

Act No. 158
Public Acts of 2022
Approved by the Governor
July 19, 2022
Filed with the Secretary of State
July 19, 2022
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**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2022**

Introduced by Rep. O'Malley

ENROLLED HOUSE BILL No. 5291

AN ACT to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; to investigate and study the tolling of roads, streets, highways, or bridges; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding sections 9d and 10s.

The People of the State of Michigan enact:

Sec. 9d. As used in this act, "port facility" means a commercial facility located alongside a navigable waterway used for commercial vessels and includes any of the following types of facilities:

- (a) A seawall jetty, pier, wharf, or dock.
- (b) A warehouse, storehouse, elevator, grain bin, cold storage plant, terminal icing plant, bunker, or oil tank.
- (c) A ferry, canal, lock, seaway, or conveyor.
- (d) A modern appliance for the economical handling, storage, or transportation of freight and handling of passenger traffic.

- (e) A transfer or terminal facility required for the efficient operation or development of a port or harbor.
- (f) Any other port or harbor improvement to assist with commercial operations.
- (g) An improvement, enlargement, remodeling, or extension of a facility described in this section.

Sec. 10s. (1) The maritime and port facility assistance office is created in the department. The office shall do both of the following:

- (a) Assist owners of port facilities in this state by doing all of the following:
 - (i) Administering the grant program as described in subsection (2).
 - (ii) Developing a statewide strategic maritime plan.
 - (iii) Identifying federal funding opportunities to which owners of port facilities can apply.
 - (iv) Providing technical assistance to integrate and take advantage of the maritime resources of this state in moving goods within and through this state to support a global economy in a sustainable manner.
- (b) Perform the duties described in the maritime and port facility assistance grant program act.
- (2) The office shall implement and administer the grant program by doing all of the following:
 - (a) Awarding grants to publicly or privately owned port facilities for the purposes described in the maritime and port facility assistance grant program act.
 - (b) Establishing criteria for awarding grants consistent with the maritime and port facility assistance grant program act, and based on the impact the project will have on all of the following:
 - (i) Direct port facility activity.
 - (ii) Increasing the amount or value of freight moving through the port facility.
 - (iii) Overall economic development or transportation opportunities in the region.
 - (c) Receiving and reviewing grant applications under the maritime and port facility assistance grant program act and prescribing the form, nature, and extent of the information that must be contained in a grant application.
 - (d) Before disbursing grant money under the maritime and port facility assistance grant program act, entering into a grant agreement with the grant recipient.
- (3) As used in this section:
 - (a) "Grant program" means the maritime and port facility assistance grant program created in section 5 of the maritime and port facility assistance grant program act.
 - (b) "Office" means the maritime and port facility assistance office created in subsection (1).

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 744 of the 101st Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor

Compiler's note: Senate Bill No. 744, referred to in enacting section 1, was filed with the Secretary of State July 19, 2022, and became 2022 PA 159, Imd. Eff. July 19, 2022.