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\$3,896,201,400

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Senate Bill 799 (S-1, Draft 1 as reported)

Changes from FY 2015-16 Year-to-Date:

capital (\$10.0 million Gross, \$0 GF/GP).

Committee: Appropriations

Throughout this document Senate means Subcommittee.

		_	CHANGES FY 2015-16 YEA	-
FULL-TIME EQUATED (FTE) CLASSIFIED POSITIONS/FUNDING SOURCE	FY 2015-16 YEAR-TO-DATE	FY 2016-17 SENATE SUBCOMM.	AMOUNT	PERCENT
FTE Positions	2,912.3	2,912.3	0.0	0.0
GROSS	3,896,201,400	4,125,203,600	229,002,200	5.9
Less:				
Interdepartmental Grants Received	3,928,500	4,013,400	84,900	2.2
ADJUSTED GROSS	3,892,272,900	4,121,190,200	228,917,300	5.9
Less:				
Federal Funds	1,257,488,000	1,314,744,000	57,256,000	4.6
Local and Private	50,393,500	50,518,500	125,000	0.2
TOTAL STATE SPENDING	2,584,391,400	2,755,927,700	171,536,300	6.6
Less:				
Other State Restricted Funds	2,184,391,400	2,745,527,700	561,136,300	25.7
GENERAL FUND/GENERAL PURPOSE	400,000,000	10,400,000	(389,600,000)	(97.4)
PAYMENTS TO LOCALS	1,438,206,000	1,583,461,200	145,255,200	10.1

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	NOTE: This recommendation assumes that the Roads Innovation Fund, also known as the "Lockbox", will be opened via concurrent resolution. The Roads Innovation Fund was established under the road funding package enacted in 2015. Opening the Lockbox would result in \$100.0 million in funding to be divided among CTF (\$10.0 million), MDOT (\$35.2 million), and local road agencies (\$54.8 million) in FY 2016-17. As long as it is in operation, the Lockbox will receive the first \$100.0 million in fuel tax revenue collected each fiscal year.	
(4,751,450)	1. State Trunkline Fund for Road and Bridge Construction Decrease. The net decrease for State trunkline construction funded from STF. This includes increased Federal revenue (FAST Act) (\$15.4 million Gross, \$0 GF/GP), STF adjustments and new revenue under the road funding package (\$184.3 million Gross, \$0 GF/GP), one-time GF/GP funding (\$10.4 million GF/GP), and shifting GF/GP one-time and ongoing funding to MTF (\$214.8 million GF/GP to State restricted).	
157,139,150	2. Local Road Agencies and Local Bridge Program Increases. The net gain to appropriations for county road commissions, cities and villages, and the local bridge program resulted from MTF adjustments and revenue under the road funding package, shifting GF/GP one-time and ongoing funding to MTF (\$124.4 million), and increased Federal revenue (FAST Act) (\$32.1 million).	
58,445,400	3. Public Transit Funding Increases. New public transit funding under the road plan resulted in an increase for most programs, most notably local bus operating (\$12.6 million), rail operations and infrastructure (\$15.8 million Gross, \$0 GF/GP), and transit capital (\$19.0	

FY 2015-16 Year-to-Date Gross Appropriation

million Gross, \$0 GF/GP). Federal revenue increases resulted in an increase to transit

 Blue Water Bridge Fund Increase. Revenue adjustments to the Blue Water Bridge Fund for a customs plaza project (\$18.4 million Gross, \$0 GF/GP). 	18,417,700
5. Aeronautics Program Increases. Additional revenue was due to adjustments and recent changes to the aviation fuel sales tax, including a shift of GF/GP ongoing funding (\$1,521,100 GF/GP to SAF). The air service program was also reinstated at \$250,000 Gross, \$0 GF/GP (this program was deleted in FY 2015-16).	2,024,300
6. Detroit Metropolitan Wayne County Airport Debt Repayment/Capital Improvements. Funds from the recently established Qualified Airport Fund were directed toward debt repayment and capital improvements at Detroit Metro.	8,775,000
7. Transportation Economic Development Fund Increases. TEDF revenue that was directed in FY 2015-16 to airport safety and Federal match (\$4.0 million gross, \$0 GF/GP) was restored, and there was an increase in TEDF revenue estimates.	4,877,000
8. Rail Grade Crossing Surface Improvements. The road funding package included allowance of appropriations up to \$3.0 million Gross, \$0 GF/GP to subsidize 60% of maintenance costs of selected privately owned rail grade crossings.	3,000,000
 Removal of One-Time Federal Match for Transit and Rail. The FY 2015-16 budget included \$25.0 million GF/GP for this program. 	(25,000,000)
 Economic Adjustments. Includes \$1,615,900 Gross and \$0 GF/GP for OPEB and \$5,381,500 Gross and \$0 GF/GP for other economic adjustments. 	6,979,000
11. Other Changes. Reductions: Removal of five-year early-out deferred sick leave payments (\$1,441,100 Gross, \$0 GF/GP); debt service payments (\$935,500 Gross, \$0 GF/GP); and Blue Water Bridge operations of (\$1,400 Gross, \$0 GF/GP). Increases: Information technology services and projects (\$660,300 Gross, \$0 GF/GP), and IDG adjustments (\$813,800 Gross, \$0 GF/GP).	(903,900)
12. Comparison to Governor's Recommendation. The Senate is \$0 Gross and \$0 GF/GP over/under the Governor.	
Total Changes	\$229,002,200
FY 2016-17 Senate Appropriations Subcommittee Gross Appropriation	\$4,125,203,600

Boilerplate Changes from FY 2015-16 Year-to-Date:

- 1. Report Requirements. The Senate retained and the Governor deleted reporting requirements regarding the following: Performance metrics for program increases or new programs over \$0.5 million (Sec. 204); Notice regarding Federal regulation changes that would require statutory amendment (Sec. 205); Local fund administration and distribution costs (Sec. 233); Biennial audit charge report (Sec. 306(3)); Status of the State Infrastructure Bank (Sec. 313(3)); Contract incentives (Sec. 612); Road surface materials including crumb rubber from scrap tires (Sec. 660); Notification of abandonment of private rail (Sec. 703); Amtrak rail passenger data and expenses (Sec. 711). The Senate and the Governor deleted the following requirements: Prequalification of contractors (Sec. 308); Status of commuter rail demonstration projects including leased rail cars (Sec. 713); Status of new rail tunnel between Detroit and Windsor (Sec. 1006).
- 2. **Disciplinary Action.** The Senate retained and the Governor deleted a prohibition against taking disciplinary action against an employee for communications with legislators or legislative staff. (Sec. 215)
- 3. **Remanufactured Parts Preference.** The Senate retained and the Governor deleted a provision stating legislative intent to prioritize remanufactured parts for maintenance and repair of State vehicles (excludes State police). (Sec. 270)
- 4. **Rest Area Signs.** The Senate retained and the Governor deleted a requirement for MDOT to post signs identifying the agency or contractor responsible for the rest area. (Sec. 319)
- 5. **Contractor Payment Process.** The Senate retained and the Governor deleted a requirement for the department to review contractor payment processes. (Sec. 353)
- 6. **Inspection Deadline for Local Federal Aid Projects.** The Senate retained and the Governor deleted a requirement for the department to complete all reviews and inspections of local Federal aid projects within 120 days of receipt. (Sec. 357)
- 7. Ban on Contractor Reimbursements for Groundbreaking Ceremonies. The Senate retained and the Governor deleted a prohibition against reimbursing contractors or consultants for costs related to groundbreaking ceremonies. (Sec. 375)

- 8. **Ban on Outdoor Advertising Studies.** The Senate retained and the Governor deleted a prohibition against MDOT spending funds on examining the potential association between outdoor advertising and motorist behavior. (Sec. 376)
- E-Verify Requirements for Contractors. The Senate retained and the Governor deleted requirements for the Department to require contractors to use the E-Verify system to ensure employees are legally present in the United States. (Sec. 381)
- Cost-Sharing Bills for Local Agencies. The Senate retained and the Governor deleted a requirement for MDOT to provide a cost-sharing bill to a local road agency within two years of the final contract payment to the contractor. (Sec. 382)
- 11. Aircraft Agreement for MDOT and MSP. The Senate amended and the Governor deleted language stating that it is the intent of the Legislature for MDOT to establish an agreement with the State Police on fitting certain aircraft with equipment for law enforcement operations. (Sec. 383(5))
- 12. **Best Practices Promotion and Reporting.** The Senate retained and the Governor deleted a provision requiring MDOT to promote best practices for public transportation services and report on efforts. (Sec. 393)
- 13. **Priority for Preservation of Existing Roads.** The Senate retained and the Governor deleted language stating that MDOT and local road agencies must make preservation of existing roads a priority. (Sec. 394)
- 14. **MDOT Trunkline: Option to Transfer Construction Funds to Maintenance.** The Senate and the Governor added a provision that would allow MDOT to use up to \$10.0 million of trunkline construction funds for trunkline maintenance. (Sec. 395)
- 15. Roads Innovation Fund Report. The Senate and the Governor included a requirement for MDOT to report on the fiscal impact to State trunkline and local road agency distributions if the Roads Innovation Fund, known as the "Lockbox", remains closed on October 1, 2016. The Fund can only be opened through concurrent resolution of the Legislature, and receives the first \$100.0 million in fuel tax revenues in each fiscal year until the concurrent resolution is adopted. (Sec. 505)
- 16. Road Warranty Program Considerations and Report. The Senate retained and the Governor deleted provisions requiring MDOT to develop a warranty program and employ specific considerations, and to report on warranty programs and activities. (Sec. 601)
- 17. **Traffic Congestion as Criteria in 5-Year Plan.** The Senate retained and the Governor deleted a provision requiring MDOT to use traffic congestion as one of the criteria in its 5-year plan. (Sec. 603)
- 18. Dead Animal Removal as a Priority. The Senate retained and the Governor deleted a provision stating that MDOT must have as a priority the removal of dead deer and other large animals from the traveled portion of State highways. (Sec. 610)
- 19. **Rail Operations and Infrastructure Program Report.** The Senate included a provision requiring MDOT to provide detailed reports on expenditures and anticipated costs, categorized by program and project, under the rail operations and infrastructure line item. This item includes programs for Michigan rail line/bridge maintenance and upgrades, freight capital and economic development, and Amtrak operating costs. (Sec. 704).
- 20. **Woodhaven Rail Bridge.** The Senate included a section stating that it is the intent of the Legislature that the department will provide assistance, whether administrative or otherwise, to the city of Woodhaven so the city may meet funding needs for a rail and street separation project. (Sec. 705).
- 21. **Preference for Private Airport Ownership.** The Senate retained and the Governor deleted a provision encouraging MDOT to find private entities to own or lease publicly owned airports. (Sec. 802)
- 22. Elimination of One-Time and Ongoing General Fund/General Purpose Appropriations. The Senate and the Governor deleted provisions regarding one-time and ongoing GF/GP funding for State trunkline Federal match (Sec. 1001), distribution of additional road agency funding (Sec. 1002), and reports on use of one-time funds for public transit (Sec. 1003).

Date Completed: 4-13-16 Fiscal Analyst: Glenn Steffens