHWAY PROGRAMS	
19	Federal aid and road and bridge programs . . . . .	\$ 392,662,800
20	Grants to local programs . . . . .	78,000,000
21	Rail grade crossing . . . . .	3,000,000
22	Critical bridge program . . . . .	5,250,000
23	Critical bridge debt service . . . . .	<u>3,000,000</u>
24	GROSS APPROPRIATION . . . . .	\$ 481,912,800
25	Appropriated from:	
26	Interdepartmental grant revenues:	
27	IDT-MTF to STF capital outlay . . . . .	8,000,000
28	IDT-MTF to STF program . . . . .	36,000,000
29	Federal revenues:	

1	DOT-FHWA Highway research, planning,		
2	and construction . . . . .		350,000,000
3	Special revenue funds:		
4	Local funds . . . . .		5,000,000
5	State trunkline fund . . . . .		82,912,800
6	State general fund/general purpose . . . . .	\$	0
7	TRANSPORTATION ECONOMIC DEVELOPMENT FUND		
8	Full-time equated classified positions . . . . .	5.0	
9	Administration-5.0 FTE positions . . . . .	\$	537,800
10	Forest roads . . . . .		5,000,000
11	Rural county urban system . . . . .		2,500,000
12	Economic development debt service . . . . .		5,931,400
13	Target industries/state takeovers . . . . .		16,937,200
14	Urban county congestion . . . . .		11,434,300
15	Rural county primary . . . . .		<u>11,434,300</u>
16	GROSS APPROPRIATION . . . . .	\$	53,775,000
17	Appropriated from:		
18	Interdepartmental grant revenues:		
19	IDT-MTF to STF program . . . . .		36,775,000
20	Special revenue funds:		
21	State general fund/special purpose . . . . .		13,000,000
22	State trunkline fund . . . . .		4,000,000
23	State general fund/general purpose . . . . .	\$	0
24	AERONAUTICS FUND PROGRAM		
25	APPROPRIATION SUMMARY:		
26	Full-time equated classified positions . . . . .	64.2	
27	GROSS APPROPRIATION . . . . .	\$	8,033,800
28	Interdepartmental grant revenues:		
29	Total interdepartmental grants and		



1	intradepartmental transfers . . . . .		0
2	ADJUSTED GROSS APPROPRIATION . . . . .	\$	8,033,800
3	Federal revenues:		
4	Total federal revenues . . . . .		0
5	Special revenue funds:		
6	Total local revenues . . . . .		0
7	Total private revenues . . . . .		0
8	Special revenue funds:		
9	Total other state restricted revenues . . . . .		8,033,800
10	State general fund/general purpose . . . . .	\$	0
11	INTERDEPARTMENT & STATUTORY CONTRACTS		
12	Department of civil service . . . . .	\$	48,100
13	Legislative auditor general . . . . .		17,900
14	Department of attorney general . . . . .		115,300
15	Department of management and budget . . . . .		19,300
16	Department of treasury . . . . .		56,500
17	Department of commerce (Washington office) . . . . .		9,400
18	Overhead - to STF . . . . .		670,400
19	Rent - to STF . . . . .		46,800
20	Planning - to STF . . . . .		<u>226,700</u>
21	GROSS APPROPRIATION . . . . .	\$	1,210,400
22	Appropriated from:		
23	Special revenue funds:		
24	State aeronautics fund . . . . .		1,210,400
25	State general fund/general purpose . . . . .	\$	0
26	BUREAU OF AERONAUTICS		
27	Full-time equated classified positions . . . . .	64.2	
28	Administration-64.2 FTE positions . . . . .	\$	6,123,400
29	Air marketing/incentive program . . . . .		<u>700,000</u>

1	GROSS APPROPRIATION . . . . .	\$	6,823,400
2	Appropriated from:		
3	Special revenue funds:		
4	State aeronautics fund . . . . .		6,823,400
5	State general fund/general purpose . . . . .	\$	0
6	COMPREHENSIVE TRANSPORTATION FUND PROGRAM		
7	APPROPRIATION SUMMARY:		
8	Full-time equated classified positions . . . . .		122.0
9	GROSS APPROPRIATION . . . . .	\$	207,992,700
10	Interdepartmental grant revenues:		
11	Total interdepartmental grants and		
12	intradepartmental transfers . . . . .		1,194,000
13	ADJUSTED GROSS APPROPRIATION . . . . .	\$	206,798,700
14	Federal revenues:		
15	Total federal revenues . . . . .		31,060,000
16	Special revenue funds:		
17	Total local . . . . .		0
18	Total private . . . . .		0
19	Total other state restricted . . . . .		175,738,700
20	State general fund/general purpose . . . . .	\$	0
21	DEBT SERVICE		
22	Comprehensive transportation debt service . . . . .	\$	<u>20,608,400</u>
23	GROSS APPROPRIATION . . . . .	\$	20,608,400
24	Appropriated from:		
25	Special revenue funds:		
26	Comprehensive transportation fund . . . . .		20,608,400
27	State general fund/general purpose . . . . .	\$	0
28	INTERDEPARTMENT & STATUTORY CONTRACTS		
29	Department of civil service . . . . .	\$	96,000

1	Legislative auditor general . . . . .		41,300
2	Department of attorney general . . . . .		117,900
3	Department of management and budget . . . . .		43,300
4	Department of treasury . . . . .		2,000
5	Department of commerce (Washington office) . . . . .		9,400
6	Overhead - to STF . . . . .		1,540,200
7	Rent - to STF . . . . .		150,500
8	Planning - to STF . . . . .		<u>1,618,500</u>
9	GROSS APPROPRIATION . . . . .	\$	3,619,100
10	Appropriated from:		
11	Special revenue funds:		
12	Comprehensive transportation fund . . . . .		3,619,100
13	State general fund/general purpose . . . . .	\$	0
14	BUREAU OF URBAN & PUBLIC TRANSPORTATION		
15	Full-time equated classified positions . . . . .	122.0	
16	Administration-122.0 FTE positions . . . . .	\$	<u>9,018,600</u>
17	GROSS APPROPRIATION . . . . .	\$	9,018,600
18	Appropriated from:		
19	Interdepartmental grant revenues:		
20	IDT-MTF to CTF-administration . . . . .		1,194,000
21	Special revenue funds:		
22	Comprehensive transportation fund . . . . .		7,824,600
23	State general fund/general purpose . . . . .	\$	0
24	BUS TRANSIT DIVISION: STATUTORY OPERATING		
25	Local bus operating . . . . .	\$	99,670,600
26	Nonurban operating/capital . . . . .		<u>6,546,000</u>
27	GROSS APPROPRIATION . . . . .	\$	106,216,600
28	Appropriated from:		
29	Federal revenues:		

1	DOT-Federal transit act . . . . .		6,546,000
2	Special revenue funds:		
3	Comprehensive transportation fund . . . . .		99,670,600
4	State general fund/general purpose . . . . .	\$	0
5	INTERCITY PASSENGER AND FREIGHT		
6	Freight property management . . . . .	\$	2,600,000
7	Detroit/Wayne county port authority . . . . .		301,900
8	Intercity bus equipment . . . . .		500,000
9	Rail passenger service . . . . .		1,750,000
10	Freight preservation and development . . . . .		5,500,000
11	Intercity bus service development . . . . .		1,664,000
12	Marine passenger services . . . . .		1,000,000
13	Terminal development . . . . .		650,000
14	Intercity passenger and freight discretionary . .		<u>2,786,800</u>
15	GROSS APPROPRIATION . . . . .	\$	16,752,700
16	Appropriated from:		
17	Federal revenues:		
18	DOT-Federal transit act . . . . .		714,000
19	DOT-FRA, Local rail service assistance . . . . .		500,000
20	Special revenue funds:		
21	Rail preservation fund . . . . .		800,000
22	Intercity bus equipment fund . . . . .		500,000
23	Comprehensive transportation fund . . . . .		14,238,700
24	State general fund/general purpose . . . . .	\$	0
25	PUBLIC TRANSPORTATION DEVELOPMENT		
26	Specialized services . . . . .	\$	2,622,300
27	Local share bonus . . . . .		1,000,000
28	Effective service bonus . . . . .		1,000,000
29	Municipal credit program . . . . .		1,000,000

1	Bus capital . . . . .	24,600,000
2	Technical studies . . . . .	835,000
3	Ride sharing . . . . .	262,500
4	Van pooling . . . . .	125,000
5	Bus property management . . . . .	225,000
6	Service development and new technology . . . . .	1,500,000
7	Planning grants . . . . .	50,000
8	Public transportation development discretionary . . . . .	<u>18,557,500</u>
9	GROSS APPROPRIATION . . . . .	\$ 51,777,300

10 Appropriated from:

11 Federal revenues:

12	DOT-Federal transit act . . . . .	23,300,000
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13 Special revenue funds:

14	Comprehensive transportation fund . . . . .	28,477,300
15	State general fund/general purpose . . . . .	\$ 0

16 **GENERAL SECTIONS**

17 Sec. 201. (1) In accordance with the provisions of section 30 of  
 18 article IX of the state constitution of 1963, total state spending in  
 19 this bill is \$1,426,734,800.00 and state spending to units of local  
 20 government is as follows:

21 Department of Transportation

22 Michigan transportation fund

23	Local grant program . . . . .	\$ 33,000,000
24	Economic development fund . . . . .	30,368,600
25	Grants to cities and villages . . . . .	221,765,400
26	Grants to county road commissions . . . . .	397,753,700
27	Critical bridge program . . . . .	5,000,000
28	State trunkline fund	
29	Grants to local programs . . . . .	45,000,000

1 Grants to regional planning councils . . . . .	488,800
2 Critical bridge program interest . . . . .	250,000
3 Comprehensive transportation fund	
4 Local bus operating . . . . .	99,670,600
5 Bus capital . . . . .	2,600,000
6 Marine passenger service . . . . .	1,000,000
7 Detroit/Wayne County port authority . . . . .	301,900
8 Local ride sharing operating grants . . . . .	262,500
9 Planning grants . . . . .	50,000
10 Local share bonus . . . . .	1,000,000
11 Effective service bonus . . . . .	1,000,000
12 Municipal credit program . . . . .	1,000,000
13 Specialized services . . . . .	2,622,300
14 Total payments to local units of government . . . . .	\$ 843,133,800

15 (2) When it appears to the director of the department that state  
16 spending to local units of government will be less than the amount that  
17 was projected to be expended for any quarter, the director shall  
18 immediately give notice of the approximate shortfall to the department  
19 of management and budget, the senate and house appropriations  
20 committees, and the senate and house fiscal agencies.

21 Sec. 202. The appropriations made and the expenditures authorized  
22 under this act and the departments, agencies, commissions, boards,  
23 offices, and programs for which an appropriation is made under this act  
24 are subject to the management and budget act, Act No. 431 of the Public  
25 Acts of 1984, being sections 18.1101 to 18.1594 of the Michigan  
26 Compiled Laws.

27 Sec. 203. The amounts appropriated for utilities and that portion  
28 of contractual services, supplies, and materials used to pay for  
29 utility service to state facilities in section 101 may be expended in a  
30 manner consistent with the provisions of section 253 of the management

1 and budget act, Act 431 of the Public Acts of 1984, being section  
2 18.1253 of the Michigan Compiled Laws.

3 Sec. 204. As used in this act:

4 (a) "AASHTO" means the American association of state highway and  
5 transportation officials.

6 (b) "DOT" means the United States department of transportation.

7 (c) "DOT-FHWA" means DOT-federal highway administration.

8 (d) "DOT-FRA" means DOT-federal railroad administration.

9 (e) "DOT-NHTSA" means DOT-national highway traffic safety  
10 administration.

11 (f) "FTE" means full-time equated.

12 (g) "IDG" means interdepartmental grant.

13 (h) "IDT" means intradepartmental transfer.

14 (i) "MBE-WBE" means minority business enterprises and women's  
15 business enterprises.

16 (j) "SMART" means the suburban mobility authority for regional  
17 transportation.

18 Sec. 205. (1) Beginning October 1, 1994, there shall be a hiring  
19 freeze imposed on the state classified civil service. State  
20 departments and agencies shall be prohibited from hiring any new full-  
21 time state classified civil service employees and prohibited from  
22 filling any vacant state classified civil service positions. This  
23 hiring freeze does not apply to internal transfers from one position to  
24 another within a department or to positions that are funded 80% or more  
25 from federal or restricted funds.

26 (2) The director of the department of management and budget shall  
27 grant exceptions to this hiring freeze when the director believes that  
28 such a hiring freeze will result in rendering a state department or  
29 agency unable to deliver basic services. The director of the  
30 department of management and budget shall report by the fifteenth of

1 each month to the chairpersons of the senate and house appropriations  
2 committees the number of exclusions to the hiring freeze approved  
3 during the previous month and the reasons to justify the exclusion.

4       Sec. 206. In addition to the funds appropriated in section 101,  
5 there is hereby appropriated such federal, local, or private funds as  
6 the department may be eligible to receive up to a total of \$20,000,000.  
7 These funds shall not be available for expenditure unless transferred  
8 to a line item in this act in compliance with the applicable provisions  
9 of section 393 of the management and budget act, Act 431 of the Public  
10 Acts of 1984, being section 18.1393 of the Michigan Compiled Laws.

11       Sec. 207. From the funds appropriated in section 101, the  
12 department may make grants in support of the Michigan neighborhood  
13 partnership to non-profit organizations for purposes consistent with  
14 the purposes of the line-item appropriation from which the grant is  
15 made. The total of such grants made by the department may not exceed  
16 \$50,000.

#### 17 **DEPARTMENTAL SECTIONS**

18       Sec. 301. The department may establish a fee schedule and collect  
19 fees sufficient to cover the costs of the issuance of the permits which  
20 the department is authorized by law to issue upon request, and for  
21 which fees are not otherwise stipulated by law.

22       Sec. 302. The department shall prepare an official transportation  
23 map which shall be distributed without charge.. Each legislator shall  
24 receive a quantity of maps as determined by the legislative council.

25       Sec. 303. On request, the state treasurer shall provide to a  
26 legislator, in writing, a report on the amount of money to be received  
27 by each city and village and the county road commission of each county,  
28 which city, village, or county is included in whole or in part within  
29 the legislator's legislative district.

30       Sec. 304. To promote more effective management of employees within



1 the bureau of highways, the director of the department may temporarily  
2 transfer positions between appropriation units, within and between the  
3 highway engineering and highway maintenance programs, to cover  
4 functions which the director considers to be critical due to seasonal  
5 fluctuations and emergency situations. The department shall report at  
6 the end of the fiscal year to the department of management and budget  
7 on the temporary cross-divisional transfers of positions pursuant to  
8 this section.

9       Sec. 305. (1) The amounts appropriated and transferred to various  
10 state agencies from section 101 shall be expended from the  
11 transportation funds pursuant to annual contracts between the  
12 department and state agencies providing tax and fee collection and  
13 other services applicable to transportation funds. The contracts shall  
14 be executed prior to the transfer of these funds. The contracts shall  
15 provide, but will not be limited to, the following data applicable to  
16 each state agency:

17       (a) Estimated costs to be recovered from transportation funds.

18       (b) Description of services financed with transportation funds.

19       (2) If the spending authorization accounts also are to be used for  
20 financing other than transportation fund services, the agency shall  
21 submit cost allocation methods and rationale for the portion of costs  
22 allocated to transportation funds.

23       (3) At the close of each fiscal year and before April 1, each  
24 state agency shall submit a written report to the department of  
25 management and budget stating by spending authorization account the  
26 amount of estimated funds contracted with the department, the amount of  
27 funds expended, and the amount of funds returned to the transportation  
28 funds. A copy of the report shall be submitted to the auditor general  
29 and the report shall be subject to audit by the auditor general.

30       (4) The department and the state agencies with which the

1 department contracts in the manner provided in subsection (1) shall  
2 work together to explore methods of minimizing lapses or shortfalls in  
3 grants from transportation funds.

4       Sec. 306. For the purpose of meeting unanticipated needs when  
5 current staffing levels may not be sufficient, the department may  
6 maintain within the executive division a pool of nonmanagement  
7 positions that may be used throughout the department at the discretion  
8 of the director.

9       Sec. 307. The department shall present to the house and senate  
10 appropriations transportation subcommittees an updated revenue report  
11 as the report becomes available from the office of revenue and tax  
12 analysis.

13       Sec. 308. At the close of the fiscal year ending September 30,  
14 1995, any unencumbered and unexpended balance in the state trunkline  
15 fund shall remain in the state trunkline fund and shall be used for  
16 federal aid and road and bridge programs pursuant to section 11(1)(d)  
17 of Act No. 51 of the Public Acts of 1951, being section 247.661 of the  
18 Michigan Compiled Laws, for projects contained in an annual state  
19 transportation program approved by the legislature.

20       Sec. 309. If, as a requirement of bidding on a highway project,  
21 the department requires a contractor to submit financial or proprietary  
22 documentation as to how the bid was calculated, that bid documentation  
23 shall be kept confidential and shall not be disclosed other than to a  
24 department representative without the contractor's written consent. The  
25 department may disclose the bid documentation if necessary to address  
26 or defend a claim by a contractor.

27       Sec. 310. The department may permit space on public passenger  
28 transportation properties to be occupied by public or private tenants  
29 on a competitive market rate basis. The department may require that  
30 revenue from the tenants be placed in an account to be used for the

1 costs of maintaining and improving the property.

2       Sec. 311. From the funds appropriated in section 101, the auditor  
3 general shall conduct an audit of charges to transportation funds by  
4 state departments. The auditor general shall submit a detailed report,  
5 with recommendations and conclusions, including a list of services  
6 charged to transportation funds, the appropriateness of charges, and  
7 the cost allocation methodologies used in determining the level of  
8 funding, to the senate and house appropriations subcommittees on  
9 transportation and the senate and house fiscal agencies by January 15,  
10 1995.

11       Sec. 312. The department may provide for use of the limited access  
12 highway located in the vicinity of the International bridge in the city  
13 of Sault Ste. Marie and the limited access highway located in the  
14 vicinity of the Blue Water bridge in Port Huron for facilities to sell  
15 only those articles which are for export and consumption outside the  
16 United States to the extent that such use is not restricted by federal  
17 law. Revenue derived from these facilities shall be deposited in the  
18 fund created pursuant to section 7 of Act No. 99 of the Public Acts of  
19 1954, being section 254.227 of the Michigan Compiled Laws, in the case  
20 of the International bridge and in the state trunk line fund in the  
21 case of the Blue Water bridge.

## 22 **FEDERAL**

23       Sec. 401. If federal funding is reduced or eliminated for any rail  
24 passenger line within the state which includes the 4 lines operating  
25 from Grand Rapids-Chicago, Port Huron-Chicago, Detroit-Chicago, and  
26 Detroit-Toledo, then the balance in the accounts appropriated under  
27 rail passenger operating assistance for the lines operating from Grand  
28 Rapids-Chicago and Port Huron-Chicago may be used to continue the  
29 operations of any of the 4 rail passenger lines.

## 30 **MICHIGAN TRANSPORTATION FUND**

1       Sec. 501. The money received under the motor carrier act, Act No.  
2 254 of the Public Acts of 1933, being sections 475.1 to 479.20 of the  
3 Michigan Compiled Laws, and not appropriated to the department of  
4 commerce or the department of state police, is deposited in the  
5 Michigan transportation fund.

6       Sec. 502. The state treasurer shall perform audits and make  
7 investigations of the disposition of all state funds received by county  
8 road commissions and cities and villages for transportation purposes to  
9 determine compliance with the terms and conditions of Act No. 51 of the  
10 Public Acts of 1951, being sections 247.651 to 247.675 of the Michigan  
11 Compiled Laws. The county road commissions shall make available to the  
12 state treasurer the pertinent records for the audit.

13       Sec. 503. If a county road commission has entered into a contract  
14 with the department to eliminate or cut roadside weeds and if the weeds  
15 were eliminated or cut by a city or township after the city or township  
16 has requested the county to perform its contractual obligation, then  
17 the department shall reimburse the city or township and shall deduct  
18 that amount from the fund appropriated to the county involved. This  
19 action shall require prior approval of the state. The department shall  
20 consult with the department of agriculture prior to use of plant growth  
21 retardant on freeway or highway rights-of-way.

22       Sec. 504. The appropriations in section 101 for the economic  
23 development programs shall not lapse at the end of the fiscal year but  
24 shall carry forward each fiscal year for the purposes for which  
25 appropriated in accordance with Act No. 231 of the Public Acts of 1987,  
26 being sections 247.901 to 247.914 of the Michigan Compiled Laws, and  
27 Act No. 233 of the Public Acts of 1987, being sections 247.931 to  
28 247.933 of the Michigan Compiled Laws.

29       Sec. 505. Interest earned in the economic development fund shall  
30 remain in the fund and shall be allocated to the respective programs

1 based on actual interest earned at the end of each fiscal year.

2     Sec. 506. The department of transportation economic development  
3 fund may receive and expend federal, local, or private funds or other  
4 state restricted funds such as interest earnings for projects that are  
5 consistent with the programmatic mission of the fund in addition to  
6 funds appropriated in section 101.

7     Sec. 507. Of the amount appropriated in section 101 from the  
8 Michigan transportation fund to the department of state, \$186,600.00  
9 represents the additional cost of issuing specialized license plates  
10 for veterans and national guard members, as included in Act Nos. 16,  
11 17, 18, and 19 of the Public Acts of 1989. The department of state  
12 shall prepare an annual report on the number of and the additional  
13 costs associated with the veteran license plates to the department of  
14 transportation and the chairs of the house and senate appropriations  
15 subcommittees on transportation. Any unspent funds based on these  
16 annual reports shall lapse to the Michigan transportation fund and be  
17 distributed in accordance with Act No. 51 of the Public Acts of 1951,  
18 being sections 247.651 to 247.675 of the Michigan Compiled Laws.

19     Sec. 508. (1) Of the amount appropriated in section 101 from the  
20 Michigan transportation fund to the department of state, \$187,600.00  
21 represents the additional cost of issuing generic license plates for  
22 nonprofit fraternal or public service organizations, as included in  
23 section 803m of the Michigan vehicle code, Act No. 300 of the Public  
24 Acts of 1949, being section 257.803m of the Michigan Compiled Laws.

25     (2) The department of state shall prepare an annual report on the  
26 number of, and the additional costs associated with, the generic  
27 license plates to the state transportation department, the house and  
28 senate appropriations subcommittees on transportation, and the house  
29 and senate fiscal agencies.

30     (3) Any unspent funds based on these annual reports shall lapse to

1 the Michigan transportation fund to be distributed in accordance with  
 2 Act No. 51 of the Public Acts of 1951, being sections 247.651 to  
 3 247.675 of the Michigan Compiled Laws.

4       Sec. 509. The department's ability to satisfy transportation  
 5 economic development fund appropriation deducts in section 101 shall  
 6 not be limited to collections and accruals pertaining to services  
 7 provided in fiscal year 1994-95, but shall also include reimbursements,  
 8 refunds, adjustments, and interest earnings from prior years.  
 9 Collections or accruals from services provided in fiscal years 1987-88  
 10 through 1993-94 may be credited to the transportation economic  
 11 development fund for purposes of satisfying current year appropriation  
 12 deductions.

### 13 **STATE TRUNKLINE FUND**

14       Sec. 601. Pursuant to section 11 of Act No. 286 of the Public Acts  
 15 of 1964, being section 247.811 of the Michigan Compiled Laws, the  
 16 amount appropriated in section 101 for the state transportation  
 17 commission may be expended for per diem payments at the rate of \$75.00  
 18 per day, not to exceed \$10,000.00 in the fiscal year for each member of  
 19 the state transportation commission.

20       Sec. 602. (1) From the appropriation in section 101 for urban  
 21 center maintenance, funds shall be expended to provide summer jobs for  
 22 youths throughout the state.

23       (2) Payments made through the summer jobs for youth program to  
 24 recipients of public assistance who are not head of a household are  
 25 considered to be county training program incentives.

26       (3) Following termination of income from this program and upon  
 27 application by the recipient, the department of social services shall  
 28 process the application according to procedures designed to reinstate  
 29 with a minimum of delay the cash grants of persons determined eligible.

30       Sec. 603. The amounts appropriated in section 101 from the state

1 trunkline fund for the critical bridge fund program and transportation  
2 economic development fund represent interest earned by the critical  
3 bridge and economic development subfunds.

#### 4 **COMPREHENSIVE TRANSPORTATION FUND**

5     Sec. 701. Money which is returned to the state as repayment for a  
6 loan for intercity bus equipment is not money to be deposited in the  
7 comprehensive transportation fund under section 10b of Act No. 51 of  
8 the Public Acts of 1951, being section 247.660b of the Michigan  
9 Compiled Laws, but is money that is deposited in an intercity bus  
10 equipment fund for appropriation for the purchase and repair of  
11 intercity bus equipment. Proceeds received by the state from the sale  
12 of intercity bus equipment are deposited in an intercity bus equipment  
13 fund for appropriation for the purchase and repair of intercity bus  
14 equipment. Security deposits from the lease of state owned intercity  
15 bus equipment not returned to the lessee of such equipment under terms  
16 of the lease agreement are deposited in an intercity bus equipment fund  
17 for appropriation for the repair of intercity bus equipment.

18     Sec. 702. Money which is received by the state as repayment for  
19 loans made for rail or water freight capital projects, and as a result  
20 of the sale of a property or equipment used or projected to be used for  
21 rail or water freight projects shall be deposited in the fund created  
22 by section 17 of the state transportation preservation act of 1976, Act  
23 No. 295 of the Public Acts of 1976, being section 474.67 of the  
24 Michigan Compiled Laws.

25     Sec. 703. (1) The appropriation in section 101 for van pooling  
26 shall be administered by the bureau of transportation planning of the  
27 department through grants to eligible authorities and eligible  
28 governmental agencies to insure coordination between van and car  
29 pooling programs and the transit systems operated by the eligible  
30 authorities and eligible governmental agencies.

1 (2) The department shall utilize competitive bidding for each  
2 grant awarded under subsection (1).

3 Sec. 704. (1) The departments of mental health, public health,  
4 social services, and transportation, and the office of services to the  
5 aging within the department of management and budget shall develop a  
6 system to identify and collect the following information annually for  
7 each county:

8 (a) All operational and capital costs of services provided,  
9 contracted for, or purchased, to transport clients or program  
10 participants within the county, including all other funds received and  
11 expended for those purposes by the state department.

12 (b) Population groups utilizing transportation services by a  
13 percentage of the total.

14 (c) Services accessed through transportation provided by  
15 percentages of the dollar total.

16 (d) All funding sources for transportation and amounts from each  
17 source.

18 (e) If known, provide the existence of interagency or countywide  
19 transportation planning or coordination, and the extent to which each  
20 state department participates.

21 (2) On an annual basis a model form shall be obtained from the  
22 department of management and budget for the purpose of providing the  
23 information required in subsection (1).

24 (3) By December 31 of each year, the department shall report to  
25 the house and senate appropriations subcommittees on transportation on  
26 the development of the system required in subsection (1).

27 (4) The information collected for the fiscal year shall be  
28 submitted by each department by December 31 of the following fiscal  
29 year to the respective house and senate appropriations subcommittees  
30 and the department of management and budget.



1 Sec. 705. The department shall make the federal section 16(b)(2)  
2 funds, which are allocated to Michigan for provision of transportation  
3 services for elderly persons and persons with disabilities, available  
4 to urban areas as well as rural areas, where those services which meet  
5 the special needs of elderly persons and persons with disabilities are  
6 not currently provided by an existing public transit system.  
7 Applications for 16(b)(2) funding from urban and from rural areas shall  
8 be considered on an equal basis.

9 Sec. 706. (1) In addition to amounts appropriated by section  
10 101, there is appropriated from the motor vehicle emissions testing  
11 program fund established by Act No. 232 of the Public Acts of 1993 and  
12 from the motor vehicle emissions inspection and maintenance program  
13 fund established by Act No. 234 of the Public Acts of 1993, amounts  
14 sufficient to pay any such services and requirements that may exist  
15 regarding the establishment and operation of mandatory motor vehicle  
16 emission inspection and maintenance program(s) in the state in  
17 accordance with the provisions in the Public Acts referred to in the  
18 section.

19 (2) Funds appropriated pursuant to subsection (1) may only be  
20 used to administer plans in conformance with requirements of the United  
21 States environmental protection agency that result from their findings  
22 concerning air quality attainment status for Southeast Michigan and  
23 West Michigan.

24 (3) Funds appropriated pursuant to subsection (1) are allotted  
25 for expenditure by the department of transportation for administration  
26 and oversight. Interdepartmental transfers are authorized to the  
27 department of agriculture for gasoline inspection and testing and the  
28 department of state for enforcement of the motor vehicle emissions  
29 testing program through the vehicle registration process.

30 **AERONAUTICS FUND**

1       Sec. 801. At the close of the fiscal year ending September 30,  
2 1995, any unobligated and unexpended balance in the state aeronautics  
3 fund shall lapse to the state aeronautics fund and be appropriated by  
4 the legislature in the succeeding fiscal year.

5       Sec. 802. Rates charged by the department for use of state  
6 aircraft shall be sufficient to cover the cost of maintenance,  
7 operation, repair, and replacement of the aircraft.