



TRANSPORTATION APPROPRIATIONS BOILERPLATE DECISION DOCUMENT

FY 2016-17

Compared to Current Year and Executive

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DEPARTMENT OF TRANSPORTATION - BOILERPLATE

	FY 2015-16 CURRENT LAW	FY 2016-17			
		EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p><u>GENERAL SECTIONS</u></p> <p>Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2015-2016 is \$2,584,391,400.00 and state spending from state resources to be paid to local units of government for fiscal year 2015-2016 is \$1,438,206,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:</p> <p>Grants to regional planning councils \$ 488,800 Grants to local programs 33,000,000 Rail grade crossing 3,000,000 Local bridge program 26,828,600 Grants to county road commissions 615,734,000 Grants to cities and villages 343,299,300 Economic development fund 23,385,200 Local bus operating 167,400,000 Detroit/Wayne County Port Authority . 468,200 Marine passenger service 400,000 Terminal development 150,000 Specialized services 3,853,900 Municipal credit program 2,000,000 Transit capital 24,610,800 Service initiatives 999,800 Transportation to work 3,900,000 Airport safety, protection, and improvement program 5,055,800 Transit capital and rail infrastructure 25,000,000 State and local road and bridge programs 158,631,600 Total payments to local units of government \$ 1,438,206,000</p>	<p><u>GENERAL SECTIONS</u></p> <p>Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2016-2017 is \$2,755,927,700.00 and state spending from state resources to be paid to local units of government for fiscal year 2016-2017 is \$1,583,461,200.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:</p> <p>Grants to regional planning councils \$ 488,800 Grants to local programs 33,000,000 Rail grade crossing 3,000,000 Rail grade crossing – surface improvements 27,468,600 Local bridge program 797,470,600 County road commissions 444,625,500 Cities and villages 23,823,800 Economic development fund 180,000,000 Local bus operating 468,200 Detroit/Wayne County Port Authority . 400,000 Marine passenger service 300,000 Terminal development 3,853,900 Specialized services 2,000,000 Municipal credit program 43,607,100 Transit capital 914,200 Service initiatives 3,700,000 Transportation to work 6,315,500 Airport safety, protection, and improvement program 8,775,000 Detroit metropolitan Wayne County airport 8,775,000 Total payments to local units of government \$ 1,583,461,200</p>				



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<p>Sec. 202. The appropriations authorized under this part and part 1 are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.</p>	<p>No change from current law.</p>				
<p>Sec. 203. As used in this part and part 1:</p> <p>(a) "Amtrak" means the National Railroad Passenger Corporation.</p> <p>(b) "CTF" means comprehensive transportation fund.</p> <p>(c) "Department" means the state transportation department.</p> <p>(d) "Director" means the director of the department.</p> <p>(e) "DOT" means the United States Department of Transportation.</p> <p>(f) "DOT-FHWA" means DOT, Federal Highway Administration.</p> <p>(g) "FTE" means full-time equated.</p> <p>(h) "IDG" means interdepartmental grant.</p> <p>(i) "IRS" means the Internal Revenue Service.</p> <p>(j) "MTF" means Michigan transportation fund.</p> <p>(k) "SAF" means state aeronautics fund.</p> <p>(l) "STF" means state trunkline fund.</p>	<p>Sec. 203. As used in this part and part 1:</p> <p>(a) "Amtrak" means the National Railroad Passenger Corporation.</p> <p>(a) "CTF" means comprehensive transportation fund.</p> <p>(b) "Department" means the state transportation department.</p> <p>(c) "Director" means the director of the department.</p> <p>(d) "DOT" means the United States Department of Transportation.</p> <p>(e) "DOT-FHWA" means DOT, Federal Highway Administration.</p> <p>(f) "FTE" means full-time equated.</p> <p>(g) "IDG" means interdepartmental grant.</p> <p>(h) "IRS" means the Internal Revenue Service.</p> <p>(i) "MTF" means Michigan transportation fund.</p> <p>(j) "SAF" means state aeronautics fund.</p> <p>(k) "STF" means state trunkline fund.</p>				



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<p>Sec. 204. In addition to the metrics required under section 447 of the management and budget act, 1984 PA 431, MCL 18.1447, for each new program or program enhancement for which funds in excess of \$500,000.00 are appropriated in part 1, the department shall provide not later than November 1, 2015 a list of program-specific metrics intended to measure its performance based on a return on taxpayer investment. The department shall deliver the program-specific metrics to members of the senate and house subcommittees that have subject matter jurisdiction for this budget, fiscal agencies, and the state budget director. The department shall provide an update on its progress in tracking program-specific metrics and the status of program success at an appropriations subcommittee meeting called for by the subcommittee chair.</p>	<p>Not included.</p>			
<p>Sec. 205. The department shall provide notice to the speaker of the house, the house minority leader, the senate majority leader, the senate minority leader, the house and senate standing committees on transportation, the appropriate house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on proposed federal rule changes related to the department that would require amendments to the laws of this state. The notice shall be given within 30 business days of the proposed federal rule being posted to the federal register and shall include a description of the proposed federal rule, the publication date, the date when public comment closes, the document citation, and a description of the statutory changes needed when the rule is finalized.</p>	<p>Not included.</p>			



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<p>Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$200,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	<p>Sec. 210. No change from current law other than renumbering.</p>			
<p>(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$40,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	<p>No change from current law other than renumbering.</p>			
<p>(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	<p>No change from current law other than renumbering.</p>			
<p>(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	<p>No change from current law other than renumbering.</p>			



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Sec. 207. The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

- (a) Fiscal year-to-date expenditures by category.
- (b) Fiscal year-to-date expenditures by appropriation unit.
- (c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description.
- (d) The number of active department employees by job classification.
- (e) Job specifications and wage rates.

Sec. 211.
No change from current law other than renumbering.

Sec. 208. The departments and agencies receiving appropriations in part 1 shall use the Internet to fulfill the reporting requirements of this part. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

Sec. 204.
No change from current law other than renumbering.

Sec. 209. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.

Sec. 205.
No change from current law other than renumbering.



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<p>Sec. 210. 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. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.</p>	<p>Sec. 206. No change from current law other than renumbering.</p>			
<p>Sec. 215. A department shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.</p>	<p>Not included.</p>			
<p>Sec. 228. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the chairpersons of the senate and house of representatives standing committees on appropriations and the senate and house fiscal agencies.</p>	<p>Sec. 211. No change from current law other than renumbering.</p>			



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<p>Sec. 229. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the senate and house appropriations chairs, the senate and house appropriations subcommittees on transportation, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2015 and September 30, 2016.</p>	<p>Sec. 212. No change from current law other than renumbering, update fiscal year reference.</p>			
<p>Sec. 233. Not later than April 1, the department shall prepare and transmit a report that provides detail regarding the department's expenditures for administration and planning associated with local units of government. The report shall list the portion of all the expenditures from part 1 that are allocated for administration and planning that are associated with the disbursement of all local funds. The report shall be transmitted to the office of the state budget, the senate and house appropriations chairs, the senate and house appropriations subcommittees on transportation, respectively, and the senate and house fiscal agencies.</p>	<p>Not included.</p>			
<p>Sec. 235. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the agency's performance.</p>	<p>Sec. 213. No change from current law other than renumbering.</p>			



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Sec. 260. The departments and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house appropriations committees, the house and senate fiscal agencies, and the state budget director. The report shall include the following information:

- (a) The dates of each travel occurrence.
- (b) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 207.
No change from current law other than renumbering.

Sec. 262. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

Sec. 208.
No change from current law other than renumbering.

Sec. 270. In order to reduce costs and maintain quality, it is the intent of the legislature that, excluding the fleet of motor vehicles for the department of state police, the department will prioritize the utilization of remanufactured parts as the primary means of maintenance and repair for the state of Michigan's fleet of motor vehicles.

Not included.



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<p>Sec. 271. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2016 are \$68,873,400.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at \$39,092,200.00. Total agency appropriations for retiree health care legacy costs are estimated at \$29,781,200.00.</p>	<p>Sec. 214. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2017 are \$70,450,500.00. From this amount, total agency appropriations for pension-related legacy costs are estimated at \$39,063,000.00. Total agency appropriations for retiree health care legacy costs are estimated at \$31,387,500.00.</p>			
<p><u>DEPARTMENTAL SECTIONS</u></p> <p>Sec. 301. (1) The department may establish a fee schedule and collect fees sufficient to cover the costs to issue the permits that the department is authorized by law to issue upon request, unless otherwise stipulated by law. All permit fees are nonrefundable application fees and shall be credited to the appropriate fund to recover the direct and indirect costs of receiving, reviewing, and processing the requests.</p>	<p><u>DEPARTMENTAL SECTIONS</u></p> <p>No change from current law.</p>			
<p>(2) A bridge authority shall hold 3 public hearings on an increase in any toll charged by the authority at least 30 days before the toll change will become effective. Two of the hearings shall be held within 5 miles of the bridge over which the bridge authority has jurisdiction. One hearing shall be held in Lansing. Public hearings held under this section shall be conducted in accordance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, and shall be conducted so as to provide a reasonable opportunity for public comment, including both spoken and written comments.</p>	<p>No change from current law.</p>			



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<p>Sec. 304. 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.</p>	No change from current law.			
<p>Sec. 305. (1) 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 shall require that revenue from the tenants be placed in an account to be used to pay the costs to maintain and improve the property.</p>	No change from current law.			
<p>(2) The department shall charge public transit agencies and intercity bus carriers equal rates per square foot for leasing space in state-owned intermodal facilities.</p>	No change from current law.			



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Sec. 306. (1) The amounts appropriated in part 1 to support tax and fee collection, law enforcement, and other program services provided to the department and to transportation funds by other state departments shall be expended from transportation funds pursuant to annual contracts between the department and those other state departments. The contracts shall be executed prior to the expenditure or obligation of those funds. The contracts shall provide, but are not limited to, the following data applicable to each state department:

- (a) Estimated costs to be recovered from transportation funds.
- (b) Description of services provided to the department and/or transportation funds and financed with transportation funds.
- (c) Detailed cost allocation methods appropriate to the type of services being provided and the activities financed with transportation funds.

No change from current law.

(2) Not later than 2 months after publication of the state of Michigan comprehensive annual financial report, each state department receiving funding pursuant to an interdepartment contract with the department shall submit a written report to the department, the state budget director, and the house and senate fiscal agencies stating by spending authorization account the amount of estimated funds contracted with the department, the amount of funds expended, the amount of funds returned to the transportation funds, and any unreimbursed transportation-related costs incurred but not billed to 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 as provided in subsection (3).

2) Not later than 2 months after publication of the state of Michigan comprehensive annual financial report, each state department receiving funding pursuant to an interdepartment contract with the department shall submit a written report to the department, the state budget director, and the house and senate fiscal agencies stating by spending authorization account the amount of estimated funds contracted with the department, the amount of funds expended, the amount of funds returned to the transportation funds, and any unreimbursed transportation-related costs incurred but not billed to 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 as provided in subsection (3).~~



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<p>(3) Biennially, in each even-numbered fiscal year, the auditor general shall conduct an audit of charges to transportation funds by state departments for the 2 preceding fiscal years. The audit shall include both charges governed by interdepartmental contracts as well as miscellaneous charges from other state departments not governed by contracts. The auditor general shall prepare a detailed report, with recommendations and conclusions, including a summary of charges and related services to transportation funds by department, the appropriateness of those charges, the cost allocation methodologies used in determining the level of funding, and any unreimbursed transportation-related costs, if any. The report shall be provided to the senate and house of representatives committees on appropriations, the senate and house fiscal agencies, and the state budget director 9 months after publication of the state of Michigan comprehensive annual financial report.</p>	<p>Not included.</p>			
<p>Sec. 307. Before March 1 of each year, the department will provide to the legislature, the state budget office, and the house and senate fiscal agencies its rolling 5-year plan listing by county or by county road commission all highway construction projects for the fiscal year and all expected projects for the ensuing fiscal years.</p>	<p>No change from current law.</p>			



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Sec. 308. (1) As prescribed in subsection (2), the department shall submit reports to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on department activities related to the prequalification of construction contractors under 1933 PA 170, MCL 123.501 to 123.508, and related administrative rules. The report shall be submitted on or before March 1, 2016.

Not included.

(2) The report shall include all of the following:

Not included.

(a) A description of the department's processes and procedures for evaluating construction contractor performance on capital construction projects administered by the department including state trunkline projects, rail infrastructure projects, local agency federal-aid highway projects, and airport improvement projects.

(b) Criteria that would cause the department to rate contractor performance as unsatisfactory.

(c) The impact, if any, on a contractor's prequalification if given an unsatisfactory performance rating by the department.

(d) A description of all department actions related to unsatisfactory contractor performance ratings and restrictions on contractor prequalification during the fiscal year ending September 30, 2015.

Sec. 310. The department shall provide in a timely manner copies of the agenda and approved minutes of monthly transportation commission meetings to the members of the house and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget director.

No change from current law.



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<p>Sec. 313. (1) From funds appropriated in part 1, the department may increase a state infrastructure bank program and grant or loan funds in accordance with regulations of the state infrastructure bank program of the United States Department of Transportation. The state infrastructure bank is to be administered by the department for the purpose of providing a revolving, self-sustaining resource for financing transportation infrastructure projects.</p>	No change from current law.			
<p>(2) In addition to funds provided in subsection (1), money received by the state as federal grants, repayment of state infrastructure bank loans, or other reimbursement or revenue received by the state as a result of projects funded by the program and interest earned on that money shall be deposited in the revolving state infrastructure bank fund and shall be available for transportation infrastructure projects. At the close of the fiscal year, any unencumbered funds remaining in the state infrastructure bank fund shall remain in the fund and be carried forward into the succeeding fiscal year.</p>	No change from current law.			



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<p>(3) The department shall submit a report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on the status of the state infrastructure bank. The report shall be submitted on or before December 1, 2015. The report shall include all of the following:</p> <p>(a) The balance in the state infrastructure bank at September 30, 2015, including a breakdown of the balance by cash and cash equivalents, outstanding loans, and balance available for loan to local agencies.</p> <p>(b) A breakdown of the state infrastructure loan balance by amounts designated as originating from federal sources and the amounts originating from nonfederal sources.</p> <p>(c) A list of outstanding loans by agency, original loan amount, project description, loan term, and amount outstanding.</p>	<p>Not included.</p>			
<p>Sec. 319. The department shall post signs at each rest area to identify the agency or contractor responsible for maintenance of the rest area. The signs shall include a department telephone number and shall indicate that unsafe or unclean conditions at the rest area may be reported to that telephone number.</p>	<p>Not included.</p>			
<p>Sec. 353. The department shall review its contractor payment process and ensure that all prime contractors are paid promptly. The department shall ensure that prime contractors are in compliance with special provision 109.10 regarding the prompt payment of subcontractors.</p>	<p>Not included.</p>			



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Sec. 357. When presented with complete local federal aid project submittals, the department shall complete all necessary reviews and inspections required to let local federal aid projects within 120 days of receipt. The department shall implement a system for monitoring the local federal aid project review process.

Not included.

Sec. 375. The department is prohibited from reimbursing contractors or consultants for costs associated with groundbreaking ceremonies, receptions, open houses, or press conferences related to transportation projects funded, in whole or in part, by revenue appropriated in part 1.

Not included.

Sec. 376. The department shall not spend funds appropriated in part 1 for the purpose of examining the potential association between commercial signs, outdoor advertising signs, billboards, digital billboards, or commercial electronic variable message signs and motor vehicle activity or motor vehicle driver behavior.

Not included.



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Sec. 381. The department shall require as a condition of each contract or subcontract for construction, maintenance, or engineering services that the prequalified contractor or prequalified subcontractor agree to use the E-Verify system to verify that all persons hired during the contract term by the contractor or subcontractor are legally present and authorized to work in the United States. The department may verify this information directly or may require contractors and subcontractors to verify the information and submit a certification to the department. The department shall report to the house and senate appropriations committees and the house and senate fiscal agencies by March 1 of each year describing the processes it has developed and implemented under provisions of this section. As used in this section, "E-Verify" means an Internet-based system operated by the Department of Homeland Security, U.S. Citizenship and Immigration Services in partnership with the Social Security Administration.

Not included.

Sec. 382. In administering a contract with a county road commission, city, or village that allocates costs of construction or reconstruction of highways, roads, and streets as provided in section 18d of 1951 PA 51, MCL 247.668d, the department shall submit the final cost-sharing bill to the county road commission, city, or village not later than 2 years after the date of the final contract payment to the construction contractor.

Not included.



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<p>Sec. 383. (1) The department shall prepare a report on use of department-owned aircraft during the fiscal year ending September 30, 2015. With respect to each department-owned aircraft, the report shall include all of the following:</p> <p>(a) Total hours of usage.</p> <p>(b) Description of specific flights including dates of travel, names of passengers including state agency, university, or local government affiliation, travel origin and destination, and total estimated costs associated with the air travel.</p>	No change from current law other than fiscal year reference.			
(2) The report shall be submitted to the senate and house appropriations subcommittees on transportation and the house and senate fiscal agencies no later than February 1, 2016.	No change from current law other than report due date updated to February 1, 2017 .			
(3) The department shall maintain a system for recovering the cost of operating department-owned aircraft through charges to aircraft users.	No change from current law.			
(4) From the funds appropriated in part 1, the department is prohibited from transporting legislators or legislative staff on state-owned aircraft without prior approval from the senate majority leader or the speaker of the house of representatives and only when the aircraft is already scheduled by state agencies on related official state business.	No change from current law.			
(5) It is the intent of the legislature that the department work with the Michigan state police to establish a reciprocal agreement on employing fixed-wing aircraft with specifically designed equipment for use by the Michigan state police when conducting operations.	Not included.			



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<p>Sec. 384. (1) Except as otherwise provided in subsection (2), the department shall not obligate the state to expend any state transportation revenue for construction planning or construction of the Detroit River International Crossing or a renamed successor. In addition, except as provided in subsection (2), the department shall not commit the state to any new contract related to the construction planning or construction of the Detroit River International Crossing or a renamed successor that would obligate the state to expend any state transportation revenue. An expenditure for staff resources used in connection with project activities, which expenditure is subject to full and prompt reimbursement from Canada, shall not be considered an expenditure of state transportation revenue.</p>	No change from current law.			
<p>(2) If the legislature enacts specific enabling legislation for the construction of the Detroit River International Crossing or a renamed successor, subsection (1) does not apply once the enabling legislation goes into effect.</p>	No change from current law.			
<p>Sec. 385. (1) The department shall submit reports to the state budget director, the speaker of the house, the house minority leader, the senate majority leader, the senate minority leader, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on department activities related to all nonconstruction or construction planning activities related to the Detroit River International Crossing or a renamed successor. The initial report shall be submitted on or before December 1, 2015 and shall cover the fiscal year ending September 30, 2015.</p>	No change from current law other than updating the 2015 date references to 2016 .			



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<p>(2) The initial report shall include, at a minimum, all of the following:</p> <p>(a) Department costs incurred in the fiscal year ending September 30, 2015, including employee salaries, wages, benefits, travel, and contractual services, and what activities those costs were related to.</p> <p>(b) Costs of other executive branch agencies incurred in the fiscal year ending September 30, 2015, including employee salaries, wages, benefits, travel, and contractual services, and what activities those costs were related to.</p> <p>(c) A breakdown of the source of funds used for the activities described in subdivisions (a) and (b).</p> <p>(d) A breakdown of reimbursements made by Canada under section 384(1) to the state for expenditures for staff resources used in connection with project activities.</p> <p>(e) A narrative description of the status of the Detroit River International Crossing or a renamed successor, including efforts undertaken to implement provisions of the crossing agreement executed June 15, 2012 by representatives of the Canadian government and this state.</p>	<p>No change from current law other than updating the 2015 date references to 2016.</p>				
<p>(3) After submission of the initial report, a subsequent report shall be submitted on March 1, 2016, June 1, 2016, and September 1, 2016 and shall include the same information described in subsection (2) for the applicable previous fiscal quarter.</p>	<p>No change from current law other than updating the 2016 date references to 2017.</p>				



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<p>Sec. 393. (1) The department shall promote best practices for public transportation services in this state, including, but not limited to, the following:</p> <p>(a) Transit vehicle rehabilitation to reduce life-cycle cost of public transportation through midlife rehabilitation of transit buses.</p> <p>(b) Cooperation between entities using transit, including school districts, cities, townships, and counties with a view to promoting cost savings through joint purchasing of fuel and other procurements.</p> <p>(c) Coordination of transportation dollars among state departments which provide transit-related services, including the department of health and human services. Priority should be given to use of public transportation services where available.</p> <p>(d) Promotion of intelligent transportation services for buses that incorporate computer and navigation technology to make transit systems more efficient, including stoplight coordinating, vehicle tracking, data tracking, and computerized scheduling.</p>	<p>Not included.</p>			
<p>(2) The department shall report on efforts taken to implement this section as well as section 393 of article XVII of 2011 PA 63. The department shall complete and submit the report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on or before March 1, 2016.</p>	<p>Not included.</p>			
<p>Sec. 394. The department and local road agencies shall make the preservation of their existing road networks a funding priority.</p>	<p>Not included.</p>			



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FY 2015-16 CURRENT LAW	FY 2016-17			
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
	<p>NEW</p> <p>Sec. 395. From the funds appropriated in part 1 for state trunkline federal aid road and bridge construction, the department may expend up to \$10,000,000.00 on highway maintenance activities to support safety-related, high-priority and other deferred routine maintenance needs on Michigan's state trunkline network.</p>			
<p>FEDERAL</p> <p>Sec. 402. A portion of the federal DOT-FHWA highway research, planning, and construction funds made available to this state shall be allocated to transportation programs administered by local jurisdictions in accordance with section 10o of 1951 PA 51, MCL 247.660o. A local road agency, with respect to a project approved for federal aid funding in a state transportation improvement program, may enter into a voluntary buyout agreement with the department or with another local road agency to exchange the federal aid with state restricted transportation funds as agreed to by the respective parties. The state restricted transportation funds received in exchange for federal aid funds shall be used for the same purpose as the federal aid funds were originally intended.</p>	<p>FEDERAL</p> <p>No change from current law.</p>			



DEPARTMENT OF TRANSPORTATION - BOILERPLATE

FY 2015-16 CURRENT LAW	FY 2016-17			
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p><u>MICHIGAN TRANSPORTATION FUND</u></p> <p>Sec. 501. The money received under the motor carrier act, 1933 PA 254, MCL 475.1 to 479.43, and not appropriated to the department of licensing and regulatory affairs or the department of state police is deposited in the Michigan transportation fund.</p>	<p><u>MICHIGAN TRANSPORTATION FUND</u></p> <p>No change from current law.</p>			
<p>Sec. 503. (1) The funds appropriated in part 1 for the economic development and local bridge 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 1987 PA 231, MCL 247.901 to 247.913, and section 10(5) of 1951 PA 51, MCL 247.660.</p>	<p>No change from current law.</p>			
<p>(2) Interest earned in the department of transportation economic development fund and local bridge fund shall remain in the respective funds and shall be allocated to the respective programs based on actual interest earned at the end of each fiscal year.</p>	<p>No change from current law.</p>			
<p>(3) In addition to the funds appropriated in part 1, the department of transportation economic development fund and local bridge fund may receive federal, local, or private funds or restricted source funds such as interest earnings. These funds are appropriated for projects that are consistent with the purposes of the respective funds.</p>	<p>No change from current law.</p>			
<p>(4) None of the funds statutorily dedicated to the transportation economic development fund and local bridge fund shall be diverted to other projects.</p>	<p>No change from current law.</p>			



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	FY 2015-16 CURRENT LAW	FY 2016-17		
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p>Sec. 504. Funds from the Michigan transportation fund shall be distributed to the comprehensive transportation fund, the economic development fund, the recreation improvement fund, and the state trunkline fund, in accordance with this part and part 1 and part 711 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.71101 to 324.71108, and may only be used as specified in this part and part 1, 1951 PA 51, MCL 247.651 to 247.675, and part 711 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.71101 to 324.71108.</p>	<p>No change from current law.</p>			
	<p>NEW</p> <p>Sec. 505. If roads innovation funds are not released by a 1-time concurrent resolution pursuant to section 1j(5) of 2015 pa 175, mcl 247.651j on or before October 1, 2016, the department shall prepare a report that specifies the portions of total Michigan transportation fund distributions to be withheld from the state trunkline fund and each local road agency. The department shall present the report to the state budget director, the senate and house appropriations subcommittees on transportation, the senate and house standing committees on transportation, and the senate and house fiscal agencies on or before November 1, 2016.</p>			



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	FY 2015-16 CURRENT LAW	FY 2016-17			
		EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p><u>STATE TRUNKLINE FUND</u></p> <p>Sec. 601. (1) The department shall work with the road construction industry and engineering consulting community to develop a warranty program for capital road and bridge construction, reconstruction, and rehabilitation projects. In developing the warranty program, the department shall consider all of the following:</p> <p>(a) Scope of warranties, including warranties on materials and workmanship, pavement or bridge performance criteria, and the application of warranties to design/build projects.</p> <p>(b) Length of warranty.</p> <p>(c) Costs and benefits associated with scope of warranty and various warranty provisions, including length of warranty.</p> <p>(d) Any other relevant factors that might determine the use of warranties, scope of warranty, or length of warranty.</p> <p>(e) Use of warranties on local agency projects administered by the department.</p> <p>(f) Other measures used to identify premature failure of road pavement or bridge elements and the related cause of those failures.</p>	<p><u>STATE TRUNKLINE FUND</u></p> <p>Not included.</p>				
<p>(2) The department shall report on March 1 of each year to the house of representatives and senate appropriations subcommittees on transportation and the house and senate fiscal agencies on provisions of the department's warrant program described under subsection (1). The department shall timely inspect warranted projects prior to the expiration of any associated warranty.</p>	<p>Not included.</p>				



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(3) The department shall report to the legislature all of the following with regard to road and bridge construction projects:

(a) An update on procedures involving the attorney general's office regarding nonresponsive contractors that had received notice but failed to fulfill the terms of a warranty.

(b) An update on any upgrades and improvements to the statewide warranty administrative database.

(c) The number of active road and bridge construction warranties.

(d) The number of road and bridge project warranties that required corrective action, and the date or dates of any corrective action.

(e) The number of warrantied projects that required corrective action but expired prior to the contractor receiving notice and the total cost of each of those projects.

(f) The number of instances where a contractor was notified of the need for corrective action more than 60 days after the associated warranty period.

(g) The number of unresolved corrective actions outstanding beyond 15 months, and the department's findings and any changes to existing policies and procedures as required in subsection (5).

Not included.

(4) The report required under subsection (3) is due on March 1 of each calendar year, shall reflect the prior 12-month period, and shall be transmitted to the house of representatives and senate appropriations subcommittees on transportation, the state budget director, and the house and senate fiscal agencies.

Not included.



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(5) The department shall maintain documentation to support initial acceptance of warrantied projects, interim and final inspections, and notifications to contractors that the warranty period had expired. The department also shall review and evaluate consultant evaluation requirements or recommendations and update existing policies and procedures accordingly.

Not included.

Sec. 603. The department shall use traffic congestion as 1 of the criteria in determining the priorities for designating which roads shall be remediated in its 5-year road plan, which must be submitted on or before March 1 of each year. Criteria for evaluating traffic congestion shall include, but not be limited to, coordination with local, county, and regional planning, improvement in traffic operations, improvement in physical roadway conditions, accident reduction, and coordination with area public transportation planning.

Not included.

Sec. 604. At the close of the fiscal year, any unencumbered and unexpended balance in the state trunkline fund shall remain in the state trunkline fund and shall carry forward and is appropriated for federal aid road and bridge programs for projects contained in the annual state transportation program.

No change from current law.

Sec. 610. The department shall have as a priority the removal of dead deer and other large animal remains from the traveled portion and shoulder of state highways. The department, and counties that perform state highway maintenance under contract, shall remove animal remains, wherever practicable and when funds are available, away from the traveled portion and shoulder of state highways.

Not included.



DEPARTMENT OF TRANSPORTATION - BOILERPLATE

	FY 2015-16 CURRENT LAW	FY 2016-17			
		EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p>Sec. 612. The department shall establish guidelines governing incentives and disincentives provided under contracts for state trunkline projects. The guidelines shall include specific financial information concerning incentives and disincentives. On or before January 1 of each year, the department shall prepare a report for the immediately preceding fiscal year regarding contract incentives and disincentives. This report shall include a list, by project, of the contractors that received contract incentives and/or disincentives, the amount of the incentives and/or disincentives, the fund source of any incentives, and the number of days that each project was completed either ahead or past the contracted completion date. This report shall be provided to the senate and house appropriations subcommittees on transportation, the senate and house standing committees on transportation, and the senate and house fiscal agencies.</p>	Not included.				
<p>Sec. 660. (1) The legislature encourages the department to examine the use of alternative road surface materials, including recycled materials, and to develop criteria and specifications for their use in both department-managed and contracted projects.</p>	Not included.				
<p>(2) The department shall evaluate the use of a bituminous mix which incorporates crumb rubber from scrap tires.</p>	Not included.				
<p>(3) The department shall report on efforts taken to implement this section. The report shall include descriptions of specific materials evaluated, evaluation methods, and results of specific field or laboratory tests. The department shall complete and submit the report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on or before March 1 of each year.</p>	Not included.				



DEPARTMENT OF TRANSPORTATION - BOILERPLATE

	FY 2015-16 CURRENT LAW	FY 2016-17			
		EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p><u>TRANSIT AND RAIL RELATED FUNDS</u></p> <p>Sec. 701. The department shall establish an intercity bus equipment and facility fund as a subsidiary fund within the comprehensive transportation fund created under section 10b of 1951 PA 51, MCL 247.660b. Proceeds received by this state from the sale of state-owned intercity bus equipment shall be credited to the intercity bus equipment facility fund for the purchase and repair of intercity bus equipment, as appropriated. Security deposits not returned to a lessee of state-owned intercity bus equipment under terms of the lease agreement shall be credited to the intercity bus equipment fund for the repair of intercity bus equipment, as appropriated. Money received by the department from lease payments for state-owned intercity bus equipment, and facility maintenance charges under terms of leases of state-owned intercity facilities, shall be credited to the intercity bus equipment facility fund for the purchase and repair of intercity bus equipment or for the maintenance and rehabilitation of state-owned intercity facilities, as appropriated. At the close of the fiscal year, any funds remaining in the intercity bus equipment facility fund shall remain in the fund and be carried forward into the succeeding fiscal year.</p>	<p><u>TRANSIT AND RAIL RELATED FUNDS</u></p> <p>Sec. 701. The department shall establish an intercity bus equipment and facility fund as a subsidiary fund within the comprehensive transportation fund created under section 10b of 1951 PA 51, MCL 247.660b. Proceeds received by this state from the sale of state-owned intercity bus equipment shall be credited to the intercity bus equipment AND facility fund for the purchase and repair of intercity bus equipment, as appropriated. Security deposits not returned to a lessee of state-owned intercity bus equipment under terms of the lease agreement shall be credited to the intercity bus equipment AND FACILITY fund for the repair of intercity bus equipment, as appropriated. Money received by the department from lease payments for state-owned intercity bus equipment, and facility maintenance charges under terms of leases of state-owned intercity facilities, shall be credited to the intercity bus equipment AND FACILITY fund for the purchase and repair of intercity bus equipment or for the maintenance and rehabilitation of state-owned intercity facilities, as appropriated. At the close of the fiscal year, any funds remaining in the intercity bus equipment AND facility fund shall remain in the fund and be carried forward into the succeeding fiscal year.</p>				



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FY 2015-16 CURRENT LAW	FY 2016-17			
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p>Sec. 702. Money that is received by this state as repayment for loans made for rail or water freight capital projects, and as a result of the sale of property or equipment used or projected to be used for rail or water freight projects shall be deposited in the rail freight fund created by section 17 of the state transportation preservation act of 1976, 1976 PA 295, MCL 474.67. At the close of the fiscal year, any funds remaining in the rail freight fund shall remain in the fund and be carried forward into the succeeding fiscal year.</p>	No change from current law.			
<p>Sec. 703. After receiving notification from a railroad company pursuant to section 8 of the state transportation preservation act of 1976, 1976 PA 295, MCL 474.58, the department shall immediately notify the house of representatives and senate appropriations subcommittees on transportation and the state budget office that the railroad company has filed with the appropriate governmental agencies for abandonment of a line.</p>	Not included.			
<p>Sec. 706. The Detroit/Wayne County Port Authority shall issue a complete operations assessment and a financial disclosure statement. The operations assessment shall include operational goals for the next 5 years and recommendations to improve land acquisition and development efficiency. The report shall be completed and submitted to the house of representatives and senate appropriations subcommittees on transportation, the state budget director, and the house and senate fiscal agencies by February 15 of each fiscal year for the prior fiscal year.</p>	No change from current law.			



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	FY 2015-16 CURRENT LAW	FY 2016-17		
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p>Sec. 711. (1) As prescribed in subsection (2), the department shall submit reports to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on rail passenger service provided by Amtrak under a contractual agreement with the department. The report shall be submitted on or before May 1 of each year.</p>	Not included.			
<p>(2) The report shall include all of the following:</p> <p>(a) Passenger counts for the preceding fiscal year for each of the 3 Amtrak routes in Michigan.</p> <p>(b) Revenue and operating expenses by Amtrak route.</p> <p>(c) Total state operating payments to Amtrak in the preceding fiscal year by Amtrak route.</p> <p>(d) A discussion of major factors affecting route costs and revenue and net state costs in the preceding fiscal year, and factors affecting route costs and revenue and net state costs anticipated in the current and future fiscal years.</p>	Not included.			
<p>Sec. 713. On or before November 1, 2015, the department shall report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on the status of commuter rail demonstration projects in the state, including the disposition of rail cars leased by the department for commuter rail service.</p>	Not included.			
<p>Sec. 735. For the fiscal year ending September 30, 2016, the appropriation to a street railway pursuant to section 10e(22) of 1951 PA 51, MCL 247.660e, is \$0.</p>	No change from current law other than updating 2016 to 2017 .			



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AERONAUTICS FUND

Sec. 801. Except as otherwise provided in section 903 for capital outlay, at the close of the fiscal year, any unobligated and unexpended balance in the state aeronautics fund created in the aeronautics code of the state of Michigan, 1945 PA 327, MCL 259.1 to 259.208, shall lapse to the state aeronautics fund and be appropriated by the legislature in the immediately succeeding fiscal year.

AERONAUTICS FUND

No change from current law.

Sec. 802. The legislature encourages the department to find private entities or local public agencies to assume ownership and operating responsibility for airports currently owned by the department.

Not included.

CAPITAL OUTLAY

Sec. 901. (1) From federal-state-local project appropriations contained in part 1 for the purpose of assisting political entities and subdivisions of this state in the construction and improvement of publicly used airports and landing fields within this state, the state transportation department may permit the award of contracts on behalf of units of local government for the authorized locations not to exceed the indicated amounts, of which the state allocated portion shall not exceed the amount appropriated in part 1.

CAPITAL OUTLAY

No change from current law.



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FY 2015-16 CURRENT LAW	FY 2016-17			
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p>(2) Political entities and subdivisions shall provide not less than 5% of the cost of any project under this section, unless a total nonfederal share greater than 10% is otherwise specified in federal law. State money shall not be allocated until local money is allocated. State money for any 1 project shall not exceed 1/3 of the total appropriation in part 1 from state funds for airport improvement programs.</p>	No change from current law.			
<p>(3) The Michigan aeronautics commission may take those steps necessary to match federal money available for airport construction and improvement within this state and to meet the matching requirements of the federal government. Whether acting alone or jointly with another political subdivision or public agency or with this state, a political subdivision or public agency of this state shall not submit to any agency of the federal government a project application for airport planning or development unless it is authorized in this part and part 1 and the project application is approved by the governing body of each political subdivision or public agency making the application and by the Michigan aeronautics commission.</p>	No change from current law.			
<p>Sec. 903. The appropriations in part 1 for capital outlay shall be carried forward at the end of the fiscal year consistent with the provisions of section 248 of the management and budget act, 1984 PA 431, MCL 18.1248.</p>	No change from current law.			



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	FY 2015-16 CURRENT LAW	FY 2016-17			
		EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p>ONE-TIME AND ONGOING GENERAL FUND APPROPRIATIONS</p> <p>Sec. 1001. The state general fund/general purpose appropriation in part 1 for state trunkline federal aid and road and bridge construction shall be used to ensure that the state match all available federal-aid highway funds.</p>	<p>ONE-TIME AND ONGOING GENERAL FUND APPROPRIATIONS</p> <p>Not included.</p>				
<p>Sec. 1002. The general fund/general purpose appropriation in part 1 for state and local road and bridge programs shall be distributed to the state trunkline fund, county road commissions, and cities and villages in the same percentages described in section 10(1)(j) of 1951 PA 51, MCL 247.660. Funds distributed to county road commissions under this section shall be distributed among the county road commissions in accordance with section 12 of 1951 PA 51, MCL 247.662. Funds distributed to cities and villages under this section shall be distributed among cities and villages in accordance with section 13 of 1951 PA 51, MCL 247.663.</p>	<p>Not included.</p>				
<p>Sec. 1003. By December 1, 2016, the department shall report to the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies, on the use of general fund/general purpose funds appropriated in part 1 for transit capital and rail infrastructure. The report shall include a summary of funds expended, encumbered, and lapsed for both transit capital and rail infrastructure. With regard to transit capital projects, the report shall include grantees, grant amounts, project description, and project completion dates. With regard to rail infrastructure projects, the report shall include grant amounts, project description, and project completion dates.</p>	<p>Not included.</p>				



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Sec. 1006. The department shall prepare a report regarding progress on the construction of a new rail tunnel crossing of the Detroit River between the city of Detroit and Windsor, Ontario, Canada, referenced in the balance of this section as “the project”. On November 10, 2015, the department shall provide the report to the house and senate transportation appropriations subcommittees and the house and senate fiscal agencies. The report shall include the following:

- (a) Whether the project has obtained all necessary environmental and cross-border crossing permits from the governments of Canada and the United States.
- (b) Whether the project is included in the long-range transportation plan of the southeast Michigan council of governments.
- (c) Whether the department is satisfied that the project will accommodate not fewer than 400,000 rail cars per year.
- (d) Whether the department is satisfied that the project will be available for use by all rail companies.
- (e) Whether the department is satisfied that all approvals necessary for the completion of the project have been secured.

Not included.

PART 2A – GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2017 for the line items listed in part 1. The fiscal year 2016-2017 appropriations are anticipated to be the same as those for fiscal year 2015-2016, except that the line items will be adjusted for changes in caseload and related costs, federal fund match rates, economic factors, and available revenue. These adjustments will be determined after the January 2016 consensus revenue estimating conference.