

Act No. 109  
Public Acts of 1991  
Approved by the Governor  
October 11, 1991  
Filed with the Secretary of State  
October 11, 1991

**STATE OF MICHIGAN**  
**86TH LEGISLATURE**  
**REGULAR SESSION OF 1991**

Introduced by Senator McManus

# ENROLLED SENATE BILL No. 228

AN ACT to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 1992; to provide for the imposition of fees; to provide for reports; 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:*

Sec. 101. There is appropriated for the state transportation department and certain state purposes designated in this act for the fiscal year ending September 30, 1992, from the following funds:

## STATE TRANSPORTATION DEPARTMENT

### APPROPRIATIONS SUMMARY:

Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions.....	4,206.4	
GROSS APPROPRIATION .....		\$ 2,157,105,700
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....	603,526,000	
ADJUSTED GROSS APPROPRIATION .....		\$ 1,553,579,700
Federal revenues:		
Total federal revenues .....	272,790,000	
Special revenue funds:		
Total local revenues .....	4,000,000	
Total private revenues.....	0	
Total other state restricted revenues .....		\$ 1,276,789,700
State general fund/general purpose .....		\$ 0

## MICHIGAN TRANSPORTATION FUND

### APPROPRIATIONS SUMMARY:

To trunkline fund for:

Rail grade crossing .....	\$ 3,000,000
Executive division.....	33,200
Local services division .....	2,728,000
Highway traffic and safety division.....	17,100

For Fiscal Year  
Ending Sept. 30,  
1992

Bureau of transportation planning .....	\$ 2,430,800
Transportation safety and tariffs .....	1,430,600
Subtotal to state trunkline fund .....	9,639,700
To state general fund for:	
Legislative auditor general .....	111,600
Department of state .....	65,594,100
Department of treasury .....	5,653,300
Department of state police .....	569,200
Department of civil service .....	543,300
Department of natural resources .....	271,300
Department of management and budget .....	230,600
Subtotal to other state departments .....	72,973,400
Recreation improvement fund .....	12,175,500
10% to comprehensive transportation fund .....	106,327,200
Critical bridge fund .....	5,000,000
Economic development fund .....	36,775,000
39.1% of adjusted net gross to state trunkline .....	357,831,100
39.1% of adjusted net gross to county road commissions .....	357,831,100
21.8% of adjusted net gross to cities and villages .....	199,507,000
GROSS APPROPRIATION .....	\$ 1,158,060,000
Special revenue funds:	
Michigan transportation fund .....	1,158,060,000
State general fund/general purpose .....	\$ 0

#### STATE TRUNKLINE FUND PROGRAM

##### APPROPRIATIONS SUMMARY:

Full-time equated unclassified positions .....	6.0
Full-time equated classified positions .....	3,990.9
GROSS APPROPRIATION .....	\$ 805,677,400
Interdepartmental grant revenues:	
IDT-equipment rental credit .....	18,000,000
IDT-sign and signal credit from road and bridge construction .....	1,600,000
IDT-road and bridge construction .....	56,633,300
IDT-testing service credit from road and bridge construction .....	9,000,000
IDT-MTF to STF-administration .....	51,414,700
IDG from department of labor .....	22,200
IDG from department of military affairs .....	2,100
IDG from department of natural resources .....	476,300
Total interdepartmental grants and intradepartmental transfers .....	137,148,600
ADJUSTED GROSS APPROPRIATION .....	\$ 668,528,800
Federal revenues:	
DOT-NHTSA, State and community highway safety .....	40,000
DOT-FHWA Highway research, planning, and construction .....	256,900,000
Total federal revenues .....	\$ 256,940,000
Special revenue funds:	
Local funds .....	4,000,000
Total local revenues .....	4,000,000
Total private revenues .....	0
General fund restricted purpose .....	14,500,000
State trunkline fund .....	393,088,800
Total other state restricted revenues .....	407,588,800
State general fund/general purpose .....	\$ 0

#### DEBT SERVICE

Trunkline highway bonds, series 1983/1999 (\$135,000,000) .....	\$ 9,775,200
Trunkline refunding bonds, series 1986 I (\$80,110,000) .....	6,543,200
Trunkline refunding bonds, series 1986 II (\$25,540,000) .....	2,152,600
Trunkline highway bonds, series 1984/1999 (\$50,000,000) .....	4,393,100
Trunkline refunding bonds, series 1989 B (\$9,290,000) .....	790,200

		For Fiscal Year Ending Sept. 30, 1992
Trunkline bonds, series 1989 A (\$30,000,000).....	\$	1,929,700
GROSS APPROPRIATION .....	\$	25,584,000
Appropriated from:		
Special revenue funds:		
State trunkline fund .....		25,584,000
State general fund/general purpose .....	\$	0
INTERDEPARTMENT & STATUTORY CONTRACTS		
To state general fund for:		
Department of civil service.....	\$	2,078,500
Legislative auditor general.....		222,300
Department of attorney general.....		1,963,900
Department of management and budget .....		939,500
Building occupancy charges-property management .....		3,756,100
Department of treasury.....		17,900
Department of commerce (Washington office).....		9,300
Department of state police.....		4,552,400
Department of natural resources .....		23,200
GROSS APPROPRIATION .....	\$	13,563,100
Appropriated from:		
Special revenue funds:		
State trunkline fund .....		13,563,100
State general fund/general purpose .....	\$	0
EXECUTIVE BUREAU		
Full-time equated unclassified positions .....	6.0	
Full-time equated classified positions.....	128.9	
Members of the state transportation commission (per diem payments) .....	\$	60,000
Director .....		83,100
Unclassified positions .....		316,100
Executive division—41.9 FTE positions.....		3,017,200
Human resources—44.0 FTE positions .....		2,612,900
Commission Audit—38.0 FTE positions.....		2,553,100
Economic development administration—5.0 FTE positions.....		512,800
Rent .....		1,556,900
Worker's compensation .....		1,535,800
GROSS APPROPRIATION .....	\$	12,247,900
Appropriated from:		
Special revenue funds:		
State trunkline fund .....	\$	11,701,900
General fund restricted purpose .....		145,000
Interdepartmental grant revenues:		
IDT-Michigan transportation fund.....		401,000
State general fund/general purpose .....	\$	0
BUREAU OF ADMINISTRATION		
Full-time equated classified positions.....	347.7	
Engineering & scientific data center—110.0 FTE positions.....	\$	12,324,500
Technical services—119.5 FTE positions .....		8,701,800
Travel information—66.5 FTE positions.....		3,223,100
Transportation safety and tariffs—22.2 FTE positions .....		1,430,600
Office of small business—29.5 FTE positions .....		1,845,500
GROSS APPROPRIATION .....	\$	27,525,500
Appropriated from:		
Interdepartmental grant revenues:		
IDG from department of labor .....		22,200
IDG from department of military affairs.....		2,100
IDG from department of natural resources .....		476,300
IDT-MTF to STF-administration .....		1,430,600

		For Fiscal Year Ending Sept. 30, 1992
Special revenue funds:		
State trunkline fund .....	\$	25,594,300
State general fund/general purpose .....	\$	0
<b>BUREAU OF FINANCE</b>		
Full-time equated classified positions.....	114.1	
Finance—Operations—73.1 FTE positions .....	\$	3,690,900
Finance—Services—41.0 FTE positions .....		2,122,700
GROSS APPROPRIATION .....	\$	5,813,600
Appropriated from:		
Special revenue funds:		
State trunkline fund .....	\$	5,813,600
State general fund/general purpose .....	\$	0
<b>BUREAU OF TRANSPORTATION PLANNING</b>		
Full-time equated classified positions.....	175.3	
Administration—175.3 FTE positions.....	\$	12,270,100
Grants to regional planning councils .....		488,800
GROSS APPROPRIATION .....	\$	12,758,900
Appropriated from:		
Federal revenues:		
DOT-FHWA Highway research, planning, and construction .....		4,900,000
Interdepartmental grant revenues:		
IDT-road and bridge construction .....		1,226,400
IDT-MTF to STF-administration .....		2,430,800
Special revenue funds:		
State trunkline fund .....		4,201,700
State general fund/general purpose .....	\$	0
<b>BUREAU OF HIGHWAYS: HIGHWAY SERVICES</b>		
Full-time equated classified positions.....	888.0	
Administration—12.0 FTE positions.....	\$	886,300
Programming and engineering services—86.5 FTE positions .....		5,036,900
Local services—38.0 FTE positions .....		2,728,000
Design—441.4 FTE positions .....		25,098,300
Real Estate—156.0 FTE positions .....		10,292,500
Traffic and safety—154.1 FTE positions.....		9,847,900
GROSS APPROPRIATION .....	\$	53,889,900
Appropriated from:		
Federal revenues:		
DOT-NHTSA, State and community highway safety.....	\$	40,000
Interdepartmental grant revenues:		
IDT-road and bridge construction .....		20,787,500
IDT-MTF to STF-administration .....		2,745,100
Special revenue funds:		
State trunkline fund .....		30,317,300
State general fund/general purpose .....	\$	0
<b>BUREAU OF HIGHWAYS: HIGHWAY OPERATION</b>		
Full-time equated classified positions.....	2,336.9	
Materials and technology—238.2 FTE positions .....	\$	15,505,300
Construction—1,003.1 FTE positions .....		48,717,300
Maintenance—1,095.6 FTE positions .....		99,639,800
Urban center maintenance .....		2,086,100
Contract payments to local units .....		94,544,600
Heavy maintenance-nonroutine.....		515,000
GROSS APPROPRIATION .....	\$	261,008,100
Appropriated from:		
Interdepartmental grant revenues:		

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IDT-equipment rental credit from other department units .....	\$ 18,000,000
IDT-sign and signal credit from road and bridge construction.....	1,600,000
IDT-testing service credit from road and bridge construction.....	9,000,000
IDT-road and bridge construction .....	34,619,400
Special revenue funds:	
State trunkline fund .....	197,788,700
State general fund/general purpose .....	\$ 0
<b>ROAD AND BRIDGE CONSTRUCTION</b>	
State trunkline and bridge construction .....	\$ 333,024,200
GROSS APPROPRIATION .....	\$ 333,024,200
Appropriated from:	
Federal revenues:	
DOT-FHWA Highway research,planning,and construction .....	252,000,000
Special revenue funds:	
Local funds .....	4,000,000
State trunkline fund .....	77,024,200
State general fund/general purpose .....	\$ 0
<b>RAIL GRADE CROSSING ACCOUNT PROGRAM</b>	
Rail grade crossing account.....	\$ 3,000,000
GROSS APPROPRIATION .....	\$ 3,000,000
Appropriated from:	
Interdepartmental grant revenues:	
IDT-Michigan transportation fund to state trunkline fund - administration .....	3,000,000
State general fund/general purpose .....	\$ 0
<b>TRANSPORTATION ECONOMIC DEVELOPMENT FUND</b>	
Forest roads.....	\$ 5,000,000
Rural county urban system.....	2,500,000
Trunkline bonds, series 1989A-EDF (\$100,000,000).....	6,432,700
Target industries/state takeovers .....	15,797,500
Urban county congestion.....	11,016,000
Rural county primary.....	11,016,000
GROSS APPROPRIATION .....	\$ 51,762,200
Appropriated from:	
Special revenue funds:	
General fund restricted purpose .....	14,355,000
Interdepartmental grant revenues:	
IDT-MTF to STF-administration .....	36,407,200
State trunkline fund .....	1,000,000
State general fund/general purpose .....	\$ 0
<b>CRITICAL BRIDGE FUND PROGRAM</b>	
Critical bridge program.....	\$ 5,500,000
GROSS APPROPRIATION .....	\$ 5,500,000
Appropriated from:	
Interdepartmental grant revenues:	
IDT-Michigan transportation fund.....	5,000,000
Special revenue funds:	
State trunkline fund .....	500,000
State general fund/general purpose .....	\$ 0
<b>AERONAUTICS FUND PROGRAM</b>	
<b>APPROPRIATIONS SUMMARY:</b>	
Full-time equated classified positions.....	74.0
GROSS APPROPRIATION .....	\$ 9,691,100
Interdepartmental grant revenues:	

		For Fiscal Year Ending Sept. 30, 1992
Total interdepartmental grants and intradepartmental transfers .....	\$	0
ADJUSTED GROSS APPROPRIATION .....	\$	9,691,100
Special revenue funds:		
State aeronautics fund.....		9,691,100
State general fund/general purpose .....	\$	0
INTERDEPARTMENT & STATUTORY CONTRACTS		
To general fund for:		
Department of civil service.....	\$	40,400
Legislative auditor general.....		19,500
Department of attorney general.....		109,200
Department of management and budget .....		17,000
Department of treasury.....		53,900
Department of commerce (Washington office) .....		9,300
To trunkline fund for:		
Overhead.....		594,100
Rent.....		35,900
GROSS APPROPRIATION .....	\$	879,300
Appropriated from:		
Special revenue funds:		
State aeronautics fund.....		879,300
State general fund/general purpose .....	\$	0
BUREAU OF AERONAUTICS		
Full-time equated classified positions.....	74.0	
Administration—74.0 FTE positions.....	\$	7,211,800
Air marketing/incentive program .....		1,600,000
GROSS APPROPRIATION .....	\$	8,811,800
Appropriated from:		
Special revenue funds:		
State aeronautics fund.....		8,811,800
State general fund/general purpose .....	\$	0
COMPREHENSIVE TRANSPORTATION FUND PROGRAM		
APPROPRIATIONS SUMMARY:		
Full-time equated classified positions.....	141.5	
GROSS APPROPRIATION .....	\$	183,677,200
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION .....	\$	183,677,200
Federal revenues:		
DOT-FRA, Local rail service assistance .....		500,000
DOT-UMTA .....		11,850,000
DOT, Surface transportation act, section 18.....		3,500,000
Total federal revenues .....		15,850,000
Special revenue funds:		
Intercity bus equipment fund.....		2,000,000
Rail preservation fund.....		2,000,000
Comprehensive transportation fund .....		163,827,200
Total other state restricted .....		167,827,200
State general fund/general purpose .....	\$	0
DEBT SERVICE		
Comprehensive transportation refunding bonds:		
Series 1985 (\$57,830,671) .....	\$	3,801,800
Series 1986 II (\$75,030,000).....		6,216,000
Series 1988 II (\$31,992,279).....		1,943,800
Series 1986 I (\$28,555,000).....		3,747,200
Series 1988 I (\$73,155,000).....		5,381,200
GROSS APPROPRIATION .....	\$	21,090,000

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Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund .....	\$ 21,090,000
State general fund/general purpose .....	\$ 0

#### INTERDEPARTMENT & STATUTORY CONTRACTS

To general fund for:	
Department of civil service.....	\$ 80,700
Legislative auditor general.....	34,900
Department of attorney general.....	146,000
Department of management and budget .....	39,300
Department of treasury.....	9,700
Department of commerce (Washington office) .....	9,300
To state trunkline fund for:	
Overhead.....	1,378,600
Rent .....	210,500
GROSS APPROPRIATION .....	\$ 1,909,000
Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund .....	1,909,000
State general fund/general purpose .....	\$ 0

#### BUREAU OF URBAN & PUBLIC TRANSPORTATION

Full-time equated classified positions.....	141.5
Administration—118.5 FTE positions.....	\$ 7,459,800
Comprehensive transportation planning—23.0 FTE positions.....	1,520,800
Audits.....	250,000
Worker's compensation .....	3,300
GROSS APPROPRIATION .....	\$ 9,233,900
Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund .....	\$ 9,233,900
State general fund/general purpose .....	\$ 0

#### BUS TRANSIT DIVISION: STATUTORY OPERATING

Urban/nonurban statutory operating.....	\$ 92,116,000
Nonurban supplemental operating .....	3,500,000
GROSS APPROPRIATION .....	\$ 95,616,000
Appropriated from:	
Federal revenues:	
DOT, Surface transportation act, section 18.....	3,500,000
Special revenue funds:	
Comprehensive transportation fund .....	92,116,000
State general fund/general purpose .....	\$ 0

#### INTERCITY PASSENGER AND FREIGHT

Property management and miscellaneous expenses .....	\$ 2,600,000
Detroit/Wayne county port authority .....	301,900
Intercity bus equipment.....	2,000,000
Rail passenger .....	1,750,000
Freight preservation and development .....	6,700,000
Intercity bus service development .....	950,000
Marine passenger services.....	1,000,000
Intercity passenger terminals .....	650,000
Discretionary account.....	1,707,600
GROSS APPROPRIATION .....	\$ 17,659,500
Appropriated from:	
Federal revenues:	
DOT-FRA, Local rail service assistance .....	500,000

For Fiscal Year  
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Special revenue funds:	
Rail preservation fund.....	\$ 2,000,000
Intercity bus equipment fund.....	2,000,000
Comprehensive transportation fund .....	13,159,500
State general fund/general purpose .....	\$ 0

#### PUBLIC TRANSPORTATION DEVELOPMENT

Specialized services .....	\$ 2,622,300
Local share bonus.....	1,000,000
Effective service bonus.....	1,000,000
Municipal credit program .....	1,000,000
Bus transit capital .....	13,600,000
Technical studies.....	635,000
Local ride sharing operating .....	262,500
Van pooling.....	125,000
Bus property management .....	225,000
Service development and new technology.....	1,250,000
Planning grants .....	50,000
Discretionary account.....	16,399,000
GROSS APPROPRIATION .....	\$ 38,168,800

#### Appropriated from:

##### Federal revenues:

DOT-UMTA .....	11,850,000
Special revenue funds:	
Comprehensive transportation fund .....	26,318,800
State general fund/general purpose .....	\$ 0

#### GENERAL SECTIONS

Sec. 201. (1) In accordance with the provisions of section 30 of article IX of the state constitution of 1963, total state spending in this appropriation act is \$1,276,789,700.00 and state appropriations to be paid to local units of government in section 101 are as follows:

For Fiscal Year  
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#### State Transportation Department

##### Michigan transportation fund

Economic development fund.....	\$ 7,500,000
Grants to cities and villages.....	199,507,000
Grants to county road commissions.....	357,831,100
Critical bridge program.....	5,000,000

##### State trunkline fund

Grants to regional planning councils.....	488,800
Critical bridge program interest .....	500,000

##### Comprehensive transportation fund

Urban/nonurban statutory operating assistance.....	92,116,000
Detroit/Wayne county port authority .....	301,900
Bus transit capital .....	13,600,000
Marine passenger service.....	1,000,000
Local ride sharing operating grants .....	262,500
Planning grants .....	50,000
Local share bonus.....	1,000,000
Effective service bonus.....	1,000,000
Municipal credit program .....	1,000,000
Total payments to local units of government .....	\$ 681,157,300

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



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

Sec. 203. As used in this act:

- (a) "AASHTO" means the American association of state highway and transportation officials.
- (b) "DOT" means the United States department of transportation.
- (c) "DOT-FHWA" means DOT-federal highway administration.
- (d) "DOT-FRA" means DOT-federal railroad administration.
- (e) "DOT-NHTSA" means DOT-national highway traffic safety administration.
- (f) "FTE" means full-time equated.
- (g) "IDG" means interdepartmental grant.
- (h) "IDT" means intradepartmental transfer.
- (i) "MBE-WBE" means minority business enterprises and women's business enterprises.
- (j) "SEMTA" means the southeastern Michigan transportation authority.
- (k) "SMART" means the suburban mobility authority for regional transportation.
- (l) "UMTA" means the urban mass transportation act of 1964.

Sec. 204. (1) Beginning October 1, 1991, there shall be a hiring freeze imposed on the state classified civil service. State departments and agencies shall be prohibited from hiring any new full-time state classified civil service employees or prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from one position to another within a department or to positions that are funded with 80% or more federal or restricted funds.

(2) The director of the department of management and budget shall grant exceptions to this hiring freeze when the director believes that such a hiring freeze will result in rendering a state department or agency unable to deliver basic services. The director of the department of management and budget shall report by the fifteenth of each month to the chairpersons of the senate and house appropriations committees the number of exclusions to the hiring freeze approved during the previous month and the reasons to justify the exclusion.

## **DEPARTMENTAL SECTIONS**

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

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

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

Sec. 304. To promote more effective management of employees within the bureau of highways, the director of the department may temporarily transfer positions between appropriation units, within and between the highway operations and highway services programs, to cover functions which the director considers to be critical due to seasonal fluctuations and emergency situations. The department shall report at the end of the fiscal year to the department of management and budget on the temporary cross-divisional transfers of positions pursuant to this section.

Sec. 305. (1) The department shall comply with the state's affirmative action policy and shall establish and maintain an affirmative action program based on the guidelines developed by the Michigan equal employment and business opportunity council established pursuant to Executive Order No. 1983-4.

(2) The department shall programmatically insure that minority owned and women owned businesses be given equal participation opportunities in all aspects of the department's activities and with all governmental units with which the department deals.

Sec. 306. (1) The amounts appropriated and transferred to various state agencies from section 101 shall be expended from the transportation funds pursuant to annual contracts between the department and state agencies providing tax and fee collection and other services applicable to transportation funds. The contracts shall be executed prior to the transfer of these funds. The contracts shall provide, but will not be limited to, the following data applicable to each state agency:

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

(b) Description of services financed with transportation funds.

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

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

(4) The department and the state agencies with which the department contracts in the manner provided in subsection (1) shall work together to explore methods of minimizing lapses or shortfalls in grants from transportation funds.

Sec. 307. For the purpose of meeting unanticipated needs when current staffing levels may not be sufficient, the department may maintain within the executive division a pool of nonmanagement positions that may be used throughout the department at the discretion of the director.

Sec. 308. The department shall present to the house and senate appropriations transportation subcommittees an updated revenue report as the report becomes available from the office of revenue and tax analysis.

Sec. 309. The department shall not allocate the interest income derived from any notes and bonds until the proposed allocation is approved by the senate and house appropriations committees.

Sec. 310. Any deviation from the road project list annually approved by the state transportation commission, or any changes, including economic development projects, which causes the original order of projects or the status of those projects to change shall be reported to the house and senate appropriations committees on a quarterly basis.

Sec. 311. At the close of the fiscal year ending September 30, 1992, any unencumbered and unexpended balance in the state trunkline fund shall remain in the state trunkline fund and shall be used for capital outlay trunkline and bridge construction pursuant to section 11(1)(d) of Act No. 51 of the Public Acts of 1951, being section 247.661 of the Michigan Compiled Laws, for projects contained in an annual state transportation program approved by the legislature.

Sec. 312. The department shall use part of the funds appropriated in section 101 for highway services to develop a strategy for implementing the concept of intelligent highways and vehicles. Specifically, the department shall investigate methods by which traffic congestion might be reduced in areas which have experienced rapid growth in the volume of traffic. The department shall report its findings to the transportation subcommittees of the house and senate appropriations committees in a timely manner.

Sec. 313. The department, boards of county road commissioners, and city and village transportation departments shall cooperate with local school boards to improve safety conditions at school bus stopping points.

Sec. 314. All funds appropriated in section 101 shall be expended in accordance with section 20 of article V of the state constitution of 1963 which states in part "No appropriation shall be a mandate to spend."

Sec. 315. The director shall provide the house and senate appropriations committees with a plan detailing programatic and FTE reductions needed to fund the 4% civil service pay increase. The report shall be submitted not later than October 15, 1991.

Sec. 316. (1) The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies or both for the department.

(2) The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services or supplies or both.

(3) The department shall compile a report to the civil rights commission validating the total contracts in compliance with this section and detailing contracting procedures for the department.

Sec. 317. If, as a requirement of bidding on a highway project, the department requires a contractor to submit financial or proprietary documentation as to how the bid was calculated, that bid documentation shall be kept confidential and shall not be disclosed other than to a department representative without the contractor's written consent. The department may disclose the bid documentation if necessary to address or defend a claim by a contractor.

Sec. 318. The department may permit space on public passenger transportation properties to be occupied by public or private tenants on a competitive market rate basis. The department may require that revenue from the tenants be placed in an account to be used for the costs of maintaining and improving the property.

Sec. 319. From the funds appropriated in section 101, the department is authorized to conduct a study of charges to the Michigan transportation fund by other state departments. The department shall submit the report, with recommendations based thereon, to the senate and house appropriations subcommittees on transportation and the senate and house fiscal agencies by January 31, 1992.

## **FEDERAL**

Sec. 401. (1) The projected apportionment for this state for the fiscal year ending September 30, 1992, from the 1987 surface transportation assistance act, is \$315,400,000.00. The \$315,400,000.00 is projected to be broken down into the following categories (programs) of highway assistance:

Interstate construction .....	\$ 30,800,000
Interstate resurfacing, restoration, rehabilitation, and reconstruction .....	82,400,000
Primary.....	81,100,000
Secondary .....	17,100,000
Urban.....	27,000,000
Bridge .....	29,600,000
Hazard elimination.....	6,100,000
Railroad highway crossings.....	5,400,000
85% minimum floor funds .....	30,000,000
Metropolitan planning.....	1,800,000
Highway research planning and construction.....	4,100,000
Total apportionment.....	\$ 315,400,000

(2) When the department receives authorization from the federal highway administration to commit 85% minimum floor funds, it shall present to the senate and house appropriations transportation subcommittees the department's recommendation for distribution of these funds. If a recommendation or recommendations are not disapproved within 30 business days by the senate and house appropriations transportation subcommittees, then the recommendation or recommendations shall be considered as approved.

Sec. 402. If federal funding is reduced or eliminated for any rail passenger line within the state which includes the 4 lines operating from Grand Rapids-Chicago, Port Huron-Chicago, Detroit-Chicago, and Detroit-Toledo, then the balance in the accounts appropriated under rail passenger operating assistance for the lines operating from Grand Rapids-Chicago and Port Huron-Chicago may be used to continue the operations of any of the 4 rail passenger lines.

## **MICHIGAN TRANSPORTATION FUND**

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

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

Sec. 503. If a county road commission has entered into a contract with the department to eliminate or cut roadside weeds and if the weeds were eliminated or cut by a city or township after the city or township has

requested the county to perform its contractual obligation, then the department shall reimburse the city or township and shall deduct that amount from the fund appropriated to the county involved. This action shall require prior approval of the state. The department shall consult with the department of agriculture prior to use of plant growth retardant on freeway or highway rights-of-way.

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

Sec. 505. Interest earned in the economic development fund shall remain in the fund and shall be allocated to the respective programs by estimate and adjusted to actual interest earned at the end of each fiscal year.

Sec. 506. The department of transportation economic development fund may receive and expend federal, local, or private funds for projects that are consistent with the programmatic mission of the fund in addition to funds appropriated in section 101.

Sec. 507. Of the amount appropriated in section 101 from the Michigan transportation fund to the department of state, \$500,000.00 represents the additional cost of issuing specialized license plates for veterans and national guard members, as included in Act Nos. 16, 17, 18, and 19 of the Public Acts of 1989 in the fiscal year ending September 30, 1992. The department of state shall prepare a quarterly report on the number of and the additional costs associated with the veteran license plates to the department of transportation and the chairs of the house and senate appropriations subcommittees on transportation. Any unspent funds based on these quarterly reports shall lapse to the Michigan transportation fund and be distributed in accordance with Act No. 51 of the Public Acts of 1951, being sections 247.651 to 247.675 of the Michigan Compiled Laws.

Sec. 508. (1) Of the amount appropriated in section 101 from the Michigan transportation fund to the department of state, \$500,000.00 represents the additional cost of issuing generic license plates for nonprofit fraternal or public service organizations, as included in section 803m of the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being section 257.803m of the Michigan Compiled Laws, and \$325,000.00 represents the additional cost of issuing vanity plates as included in section 803b of the Michigan vehicle code, being section 257.803b of the Michigan Compiled Laws.

(2) The department of state shall prepare a quarterly report on the number of, and the additional costs associated with, the generic license plates to the state transportation department, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies.

(3) Any unspent funds based on these quarterly reports shall lapse to the Michigan transportation fund to be distributed in accordance with Act No. 51 of the Public Acts of 1951, being sections 247.651 to 247.675 of the Michigan Compiled Laws.

## **STATE TRUNKLINE FUND**

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

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

(2) The income received from the summer jobs for youth program by a recipient of general assistance shall be treated as countable earned income. The income shall be reported to the department of social services in the month following the month in which it is received and reflected in the general assistance grant in the month following the reporting month.

(3) General assistance recipients whose cash grants are canceled due to income from this program for which funds are appropriated in this act shall remain eligible for medical coverage under the general assistance medical program.

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

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

Sec. 603. The department shall make the use of recycled oil and rubber products or recapped tires in departmental vehicles and recycled asphalt in roads a priority where safely possible.

### **COMPREHENSIVE TRANSPORTATION FUND**

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

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

Sec. 703. Funds appropriated in section 101 shall not be used for rail freight and water freight operating assistance, unless approved by the house and senate appropriations subcommittees on transportation.

Sec. 704. Funds appropriated under this act shall not be provided to a transportation authority for the construction of a bus terminal, unless the department determines that the facility is designed to also act as a terminal for intercity carriers.

Sec. 705. (1) The appropriation in section 101 for van pooling shall be administered by the bureau of transportation planning of the department through grants to eligible authorities and eligible governmental agencies to insure coordination between van and car pooling programs and the transit systems operated by the eligible authorities and eligible governmental agencies.

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

Sec. 706. In allocating funds appropriated under this act, the department shall give a higher funding priority to those comprehensive transportation programs and projects for which each entity or combination of entities, to receive the funding, commits its own funds for the programs or projects in an amount equal to or greater than 2/3 of the total projected cost. The department shall present on April 1 of each year to the senate and house appropriations transportation subcommittees an annual report listing transportation programs and projects receiving higher funding priority and the entity or combination of entities that are committing its own funds for the programs or projects in an amount equal to or greater than 2/3 of the total projected cost.

Sec. 708. Entities operating railroads and receiving appropriations under section 101 shall expend those appropriations for goods and services of manufacturers, suppliers, and service companies located in this state, whenever practicable, if the goods and services are comparably priced and reasonably available.

Sec. 709. (1) The following rail lines are designated as an essential corridor in Michigan and shall receive priority in matters concerning operation, maintenance, and rehabilitation:

**ANN ARBOR RAILROAD SYSTEM:**

Toledo to north of Ann Arbor (Osmer).

Pittsfield Junction to Saline.

**STATE OF MICHIGAN OWNED RAIL LINES (ACTIVE):**

North of Ann Arbor (Osmer) to Durand, Durand to Owosso via Central Michigan Railway trackage rights, and then Owosso to Ashley to Cadillac to Thompsonville.

(Tuscola and Saginaw Bay Railway)

Owosso north to Swan Creek. (TSB)

Cadillac north to Petoskey via Walton Junction. (TSB)

Walton Junction to Traverse City. (TSB)

Grawn via Traverse City to Williamsburg. (TSB)

Millington to Vassar to Munger. (TSB)

Vassar to Caro to Colling. (TSB)

Iron Mountain to Ontonagon via Channing. (Escanaba and Lake Superior Railroad)

Hillsdale to Indiana State Line via Reading. (Hillsdale County Railway)  
Hillsdale to east of Quincy via Jonesville. (HCRC)  
Jonesville to Litchfield. (HCRC)  
Linwood to Sallings via West Branch and Grayling. (Detroit and Mackinac Railway)  
Riga to west of Adrian. (Adrian and Blissfield Railroad)  
Grosvenor to River Raisin. (A&B)

STATE OF MICHIGAN OWNED RAIL LINES (INACTIVE):

Weston to Morenci. (Inactive)  
Arnheim to Lake Linden. (Inactive)  
Thompsonville to Frankfort. (Inactive)  
TUSCOLA AND SAGINAW BAY RAILWAY:

Middleton to Ashley.  
HURON AND EASTERN RAILWAY:  
Denmark Junction to Harger (Saginaw).

Saginaw to Bad Axe.  
Bad Axe to Kinde.  
Bad Axe to Croswell.  
Palms to Harbor Beach.  
Poland to Sandusky.

NORFOLK SOUTHERN RAILWAY COMPANY:

Detroit to Ohio State Line via Milan.

CSX TRANSPORTATION:

Ohio State Line to Saginaw via Plymouth and Flint.  
Detroit to Grand Rapids via Plymouth and Lansing.  
Grand Rapids to Indiana State Line via Holland and St. Joseph.  
Holland to Montague via Muskegon.  
Holland to Hamilton.  
Berry to Fremont.  
Saginaw to Brown City.  
Saginaw to Midland.  
Saginaw to Bay City to Essexville.  
Saginaw to Paines.  
Grand Rapids to Baldwin via Newagyo.  
Baldwin to Ludington via Walhalla.

Walhalla to Manistee/Filer City.

Port Huron to Marine City.

MID-MICHIGAN RAILROAD:

Paines to Elwell via Alma.

Elmdale to Greenville.

COE RAIL, INC. :

Wixom to east of Walled Lake.

GRAND TRUNK WESTERN RAILROAD:

Port Huron to Indiana State Line via Flint, Durand, Lansing, Battle Creek, and Cassopolis.

Durand to Detroit via Pontiac.

Dearborn to Ohio State Line via Flat Rock and Dundee.

Port Huron to Detroit.

Richmond to Pontiac.

Pontiac to Lake Orion.

Detroit to Ohio State Line via Monroe.

Pavilion to Kalamazoo.

WISCONSIN CENTRAL LIMITED:

Canadian International Boundary at Sault Ste. Marie to Wisconsin State Line via Trout Lake and Gladstone.

Trout Lake to Baraga via Munising Junction and Marquette.

Munising to Munising Junction.

Baraga to Arnheim.

White Pine to Wisconsin State Line via Bergland.

ESCANABA AND LAKE SUPERIOR RAILROAD:

Escanaba/Wells to Channing.

Channing to Republic.

Iron Mountain to Wisconsin State Line.

At Menominee.

CHICAGO AND NORTH WESTERN TRANSPORTATION CO. :

Wisconsin State Line at Menominee to Escanaba via Powers.  
Powers to Iron Mountain (Antoine).  
Quinnesec to Wisconsin State Line.  
Escanaba to Ishpeming.

LAKE SUPERIOR AND ISHPERING RAILROAD:

Marquette to Republic Mine via Eagle Mills and Ishpeming.  
Eagle Mills to Tilden Mine.

DETROIT AND MACKINAC RAILWAY:

Bay City to Linwood.  
Pinconning to Hawks via Tawas City and Alpena.  
Alabaster Junction to Alabaster  
Alpena to Paxton.  
Posen to Rogers City.  
Sallings to Cheboygan via Gaylord.

CENTRAL MICHIGAN RAILWAY:

Durand to Bay City via Saginaw.  
Bay City to Midland.  
Durand to Marne via Owosso and Ionia.

CONSOLIDATED RAIL CORPORATION:

Detroit to Kalamazoo via Jackson and Battle Creek.  
Jackson to Lansing.  
Detroit to Toledo.  
Detroit to Carleton.  
Detroit to Utica.  
Jackson to Ackerson Lake.  
Ottawa Lake to Ohio State Line.  
Grand Rapids to Indiana State Line via Kalamazoo.  
White Pigeon Junction to Sturgis.  
Kalamazoo to Portage (Upjohn).  
Plainwell to Otsego.  
Grand Rapids to Kentwood (44 Street).

NATIONAL RAILROAD PASSENGER CORPORATION:

Kalamazoo to Indiana State Line via Niles.

CANADIAN NATIONAL RAILWAYS:

Detroit River Tunnel.  
St. Clair River Tunnel.

DELRAY CONNECTING RAILROAD:

At Detroit.

KALAMAZOO, LAKE SHORE AND CHICAGO RAILWAY:

Hartford to Paw Paw.

LEELANAU TRANSIT CO. :

Hatch's Crossing to Suttons Bay.

LUDINGTON AND NORTHERN RAILWAY:

Ludington to North Epworth.

BRANCH AND ST. JOSEPH COUNTIES RAIL USERS ASSOCIATION:

Sturgis to east of Quincy.

MICHIGAN SHORE RAILROAD:

At Muskegon.

(2) Any changes to the essential corridor list in subsection (1) shall be approved by the house and senate appropriations subcommittees on transportation.

(3) After receiving notification from a railroad company pursuant to section 8 of the state transportation preservation act of 1976, Act No. 295 of the Public Acts of 1976, being section 474.58 of the Michigan Compiled Laws, the department shall immediately notify the house and senate appropriations subcommittees on transportation that the railroad company has filed with the appropriate governmental agencies for abandonment of a line.

Sec. 710. (1) The discretionary accounts in section 101 shall be used for programs and projects as determined by the department. The department shall inform the house and senate appropriations committees of the manner in which the funds in these accounts will be expended not less than 30 days before expenditure.

(2) If a situation arises that is considered to be an emergency by the director of the department, the

requirement of informing the house and senate appropriations committees shall be waived. The director shall inform the committees of this action within 5 days of the action.

(3) If the department intends to alter a program after approval, the department shall follow the requirements of subsection (1).

Sec. 711. Neither appropriated state funds nor comprehensive transportation fund bond proceeds shall be expended or committed for a light rail system in Michigan.

Sec. 712. Funds appropriated in section 101 for local bus new services are to be obligated by contract or purchase agreement only for expenditures in the fiscal year ending September 30, 1992, and shall not be used for future year obligations. Contracts may be signed for 3 years. However, funds shall be appropriated on an annual basis for each year of the contract.

Sec. 713. (1) The departments of mental health, public health, social services, and transportation, and the office of services to the aging within the department of management and budget shall develop a system to identify and collect the following information for each county:

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

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

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

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

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

(2) A model form shall be obtained from the department of management and budget after October 1, 1991, for the purpose of providing the information required in subsection (1).

(3) By December 31, 1991, the department shall report to the house and senate appropriations subcommittees on transportation on the development of the system required in subsection (1).

(4) The information collected for the fiscal year ending September 30, 1992 shall be submitted by each department by December 31, 1992, to the respective house and senate appropriations subcommittees and the department of management and budget.

## **AERONAUTICS FUND**

Sec. 801. At the close of the fiscal year ending September 30, 1992, any unobligated and unexpended balance in the state aeronautics fund shall lapse to the state aeronautics fund and be appropriated by the legislature in the succeeding fiscal year.

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

Sec. 803. (1) Appropriations in section 101 for the air marketing/incentive program include funds for 3 pilot projects to induce airline companies to provide improved air service to Michigan communities.

(2) Before the selection of each pilot project, a market analysis and feasibility study shall be prepared for potential routes which shall include the definition of revenues and expenses estimated for the route under consideration. Costs of the study shall be shared 50% by the state and 50% by local and private sources.

(3) Copies of completed feasibility studies and market analyses shall be provided to the house and senate appropriations subcommittees on transportation 30 days prior to the selection of a pilot project.

(4) The department shall notify the house and senate appropriations subcommittees on transportation within 10 days after the selection of each pilot project.

Sec. 804. (1) Of the funds appropriated in section 101 for intercity air marketing, \$40,000.00 shall be granted for the training of local airport personnel and other support services, and the remaining amount shall be used solely for the purposes of air service promotion and marketing for Michigan airports.

(2) Any deviation from this program in any way shall be approved by the house and senate appropriations subcommittees on transportation prior to the expenditure of the funds.

(3) The department shall report to the house and senate appropriations subcommittees on transportation the progress of this program on a quarterly basis.



Sec. 806. The department may negotiate with the department of management and budget the establishment of a revolving fund for the future replacement of the general aviation aircraft fleet within the bureau of aeronautics, air transport division.

This act is ordered to take immediate effect.

.....  
Secretary of the Senate.

.....  
Clerk of the House of Representatives.

Approved.....

.....  
Governor.