

**SUBSTITUTE FOR
SENATE BILL NO. 529**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2021; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for various state departments and agencies to supplement appropriations for the fiscal year ending September 30, 2021, from the following funds:

APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$ 1,626,000,000
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Interdepartmental grant revenues:

1	Total interdepartmental grants and	
2	intradepartmental transfers	0
3	ADJUSTED GROSS APPROPRIATION	\$ 1,626,000,000
4	Federal revenues:	
5	Total other federal revenues	1,626,000,000
6	Special revenue funds:	
7	Total local revenues	0
8	Total private revenues	0
9	Total other state restricted revenues	0
10	State general fund/general purpose	\$ 0
11	Sec. 102. STATE TRANSPORTATION DEPARTMENT	
12	(1) APPROPRIATION SUMMARY	
13	GROSS APPROPRIATION	\$ 1,626,000,000
14	Interdepartmental grant revenues:	
15	Total interdepartmental grants and	
16	intradepartmental transfers	0
17	ADJUSTED GROSS APPROPRIATION	\$ 1,626,000,000
18	Federal revenues:	
19	Total other federal revenues	1,626,000,000
20	Special revenue funds:	
21	Total local revenues	0
22	Total private revenues	0
23	Total other state restricted revenues	0
24	State general fund/general purpose	\$ 0
25	(2) ONE-TIME APPROPRIATIONS	
26	Bundling of local agency bridges program	\$ 1,304,124,100
27	Cities and villages	70,116,500
28	County road commissions	125,759,400

1	Local rail grade separation program	126,000,000
2	GROSS APPROPRIATION	\$ 1,626,000,000
3	Appropriated from:	
4	Federal revenues:	
5	Coronavirus state fiscal recovery fund	1,626,000,000
6	State general fund/general purpose	\$ 0

9 PART 2

10 PROVISIONS CONCERNING APPROPRIATIONS

12 GENERAL SECTIONS

13 Sec. 201. Pursuant to section 30 of article IX of the state
 14 constitution of 1963, total state spending from state sources under
 15 part 1 for the fiscal year ending September 30, 2021 is \$0.00 and
 16 total state spending from state sources to be paid to local units
 17 of government is \$0.00.

18 Sec. 202. The appropriations made and expenditures authorized
 19 under this part and part 1 and the departments, commissions,
 20 boards, offices, and programs for which appropriations are made
 21 under this part and part 1 are subject to the management and budget
 22 act, 1984 PA 431, MCL 18.1101 to 18.1594.

23 Sec. 203. If the state administrative board, acting under
 24 section 3 of 1921 PA 2, MCL 17.3, transfers funds from an amount
 25 appropriated under this act, the legislature may, by a concurrent
 26 resolution adopted by a majority of the members elected to and
 27 serving in each house, intertransfer funds within this act for the
 28 particular department, board, commission, office, or institution.

STATE TRANSPORTATION DEPARTMENT

Sec. 301. (1) The one-time funds appropriated in part 1 for the bundling of local agency bridges program shall be expended by the state transportation department to support a statewide program for the rehabilitation or replacement of bridges owned by local road agencies through bridge bundling. The department shall coordinate the bundling of local agency bridges program and issue contracts necessary for planning, design, and construction work related to bridges selected for the program. Bridges must be selected for inclusion in the program subject to available funding and according to the following order of priority:

(a) Locally-owned vehicle bridges currently closed to traffic.

(b) Locally-owned vehicle bridges currently posted or restricted from Michigan legal loads.

(c) Locally-owned vehicle bridges in need of rehabilitation or replacement as rated by Regional Bridge Councils to ensure citizen safety or unimpeded commercial traffic.

(2) The department shall provide a biannual progress report on the bundling of local agency bridges program to the senate and house transportation appropriations subcommittees, the state budget director, and the senate and house fiscal agencies. The first report shall be due by October 31, 2021. Updated reports shall be due April 30 and October 31 each year until the bundling of local agency bridges program is completed. The report must include, but not be limited to, all the following:

(a) A list of bridges with completed repairs through the bridge bundling program.

(b) A list of bridges with scheduled repairs through the bridge bundling program in the current fiscal year.

1 (c) The amount of funds expended to date through the bridge
2 bundling program.

3 (d) The amount of funds remaining for expenditure through the
4 bridge bundling program.

5 (3) Funds appropriated for the bundling of local agency
6 bridges program shall be considered work project funds and shall
7 not lapse at the close of the fiscal year and shall be available
8 for expenditures for projects under this section until the projects
9 have been completed. The following is in compliance with section
10 451a(1) of the management and budget act, 1984 PA 431, MCL
11 18.1451a:

12 (a) The purpose of the work project is to provide funding for
13 the rehabilitation or replacement of bridges owned by local road
14 agencies through the bridge bundling program.

15 (b) The projects will be accomplished by utilizing state
16 employees or contracts with service providers, or both.

17 (c) The total estimated cost of the work project is
18 \$1,500,000,000.00.

19 (d) The tentative completion date is September 30, 2025.

20 Sec. 302. (1) The one-time funds appropriated in part 1 for
21 the local rail grade separation program shall be expended by the
22 state transportation department to operate a local rail grade
23 separation program for the separation of motor vehicle traffic and
24 railroad traffic in this state. The department must provide grants
25 to cities, villages, and county road commissions in this state.

26 (2) A funding application for the local rail grade separation
27 program must be made on a form approved by the department and must
28 contain the information required by the department, including, but
29 not limited to, a narrative describing the economic development

1 benefit to the county, township, or city in which the crossing is
2 located. A funding application under this section may be made at
3 any time as determined by the department.

4 (3) The department shall establish a review process for
5 considering funding applications under this section and post the
6 criteria for the review process on the department's website. No
7 later than 180 days after receiving a funding application under
8 this section, the department shall notify the applicant in writing
9 of whether the funding application is approved or rejected. Grant
10 funds awarded under this section may be used by the funding
11 recipient for any stage of design and construction related to
12 either of the following:

13 (a) A grade separation project.

14 (b) A project that improves traffic at the rail crossing
15 without a full grade separation, including, but not limited to,
16 construction of a rail siding or spur.

17 (4) Before releasing local rail grade separation program
18 funds, the department must enter into a written agreement with the
19 funding recipient that provides for both of the following:

20 (a) Complete details of the project.

21 (b) A local, private, or federal match of not less than 20% of
22 the cost of the project.

23 (5) The department shall report annually by December 1 to the
24 standing committees on transportation of the senate and house of
25 representatives, the senate and house of representatives
26 appropriations committees, and the senate and house of
27 representatives fiscal agencies on the utilization of funds from
28 the local rail grade separation program. The report must include,
29 at a minimum, all of the following:

1 (a) The number of funding applications received.

2 (b) The name of each city, village, or county road commission
3 that submitted a funding application, and whether each application
4 was approved or denied.

5 (c) The amount of local match for each funding application
6 approved under this section.

7 (6) As used in this section, "grade separation" means an
8 intersection of a railroad and roadway at different levels with the
9 railroad either above or below the highway.

10 (7) Funds appropriated for the local rail grade separation
11 program shall be considered work project funds and shall not lapse
12 at the close of the fiscal year and shall be available for
13 expenditures for projects under this section until the projects
14 have been completed. The following is in compliance with section
15 451a(1) of the management and budget act, 1984 PA 431, MCL
16 18.1451a:

17 (a) The purpose of the work project is to provide grants for
18 the separation of motor vehicle traffic and railroad traffic in
19 this state.

20 (b) The projects will be accomplished by utilizing state
21 employees or contracts with service providers, or both.

22 (c) The total estimated cost of the work project is
23 \$126,000,000.00.

24 (d) The tentative completion date is September 30, 2025.

25 Sec. 303. (1) The appropriations in part 1 for county road
26 commissions shall be distributed among the county road commissions
27 in accordance with section 12 of 1951 PA 51, MCL 247.662, to be
28 used by county road commissions as provided under that section. The
29 appropriations in part 1 for cities and villages shall be

1 distributed among cities and villages in accordance with section 13
2 of 1951 PA 51, MCL 247.663, to be used by cities and villages as
3 provided under that section.

4 (2) It is the intent of the legislature that the
5 appropriations for county road commissions and cities and villages
6 be used to compensate for revenue lost in fiscal years 2019-2020
7 and 2020-2021 due to the COVID-19 pandemic.