

SENATE BILL NO. 529

June 09, 2021, Introduced by Senators SCHMIDT, HORN, MACDONALD, THEIS, NESBITT, BARRETT, LAUWERS, LASATA, DALEY, VICTORY, ZORN, VANDERWALL, BUMSTEAD, BIZON, MCBROOM, RUNESTAD and STAMAS and referred to the Committee on Appropriations.

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:

1	APPROPRIATION SUMMARY	
2	GROSS APPROPRIATION	\$ 1,626,000,000
3	Interdepartmental grant revenues:	
4	Total interdepartmental grants and	
5	intradepartmental transfers	0
6	ADJUSTED GROSS APPROPRIATION	\$ 1,626,000,000
7	Federal revenues:	
8	Total other federal revenues	1,626,000,000
9	Special revenue funds:	
10	Total local revenues	0
11	Total private revenues	0
12	Total other state restricted revenues	0
13	State general fund/general purpose	\$ 0
14	Sec. 102. STATE TRANSPORTATION DEPARTMENT	
15	(1) APPROPRIATION SUMMARY	
16	GROSS APPROPRIATION	\$ 1,626,000,000
17	Interdepartmental grant revenues:	
18	Total interdepartmental grants and	
19	intradepartmental transfers	0
20	ADJUSTED GROSS APPROPRIATION	\$ 1,626,000,000
21	Federal revenues:	
22	Total other federal revenues	1,626,000,000
23	Special revenue funds:	
24	Total local revenues	0
25	Total private revenues	0
26	Total other state restricted revenues	0
27	State general fund/general purpose	\$ 0
28	(2) ONE-TIME APPROPRIATIONS	

1	Bundling of local agency bridges program	\$ 1,500,000,000
2	Local rail grade separation program	126,000,000
3	GROSS APPROPRIATION	\$ 1,626,000,000
4	Appropriated from:	
5	Federal revenues:	
6	Coronavirus state fiscal recovery fund	1,626,000,000
7	State general fund/general purpose	\$ 0

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

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.

1 **STATE TRANSPORTATION DEPARTMENT**

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

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

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

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

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

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

28 (b) A list of bridges with scheduled repairs through the
29 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 grade separation
23 grant 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) An application for funds from the local rail grade
27 separation program must be made on a form approved by the
28 department and must contain the information required by the
29 department, including, but not limited to, a narrative describing

1 the economic development benefit to the county, township, or city
2 in which the crossing is located. An application for funds under
3 this section may be made at any time as determined by the
4 department.

5 (3) The department shall establish a review process for
6 considering funding applications under this section that includes
7 the application point-based scoring system described in subsection
8 (6). No later than 60 days after receiving a funding application
9 under this section, the department shall notify the applicant in
10 writing whether the application is approved or rejected. If the
11 department requires additional time to review the application, the
12 department shall notify the applicant, house and senate
13 transportation committee chairs, and all interested parties and
14 shall take no more than 30 additional days to review the
15 application. Before releasing local grade separation grant funds,
16 the department must enter into a written agreement with the funding
17 recipient.

18 (4) The written agreement between the department and the
19 funding recipient must provide for both of the following:

20 (a) Complete details of the grade separation project.

21 (b) A local, private, or federal match of not less than 20% of
22 the cost of the grade separation 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 applying for funding, and whether each application was approved or
4 denied.

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

7 (6) The department, for the purpose of administering the local
8 rail grade separation program created in this section, must create
9 and publish on its website an application point-based scoring
10 system that awards points to an applicant based on all of the
11 following criteria:

12 (a) Up to 15 points based on the characteristics of the grade
13 crossing, including all of the following:

14 (i) Federal Railroad Administration predicted accident rank.

15 (ii) The host railroad.

16 (iii) The population and annual daily traffic of the county,
17 township, or city in which the crossing is located.

18 (iv) The grade crossing average annual daily traffic based on
19 the most current available data.

20 (b) Up to 25 points for safety, based on the average daily
21 train traffic through the grade crossing.

22 (c) Up to 10 points for mobility, as determined by multiplying
23 the grade crossing average annual daily traffic and the average
24 daily train traffic through the grade crossing.

25 (d) Up to 20 points based on the applicant's narrative
26 included with the application describing the economic development
27 benefit to the county, township, or city in which the grade
28 crossing is located, and based on the financial participation of
29 entities other than the department, as determined by the following

1 categories of financial participation:

2 (i) High end, if the applicant contribution is 25% or greater
3 and railroad support is 10% or greater of the total match.

4 (ii) Mid-range, if the applicant contribution is greater than
5 20% and less than 25% and railroad support is greater than 5% and
6 less than 10% of the total match.

7 (iii) Low end, if the applicant contribution is 20% or less and
8 railroad support is 5% or less of the total match.

9 (e) Up to 10 points for the effect of the grade separation
10 project on the environment and quality of life, based on all of the
11 following:

12 (i) The proximity of the grade separation project to a current
13 or planned department project that will enhance transportation in
14 the area.

15 (ii) If the grade separation project is a stand-alone project
16 or is in an isolated area.

17 (iii) If the grade separation project is shovel-ready.

18 (iv) Whether the grade separation project would be funded
19 without the local grade separation program.

20 (f) Up to 20 points based on how many additional grade
21 crossings would be eliminated as part of the grade separation
22 project.

23 (g) Up to 15 bonus points if the applicant submits additional
24 documents or information, including 1 or more of the following:

25 (i) Congressional letter of support.

26 (ii) Community letter of support.

27 (iii) Verified tax base increase due to the grade separation
28 project.

29 (iv) Community impact due to an international border crossing.

1 (v) Other documents as determined by the department.

2 (7) As used in this section:

3 (a) "Grade separation" means an intersection of a railroad and
4 roadway at different levels with the railroad either above or below
5 the highway.

6 (b) "Shovel-ready" means planning and engineering for the
7 grade separation project has advanced enough that with sufficient
8 funding construction can begin within a short time.

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

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

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

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

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