

**SUBSTITUTE FOR
SENATE BILL NO. 251**

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; and to prescribe certain conditions for 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 certain capital outlay projects for the fiscal year ending September 30, 2010, from the following funds:

CAPITAL OUTLAY

APPROPRIATION SUMMARY

1	GROSS APPROPRIATION.....	\$	35,658,500
2	Interdepartmental grant revenues:		
3	Total interdepartmental grants and intradepartmental		
4	transfers		0
5	ADJUSTED GROSS APPROPRIATION.....	\$	35,658,500
6	Federal revenues:		
7	Total federal revenues.....		0
8	Special revenue funds:		
9	Total local revenues.....		0
10	Total private revenues.....		0
11	Total other state restricted revenues.....		35,658,200
12	State general fund/general purpose.....	\$	300
13	Sec. 102. MICHIGAN NATURAL RESOURCES TRUST FUND		
14	Natural resources trust fund projects.....	\$	<u>35,658,200</u>
15	Trust fund acquisition projects by priority:		
16	Academy preserve acquisition, phase II, Monroe		
17	County (grant-in-aid to Monroe County) (#09-163)		
18	Acme waterfront park, phase II, Grand Traverse		
19	County (grant-in-aid to Acme Township) (#09-171)		
20	Southeast Michigan eco-region acquisitions, various		
21	counties (#09-132)		
22	Niles community park expansion, Berrien County		
23	(grant-in-aid to Niles Township) (#09-082)		
24	Sheldon-Mead greenspace acquisition, Oakland County		
25	(grant-in-aid to city of Rochester Hills)		
26	(#09-165)		

1 Grand Isle acquisition, Kent County (grant-in-aid
2 to Plainfield Township) (#09-166)
3 Plainfield nature park expansion acquisition, Iosco
4 County (grant-in-aid to Plainfield Township)
5 (#09-026)
6 Grand River ravines acquisition, Ottawa County
7 (grant-in-aid to Ottawa County) (#09-075)
8 Huron Mountains deeryard complex acquisition,
9 Marquette County (#09-157)
10 Boardman Lake trail and nature reserve expansion,
11 Grand Traverse County (grant-in-aid to Garfield
12 Charter Township) (#09-173)
13 Little Pigeon River property acquisition, Cheboygan
14 County (#09-137)
15 Grassland/bird habitat initiative, various counties
16 (#09-156)
17 Linear park acquisition, phase I, Wayne County
18 (grant-in-aid to Northville Township) (#09-174)
19 Saugatuck harbor natural area acquisition, phase I,
20 Allegan County (grant-in-aid to city of Saugatuck)
21 (#09-001)
22 Northern Lower Peninsula eco-regional land
23 consolidation, various counties (#09-133)
24 Menominee River oxbow acquisition, Menominee County
25 (#09-136)
26 Two Rivers park acquisition, Ionia County
27 (grant-in-aid to city of Portland) (#09-010)

1 Upper Peninsula eco-regional land consolidation,
2 various counties (#09-131)
3 Southwest Lower Peninsula eco-regional land
4 consolidation, various counties (#09-130)
5 Diamond district park land acquisition, Shiawassee
6 County (grant-in-aid to city of Durand) (#09-083)
7 Grand River greenway trail acquisition, Ottawa
8 County (grant-in-aid to village of Spring Lake)
9 (#09-064)
10 Parker road park expansion, St. Clair County
11 (grant-in-aid to Fort Gratiot Township) (#09-167)
12 St. Johns trailside parkway acquisition, Clinton
13 County (grant-in-aid to city of St. Johns)
14 (#09-169)
15 Lake George nature park acquisition, Oakland County
16 (grant-in-aid to Addison Township) (#09-033)
17 Pinckney recreation area land consolidation,
18 various counties (#09-154)
19 Trust fund development projects by priority:
20 Lowell area trailway, Kent County (grant-in-aid to
21 Lowell area recreation authority) (#09-058)
22 Central Agonikak national recreation trail
23 enhancement, Gogebic County (grant-in-aid to
24 Watersmeet Township) (#09-123)
25 Mill Creek park development, Washtenaw County
26 (grant-in-aid to village of Dexter) (#09-028)
27 Gladwin city park and campground improvements,

1 Gladwin County (grant-in-aid to city of Gladwin)
2 (#09-051)
3 Liberty park improvements, Saginaw County
4 (grant-in-aid to Bridgeport Township) (#09-092)
5 City beach improvements, Ottawa County
6 (grant-in-aid to city of Grand Haven) (#09-099)
7 Pinconning park improvements, Bay County
8 (grant-in-aid to Bay County) (#09-027)
9 North bank trail development, Ottawa County
10 (grant-in-aid to Spring Lake Township) (#09-112)
11 Birney park renovations, Bay County (grant-in-aid
12 to city of Bay City) (#09-062)
13 Cass River greenway water trail development,
14 Saginaw County (grant-in-aid to city of
15 Frankenmuth) (#09-101)
16 Milliken state park east riverwalk, final link,
17 Wayne County (#09-149)
18 L'Anse area schools village park, Baraga County
19 (grant-in-aid to L'Anse area schools) (#09-115)
20 Central park fishing dock, Ingham County
21 (grant-in-aid to Meridian Township) (#09-068)
22 Elizabeth park riverwalk - northpointe, Wayne
23 County (grant-in-aid to Wayne County) (#09-127)
24 Grand River greenway nonmotorized trail, Ottawa
25 County (grant-in-aid to village of Spring Lake)
26 (#09-015)
27 Pennies for the park at Miners park, Marquette

1 County (grant-in-aid to city of Negaunee) (#09-113)
2 Iron ore heritage trail interpretive signage,
3 Marquette County (grant-in-aid to Iron Ore
4 heritage recreation authority) (#09-071)
5 Marina boardwalk and boat launch, Baraga County
6 (grant-in-aid to village of Baraga) (#09-120)
7 Colon community park development, St. Joseph County
8 (grant-in-aid to village of Colon) (#09-049)
9 Fillmore Township park development, Allegan County
10 (grant-in-aid to Fillmore Township) (#09-104)
11 Pinewood park splash pad, Kent County (grant-in-aid
12 to city of Kentwood) (#09-029)
13 Holland state park campground restroom, Ottawa
14 County (#09-145)
15 School Lake fishing access, Marquette County
16 (grant-in-aid to Republic Township) (#09-087)
17 Island sanctuary park boardwalk, Emmet County
18 (grant-in-aid to village of Alanson) (#09-114)
19 Concord mill pond trailhead park-falling waters,
20 Jackson County (grant-in-aid to village of
21 Concord) (#09-050)
22 Hastings riverwalk development, Barry County
23 (grant-in-aid to city of Hastings) (#09-111)
24 Rabbit River park development, Allegan County
25 (grant-in-aid to city of Wayland) (#09-063)
26 Dodge #4 state park - water system replacement,
27 Oakland County (#09-143)

1 Helder park improvements, Ottawa County
2 (grant-in-aid to Holland Township) (#09-090)
3 Bloomer park development, Oakland County
4 (grant-in-aid to White Lake Township) (#09-103)
5 Frederick Meijer white pine trail staging area,
6 Kent County (grant-in-aid to city of Cedar
7 Springs) (#09-003)
8 Sherman park picnic shelter development, Chippewa
9 County (grant-in-aid to city of Sault Ste. Marie)
10 (#09-105)
11 Hickory woods park development, Washtenaw County
12 (grant-in-aid to Pittsfield Township) (#09-013)
13 Indian River pathway development, Cheboygan County
14 (grant-in-aid to Tuscarora Township) (#09-072)
15 Barber memorial park improvements, Genesee County
16 (grant-in-aid to Montrose Township) (#09-025)
17 Maiden Lane community park improvements, Berrien
18 County (grant-in-aid to St. Joseph Township)
19 (#09-017)
20 Cass River greenway water trail development,
21 Tuscola County (grant-in aid to city of Vassar)
22 (#09-100)
23 Cass River greenway water trail development,
24 Tuscola County (grant-in-aid to Tuscola Township)
25 (#09-102)
26 Meade Township park development, Mason County
27 (grant-in-aid to Meade Township) (#09-066)

1	State park infrastructure development, various		
2	counties (#09-148)		
3	Building demolition initiative, various counties		
4	(#09-155)		
5	Rose Lake shooting range development, Clinton		
6	County (#09-129)		
7	GROSS APPROPRIATION.....	\$	35,658,200
8	Appropriated from:		
9	Special revenue funds:		
10	Michigan natural resources trust fund.....		35,658,200
11	State general fund/general purpose.....	\$	0

12 **Sec. 103. STATE BUILDING AUTHORITY FINANCED**

13 **CONSTRUCTION AUTHORIZATIONS**

14	Michigan Technological University - Great Lakes		
15	research center (total authorized cost \$25,337,000;		
16	state building authority share \$18,749,800;		
17	Michigan Technological University share		
18	\$6,587,000; state general fund share \$200).....	\$	100
19	Oakland University - human health building (total		
20	authorized cost \$61,748,100; state building		
21	authority share \$39,999,800; Oakland University		
22	share \$21,748,100; state general fund share \$200)...		100
23	Washtenaw Community College - skilled trades		
24	training program renovations project - (total		
25	authorized cost \$14,800,000; state building		
26	authority share \$7,399,800; Washtenaw Community		

1	College share \$7,400,000; state general fund share		
2	\$200)		100
3	GROSS APPROPRIATION.....	\$	300
4	Appropriated from:		
5	State general fund/general purpose	\$	300

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

9 Sec. 201. In accordance with the provisions of section 30 of
10 article IX of the state constitution of 1963, total state spending
11 from state resources in this appropriation act for the fiscal year
12 ending September 30, 2010 is \$35,658,500.00. State appropriations
13 paid to local units of government are \$22,853,800.00 as follows:

14	Acquisition grants-in-aid.....	\$	15,152,800
15	Development grants-in-aid.....		7,701,000
16	Total payments to locals.....	\$	22,853,800

17 Sec. 202. The appropriations authorized under this act are
18 subject to the management and budget act, 1984 PA 431, MCL 18.1101
19 to 18.1594.

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT

21 Sec. 301. The department of natural resources and environment
22 shall enter into agreements with local units of government for the
23 purpose of administering the grants identified in part 1. Among
24 other provisions, the agreements shall require that grant

1 recipients agree to dedicate to public outdoor recreation uses in
2 perpetuity the land acquired or developed; to replace lands
3 converted or lost to other than public outdoor recreation use; and,
4 for parcels acquired that are over 5 acres in size, to provide the
5 state with a nonparticipating 1/6 minimum royalty interest in any
6 acquired minerals that are retained by the grant recipient. The
7 agreements shall also provide that the full payments of grants can
8 be made only after proof of acquisition, or proof of completion of
9 the development project, is submitted by the grant recipient and
10 all costs are verified by the department of natural resources and
11 environment.

12 Sec. 302. Any unobligated balance in a natural resources trust
13 fund appropriation made under part 1 shall not revert to the funds
14 from which appropriated at the close of the fiscal year, but shall
15 continue until the purpose for which it was appropriated is
16 completed for a period not to exceed 3 fiscal years. The unexpended
17 balance of any natural resources trust fund appropriation made in
18 part 1 remaining after the purpose for which it was appropriated is
19 completed shall revert to the Michigan natural resources trust fund
20 and be made available for appropriation.

21 **CAPITAL OUTLAY PROCESSES, PROCEDURES, AND REPORTS**

22 Sec. 401. Each capital outlay project authorized in this act
23 or any previous capital outlay act shall comply with the procedures
24 required by the management and budget act, 1984 PA 431, MCL 18.1101
25 to 18.1594.

26 Sec. 402. (1) Before proceeding with final planning and

1 construction for projects at community colleges and universities
2 included in an appropriations act, the community college or
3 university shall sign an agreement with the department of
4 technology, management, and budget that includes the following
5 provisions:

6 (a) The university or community college agrees to construct
7 the project within the total authorized cost established by the
8 legislature pursuant to the management and budget act, 1984 PA 431,
9 MCL 18.1101 to 18.1594, and an appropriations act.

10 (b) The design and program scope of the project shall not
11 deviate from the design and program scope represented in the
12 program statement and preliminary planning documents approved by
13 the department of technology, management, and budget.

14 (c) Any other items as identified by the department of
15 technology, management, and budget that are necessary to complete
16 the project.

17 (2) The department of technology, management, and budget
18 retains the authority and responsibility normally associated with
19 the prudent maintenance of the public's financial and policy
20 interests relative to the state-financed construction projects
21 managed by a community college or university.

22 Sec. 403. A state agency, college, or university shall take
23 steps necessary to make available federal and other money indicated
24 in this act, to make available federal or other money that may
25 become available for the purposes for which appropriations are made
26 in this act, and to use any part or all of the appropriations to
27 meet matching requirements that are considered to be in the best

1 interest of this state. However, the purpose, scope, and total
2 estimated cost of a project shall not be altered to meet the
3 matching requirements.

4 Sec. 404. The Bay City state police post project was
5 authorized for construction in 2008 PA 278 with an estimated total
6 project cost of \$2,889,000.00 (state building authority share
7 \$2,888,900.00; and general fund/general purpose share \$100.00).
8 Minimal project site costs were identified at the time construction
9 was authorized, and an increase is necessary to provide for site
10 development expenses including excavation, utility connections,
11 drainage, asphalt paving, and perimeter fencing. The cost of the
12 project is therefore increased by \$311,000.00, from \$2,889,000.00
13 to \$3,200,000.00 (state building authority share \$3,199,900.00; and
14 general fund/general purpose share \$100.00).

15 **COLLEGES AND UNIVERSITIES**

16 Sec. 501. (1) This section applies only to projects for
17 community colleges.

18 (2) State support is directed towards the remodeling and
19 additions, special maintenance, or construction of certain
20 community college buildings. The community college shall obtain or
21 provide for site acquisition and initial main utility installation
22 to operate the facility. Funding shall be composed of local and
23 state shares, and the state share shall include 50% of any federal
24 money awarded for projects appropriated in this act. Not more than
25 50% of a capital outlay project, not including a lump-sum special
26 maintenance project or remodeling and addition project, for a

1 community college shall be appropriated from state and federal
2 funds, unless otherwise appropriated by the legislature.

3 (3) An expenditure under this act is authorized when the
4 release of the appropriation is approved by the state
5 administrative board upon the recommendation of the director of the
6 department of technology, management, and budget. The director of
7 the department of technology, management, and budget may recommend
8 to the state administrative board the release of any appropriation
9 in part 1 only after the director of the department of technology,
10 management, and budget is assured that the legal entity operating
11 the community college to which the appropriation is made has
12 complied with this act and has matched the amounts appropriated as
13 required by this act. A release of funds in part 1 shall not exceed
14 50% of the total cost of planning and construction of any project,
15 not including lump-sum remodeling and additions and special
16 maintenance, unless otherwise appropriated by the legislature.
17 Further planning and construction of a project authorized by this
18 act or applicable sections of the management and budget act, 1984
19 PA 431, MCL 18.1101 to 18.1594, shall be in accordance with the
20 purpose and scope as defined and delineated in the approved program
21 statements and planning documents. This act is applicable to all
22 projects for which planning appropriations were made in previous
23 acts.

24 (4) The community college shall take the steps necessary to
25 secure available federal construction and equipment money for
26 projects funded for construction in this act if an application was
27 not previously made. If there is a reasonable expectation that a

1 prior year unfunded application may receive federal money in a
2 subsequent year, the community college shall take whatever action
3 necessary to keep the application active. If federal money is
4 received, the state share shall be adjusted accordingly as provided
5 by this act.

6 Sec. 502. If matching revenues are received in an amount less
7 than the appropriations contained in this act, the state funds of
8 the appropriation shall be reduced in proportion to the amount of
9 matching revenue received.

10 Sec. 503. (1) The director of the department of technology,
11 management, and budget may require that community colleges and
12 universities that have an authorized project listed in part 1
13 submit documentation regarding the project match and governing
14 board approval of the authorized project not more than 60 days
15 after the beginning of the fiscal year.

16 (2) If the documentation required by the director of the
17 department of technology, management, and budget under subsection
18 (1) is not submitted, or does not adequately authenticate the
19 availability of the project match or board approval of the
20 authorized project, the authorization may terminate. The
21 authorization terminates 30 days after the director of the
22 department of technology, management, and budget notifies the JCOS
23 of the intent to terminate the project unless the JCOS convenes to
24 extend the authorization.