STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2013

Introduced by Rep. Haveman

ENROLLED HOUSE BILL No. 4328

AN ACT to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2014 and other fiscal years; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

ARTICLE I

DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. There is appropriated for the department of agriculture and rural development for the fiscal year ending September 30, 2014, from the following funds:

DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

APPROPRIATION SUMMARY		
Full-time equated unclassified positions	6.0	
Full-time equated classified positions	434.0	
GROSS APPROPRIATION		$ 80,183,300
Interdepartmental grant revenues:		
IDG from LARA (LCC), liquor quality testing fees		214,100
IDG from MDNR, forest development fund		200,000
IDG from MDEQ, biosolids		110,200
Total interdepartmental grants and intradepartmental transfers		524,300
ADJUSTED GROSS APPROPRIATION		$ 79,659,000
Federal revenues:		
USDA, multiple grants		5,814,900
Department of interior		240,000
EPA, multiple grants		1,601,800
HHS-FDA		2,304,200
Total federal revenues		9,960,900

	For Fiscal Year Ending Sept. 30, 2014
Appropriated from:	
Special revenue funds:	
Casino gambling agreements	$ 719,300
Equine development fund	2,435,500
Laboratory fees	700,000
State services fee fund	25,050,000
State general fund/general purpose	$ 0
(12) PAYMENTS IN LIEU OF TAXES	
Commercial forest reserve	$ 3,054,900
Purchased lands	6,512,400
Swamp and tax reverted lands	7,779,800
GROSS APPROPRIATION	$ 17,347,100
Appropriated from:	
Special revenue funds:	
Private funds	22,000
Game and fish protection fund	2,333,600
Michigan natural resources trust fund	1,434,000
Michigan state waterways fund	194,600
State general fund/general purpose	$ 13,362,900
(13) MICHIGAN STRATEGIC FUND	
Full-time equated classified positions 409.0	
Administrative services—22.0 FTE positions	$ 3,058,700
Job creation services—139.0 FTE positions	23,429,200
Pure Michigan	29,000,000
Innovation and entrepreneurship	28,500,000
Business attraction and community revitalization	95,200,000
Community ventures—7.0 FTE positions	9,800,000
Michigan film office—6.0 FTE positions	883,700
Community development block grants	47,000,000
Arts and cultural program	8,150,000
~~Precollege engineering~~	~~340,000~~
GEAR-UP program grants	4,730,700
Carl D. Perkins grants	19,000,000
Adult basic education	20,000,000
Adult education—16.0 FTE positions	2,738,300
Bureau of energy systems	4,610,900
Postsecondary education—9.0 FTE positions	2,051,500
Employment services—125.0 FTE positions	35,166,900
Workforce development agency administrative services—22.0 FTE positions	1,740,100
Workforce program administration—57.0 FTE positions	13,404,400
Workforce development programs	250,819,100
Welfare-to-work programs	89,357,200
Workforce development agency rent and property management	870,500
Land bank fast track authority—6.0 FTE positions	1,142,500
Information technology services and projects	1,082,500
GROSS APPROPRIATION	$ 692,076,200
Appropriated from:	
Federal revenues:	
DAG, employment and training	3,500,000
DED-OESE, GEAR-UP	4,730,700
DED-OVAE, adult education	20,000,000
DED-OVAE, basic grants to states	19,000,000
DOE-OEERE, multiple grants	4,796,800
DOL-ETA, workforce investment act	184,003,300
DOL, federal funds	112,800,000
Federal funds	5,950,000
Social security act, temporary assistance to needy families	64,898,800
NFAH-NEA, promotion of the arts, partnership agreements	1,050,000
HUD-CPD, community development block grant	49,780,700
U.S. EPA revolving loan fund	1,000,000

(4) The department of technology, management, and budget may assist the Michigan strategic fund with implementation of this program for purposes of administrative efficiency.

Sec. 1038. In addition to the amounts appropriated in part 1, the land bank fast track authority may expend revenues received under the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774, for the purposes authorized by the act, including, but not limited to, the acquisition, lease, management, demolition, maintenance, or rehabilitation of real or personal property, payment of debt service for notes or bonds issued by the authority, and other expenses to clear or quiet title property held by the authority.

Sec. 1039. The fund shall provide a report by February 15 to the senate and house of representatives standing committees on appropriations subcommittees on general government, the state budget director, and the fiscal agencies on the status of the skilled trades training program funded in part 1. The report shall include the following:

(a) The number of awardees participating in the program and the names of those awardees organized by major industry group.

(b) The amount of funding received by each awardee under the program.

(c) Amount of funding leveraged from each awardee or other funding source for each awardee project.

(d) Training models established by each awardee.

(e) The number of individuals enrolled in a skilled trades training program by awardee.

(f) The number of individuals who completed the program and were hired by awardee.

Sec. 1040. As a condition of receiving funds in part 1, the fund shall utilize MAIN, or a successor MDTMB-administered administrative information system used across state government, as an appropriation and expenditure reporting system to track all financial transactions with individual vendors, contractual partners, grantees, recipients of business incentives, and recipients of other economic assistance. Encumbrances and expenditures shall be reported in a timely manner.

Sec. 1041. From the funds appropriated in part 1 for business attraction and community revitalization, the fund shall request the transfer by the state treasurer of not more than 60% of the funds prior to April 1, 2014.

Sec. 1050. (1) The fund shall publish the "activities classification structure data book" for Michigan community colleges on or before March 1.

(2) The fund shall compile information received from community colleges on North American Indian tuition waivers granted pursuant to 1976 PA 174, MCL 390.1251 to 390.1253, and shall submit this compilation to the house and senate appropriations subcommittees on community colleges, the fiscal agencies, and the state budget director by March 1.

(3) The fund shall compile information received from community colleges on the number and types of associate degrees and other certificates awarded during the previous fiscal year and shall submit this compilation to the house and senate appropriations subcommittees on community colleges, the fiscal agencies, and the state budget director by March 1.

(4) The fund shall place the reports required in this section on a publicly available website.

~~Sec. 1053. The appropriation in part 1 for precollege engineering is for precollege programs in engineering and sciences. The fund shall allocate 1/2 of the appropriated amount to the Detroit precollege engineering program and the Grand Rapids area precollege engineering program which were appropriated funds under 2005 PA 156.~~

Sec. 1054. From the funds appropriated in part 1 for workforce programs subgrantees, the fund may allocate funding for grants to nonprofit organizations that offer programs to workforce investment act - eligible youth focusing on entrepreneurship, work-readiness skills, job shadowing, and financial literacy. Organizations eligible for funding under this section must have the capacity to provide similar programs in urban areas, as determined by the United States bureau of the census according to the most recent federal decennial census. Additionally, programs eligible for funding under this section must include the participation of local business partners. The fund shall develop other appropriate eligibility requirements to ensure compliance with applicable federal rules and regulations.

MICHIGAN STRATEGIC FUND - WORKFORCE DEVELOPMENT

Sec. 1060. The fund shall administer the PATH training program in accordance with the requirements of section 407(d) of title IV of the social security act, 42 USC 607, the state social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and all other applicable laws and regulations.

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.

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 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.

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.

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.

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, 2014.

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

(a) Passenger counts for the preceding fiscal year for each of the 3 AMTRAK routes in Michigan.

(b) Revenue and operating expenses by AMTRAK route.

(c) Total state operating payments to AMTRAK in the preceding fiscal year by AMTRAK route.

(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.

Sec. 735. For the fiscal year ending September 30, 2014, the appropriation to a street railway pursuant to section 10e(22) of 1951 PA 51, MCL 247.660e, is $0.

~~Sec. 736. From the funds appropriated in part 1 for rail operations and infrastructure, $1,500,000.00 shall be allocated for a pilot project to test traffic control devices at rail grade crossings on railroad tracks that are federally designated as a high speed rail corridor under 49 USC 26106. Any pilot project entered into under this section shall be done using a competitive bidding process.~~

Sec. 740. The department shall report by March 1 of each year to the house of representatives and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget director the encumbered and unencumbered balances of the comprehensive transportation fund.

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.

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.

(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.

(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 article 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.

Sec. 902. Before the end of each fiscal year, the state transportation department shall report to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies on the status of airport improvement projects funded in part 1 with the estimated dollars allocated for each project. If there has to be a delay in reporting, the state transportation department shall notify the house and senate appropriations subcommittees on transportation in writing of the date the report will be received.

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.

ONE-TIME APPROPRIATIONS

Sec. 1001. The appropriation in part 1 of $121,300,000.00 from the state general fund is appropriated to the state trunkline federal aid and road and bridge construction program and is intended to ensure that the state is able to match all available federal-aid highway funds.

PART 2A

PROVISIONS CONCERNING ANTICIPATED APPROPRIATIONS FOR FISCAL YEAR 2014-2015

GENERAL SECTIONS

Sec. 1201. It is the intent of the legislature to provide appropriations for the fiscal year ending on September 30, 2015 for the line items listed in part 1. The fiscal year 2014-2015 appropriations are anticipated to be the same as those for fiscal year 2013-2014, 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 2014 consensus revenue estimating conference.

Sec. 1202. It is the intent of the legislature that the department identify the amounts for normal retirement costs and legacy retirement costs for the fiscal year ending on September 30, 2015 for the line items listed in part 1.

This act is ordered to take immediate effect.

Clerk of the House of Representatives

Secretary of the Senate

Approved 6/13/13 3:20 PM

Governor