## TRANSPORTATION

**Summary: FY 2009-10** 

House Substitute for Senate Bill 254 (H-1)

As Passed the House

**Analyst: William E. Hamilton** 

		FY 2009-10	FY 2009-10	FY 2009-10	FY 2009-10	Difference: Ho From FY 2008-09	
	FY 2008-09 YTD	Executive	Senate	House	Enacted	Amount	%
IDG/IDT	\$0	\$0	\$0	\$0		\$0	0.0
Federal	1,460,995,800	1,226,704,500	1,226,704,500	1,227,204,500		(233,791,300)	(16.0)
Local	71,624,200	56,073,400	56,073,400	56,073,400		(15,550,800)	(21.7)
Private	0	0	0	0		0	0.0
Restricted	2,079,609,200	1,985,343,000	1,961,843,000	1,973,383,000		(106,226,200)	(5.1)
GF/GP	0	0	0	0		0	0.0
Gross	\$3,612,229,200	\$3,268,120,900	\$3,244,620,900	\$3,256,660,900		(\$355,568,300)	(9.8)
FTEs	3,014.3	3,014.3	3,014.3	3,014.3		(0.0)	(0.0)

<sup>\*</sup> FY 2008-09 YTD does not reflect supplemental appropriation of federal funds from the American Recovery and Reinvestment Act of 2009 (stimulus) made in House Bill 4582 (2009 PA 3) and House Bill 4308 (2009 PA 38) or the \$12.0 million reduction made in Executive Order 2009-22.

## Overview

The transportation budget supports state and local highway programs, public transportation programs, aeronautics programs, and administration of the Michigan Department of Transportation (MDOT). Approximately two-thirds of the budget is from constitutionally-restricted state revenue sources—primarily motor fuel taxes and vehicle registration taxes. These state revenues are first credited to the Michigan Transportation Fund (MTF) for distribution to other state transportation funds and programs, and to local road agencies, in accordance with 1951 PA 51. Approximately one-third of the budget is federal revenue. There is no state GF/GP revenue in this budget.

#### **Major Budget Issues**

The Executive-proposed budget was a continuation budget; the Executive proposed no new programs or revenue. Line item changes primarily reflect economic adjustments and/or adjustment of estimated restricted or federal revenue. The Executive did not propose any new revenue sources or fund shifts from state restricted transportation funds to the state General Fund.

The Senate-passed bill reflects the proposed redirection of two restricted transportation revenue sources to the state General Fund: \$12.0 million in driver's license fee revenue from the Category A (Target Industries) of the Transportation Economic Development Fund (TEDF); and \$11.5 million in auto-related sales tax from the Comprehensive Transportation Fund (CTF). The proposed \$11.5 million redirection of CTF revenue is reflected in reductions to Local bus operating assistance (\$4.3 million less than the current year and the Executive); Bus capital (\$7.2 million less than current year, \$3.0 million less than the Executive); and Rail passenger (\$3.2 million less than current year, \$2.0 million less than Executive).

The Senate bill also unrolls a number of appropriation line items to create separate lines for salaries and wages, travel, and other operational expenses. The Senate bill contains 133 appropriation line items.

The House Subcommittee substitute reflects the proposed redirection of \$12.0 million in driver's license fee revenue from Category A of the TEDF program, and includes an additional \$40,000 for the TEDF Forest roads program. The House bill does not recognize the proposed \$11.5 million redirection of auto-related sales tax from the CTF to the state General Fund; the House bill reflects the Executive recommendation with regard to CTF-funded public transportation programs.

The House-passed bill includes an additional \$500,000 (federal) in debt service, to recognize a new bond issue issued in June 2009. The House also includes a \$100 IDG placeholder for the Department of Environmental Quality permitting program.

The House bill does not unroll appropriation line items to create separate lines for salaries and wages, travel, and other operational expenses. The House bill contains 85 appropriation line items.

Major Budget Changes From FY 2008-09 YTD Appropriations		FY 2008-09 YTD	House Change <u>From YTD</u>
<ol> <li>Debt Service  Total debt service would be \$251.1 million in FY 2009-10, reflecting anticipated debt service schedules.</li> </ol>	<b>Gross</b> Federal Restricted	<b>\$192,003,600</b> 22,783,300 169,220,300	<b>\$59,633,700</b> 35,380,200 24,253,500
Senate and House agree with Executive recommendation.			
2. Grants to Other State Departments  The Executive budget reflects economic increases of \$923,600, and the elimination of the \$1.3 million MTF IDG to Department of Environmental Quality, reflecting Executive-proposed federal assumption of permitting functions. Appropriation includes MTF IDGs to Department of State, \$20.0 million (same as current year), and Department of Treasury, \$7.4 million (\$289,900 more than current year) for cost of collecting MTF revenue.	<b>Gross</b> Restricted	<b>\$48,949,800</b> 48,949,800	<b>(\$234,600)</b> (234,600)
Senate and House agree with Executive recommendation with the exception of the MTF IDGs to Department of State: The House appropriates \$19,999,900 to create a \$100 point of difference with the Senate. And the House includes a \$100 IDG placeholder for the DEQ permitting function.			
<ol> <li>Executive Direction</li> <li>Reflects economic increases of \$61,500.</li> </ol>	FTEs Gross	37.3 <b>\$5,742,300</b>	(0.0) <b>\$61,500</b>
Senate and House agree with Executive recommendation in total but the Senate unrolls Unclassified salaries into six separate lines for Director, Communications Director, Government Affairs Director, Business Development Director, and UPTRAN Director, and the Office of Commission Audits line into separate lines for salaries and fringe benefits, travel, and other operating expenses.	Restricted	5,742,300	61,500
House concurs with Executive recommendation.			
4. Business Support The appropriations unit includes line items for Business support, Economic development and enhancement, property management, and worker's compensation.	FTEs Gross Restricted	57.0 <b>\$17,165,400</b> 17,165,400	(0.0) <b>\$454,900</b> 454,900
Line reflects economic increases of \$514,200; transfer of Civil service costs, \$3,000; and internal cost allocation, (\$62,300).			
The Senate reduces CTF funding by \$25,400; unrolls Business support and Office of Economic Development and enhancement into separate lines for salaries and fringe benefits, travel, and other operating expenses.			
House concurs with Executive recommendation.			
5. Information Technology Reflects economic adjustments, \$222,900; administrative reductions, (\$5,900); reduction in virtual storage costs, (\$6,600); One-stop Portal development, \$97,300; and Microsoft Office update, \$509,300.	<b>Gross</b> Federal Restricted	<b>\$28,496,200</b> 500,300 27,995,900	<b>\$817,000</b> 10,500 806,500

Senate and House Concur with Executive.

#### FY 2008-09 House Change Major Budget Changes From FY 2008-09 YTD Appropriations From YTD <u>YTD</u> Finance, Contracts, and Support Services 242.5 **FTEs** 1.0 \$371,800 The Executive recommends the roll-up of four lines (Financial operations, Gross \$24,686,500 Contract services, Departmental services, and Performance excellence) into Restricted 24,686,500 371,800 a single line. Unit retains separate line item for Welcome centers.

Line reflects economic increases of \$542,300; and position transfers, \$82,100.

The Senate retains current five programmatic line items and further unrolls each line into separate lines for salaries and fringe benefits, travel, and other operating expenses.

House concurs with Executive recommendation.

7. Transportation Planning The Executive recommends the roll-up of two lines (Statewide planning and	FTEs <b>Gross</b>	177.0 <b>\$36,156,400</b>	(1.0) <b>\$460,200</b>
Data collection services into a single line. Unit retains separate line items for	Federal	22,000,000	0
Specialized planning and local area studies, and Grants to regional planning R	estricted	14,156,400	460,200
councils.			

Line reflects economic increases of \$504,600; and internal cost allocation, (\$214,900); and position transfers, (\$82,100).

The Senate reduces CTF support by \$215,300; retains current four programmatic line items and further unrolls operating lines into separate lines for salaries and fringe benefits, travel, and other operating expenses.

House concurs with Executive recommendation.

8. Design and Engineering Services	FTEs	1,496.8	(2.0)
Reflects economic increases of \$3.2 million, additional funding for intelligent	Gross	\$108,028,500	\$6,173,000
traffic systems, and \$2.5 million additional federal support for Safe Routes to	Federal	18,912,600	4,617,200
Schools Program. Reduction in budgeted FTEs due to position transfers.	Restricted	89,115,900	1,555,800

The Senate agrees in total but unrolls three programmatic lines into separate lines for salaries and fringe benefits, travel, and other operating expenses.

House concurs with Executive recommendation.

9. State Trunkline Maintenance			832.7	2.0
Reflects economic	increases of \$1.6 million, and \$182,600 related to	Gross	\$284,728,200	\$1,799,900
positions transfers.	Executive proposes to roll-up two current line items.	Restricted	284,728,200	1,799,900

House and Senate agree with the Executive in total, and unroll into current two programmatic lines: State trunkline operations; and Contract operations.

The Senate further unrolls State trunkline operations into separate lines for salaries and fringe benefits, travel, and other operating expenses.

10. State Trunkline Road and Bridge Construction		1,043,058,100	(\$248,639,300)
Appropriates \$794.4 million for state capital construction/reconstruction	Federal	892,420,900	(185,208,300)
program. Reflects decrease in estimated available state restricted revenue,	Local	30,000,000	0
and estimated federal aid revenue.	Restricted	120,637,200	(63,431,000)

Senate and House concur with Executive.

To show a more consistent baseline, we do not show federal stimulus funding, appropriated in House Bill 4582, in the YTD figure.

Major Budget Changes From FY 2008-09 YTD Appropriations		FY 2008-09 YTD	House Change <u>From YTD</u>
11. Local Federal Aid Road and Bridge Construction Appropriates \$248.8 million based on estimated federal revenue and Act 51 directive that 25% of most federal aid program funds be made available to local road agencies.	<b>Gross</b> Federal	<b>\$309,592,000</b> 309,592,000	<b>(\$60,841,000)</b> (60,841,000)
To show a more consistent baseline, we do not show federal stimulus funding, appropriated in House Bill 4582, in the YTD figure.			
<ul><li>12. Grants to Local Programs</li><li>Executive: No change in this Act 51 earmark to local road agencies.</li></ul>	<b>Gross</b> Restricted	<b>\$33,000,000</b> 33,000,000	<b>\$0</b> O
Senate and House concur with Executive.			
<ul><li>13. Rail grade crossing</li><li>Executive: No change in this Act 51 earmark to local road agencies.</li></ul>	<b>Gross</b> Restricted	<b>\$3,000,000</b> 3,000,000	<b>\$0</b> O
Senate and House concur with Executive.			
<ul><li>14. Local Bridge Fund</li><li>Executive: Act 51 earmark; reduction reflects anticipated reduction in gasoline tax revenue.</li></ul>	<b>Gross</b> Restricted	<b>\$28,336,800</b> 28,336,800	<b>(\$1,431,800)</b> (1,431,800)
Senate and House concur with Executive.			
15. MTF Distribution to Local Road Agencies Appropriates \$886.1 million MTF (\$568.9 million to county road commissions, \$317.2 million to cities/villages) based on February 2009 revenue estimates and Act 51 formula; final distribution will be based on actual MTF revenue, which may be more or less than appropriations.	<b>Gross</b> Restricted	<b>\$931,570,800</b> 931,570,800	<b>(\$45,425,400)</b> (45,425,400)
<ul><li>16. Blue Water Bridge</li><li>Executive: \$5,401,200 - reflects economic increases.</li></ul>	FTEs Gross Restricted	41.0 <b>\$5,328,500</b> 5,328,500	.0 <b>\$72,700</b> 72,700
Senate concurs with Executive in total but unrolls into separate lines for salaries and fringe benefits, travel, and other operating expenses.	rtodillotod	0,020,000	72,700
House concurs with Executive.			
17. Transportation Economic Development (TEDF) Fund Statutory distribution governed by 1987 PA 231.	<b>Gross</b> Restricted	<b>\$42,332,200</b> 42,332,200	<b>(\$8,562,200)</b> (8,562,200)
Senate/House: Reflect proposed transfer of \$12.0 million to General Fund, taken from Category A, Target Industries. Reduction partially offset by reduction in TEDF debt service. House includes \$40,000 boilerplate earmark for Forest roads truck turnouts.			
We do not show \$12.0 million current year reduction made in Executive Order 2009-22 in the YTD figure.			
18. Aeronautics and Freight Services Reflects economic increases, \$200,400; and \$310,300 reduction in anticipated SAF revenue. Executive proposes to roll-up two current Aeronautics lines, Airport improvement services, and Aviation services, into a single line; the Executive would retain Freight and safety services, and Air service program as separate lines.	FTEs <b>Gross</b> Restricted	84.0 <b>\$11,340,300</b> 11,340,300	0.0 <b>(\$109,900)</b> (109,900)

Senate reduces CTF funding for Freight and Safety Services by \$308,300. Retains current programmatic lines and further unrolls into separate lines for salaries and fringe benefits, travel, and other operating expenses.

House concurs with Executive.

Major Budget Changes From FY 2008-09 YTD Appropriations		FY 2008-09 YTD	House Change <u>From YTD</u>
19. Passenger Transportation Services Executive reflects economic increases	FTEs Gross	46.0 <b>\$5,339,400</b>	0.0 <b>\$116,000</b>
Senate reduces CTF by \$898,300. Unrolls into separate lines for salaries and fringe benefits, travel, and other operating expenses.	Federal Restricted	762,100 4,577,300	0 116,000
House concurs with Executive.			
<b>20.</b> Bus Transit – Local Bus Operating Assistance The Executive recommends appropriation of \$166.6 million (CTF) for state operating assistance to local public transit agencies; unchanged since FY 2006-07.		<b>\$166,624,000</b> 166,624,000	<b>\$0</b> 0
Senate appropriates \$162.3 million; reduces CTF funding by \$4.3 million.			
House concurs with Executive.			
21. Bus Transit – Non-Urban Operating/Capital Recognizes anticipated increase in federal non-urban transit grants in 2010.		<b>\$19,300,000</b> 18,500,000	<b>\$2,500,000</b> 2,500,000
Senate and House concur with Executive.	Local	800,000	0
To show a more consistent baseline, we do not show federal stimulus funding, appropriated in House Bill 4582, in the YTD figure.			
22. Freight Property Management (Intercity Passenger & Freight) The Executive recommends same as current year.	<b>Gross</b> Restricted	<b>\$1,000,000</b> 1,000,000	<b>\$0</b> O
Senate and House concur with Executive.			
23. Detroit Wayne County Port Authority (Intercity Passenger & Freight) Executive reflects reduction in CTF revenue.	<b>Gross</b> Restricted	<b>\$500,000</b> 500,000	<b>(\$31,800)</b> (31,800)
Senate appropriates \$368,500 million; \$100,000 less CTF than Executive. House concurs with Executive.			
24. Intercity – Intercity Services (Intercity Passenger & Freight) Line supports intercity bus transportation. Executive reflects reduction in CTF revenue (\$1,175,000); partially offset by \$1,000,000 increase related to anticipated sale of intercity buses for loan program.		<b>\$7,425,000</b> 4,500,000 50,000 2,875,000	(\$175,000) 0 0 (175,000)
Senate and House concurs with Executive.			
25. Rail Passenger Service (Intercity Passenger & Freight) Provides operating assistance for Port Huron/Chicago and Grand Rapids/Chicago rail service with restricted funds; federal revenue provides capital assistance. Executive recommends \$8.7 million; recognizes reduction Federal Railroad Administration grant and anticipated reduction in CTF revenue. \$5,667,000 CTF would be available for AMTRAK operating contract.		\$12,700,000 5,800,000 6,900,000	(\$4,033,000) (2,800,000) (1,233,000)
The State Budget Office has requested a supplemental current year			

The State Budget Office has requested a supplemental current year appropriation of \$400,000 CTF to provide for rail passenger service through September 30, 2009; without additional funding the state's rail passenger operating contract with AMTRAK will expire on June 30, 2009.

Senate appropriates \$6.7 million; \$2.0 million CTF less than Executive. Only \$3,667,000 CTF would be available for AMTRAK operating contract.

House concurs with Executive.

Major Budget Changes From FY 2008-09 YTD Appropriations		FY 2008-09 YTD	House Change <u>From YTD</u>
26. Freight Preservation and Development (Intercity Passenger & Freight)	Gross Federal Restricted	<b>\$5,092,900</b> 100,000 4,992,900	(\$1,728,700) 0 (1,728,700)
Executive reflects reduction in CTF revenue.	Nestricted	4,992,900	(1,720,700)
Senate and House concur with Executive.			
27. Rail infrastructure loan program (Intercity Passenger & Freight) Line item eliminated due to reduction in CTF revenue	<b>Gross</b> Restricted	<b>\$300,000</b> 300,000	<b>(\$300,000)</b> (300,000)
Senate and House concur with Executive.			
28. Marine passenger service (Intercity Passenger & Freight) Executive recommends \$374,600; reflects reduction in CTF revenue.	<b>Gross</b> Restricted	<b>\$400,000</b> 400,000	<b>(\$25,400)</b> (25,400)
Senate appropriates \$400,000, same as current year House concurs with Executive.			
<ul><li>29. Terminal development (Intercity Passenger &amp; Freight)</li><li>Executive recommends \$150,000; reflects reduction in CTF revenue.</li></ul>	<b>Gross</b> Restricted	<b>\$550,000</b> 550,000	<b>(\$400,000)</b> (400,000)
Senate and House concur with Executive.			
30. Specialized Services (Public transportation development) Line item, which supports transit programs for elderly and disabled citizens reflects anticipated federal and local revenue, and anticipated reductions in CTF revenue.		\$9,500,100 2,700,000 2,700,000 4,100,100	(\$2,252,000) (1,000,000) (1,000,000) (252,000)
Senate and House concur with Executive.			
31. Municipal credit program (Public transportation development) Executive recommends \$1,873,000; reflects reduction in CTF revenue, less than Act 51 earmark of not less than \$2,000,000.	Gross Restricted	<b>\$2,000,000</b> 2,000,000	<b>(\$127,000)</b> (127,000)
Senate appropriates \$1,373,000, \$500,000 less CTF. House concurs with Executive.			
32. Bus Capital (Public transportation development) Provides matching funds for Federal Transit Administration (FTA) grants to local transit agencies; reflects anticipated FTA grants distributed through this budget; anticipates reduction in available CTF matching revenue. Only \$5,178,200 CTF would be available to match federal grants.		\$40,803,000 26,400,000 5,000,000 9,403,000	(\$2,624,800) 1,600,000 0 (4,224,800)
Senate appropriates \$35.8 million; \$3.0 million CTF less than Executive. Only \$2,178,200 CTF would be available to match federal grants.			
House concurs with Executive.			
33. Van Pooling Executive recommends same as current year	<b>Gross</b> Restricted	<b>\$195,000</b> 195,000	<b>\$0</b> O

Senate does not include this line item. House concurs with Executive.

Major Budget Changes From FY 2008-09 YTD Appropriations		FY 2008-09 YTD	House Change From YTD		
34. Service initiatives (Public transportation development)	<b>Gross</b> Federal Local	<b>\$1,116,500</b> 800,000 200,000	<b>(\$66,500)</b> 0 0		
Executive recommends \$1,050,000; reflects reduction in CTF revenue.	Restricted	116,500	(66,500)		
Senate and House concur with Executive.					
35. Transportation to Work Reflects estimated federal/local revenue; reduction in CTF revenue.	Gross Federal Local CTF	<b>\$9,244,000</b> 2,200,000 2,200,000 4,844,000	(\$107,600) 100,000 100,000 (307,600)		
36. AERO Capital Projects Provides estimated funding for FY 2009-10 Aeronautics Capital program. Senate and House concur with Executive.	Gross Federal Local Restricted	\$167,491,700 133,024,600 30,674,200 3,792,900	(\$44,066,000) (28,149,900) (14,650,800) (1,265,300)		
To show a more consistent baseline, we do not show federal stimulus funding, appropriated in House Bill 4308, in the YTD figure.					
37. State/Local Capital Facilities Projects Provides funds for other capital outlay projects (salt storage facilities, Transportation Service Center, Institutional and Agency road program, other facility special maintenance projects). Only special maintenance would be		<b>\$9,132,000</b> 9,132,000	<b>(\$6,844,000)</b> (6,844,000)		

Senate and House concur with Executive.

funded in FY 2009-10 due to reduced STF revenue.

38. Economics	Gross	N/A	\$6,872,000
Provides \$1.8 million increase to reflect salaries/wages, \$1.2 million related F	Restricted	N/A	6,872,000
to health insurance, and \$3.5 million increase for retirement contributions.		N/A	
Projected workers compensation and building occupancy costs would			
decrease by \$337,300 and \$669,700 respectively			

## Sec. 201. Total State Spending and Payments to Local Units of Government - Updated Identifies total state spending in Part 1 and state payments to local units of government.

## Sec. 202. Management and Budget Act

References the Management and Budget Act.

Senate/House retain current year language.

#### Sec. 203. Abbreviations

Defines abbreviations used in Act.

**Senate/House** retain current year language.

## Sec. 204. Civil Service 1% Billing

Senate/House retain current year language.

#### Sec. 205. Hiring Freeze

Establishes a hiring freeze on state classified civil service.

Senate/House retain current year language.

## Sec. 206. Contingency Appropriations

Provides for contingency appropriations in accordance with Section 393(2) of the Management and Budget Act, \$200.0 million federal; \$40.0 million state restricted, \$1.0 million in local, and \$1.0 million private funds.

Senate/House retain current year language.

## Sec. 207. Privatization

Provides for reports on privatization activities and defines privatize and privatization.

Senate/House retain current year language.

#### Sec. 208. Internet Reports

Provides for use of Internet to fulfill reporting requirements.

## Sec. 209. Foreign Goods and Services

Prohibits use of foreign goods and services if comparatively priced and comparable quality American goods and services are available. Directs Department to give priority to Michigan goods and services, and to businesses owned by Michigan veterans.

Senate retains current year language.

House modifies to replace "should" with "shall".

#### Sec. 210. Deprived and Depressed Communities

Requires director to take reasonable steps to ensure that businesses in deprived and depressed communities compete for contracts to provide services or supplies or both.

Senate retains current year language.

House modifies to replace "should" with "shall".

#### Sec. 211. Receive and Retain Reports

Provides guidelines regarding record retention.

Senate/House retain current year language.

## Sec. 258. Department of Information Technology Work Projects

Provides carryforward funds to support technology projects.

Senate/House retain current year language.

## Sec. 259. Department of Information Technology User Fees

Provides for user fees to be paid to Department of Information Technology.

Senate/House retain current year language.

## Sec. 260. Out-of-State Travel

Establishes limitation on out-of-state travel and creates travel reporting requirement.

Senate/House retain current year language.

#### Sec. 261. Employee Discipline

Prohibits departments and agencies from taking disciplinary action against an employee for communicating with legislator or legislative staff.

Senate/House retain current year language.

#### Sec. 262. Hire of Outside Legal Counsel

Prohibits department from hiring a person to provide legal services that are the responsibility of the Attorney General; exempts bond counsel.

Senate/House retain current year language.

## Sec. 263. Impact of New Legislation and Administrative Rules

Requires a report, by April 1, 2008, on specific policy changes adopted to implement new public acts. Prohibits the Department from adopting administrative rules that have a disproportionate impact on small business.

Senate retains and updates report due date.

House does not include.

## Sec. 264. Continuous Improvements

Requires department director to implement "continuous improvement efficiency mechanisms."

Senate/House retain and updates report due date to March 1, 2010.

## Sec. 265. Travel Restriction

Limits out-of-state travel for conferences/professional development.

Senate retains current year language.

House does not include.

## Sec. 265. New -Transparency

House adds new language.

## Sec. 301. Permit Fees/Bridge Tolls

Provides for permit and FOIA processing fees; provides process for raising bridge tolls.

The Executive modifies subsection (1) to indicate permit fees are non-refundable, and to allow credit to applicable fund. **Senate/House** adopt modified language.

#### Sec. 303. Legislative Report

Provides for report (on request) of funds received by city, village, and county road commission by legislative district.

Senate retains current year language.

House does not include.

## Sec. 304. Confidentiality of Bid Documents

Provides for confidentiality of highway project bid documents.

Senate/House retain current year language.

## Sec. 305. Lease of Space in Public Transportation Property

Requires lease of space in public transportation facilities at market rates; requires that revenue be used for property maintenance.

# Sec. 306. Use of Transportation Funds by Other State Agencies/Biennial Audit of Transportation Funds (PARTIAL VETO in 2009)

Sets guidelines for use of transportation funds (grants) by other state agencies; requires report. Provides for biennial audit of use of transportation funds by other state departments, due 9 months after state CAFR is issued.

Governor vetoed subsection 3 which required the State Treasurer to identify actual cost of work performed by Michigan Department of Treasury for state-restricted transportation funds.

Senate retain all four subsections.

House concurs with Executive and does not include Subsection (3).

#### Sec. 307. Rolling Five-Year Plan

Requires Department to provide a rolling five-year highway construction plan by March 1 of each year.

Senate/House retain current year language.

#### Sec. 308. Contract Compliance

Requires that Department and local road agencies pursue compliance with contract specifications for construction and maintenance; provides for sanctions for unsatisfactory contractors; requires a report.

**Senate/House** retain current year language. House also adopts new language which prohibits lifting a contractor's prequalification until all administrative appeals have been exhausted.

#### Sec. 309. Administrative Costs

Requires Department to reduce administrative costs.

Senate retains current year language.

House includes phrase "continue its efforts to reduce..."

#### Sec. 310. State Transportation Commission Minutes/Agenda

Requires Department to provide copies of minutes and agenda to Legislature.

Senate/House retain current year language.

## Sec. 312. State Trunkline Fund Carryforward

Allows carryforward authority for STF; appropriates for state trunkline federal aid and road and bridge program.

**Senate/House** retain current year language.

#### Sec. 313. State Infrastructure Bank

Provides guidelines for State Infrastructure Bank program.

Senate/House retain current year language.

#### Sec. 314. Report on Internal Auditor

Provides for report on activities of internal auditor; report due February 1st of each year.

Senate/House retain current year language.

#### Sec. 319. Rest Area Maintenance

Requires signs/telephone numbers for reporting unclean and unsafe conditions at rest areas.

Senate/House retain current year language.

## Sec. 324. Construction Zone Traffic Law Enforcement

Earmarks \$500,000 from STF for construction zone traffic law enforcement and the "Give 'em a brake campaign."

Senate/House retain current year language.

## Sec. 334. Women- and Minority-Owned Businesses Program

Requires Department to continue MBE/WBE program; September 30th reporting requirement.

Senate/House retain current year language.

#### Sec. 353. Prompt Payment

Directs Department to review contractor payment process to ensure that contractors and subs are paid promptly.

Senate/House retain current year language.

#### Sec. 357. Local Federal Aid Project Review

Directs Department to complete project reviews within 120 days; requires system for monitoring review process.

Senate/House retain current year language.

#### Sec. 358. NEW FTE Report

House adds new report language.

## Sec. 361. Bureau of Multi-Modal Transportation Services

Requires Department to report on any change in bureau services or functions as approved by the State Transportation Commission.

Senate retains current year language.

House does not include.

## Sec. 374. MDOT Employee Newsletters

Requires Department to distribute employee newsletters electronically.

Senate/House retain current year language.

## Sec. 375. MDOT Open Houses and Groundbreaking Ceremonies

Prohibits Department from reimbursing contractors or consultants for groundbreaking ceremonies, receptions, open houses, or press conferences related to transportation projects funded from appropriations made in Act.

## Sec. 376. Deferred Project Report

Requires report by March 1 of each year on status of 17 projects deferred in 2003, then restored to five-year plan.

Senate retains current year language.

House does not include.

#### Sec. 383. Report on Use of State Airfleet

Requires quarterly report on use of department-owned aircraft; restricts transport of local government employees, employees of institutions of higher education, and legislative employees; waives restrictions for law enforcement and homeland security.

Senate/House retain current year language.

#### Sec. 384. Detroit River International Crossing (DRIC)

Section restricts department activities with regard to planning new crossing of the Detroit River between Detroit, Michigan, and Windsor, Ontario. Section identifies certain permitted preliminary activities needed to prepare a proposal without obligating the state to construct; permits hardship or opportunity property acquisition with notice to legislature; requires quarterly report.

Senate substantially the same as current year language, but sets a deadline of March 31, 2010 for completion of preliminary activities.

House substantially the same as Senate language, but does not include March 31 deadline.

### Sec. 393. Best Practices for Public Transportation

Directs department to support best practices.

Senate does not include.

House retains current year language.

## Sec. 394. Revisit Act 51 Distribution Formula

Indicates legislative intent that department study distribution formula.

Senate updates report date to July 1, 2010.

House does not include.

#### Sec. 395. County Road C-56 Jurisdiction

Indicates legislative intent that department assume jurisdiction of County Road C-56 between US-31 and I-75 in Charlevoix County.

Senate retains current language.

House does not include.

#### Sec. 397. Ann Arbor/Detroit Commuter Rail Stations

Indicates legislative intent that department work with SEMCOG in locating future train stations along corridor.

Senate/House do not include.

#### Sec. 398. Street Railway Appropriation - NEW

Provides for the appropriation of \$0 to a street railway pursuant to section 10e(22) of 1951 PA 51.

Senate/House adopt Executive language.

## Sec. 399. VMT Study - NEW

Directs the department to conduct a statewide study of vehicle miles traveled, including a comparison of vehicle miles traveled to lane miles for sampled geographical areas; comparisons to other states; evaluation of best practices.

Senate new in Senate bill

House not included.

## Sec. 399. Complete Streets - NEW

Directs the department and local road agencies to adopt complete streets policies; directs the department to provide assistance to local agencies.

Senate not included.

House new in House bill

#### Sec. 401. Federal Aid Distribution Report

Requires Department to notify local agencies, Legislature, and state budget director on proposed distribution of federal funds between state and local units.

Senate/House retain current year language.

#### Sec. 402. Sale of Local Federal Aid

Authorizes local road agencies to sell federal aid to Department or to other local road agencies.

Senate/House retain current year language.

#### Sec. 501. Motor Carrier Act

Describes distribution of revenue received under the act (1933 PA 254).

Senate retains current year language.

House changes reference from MDLEG to MDELEG.

#### Sec. 502. Treasury Audits of Local Road Agencies

Provides for audits of local road agencies by Department of Treasury.

#### Sec. 503. TEDF/Local Bridge Fund Carryforward

Provides carryforward authority for TEDF and Local Bridge funds; prevents diversion for other purposes; authorizes use of federal, local, or private funds for program.

**Senate/House** retain current year language.

#### Sec. 504. MTF Distribution

Requires use of MTF in accordance with Act 51 requirements.

Senate/House retain current year language.

#### Sec. 601. Road Construction Warranties

Encourages use of road construction warranties; provides for report by September 30 of each year.

Senate/House retain current year language.

#### Sec. 602. Manufactured Pipe

Provides standards for use and testing of manufactured pipe.

Senate/House retain current year language.

## Sec. 603. Traffic Congestion

Directs Department to consider traffic congestion be used as criteria in project selection; provides specific criteria for evaluating traffic congestion.

Senate/House retain current year language.

#### Sec. 608. Truck Inspection Stations

Earmarks \$40,000 from the TEDF (Forest Roads) for two truck inspection stations.

Senate not included.

House retains current year language

#### Sec. 610. Dead Deer

Describes legislative intent regarding clean-up of dead deer and other large animal remains.

Senate/House retain current year language.

#### Sec. 612. Incentive/Disincentive

Requires Department to establish guidelines for use of incentive/disincentive contracts; establishes a reporting requirement; report due January 1st of each year.

Senate/House retain current year language.

## Sec. 615. Interchange M-48 and I75 in Chippewa County

Indicates legislative intent that Department construct full interchange.

Senate/House retain current year language [updates report date to September 30, 2010.]

#### Sec. 654. Long-term Viability of Mackinac Bridge

Indicates legislative intent that the Mackinac Bridge Authority protect long-term viability of the Mackinac Bridge.

Senate/House retain current year language.

## Sec. 655. Eaton Rapids Sidewalk Program

Indicates legislative intent that Department spend not less than \$32,000 for sidewalk improvement project.

Senate retains current year language.

House does not include.

## Sec. 656. M-49 Upgrade "Green Highway"

Indicates legislative intent that the Department upgrade M-49 in Hillsdale County to a "designated" truck route.

**Senate** retains current year language.

House does not include.

#### Sec. 658. Interchange at I-196 and Phoenix Road in South Haven

Indicates legislative intent that Department reconstruct interchange.

Senate retains current year language.

House does not include.

## Sec. 659. Life Cycle Cost for Pavement Projects

Allows the use of historical/comparable data from states with similar climate, soil, and vehicular traffic.

Senate retains current year language.

House does not include.

#### Sec. 660. Use of Alternative Materials

Encourages the department to examine the use of alternative road surface materials.

Senate - new in Senate bill

House does not include.

#### Sec. 661. Completion of US-127 St. Johns to Ithaca

Indicates legislative intent that Department complete engineering and right of way acquisition.

Senate - new in Senate bill.

House does not include.

## Sec. 701. Intercity Bus Equipment Fund

Provides for separate accounting and carryforward authority for this fund.

#### Sec. 702. Rail Preservation Fund

Provides for separate accounting and carryforward authority for this fund; reference to State Transportation Preservation Act of 1976 (1976 PA 295).

Senate/House retain current year language.

#### Sec. 703. Rail Abandonment Notice

Requires Department to notify Legislature when railroad companies file for abandonment of lines.

Senate/House retain current year language.

#### Sec. 705. Rail Infrastructure Loan Program

References program guidelines in Public Act 295 of 1976.

Senate/House not included.

#### Sec. 706. Detroit/Wayne County Port Authority

Requires report due by February 15 of each year.

Senate/House retain current year language.

## Sec. 708. Intercity Bus Equipment Program

Requires annual lease of not less than \$1,000.

**Senate/House** retain current year language.

## Sec. 709. Intercity Bus Essential Corridor

Identifies essential bus corridors; prohibits operating subsidy to any entity competing with another public or private carrier over the same route.

Senate/House retain current year language.

## Sec. 711. Seven-Day Rail Passenger Service (AMTRAK)

Directs Department to negotiate with a rail carrier to provide seven-day Port Huron/Chicago and Grand Rapids/Chicago service; limits state subsidy to \$7.1 million; requires a monitoring system for complaints.

Senate – reduces subsidy limitation to \$3.667 million.

House does not include subsection (2) limitation.

## Sec. 714. Local Transit Demand-Response Services - Retains

Requires that Department, in cooperation with local transit agencies, work to ensure that demand-response services are provided throughout Michigan; requires report due March 1, 2008.

#### Sec. 721. Guidelines for CTF Matching Federal Transit Funds - Retains

Reduces CTF matching funds for projects not put under contract within specified term.

#### Sec. 722. Transportation to Work Match for Federal Funds

Requires CTF funds in Transportation to Work line be used to match federal job access/reverse commute grants.

Senate/House retain current year language.

#### Sec. 729. Intercity Bus Marketing

Earmarks \$100,000 from Intercity Ser vices line item for marketing.

Senate retains current year language.

House does not include.

## Sec. 730. Intercity Bus Equipment Sales

Directs Department to sell state-owned intercity bus equipment within six months of lease termination and to credit proceeds to Intercity Bus Equipment Loan Fund.

Senate retains current year language.

House does not include.

## Sec. 731. Intercity Bus Space Rental

Directs Department to charge transit agencies and intercity bus carriers the same rent when leasing similar space in state-owned intermodal facilities.

Senate retains current year language.

House does not include.

#### Sec. 734. Transit Agency Service Performance Measures

Directs Department to work to ensure that transit agencies meet certain service performance measures.

Senate/House retain current year language.

#### Sec. 736. Intercity Bus/Rail Coordination

Directs Department to work with intercity bus and rail passenger carriers to coordinate services.

**Senate** retains current year language.

House does not include.

## Sec. 737. Birmingham/Troy Passenger Facility

Legislative intent that Department proceed with construction of a Birmingham/Troy intermodal passenger facility. **Senate** retains current year language.

House does not include.

#### Sec. 740. Review of CTF Fund Balances

Requires report on unencumbered CTF balance by March 1 of each year.

## Sec. 741. Ann Arbor and Northwest Michigan Railroad

Requires report on progress made to improve rail track to support passenger trains at 59 MPH.

**Senate** retains current year language.

House does not include.

#### Sec. 743. Use HEV Vehicles

Encourages the department to include hybrid electric vehicles in RFPs purchased through the department.

Senate - new in Senate bill

House does not include.

#### Sec. 743. Mobility Manager

Encourages local transit agencies to hire mobility manager to coordinate transportation services.

Senate - new in Senate bill

House does not include.

#### Sec. 801. State Aeronautics Fund

Requires that unexpended funds in the State Aeronautics Fund lapse back to the fund.

Senate retains current year language.

House adopts Executive language "Except as provided for in Section 903 for Capital Outlay...."

## Sec. 901. Aeronautics Capital Program

Permits department to contract for airport improvement projects on behalf of local airport owners; local match requirements.

**Senate/House** retain current year language; also adopt new subsection (3) requiring local agencies to obtain authorization before submitting projects to federal agencies.

#### Sec. 902. Aeronautics Capital Program – Status Report

Provides reporting requirement.

Senate retains current year language.

**House** does not include.

## Sec. 903. Capital Outlay Carry Forward

Provides of carry forward authority in accordance with the Management and Budget Act.

**Senate/House** retain current year language.

#### Sec. 904. Capital Outlay Authorization/Lapse

Senate/House adopt Executive proposed language on allocation of lump-sum appropriations.