

**SUBSTITUTE FOR
HOUSE BILL NO. 5291**

A bill to amend 1951 PA 51, entitled

"An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow

money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; to investigate and study the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts,"

(MCL 247.651 to 247.675) by adding sections 9d and 10s.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 **Sec. 9d. As used in this act, "port facility" means a**
- 2 **commercial facility located alongside a navigable waterway used for**
- 3 **the loading and unloading of cargo from commercial vessels and**
- 4 **includes any of the following types of facilities:**
- 5 **(a) A seawall jetty, pier, wharf, or dock.**
- 6 **(b) A warehouse, storehouse, elevator, grain bin, cold storage**
- 7 **plant, terminal icing plant, bunker, or oil tank.**
- 8 **(c) A ferry, canal, lock, seaway, or conveyor.**
- 9 **(d) A modern appliance for the economical handling, storage,**

1 or transportation of freight and handling of passenger traffic.

2 (e) A transfer or terminal facility required for the efficient
3 operation or development of a port or harbor.

4 (f) Any other port or harbor improvement to assist with
5 commercial operations.

6 (g) An improvement, enlargement, remodeling, or extension of a
7 facility described in this section.

8 Sec. 10s. (1) A port facility improvement grant program is
9 established to provide grants to fund port facility improvements.

10 (2) The maritime and port facility improvement office is
11 created in the department to serve as the central point of contact
12 for statewide maritime operations and operators and, subject to
13 subsection (3), to implement and administer the grant program by
14 doing all of the following:

15 (a) Awarding grants to publicly or privately owned port
16 facilities to fund port facility improvements.

17 (b) Establishing criteria for awarding grants based on the
18 impact the project will have on direct port activity, on increasing
19 the amount or value of freight moving through the port, or on
20 overall economic development or transportation opportunities in the
21 region.

22 (c) Receiving and reviewing grant applications under this
23 section and prescribing the form, nature, and extent of the
24 information that must be contained in a grant application.

25 (d) Before disbursing grant money under this section, entering
26 into a grant agreement with the grant recipient.

27 (3) A grant under this section may not exceed 80% of the
28 overall project cost.

29 (4) The port facility improvement fund is created in the state

1 treasury to fund the grant program.

2 (5) The state treasurer may receive money or other assets from
3 any source for deposit into the improvement fund. The state
4 treasurer shall direct the investment of the improvement fund and
5 credit to the improvement fund interest and earnings from
6 improvement fund investments.

7 (6) Money in the improvement fund at the close of the fiscal
8 year remains in the improvement fund and does not lapse to the
9 general fund.

10 (7) The office is the administrator of the improvement fund
11 for audits of the improvement fund.

12 (8) The office shall expend money from the improvement fund,
13 on appropriation, only for 1 or more of the following purposes:

14 (a) To implement and administer the grant program.

15 (b) To fund grants under this section.

16 (9) As used in this section:

17 (a) "Grant program" means the port facility improvement grant
18 program created in subsection (1).

19 (b) "Improvement fund" means the port facility improvement
20 fund created in subsection (4).

21 (c) "Office" means the maritime and port facility improvement
22 office created in subsection (2).

23 (d) "Port facility improvement" means creating or improving a
24 port facility and other projects related to a port facility.