

**SB 231, As Passed Senate, May 30, 2001**

**SUBSTITUTE FOR  
SENATE BILL NO. 231**

A bill to make, supplement, and adjust appropriations for certain capital outlay programs and state departments and agencies for the fiscal years ending September 30, 2001 and September 30, 2002; to implement the appropriations within the budgetary process; to make appropriations for planning and construction at state agencies; to make appropriations for state building authority rent and insurance; to make a grant for state building authority rent; to provide for the acquisition of land and buildings; to provide for the elimination of fire hazards; to provide for special maintenance, remodeling and addition, alteration, renovation, demolition, and other projects; to provide for elimination of occupational safety and health hazards; to provide for the award and implementation of contracts; to provide for the purchase of furnishings and equipment relative to occupancy of a project; to provide for the development of public recreation facilities; to provide for certain advances from the general fund; to prescribe powers and duties of certain

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state officers and agencies; to require certain reports, plans, and agreements; to provide for leases; to provide for transfers; to prescribe standards and conditions relating to the appropriations; and to provide for the expenditure of appropriations.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1

**PART 1**

2

**LINE-ITEM APPROPRIATIONS FOR FISCAL YEAR 2001-2002**

3

**Sec. 101. SUMMARY**

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Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for certain capital outlay projects at the various state agencies for the fiscal year ending September 30, 2002 from the funds indicated in this part. The following is a summary of the appropriations in this part:

9

**CAPITAL OUTLAY**

10

GROSS APPROPRIATION..... \$ 516,557,700

11

Total interdepartmental grants and intradepartmental

12

transfers..... \$ 7,000,000

13

ADJUSTED GROSS APPROPRIATION..... \$ 509,557,700

14

Total federal revenues..... 106,332,000

15

Total local revenues..... 26,000,000

16

Total private revenues..... 1,250,000

17

Total state restricted revenues..... 28,309,000

18

State general fund/general purpose..... \$ 347,666,700

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**1        Sec. 102.    DEPARTMENT OF AGRICULTURE**

2	Farmland and open space development acquisition.....	\$	<u>5,000,000</u>
3	GROSS APPROPRIATION.....	\$	5,000,000
4	Appropriated from:		
5	Special revenue funds:		
6	Farmland and open space withdrawal fees.....		5,000,000
7	State general fund/general purpose.....	\$	0

**8        Sec. 103.    DEPARTMENT OF MANAGEMENT AND BUDGET**

9	Lump sum projects:		
10	Special maintenance, remodeling and additions:		
11	For state agencies special maintenance projects esti-		
12	mated to cost more than \$100,000 but less than		
13	\$1,000,000.....	\$	7,000,000
14	Major special maintenance and remodeling for depart-		
15	ment of community health.....		2,000,000
16	Major special maintenance and remodeling for depart-		
17	ment of corrections.....		7,832,000
18	Major special maintenance and remodeling for family		
19	independence agency.....		2,841,700
20	Major special maintenance and remodeling for depart-		
21	ment of management and budget.....		3,700,000
22	Major special maintenance and remodeling for depart-		
23	ment of natural resources.....		750,000
24	Major special maintenance and remodeling for		
25	department of state police.....		<u>1,025,000</u>

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1	GROSS APPROPRIATION.....	\$	25,148,700
2	Appropriated from:		
3	Interdepartmental grant revenues:		
4	IDG from building occupancy charges.....		7,000,000
5	State general fund/general purpose.....	\$	18,148,700
6	<b>Sec. 104. DEPARTMENT OF MILITARY AFFAIRS</b>		
7	Lump sum projects:		
8	For department of military affairs remodeling and		
9	additions and special maintenance projects.....	\$	2,174,000
10	Land acquisitions and appraisals statewide.....		500,000
11	GROSS APPROPRIATION.....	\$	2,674,000
12	Appropriated from:		
13	Federal revenues:		
14	DOD, department of the army, national guard bureau...	\$	810,000
15	Special revenue funds:		
16	Armory construction fund.....		500,000
17	State general fund/general purpose.....	\$	1,364,000
18	<b>Sec. 105. DEPARTMENT OF NATURAL RESOURCES</b>		
19	<b>(1) STATE PARKS:</b>		
20	State parks repair and maintenance.....	\$	2,500,000
21	Haven Hill natural area damage repairs.....		800,000
22	GROSS APPROPRIATION.....	\$	3,300,000

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1	Appropriated from:	
2	Private revenues:	
3	Haven Hill natural area consent agreement.....	\$ 800,000
4	Special revenue funds:	
5	State park improvement fund.....	1,500,000
6	State park endowment fund.....	1,000,000
7	State general fund/general purpose.....	\$ 0
8	<b>(2) WILDLIFE:</b>	
9	State game and wildlife area maintenance.....	\$ 550,000
10	Statewide turkey habitat acquisition.....	3,400,000
11	Statewide waterfowl habitat development and	
12	acquisition.....	900,000
13	Waterfowl habitat acquisition.....	<u>900,000</u>
14	GROSS APPROPRIATION.....	\$ 5,750,000
15	Appropriated from:	
16	Federal revenues:	
17	DOI, U.S. fish and wildlife service,	
18	Pittman-Robertson.....	3,450,000
19	Private revenues:	
20	Ducks unlimited.....	450,000
21	Special revenue funds:	
22	Game and fish protection fund, turkey permit fees....	1,400,000
23	Game and fish protection fund, waterfowl hunting	
24	license fees.....	450,000
25	State general fund/general purpose.....	\$ 0

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1	<b>(3) WATERWAYS BOATING PROGRAM:</b>	
2	Boating program, state boating access projects.....	\$ 275,000
3	Boating program, harbors and docks, state	
4	facilities:	
5	Infrastructure improvements and engineering studies..	1,089,000
6	Cedar River, new marina (total cost \$5,000,000; state	
7	share \$5,000,000).....	3,000,000
8	Cheboygan lock and dam repairs (total cost	
9	\$1,200,000; federal share \$900,000; state share	
10	\$300,000).....	1,200,000
11	Boating program, harbors and docks, local	
12	facilities:	
13	Infrastructure improvements and engineering studies..	150,000
14	Beaver Island, Charlevoix County, facility rehabili-	
15	tation (total project cost \$1,100,000; state share	
16	\$275,000; federal share \$825,000).....	<u>625,000</u>
17	GROSS APPROPRIATION.....	\$ 6,339,000
18	Appropriated from:	
19	Federal revenues:	
20	DOI, U.S. fish and wildlife service, Dingell-Johnson.	1,400,000
21	Special revenue funds:	
22	Michigan state waterways fund.....	4,939,000
23	State general fund/general purpose.....	\$ 0

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1	<b>Sec. 106. DEPARTMENT OF TRANSPORTATION</b>		
2	STATE TRUNKLINE FUND		
3	Department buildings and facilities:		
4	Salt storage buildings and brine run-off control sys-		
5	tems - contract agencies locations.....	\$	1,000,000
6	Construct, renovate, and/or replace salt storage		
7	buildings, various maintenance garage locations....		450,000
8	New project offices (Brighton, estimated cost		
9	\$800,000; Cadillac, estimated cost \$1,000,000;		
10	Taylor, estimated cost \$1,200,000).....		3,000,000
11	Coldwater welcome center, construction authorization		
12	(total project cost not to exceed \$2,750,000).....		2,750,000
13	Dundee welcome center, planning authorization.....		75,000
14	Monroe welcome center, planning authorization.....		75,000
15	St. Ignace welcome center/Upper Peninsula discovery		
16	center, planning authorization.....		300,000
17	Reroof, fence, bituminous surfacing, various		
18	locations.....		400,000
19	Institutional and agency roads.....		750,000
20	Miscellaneous remodeling, additions, emergency		
21	maintenance.....		<u>1,000,000</u>
22	GROSS APPROPRIATION.....	\$	9,800,000
23	Appropriated from:		
24	Special revenue funds:		
25	State trunkline fund.....		9,800,000
26	State general fund/general purpose.....	\$	0

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**1        Sec. 107.    DEPARTMENT OF TRANSPORTATION**

**2    AERONAUTICS FUND:    AIRPORT PROGRAMS**

**3        Airport improvement programs..... \$        152,722,000**

**4        Adrian - Lenawee County airport**

**5        Allegan - Padgham field**

**6        Alma - Gratiot community airport**

**7        Alpena - Alpena County regional airport**

**8        Ann Arbor - Ann Arbor municipal airport**

**9        Atlanta - Atlanta municipal airport**

**10       Bad Axe - Huron County memorial airport**

**11       Baraga - new airport**

**12       Battle Creek - W.K. Kellogg airport**

**13       Bay City - James Clements airport**

**14       Bellaire - Antrim County airport**

**15       Benton Harbor - Southwest Michigan regional airport**

**16       Big Rapids - Roben-Hood airport**

**17       Cadillac - Wexford County airport**

**18       Caro - Tuscola area/Caro municipal airport**

**19       Charlevoix - Charlevoix municipal airport**

**20       Charlotte - Fitch H. Beach airport**

**21       Cheboygan - Cheboygan County airport**

**22       Clare - Clare municipal airport**

**23       Coldwater - Branch County airport**

**24       Detroit - Detroit City airport**

**25       Detroit - Detroit metropolitan airport, Wayne County**

**26       airport**



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- 1 Detroit - Willow Run airport
- 2 Dowagiac - Cass County airport
- 3 Drummond Island - Drummond Island airport
- 4 Escanaba - Delta County airport
- 5 Evart - Evart municipal airport
- 6 Flint - Bishop international airport
- 7 Frankfort - Frankfort Dow memorial airport
- 8 Freemont - Freemont municipal airport
- 9 Gaylord - Otsego County airport
- 10 Gladwin - Gladwin Zettel memorial airport
- 11 Grand Haven - Grand Haven memorial airpark
- 12 Grand Ledge - Abrams municipal airport
- 13 Grand Rapids - Gerald R. Ford international airport
- 14 Grayling - Grayling Army airfield
- 15 Greenville - Greenville municipal airport
- 16 Grosse Isle - Grosse Isle municipal airport
- 17 Hancock - Houghton County memorial airport
- 18 Harbor Springs - Harbor Springs municipal airport
- 19 Hastings - Hastings city/Barry County airport
- 20 Hart Shelby - Oceana County airport
- 21 Hillsdale - Hillsdale municipal airport
- 22 Holland - Tulip city airport
- 23 Houghton Lake - Roscommon County airport
- 24 Howell - Livingston County airport
- 25 Ionia - Ionia County airport
- 26 Iron County - County airports

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- 1 Iron Mountain - Ford airport
- 2 Ironwood - Gogebic-Iron County (Wisconsin) airport
- 3 Jackson - Jackson County-Reynolds field
- 4 Kalamazoo - Kalamazoo/Battle Creek international airport
- 5 Lakeview - Lakeview-Griffith field
- 6 Lambertville - Suburban airport
- 7 Lansing - Capital city airport
- 8 Lapeer - Dupont-Lapeer airport
- 9 Linden - Price airport
- 10 Ludington - Mason County airport
- 11 Mackinac Island - Mackinac Island airport
- 12 Manistee - Manistee County airport
- 13 Manistique - Schoolcraft County airport
- 14 Marlette - Marlette Township airport
- 15 Marquette - Sawyer airport
- 16 Marshall - Brooks field
- 17 Mason - Mason Jewett field
- 18 Menominee - Menominee-Marinette twin city airport
- 19 MDOT - airport obstruction analysis
- 20 Midland - Jack Barstow airport
- 21 Monroe - Custer airport
- 22 Mt. Pleasant - Mt. Pleasant municipal airport
- 23 Munising - Hanley field
- 24 Muskegon - Muskegon County airport
- 25 New Hudson - Oakland-Southwest airport
- 26 Newberry - Luce County airport

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1	Niles - Jerry Tyler memorial airport		
2	Ontonagon - Ontonagon County airport		
3	Oscoda - Wurtsmith airport		
4	Owosso - Owosso community airport		
5	Pellston - Pellston regional airport		
6	Plymouth - Canton-Plymouth-Mettetal airport		
7	Pontiac - Oakland County international airport		
8	Port Huron - St. Clair County international airport		
9	Rogers City - Presque Isle County/Rogers City airport		
10	Romeo - Romeo State airport		
11	Saginaw - Harry W. Browne airport		
12	Saginaw - MBS international airport		
13	Saint Ignace - Mackinac County airport		
14	Saint James - Beaver Island airport		
15	Sandusky - Sandusky city airport		
16	Sault St. Marie - Chippewa County international airport		
17	South Haven - South Haven area regional airport		
18	Sparta - Sparta airport		
19	Statewide - various sites		
20	Sturgis - Kirsch municipal airport		
21	Three Rivers - Three Rivers municipal, Dr. Haines airport		
22	Traverse City - Cherry capital airport		
23	Troy - Oakland-Troy airport		
24	West Branch - West Branch community airport		
25	White Cloud - White Cloud airport		
26	GROSS APPROPRIATION.....	\$	152,722,000

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1       Appropriated from:

2       Federal revenues:

3       DOT, federal aviation administration..... 98,722,000

4       Special revenue funds:

5       Local aeronautics match..... 26,000,000

6       State aeronautics fund..... 2,000,000

7       State general fund/general purpose..... \$ 26,000,000

8       **Sec. 108. STATE BUILDING AUTHORITY RENT**

9       State building authority rent - state agencies..... \$ 50,936,100

10      State building authority rent - department of

11      corrections..... 101,303,300

12      State building authority rent - universities..... 135,581,900

13      State building authority rent - community colleges... 18,002,700

14      GROSS APPROPRIATION..... \$ 305,824,000

15      Appropriated from:

16      Federal revenues:

17      Federal funds, grand tower facility..... 1,950,000

18      Special revenue funds:

19      State building authority, University of Michigan,

20      third party reimbursement..... 200,000

21      State lottery funds..... 1,520,000

22      State general fund/general purpose..... \$ 302,154,000

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1 PART 1A

2 LINE-ITEM APPROPRIATIONS FOR FISCAL YEAR 2000-2001

3 **Sec. 151. SUMMARY**

4 Subject to the conditions set forth in this act, the amounts listed  
5 in this part are appropriated for certain capital outlay projects at the  
6 various state agencies, community colleges, and universities for the  
7 fiscal year ending September 30, 2001 from the funds indicated in this  
8 part. The following is a summary of the appropriations in this part:

9 **CAPITAL OUTLAY**

10	GROSS APPROPRIATION.....	\$	700
11	Total interdepartmental grants and intradepartmental		
12	transfers.....	\$	0
13	ADJUSTED GROSS APPROPRIATION.....	\$	700
14	Total federal revenues.....		0
15	Total local revenues.....		0
16	Total private revenues.....		0
17	Total state restricted revenues.....		0
18	State general fund/general purpose.....	\$	700

19 **Sec. 152. STATE BUILDING AUTHORITY FINANCED CONSTRUCTION**

20 **PROJECTS**

21 Macomb Community College - Fraser campus renovations  
22 - authorized for planning in 1999 PA 265 - for  
23 final design and construction (total authorized  
24 cost \$6,545,000; state building authority share

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1	\$3,272,300; community college share \$3,272,500;	
2	state general fund share \$200)..... \$	100
3	Northern Michigan University - student services	
4	building - authorized for planning in 2000 PA 291 -	
5	for final design and construction (total authorized	
6	cost \$15,750,000; state building authority share	
7	\$11,812,300; university share \$3,937,500; state	
8	general fund share \$200).....	100
9	Northern Michigan University - fine and practical	
10	arts project - authorized for planning in 2000	
11	PA 291 - for final design and construction (total	
12	authorized cost \$21,230,000; state building author-	
13	ity share \$15,922,300; university share \$5,307,500;	
14	state general fund share \$200).....	100
15	Saginaw Valley State University - instructional	
16	facility number four and library renovations -	
17	authorized for planning in 1999 PA 265 - for final	
18	design and construction (total authorized cost	
19	\$40,000,000; state building authority share	
20	\$29,999,800; university share \$10,000,000; state	
21	general fund share \$200).....	100
22	Western Michigan University - health and human serv-	
23	ices building - authorized for planning in 1999	
24	PA 265 - for final design and construction (total	
25	authorized cost \$48,170,800; state building	
26	authority share \$36,127,900; university share	
27	\$12,042,700; state general fund share \$200).....	100

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1	Western Michigan University/Lake Michigan College -		
2	southwest center - authorized for planning in 1999		
3	PA 265 - for final design and construction (total		
4	authorized cost \$8,486,000; state building author-		
5	ity share \$6,364,300; university share \$2,121,500;		
6	state general fund share \$200).....	<u>100</u>	
7	GROSS APPROPRIATION.....	\$	600
8	Appropriated from:		
9	State general fund/general purpose.....	\$	600

10        Sec. 153.    STATE AGENCY, UNIVERSITY, AND COMMUNITY COLLEGE

## 11 PLANNING PROJECTS

12	Michigan Technology University - integrated		
13	learning/information technology center - for pro-		
14	gram and planning to be paid for from university		
15	revenues.....	\$	<u>100</u>
16	GROSS APPROPRIATION.....	\$	100
17	Appropriated from:		
18	State general fund/general purpose.....	\$	100

19

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21 PART 2

**22** PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 2001-2002

## 23 GENERAL SECTIONS

24       Sec. 201. (1) Pursuant to section 30 of article IX of the state  
25 constitution of 1963, total state spending from state sources for fiscal  
26 year 2001-2002 is estimated at \$375,975,700.00 in part 1 of this  
27 appropriation act and state spending from state sources paid to local

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1 units of government for fiscal year 2001-2002 is estimated at  
2 \$28,125,000.00. The itemized statement below identifies appropriations  
3 from which spending to units of local government will occur:

4 CAPITAL OUTLAY

5	Department of natural resources - waterways.....	\$	125,000
6	State transportation department - state aeronautics		
7	program.....	\$	28,000,000
8	Total.....	\$	28,125,000

9 (2) If it appears to the principal executive officer of a department  
10 or branch that state spending to local units of government will be less  
11 than the amount that was projected to be expended under subsection (1),  
12 the principal executive officer shall immediately give notice of the  
13 approximate shortfall to the state budget director.

14 Sec. 202. As used in this act:

15 (a) "ADA" means the Americans with disabilities act.

16 (b) "Board" means the state administrative board.

17 (c) "Community college" does not include a state agency or  
18 university.

19 (d) "Department" means the department of management and budget.

20 (e) "Director" means the director of the department of management  
21 and budget.

22 (f) "DOD" means the United States department of defense.

23 (g) "DOI" means the United States department of interior.

24 (h) "Fiscal agencies" means the senate fiscal agency and the house  
25 fiscal agency.

26 (i) "HHS-HCFA" means the United States department of health and  
27 human services, health care financing administration.



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1       (j) "ICF/MR" means intermediate care facilities for the mentally  
2 retarded.

3       (k) "IDG" means interdepartmental grant.

4       (l) "JCOS" means the joint capital outlay subcommittee of the  
5 appropriations committees.

6       (m) "MDOT" means the Michigan department of transportation.

7       (n) "MIOSHA" means the Michigan occupational safety and health act,  
8 1974 PA 154, MCL 408.1001 to 408.1094.

9       (o) "Self-liquidating project" means a project constructed by a  
10 community college or university with money raised through the use of a  
11 debt instrument or other fund sources including, but not limited to,  
12 gifts, grants, federal funds, or institutional sources, that is expected  
13 to generate revenues to amortize the loan. A self-liquidating project  
14 may or may not be a self-supporting project. Examples of a  
15 self-liquidating project include dormitories, parking facilities, and  
16 stadia.

17       (p) "Self-supporting project" means a project of a community  
18 college or university that will house a function or activity from which  
19 revenue is generated that will cover all the direct and indirect operat-  
20 ing costs of the project without the additional transfer of any other  
21 general fund money of the community college or university.

22       (q) "SEMCOG" means the southeast Michigan council of governments.

23       (r) "State agency" means an agency of state government. State  
24 agency does not include a community college or university.

25       (s) "State building authority" means the authority created under  
26 1964 PA 183, MCL 830.411 to 830.425.

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1 (t) "University" means a 4-year university supported by the state.  
2 University does not include a community college or a state agency.

3 (u) "Utility system" means a utility supply or distribution system,  
4 or a combination utility supply and distribution system.

**5 DEPARTMENT OF CORRECTIONS**

6 Sec. 301. A maximum security prison that is constructed or com-  
7 pleted after October 1, 1986, shall have operating manned watchtowers  
8 equipped with the weaponry, lighting, sighting, and communications  
9 devices necessary for effective execution of its function. The watchtow-  
10 ers shall be constructed pursuant to the American correctional associa-  
11 tion standards for watchtowers.

12 Sec. 302. (1) An appropriation and authorization contained in this  
13 act or a previous appropriations act for the construction of a new cor-  
14 rectional facility, including a correctional camp, for which a specific  
15 site was not identified with the appropriation shall not be expended  
16 until approved by JCOS.

17 (2) For the purposes of this section, "site" means a city, village,  
18 township, or county in which a correctional facility may be located.

**19 CAPITAL OUTLAY PROCESSES, PROCEDURES, AND REPORTS**

20 Sec. 401. Each capital outlay project authorized in this act or any  
21 previous capital outlay act shall comply with the procedures required by  
22 the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

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1 Capital outlay projects shall not be funded from operating accounts  
2 unless approved by the department and the JCOS.

3       Sec. 402. A statement of a proposed facility's operating cost shall  
4 be included with the facility's program statement and planning documents  
5 when the plans are presented to JCOS for approval.

6       Sec. 403. (1) Before proceeding with final planning and construc-  
7 tion for projects at community colleges and universities included in an  
8 appropriations bill, the community college or university shall sign an  
9 agreement with the department that includes the following provisions:

10       (a) The university or community college agrees to construct the  
11 project within the total authorized cost established by the legislature  
12 pursuant to the management and budget act, 1984 PA 431, MCL 18.1101 to  
13 18.1594, and an appropriations act.

14       (b) The design and program scope of the project shall not deviate  
15 from the design and program scope represented in the program statement  
16 and preliminary planning documents approved by the department.

17       (c) Any other items as identified by the department that are neces-  
18 sary to complete the project.

19       (2) The department retains the authority and responsibility normally  
20 associated with the prudent maintenance of the public's financial and  
21 policy interests relative to the state-financed construction projects  
22 managed by a community college or university.

23       Sec. 404. (1) The department shall provide the JCOS and the fiscal  
24 agencies with reports as considered necessary relative to the status of  
25 each planning or construction project financed by the state building  
26 authority, by this act, or by previous acts.

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1       (2) Before the end of each fiscal year, the department shall report  
2 to the JCOS and the fiscal agencies for each capital outlay project other  
3 than lump sums all of the following:

4       (a) The account number and name of each construction project.

5       (b) The balance remaining in each account.

6       (c) The date of the last expenditure from the account.

7       (d) The anticipated date of occupancy if the project is under  
8 construction.

9       (e) The appropriations history for the project.

10       (f) The professional service contractor.

11       (g) The amount of a project financed with federal funds.

12       (h) The amount of a project financed through the state building  
13 authority.

14       (i) The total authorized cost for the project and the state autho-  
15 rized share if different than the total.

16       (3) Before the end of each fiscal year, the department shall report  
17 the following for each project by a state agency, university, or commu-  
18 nity college that is authorized for planning but is not yet authorized  
19 for construction:

20       (a) The name of the project and account number.

21       (b) Whether a program statement is approved.

22       (c) Whether schematics are approved by the department.

23       (d) Whether preliminary plans are approved by the department.

24       (e) The name of the professional service contractor.

25       (4) As used in this section, "project" includes appropriation line  
26 items made for purchase of real estate.

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1       Sec. 405. (1) If a capital outlay appropriation is contained in a  
2 public act that was not reviewed by the JCOS during the legislative  
3 process, the director shall notify the JCOS of an expenditure of that  
4 capital outlay appropriation not less than 60 days before the  
5 expenditure.

6       (2) For the purposes of this section, "capital outlay appropriation"  
7 means an appropriation that provides for the construction, renovation, or  
8 repair of a capital facility or acquisition or development of land and  
9 that is normally reviewed by the JCOS.

10       Sec. 406. A state agency, college, or university shall take steps  
11 necessary to make available federal and other money indicated in this  
12 act, to make available federal or other money that may become available  
13 for the purposes for which appropriations are made in this act, and to  
14 use any part or all of the appropriations to meet matching requirements  
15 that are considered to be in the best interest of this state. However,  
16 the purpose, scope, and total estimated cost of a project shall not be  
17 altered to meet the matching requirements.

18       Sec. 407. (1) Before money is released for the construction or  
19 lease of a capital outlay project costing over \$1,000,000.00, at the  
20 request of the JCOS the department shall submit to the JCOS, with prelim-  
21 inary planning documents, a detailed comparative cost analysis. The cost  
22 analysis shall include a comparison of the financial and other benefits  
23 of construction, financing, operation, and maintenance of the proposed  
24 facility between all of the following:

25       (a) The state.

26       (b) The private sector.

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1 (c) A combination of the state and the private sector.

2 (d) A lease agreement.

3 (2) If the department's recommendation for financing is inconsistent  
4 with the findings of the comparative cost analysis, the department shall  
5 present written documentation to the JCOS outlining the rationale for the  
6 recommendation.

7 (3) For purposes of this section, "capital outlay project" means a  
8 construction project or lease requiring JCOS approval including, but not  
9 limited to, a general office facility, special use facility, warehouse,  
10 institutional facility, or utility system designed for use by a state  
11 agency or university. Capital outlay project does not include a special  
12 maintenance and remodeling project, grant-in-aid project, prison facili-  
13 ty, legislative facility, judicial facility, community college facility,  
14 or self-liquidating project constructed by a university.

15 Sec. 408. Pursuant to section 242(2) of the management and budget  
16 act, 1984 PA 431, MCL 18.1242, the department shall submit 5-year capital  
17 outlay requests developed by state agencies (and as approved by the  
18 department of management and budget), universities, and community col-  
19 leges to the chairperson and ranking vice-chairperson of the JCOS and the  
20 fiscal agencies upon the release of the executive budget recommendation.

**21 USE AND FINANCE STATEMENTS**

22 Sec. 501. (1) A university or community college shall not let a  
23 contract for new construction of a nonstate-funded project estimated to  
24 cost more than \$1,000,000.00 unless the project is authorized by the  
25 JCOS. The request for legislative authorization shall be initially

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1 submitted for review to the JCOS and the department. A nonstate-funded  
2 project request shall include a complete use and financing statement as  
3 defined by a policy adopted by the JCOS. The use and financing statement  
4 for a nonstate-funded project shall contain the estimated total construc-  
5 tion cost and all associated estimated operating costs including a state-  
6 ment of anticipated project revenues. As used in this section, "new  
7 construction" includes land or property acquisition, remodeling and addi-  
8 tions, and maintenance projects.

9 (2) A project that is constructed in violation of this section shall  
10 not receive state appropriations for purposes of operating the project,  
11 or support for future infrastructure enhancements that are necessitated,  
12 in part or in total, by construction of the project.

13 (3) A state agency, including the department of military affairs,  
14 shall not let a contract, including those for a direct federally-funded  
15 capital outlay construction or major maintenance or remodeling project if  
16 the total project is estimated to cost more than \$1,000,000.00 and is to  
17 be constructed on state-owned lands, unless the project is approved by  
18 the department and by the JCOS. For projects over \$1,000,000.00, the  
19 state agency shall submit a use and finance statement as required for  
20 community colleges and universities in subsection (1). As used in this  
21 subsection, "direct federally-funded" refers to a project for which fed-  
22 eral payments are made directly to the construction vendor and not to the  
23 state of Michigan.

24 (4) A public body corporate created under section 28 of article VII  
25 of the state constitution of 1963 and the urban cooperation act of 1967,  
26 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by a contractual interlocal  
27 agreement between local participating economic development corporations

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1 formed under the economic development corporations act, 1974 PA 338,  
2 MCL 125.1601 to 125.1636, and the Michigan strategic fund shall not let a  
3 contract for new construction estimated to cost more than \$1,000,000.00  
4 unless the project is authorized by the JCOS through the approval of a  
5 use and financing statement. For purposes of this subsection, the use  
6 and financing statement for a project shall contain the estimated total  
7 construction cost and all associated estimated operating costs. As used  
8 in this subsection, "new construction" means land or property acquisi-  
9 tion, remodeling or additions, lease or lease purchase, and maintenance  
10 projects for the corporate office of the public body corporate described  
11 in this subsection.

**12 LUMP SUMS AND SPECIAL MAINTENANCE**

13 Sec. 601. (1) The director shall allocate lump-sum appropriations  
14 made in this act for remodeling and addition, special maintenance, major  
15 special maintenance, energy conservation, demolition, ICF/MR,  
16 air-conditioning, and fire protection projects. The director shall allo-  
17 cate other lump sums in order of program priority and need of the various  
18 state agencies or as otherwise based on actual building inspection  
19 reports by regulatory agencies.

20 (2) The state budget director may authorize that funds appropriated  
21 for lump sum special maintenance shall be available for no more than 2  
22 fiscal years following the fiscal year in which the original appropria-  
23 tion was made. Any remaining balance from allocations made in this sec-  
24 tion shall lapse to the fund from which it was appropriated pursuant to



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1 the lapsing of funds as provided in the management and budget act, 1984  
2 PA 431, MCL 18.1101 to 18.1594.

3 (3) Before the end of each fiscal year, the department shall submit  
4 a report to the JCOS and the fiscal agencies indicating the total cost  
5 and status of all lump-sum projects funded under this act and any previ-  
6 ous act that have been designated as proposed, designed, bid, under con-  
7 struction, or completed within the current fiscal year.

8 Sec. 602. (1) The department may expend from the lump-sum special  
9 maintenance account amounts necessary to demolish any building that is  
10 specifically authorized by law to be demolished.

11 (2) Before the end of each fiscal year, each state agency, community  
12 college, and university shall report each year to the department the  
13 status of and planned schedule for demolition projects already authorized  
14 but not yet started, the estimated cost of the projects, and the antici-  
15 pated sources of financing of the projects.

16 Sec. 603. (1) Pursuant to department policy, state agencies may  
17 expend not more than \$500,000.00 from their operating budget for special  
18 maintenance, remodeling, or additions purposes. In nonroutine emergency  
19 cases, cases where the health and safety of the public, state employees,  
20 or residents in state facilities are threatened, as determined by the  
21 department, the state agencies may expend not more than \$1,000,000.00  
22 from their operating budgets for special maintenance purposes. The  
23 department shall report to the JCOS on a quarterly basis each time oper-  
24 ating funds are used for special maintenance purposes in an amount over  
25 \$500,000.00.

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1       (2) Expenditures from operating budgets for special maintenance,  
2 remodeling, or additions greater than \$1,000,000.00 are prohibited unless  
3 specifically appropriated by the legislature.

**4 STATE BUILDING AUTHORITY**

5       Sec. 701. (1) Subject to section 242 of the management and budget  
6 act, 1984 PA 431, MCL 18.1242, and upon the approval of the state build-  
7 ing authority, the department may expend from the general fund of the  
8 state during the fiscal year ending September 30, 2002 an amount to meet  
9 the cash flow requirements of those state building authority projects  
10 solely for lease to a state agency identified in both part 1 and this  
11 section, and for which state building authority bonds or notes have not  
12 been issued, and for the sole acquisition by the state building authority  
13 of equipment and furnishings for lease to a state agency as permitted by  
14 1964 PA 183, MCL 830.411 to 830.425, for which the issuance of bonds or  
15 notes is authorized by a legislative concurrent resolution that is effec-  
16 tive for a fiscal year ending September 30, 2002. Any general fund  
17 advances for which state building authority bonds have not been issued  
18 shall bear an interest cost to the state building authority at a rate not  
19 to exceed that earned by the state treasurer's common cash fund during  
20 the period in which the advances are outstanding and are repaid to the  
21 general fund of the state.

22       (2) Upon sale of bonds or notes for the projects identified in  
23 part 1 or for equipment as authorized by legislative concurrent resolu-  
24 tion and in this section, the state building authority shall credit the

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1 general fund of the state an amount equal to that expended from the  
2 general fund plus interest, if any, as defined in this section.

3       (3) For state building authority projects for which bonds or notes  
4 have been issued and upon the request of the state building authority,  
5 the state treasurer shall make advances without interest from the general  
6 fund as necessary to meet cash flow requirements for the projects, which  
7 advances shall be reimbursed by the state building authority when the  
8 investments earmarked for the financing of the projects mature.

9       (4) In the event that a project identified in part 1 is terminated  
10 after final design is complete, advances made on behalf of the state  
11 building authority for the costs of final design shall be repaid to the  
12 general fund in a manner recommended by the director and approved by the  
13 JCOS.

14       Sec. 702. (1) State building authority funding to finance construc-  
15 tion or renovation of a facility that collects revenue in excess of money  
16 required for the operation of that facility shall not be released to a  
17 university or community college unless the institution agrees to reim-  
18 burse that excess revenue to the state building authority. The excess  
19 revenue shall be credited to the general fund to offset rent obligations  
20 associated with the retirement of bonds issued for that facility. The  
21 auditor general shall annually identify and present an audit of those  
22 facilities that are subject to this section. Costs associated with the  
23 administration of the audit shall be charged against money recovered pur-  
24 suant to this section.

25       (2) As used in this section, "revenue" includes state appropria-  
26 tions, facility opening money, other state aid, indirect cost

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1 reimbursement, and other revenue generated by the activities of the  
2 facility.

3       Sec. 703. (1) The state building authority rent appropriations in  
4 part 1 may also be expended for the payment of required premiums for  
5 insurance on facilities owned by the state building authority or payment  
6 of costs that may be incurred as the result of any deductible provisions  
7 in such insurance policies.

8       (2) If the amount appropriated in part 1 for state building author-  
9 ity rent is not sufficient to pay the rent obligations and insurance pre-  
10 miums and deductibles identified in subsection (1) for state building  
11 authority projects, there is appropriated from the general fund of the  
12 state the amount necessary to pay such obligations.

13       Sec. 704. The department shall provide the JCOS and the fiscal  
14 agencies a report, not more than 15 days after the reporting date, rela-  
15 tive to the status of construction projects associated with state build-  
16 ing authority bonds on March 31 and September 30 of each year, or not  
17 more than 30 days after a refinancing or restructuring bond issue is  
18 sold. The report shall include, but is not limited to, the following:

19       (a) A list of all completed construction projects for which state  
20 building authority bonds have been sold, and which bonds are currently  
21 active.

22       (b) A list of all projects under construction for which sale of  
23 state building authority bonds are pending.

24       (c) A list of all projects authorized for construction or identified  
25 in an appropriations act for which approval of schematic/preliminary  
26 plans or total authorized cost is pending that have state building  
27 authority bonds identified as a source of financing.

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1       Sec. 705. It is the intention of the legislature that the  
2 University of Michigan take the necessary actions to ensure that eligible  
3 interest reimbursements from Medicare and Medicaid programs are made  
4 available to the state to satisfy part of the amount appropriated for the  
5 University of Michigan adult general hospital facility rent appropriation  
6 of \$27,917,000.00 contained within the state building authority rent  
7 appropriation in part 1. To the extent of a difference between the esti-  
8 mated and actual amount received, there is appropriated from the general  
9 fund of the state the amounts necessary to satisfy the hospital rental  
10 requirements of the state building authority's 1986 revenue refunding  
11 bonds, series I. To the extent payments made to the state by the  
12 University of Michigan are required to be reimbursed pursuant to the  
13 agreement with the University of Michigan, there is appropriated from the  
14 general fund the amount necessary for such reimbursement.

15       Sec. 706. (1) The state building authority, on behalf of the state,  
16 with the approval of the board, for the purpose of providing office and  
17 warehouse space for state agencies, may acquire for not more than the  
18 market value, subject to an independent fee appraisal, including esti-  
19 mated real estate taxes, various lease projects which contain purchase  
20 options in an aggregate cost not to exceed \$35,000,000.00. The state  
21 building authority is also authorized to pay any ancillary costs, other  
22 than the market value, that the state is required to pay under an option  
23 to purchase.

24       (2) All documents regarding the acquisition of the property  
25 described in subsection (1) shall be approved by the attorney general.

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1       (3) The acquisition and subsequent conveyance to the state building  
2 authority shall conform to the provisions of 1964 PA 183, MCL 830.411 to  
3 830.425.

**4 COLLEGES AND UNIVERSITIES**

5       Sec. 801. (1) This section applies only to projects for community  
6 colleges.

7       (2) State support is directed towards the remodeling and additions,  
8 special maintenance, or construction of certain community college  
9 buildings. The community college shall obtain or provide for site acqui-  
10 sition and initial main utility installation to operate the facility.  
11 Funding shall be comprised of local and state shares, and the state share  
12 shall include 50% of any federal money awarded for projects appropriated  
13 in this act. Not more than 50% of a capital outlay project, not includ-  
14 ing a lump-sum special maintenance project or remodeling and addition  
15 project, for a community college shall be appropriated from state and  
16 federal funds.

17       (3) An expenditure under this act is authorized when the release of  
18 the appropriation is approved by the board upon the recommendation of the  
19 director. The director may recommend to the board the release of any  
20 appropriation in part 1 only after the director is assured that the legal  
21 entity operating the community college to which the appropriation is made  
22 has complied with this act and has matched the amounts appropriated as  
23 required by this act. A release of funds in part 1 shall not exceed 50%  
24 of the total cost of planning and construction of any project, not  
25 including lump-sum remodeling and additions and special maintenance.

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1 Further planning and construction of a project authorized by this act or  
2 applicable sections of the management and budget act, 1984 PA 431,  
3 MCL 18.1101 to 18.1594, shall be in accordance with the purpose and scope  
4 as defined and delineated in the approved program statements and planning  
5 documents. This act is applicable to all projects for which planning  
6 appropriations were made in previous acts.

7 (4) The community college shall take the steps necessary to secure  
8 available federal construction and equipment money for projects funded  
9 for construction in this act if an application was not previously made.  
10 If there is a reasonable expectation that a prior year unfunded applica-  
11 tion may receive federal money in a subsequent year, the college shall  
12 take whatever action necessary to keep the application active. If fed-  
13 eral money is received, the state share shall be adjusted accordingly as  
14 provided by this act.

15 Sec. 802. If matching revenues are received in an amount less than  
16 the appropriations contained in this act, the state funds of the appro-  
17 priation shall be reduced in proportion to the amount of matching revenue  
18 received.

19 Sec. 804. (1) The director may require that community colleges and  
20 universities that have an authorized project listed in part 1 submit doc-  
21 umentation regarding the project match and governing board approval of  
22 the authorized project not more than 60 days after the beginning of the  
23 fiscal year.

24 (2) If the documentation required by the director under subsection  
25 (1) is not submitted, or does not adequately authenticate the availabil-  
26 ity of the project match or board approval of the authorized project, the  
27 authorization may terminate. The authorization terminates 30 days after

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1 the director notifies the JCOS of the intent to terminate the project  
2 unless the JCOS convenes to extend the authorization.

3 **DEPARTMENT OF MANAGEMENT AND BUDGET**

4 Sec. 901. If the JCOS approves, the department, for purposes of  
5 administrative and fiscal efficiency, may consolidate or discontinue fed-  
6 eral surplus property warehouses administered under 1961 PA 139,  
7 MCL 18.251 to 18.261.

8 Sec. 902. (1) The department shall provide the JCOS and the fiscal  
9 agencies a report, not more than 15 days after the reporting date, of  
10 privately owned leased space by state agencies, by March 31 and  
11 September 30 of each year, consisting of the following:

- 12 (a) Department.
- 13 (b) Agency division and leased number.
- 14 (c) Building location (address and city).
- 15 (d) Type of building.
- 16 (e) County.
- 17 (f) Name and address of lessor.
- 18 (g) Square footage and net square footage rate.
- 19 (h) Monthly and annual cost.
- 20 (i) Date lease started and expires.
- 21 (j) Options and services.

22 (2) The lease report shall be summarized for office space, group  
23 homes, and other space for the Lansing area and statewide, excepting the  
24 Lansing area.



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1       Sec. 903. Of the funds appropriated for the department of  
2 management and budget-building demolition, in 2000 PA 291, \$1,000,000.00  
3 shall be provided to county programs that abate and demolish dangerous  
4 buildings.

**5 DEPARTMENT OF NATURAL RESOURCES**

6       Sec. 1001. The appropriation made in this act for the harbors and  
7 docks program is for the purpose of participating with the federal gov-  
8 ernment and assisting political entities and subdivisions of this state  
9 in the construction and improvement of recreational boating facilities  
10 within this state. Subject to the approval of the board, this money  
11 shall be allocated by the department of natural resources to the federal  
12 government, or to the political entities or local units of government  
13 involved in the particular projects. An allocation shall not exceed the  
14 state portion as listed with each project description. The department of  
15 natural resources shall take the steps necessary to match federal money  
16 available for the construction and improvement of recreational boating  
17 facilities within this state, and to meet requirements of the federal  
18 government.

19       Sec. 1002. (1) Before the end of each fiscal year, the department  
20 of natural resources shall report each year to the JCOS the status of  
21 each project that received an appropriation in any capital outlay act, if  
22 the project is either not completed or has a balance remaining in its  
23 account. The report shall be in the same form and contain the informa-  
24 tion as required under section 404. The report shall be separated into  
25 the following areas, by fund sources:

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1 (a) Waterways projects.

2 (b) Urban recreation projects.

3 (c) State park projects.

4 (d) Wildlife and fisheries projects.

5 (e) Other projects.

6 (2) A project request for reauthorization by the department of natu-  
7 ral resources shall also be identified within the report required by sub-  
8 section (1). These reauthorization requests shall identify the subsec-  
9 tion number of section 248 of the management and budget act, 1984 PA 431,  
10 MCL 18.1248, that provides the reason and justification for the requested  
11 reauthorization.

12 (3) A project shall be reauthorized if approved by the JCOS after  
13 review by the department.

14 Sec. 1003. In addition to the appropriations in part 1, the depart-  
15 ment of natural resources may receive services of fair value from Detroit  
16 Edison up to a value of \$800,000.00, as provided in the March 25, 1999  
17 administrative agreement by consent with Detroit Edison for damages  
18 incurred on state park property in the Haven Hill natural area. These  
19 services shall be used to supplement capital outlay appropriations for  
20 projects funded from the clean Michigan initiative, the state park  
21 improvement fund, and the state park endowment fund. Before the end of  
22 the fiscal year, the department of natural resources shall report to the  
23 department, the JCOS, and the house and senate fiscal agencies the amount  
24 of settlement money received, the type of services received, and the  
25 estimated value of those services.

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**1 STATE TRANSPORTATION DEPARTMENT**

2       Sec. 1101. (1) From federal-state-local project appropriations con-  
3 tained in part 1 for the purpose of assisting political entities and sub-  
4 divisions of this state in the construction and improvement of publicly  
5 used airports and landing fields within this state, the state transporta-  
6 tion department may permit the award of contracts on behalf of units of  
7 local government for the authorized locations not to exceed the indicated  
8 amounts, of which the state allocated portion shall not exceed the amount  
9 appropriated in part 1.

10       (2) Political entities and subdivisions shall provide not less than  
11 5% of the cost of any project under this section. State money shall not  
12 be allocated until local money is allocated, and except as provided in  
13 subsection (4) state money for any 1 project shall not exceed 1/3 of the  
14 total appropriation in part 1 from state funds for airport improvement  
15 programs.

16       (3) The Michigan aeronautics commission may take those steps neces-  
17 sary to match federal money available for airport construction and  
18 improvement within this state, and to meet the matching requirements of  
19 the federal government. Whether acting alone or jointly with another  
20 political subdivision or public agency or with this state, a political  
21 subdivision or public agency of this state shall not submit to any agency  
22 of the federal government a project application for airport planning or  
23 development unless it is authorized in this act and the project applica-  
24 tion is approved by the governing body of each political subdivision or  
25 public agency making the application, and by the Michigan aeronautics  
26 commission.

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1       (4) The department of transportation shall notify the state budget  
2 director if additional federal aeronautics funds are anticipated beyond  
3 those appropriated in part 1 of this act. In the event that additional  
4 federal funds are available, the state budget director shall recommend to  
5 the legislature an appropriation of state and local funds necessary to  
6 meet any federal matching requirements.

7       (5) From appropriations contained in part 1 for airport improvement  
8 programs, \$20,000,000.00 of the state general fund shall be used as state  
9 resources for state-funded components of the comprehensive northwest air-  
10 lines midfield terminal project, and \$1,000,000.00 of the state general  
11 fund shall be used for state-funded components of projects at Willow Run  
12 airport. The allocation of state general fund money is subject to audit  
13 by the auditor general.

14       (6) From the appropriations contained in part 1 for airport improve-  
15 ment programs, no funds shall be allocated for any runway expansions at  
16 the Detroit-Willow Run airport.

17       Sec. 1102. Before the end of each fiscal year, the state transpor-  
18 tation department shall report to the JCOS the status of projects funded  
19 in part 1 with the estimated dollars allocated for each project. If  
20 there has to be a delay in reporting, the state transportation department  
21 shall notify JCOS in writing of the date the report will be received.

22       Sec. 1103. An aeronautics project proposed for funding with  
23 federal-state-local appropriations contained in part 1 that includes  
24 acquisition of an airport facility from a private owner or political sub-  
25 division for operation by the state or by a political subdivision  
26 requires line-item authorization in an appropriations act and is not

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1 fundable with appropriations from the federal/local airport discretionary  
2 contingencies account.

3       Sec. 1104. (1) A planning project or construction project appropri-  
4 ated for the airport program shall be made available for no more than 2  
5 fiscal years following the fiscal year in which the original appropria-  
6 tion was made.

7       (2) Any remaining balance from allocations made in this section  
8 shall lapse to the fund from which it was appropriated pursuant to the  
9 lapsing of funds as provided in the management and budget act, 1984  
10 PA 431, MCL 18.1101 to 18.1594.

11 **MISCELLANEOUS**

12       Sec. 1201. (1) Revenue collected from licenses issued under the  
13 antenna site management project shall be deposited into the antenna site  
14 management revolving fund created for this purpose in the department of  
15 management and budget. The department may receive and expend funds from  
16 the fund for costs associated with the antenna site management project,  
17 including the cost of the third-party site manager. Any excess revenue  
18 remaining in the fund at the close of the fiscal year shall be propor-  
19 tionately transferred to the appropriate state restricted funds as desig-  
20 nated in statute or by constitution.

21       (2) An antenna shall not be sited pursuant to this section without  
22 prior compliance with the respective local zoning codes and local unit of  
23 government processes.

24       Sec. 1202. (1) A site preparation economic development fund is  
25 hereby created in the department of management and budget. As used in

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1 this section, "economic development sites" means those state owned sites  
2 declared as surplus property pursuant to section 251 of the management  
3 and budget act, 1984 PA 431, MCL 18.1251, that would provide economic  
4 benefit to the area or to the state. The Michigan economic development  
5 corporation board and the state budget director shall determine whether  
6 or not a specific state owned site qualifies for inclusion in the fund  
7 created under this subsection.

8 (2) Proceeds from the sale of any sites designated in subsection (1)  
9 shall be deposited into the fund created in subsection (1) and shall be  
10 available for site preparation expenditures, unless otherwise provided by  
11 law. The economic development sites authorized in subsection (1) are  
12 hereby authorized for sale consistent with state law. Expenditures from  
13 the fund are hereby authorized for site preparation activities that  
14 enhance the marketable sale value of the sites. Site preparation activi-  
15 ties include, but are not limited to, demolition, environmental studies  
16 and abatement, utility enhancement, and site excavation.

17 (3) A cash advance in an amount of not more than \$25,000,000.00 is  
18 hereby authorized from the general fund to the site preparation economic  
19 development fund.

20 (4) An annual report shall be transmitted to the senate and house of  
21 representatives appropriations committees not later than December 31 of  
22 each year. This report shall detail both of the following:

23 (a) The revenue and expenditure activity in the fund for the preced-  
24 ing fiscal year.

25 (b) The sites identified as economic development sites under  
26 subsection (1).

**SB 231, As Passed Senate, May 30, 2001**

Senate Bill No. 231

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PART 2A

4

PROVISIONS CONCERNING APPROPRIATIONS FOR FISCAL YEAR 2000-2001

5 **GENERAL SECTIONS**

6

Sec. 2201. (1) Pursuant to section 30 of article IX of the state

7

constitution of 1963, total state spending from state sources for fiscal

8

year 2000-2001 is estimated at \$700.00 in part 1A of this appropriation

9

act and state spending from state sources paid to local units of govern-

10

ment for fiscal year 2000-2001 is estimated at \$0.

11

(2) If it appears to the principal executive officer of a department

12

or branch that state spending to local units of government will be less

13

than the amount that was projected to be expended under subsection (1),

14

the principal executive officer shall immediately give notice of the

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approximate shortfall to the state budget director.