



TRANSPORTATION APPROPRIATIONS BOILERPLATE DECISION DOCUMENT

FY 2014-15

Executive Recommendation/
House Chair's Recommendation
[House Bill 5308 (H-1) Draft 1]
compared to Current Year

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DEPARTMENT OF TRANSPORTATION - BOILERPLATE

	FY 2014-15			
FY 2013-14 CURRENT LAW	EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p><u>GENERAL SECTIONS</u></p> <p>Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2013-2014 is \$2,345,829,000.00 and state spending from state resources to be paid to local units of government for fiscal year 2013-2014 is \$1,208,687,600.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:</p> <p>DEPARTMENT OF TRANSPORTATION</p> <p>Grants to regional planning councils..... \$ 488,800 Grants to local programs..... 33,000,000 Rail grade crossing 3,000,000 Local bridge program 21,381,600 Grants to county road commissions..... 25,066,400 Economic development fund..... 32,058,200 Air service program..... 301,200 Local bus operating..... 468,200 Marine passenger service 400,000 Terminal development..... 461,000 Specialized services 3,943,800 Municipal credit program..... 0 Transit capital..... 25,895,300 Service initiatives 332,900 Transportation to work 4,700,000 Airport safety, protection, and improvement program..... 2,134,200 Total payments to local units of Government..... \$1,208,687,600</p>	<p><u>GENERAL SECTIONS</u></p> <p>Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2014-2015 is \$2,409,049,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2014-2015 is \$1,251,343,100.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:</p> <p>DEPARTMENT OF TRANSPORTATION</p> <p>Grants to regional planning Councils..... \$ 488,800 Grants to local programs 33,000,000 Rail grade crossing..... 3,000,000 Local bridge program 26,477,400 Grants to county road commissions 597,608,200 Grants to cities and Villages 333,193,300 Economic development fund 41,515,800 Air service program 289,700 Local bus operating 167,400,000 Detroit/Wayne County port authority 468,200 Marine passenger service 400,000 Terminal development..... 150,000 Specialized services..... 3,853,900 Municipal credit program..... 2,000,000 Transit capital..... 25,895,300 Service initiatives..... 2,847,300 Transportation to work 4,700,000 Airport safety, protection, and improvement program 3,055,800 Transit capital and rail infrastructure 5,000,000 Total payments to local units of government..... \$ 1,251,343,700</p>	<p><u>GENERAL SECTIONS</u></p> <p>Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2014-2015 is \$2,409,049,100.00 and state spending from state resources to be paid to local units of government for fiscal year 2014-2015 is \$1,297,620,900.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:</p> <p>DEPARTMENT OF TRANSPORTATION</p> <p>Grants to regional planning Councils \$ 488,800 Grants to local programs.....33,000,000 Rail grade crossing3,000,000 Local bridge program26,477,400 Grants to county road commissions597,608,200 Grants to cities and Villages..... 333,193,300 Economic development fund22,758,000 Air service program.....289,700 Local bus operating167,400,000 Detroit/Wayne County port authority468,200 Marine passenger service 400,000 Terminal development 150,000 Specialized services 3,853,900 Municipal credit program..... 2,000,000 Transit capital.....25,895,300 Service initiatives 2,847,300 Transportation to work4,700,000 Airport safety, protection, and improvement program..... 1,007,900 One-time state and local road and bridge programs70,035,000 One-time airport safety, protection, and improvement program 2,047,900 Total payments to local units of government..... \$ 1,297,620,900 Total payments to local units of government \$ 1,251,343,700</p>		



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<p>Sec. 202. The appropriations authorized under this article are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.</p>	<p>Sec. 19-202. The appropriations authorized under this article are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.</p>	<p>No changes from current law.</p>		
<p>Sec. 203. As used in this article:</p> <p>(a) "AMTRAK" means the national railroad passenger corporation. (b) "CTF" means comprehensive transportation fund. (c) "Department" means the state transportation department. (d) "DOT" means the United States department of transportation. (e) "DOT-FHWA" means DOT, federal highway administration. (f) "FTE" means full-time equated. (g) "IRS" means the internal revenue service. (h) "MTF" means Michigan transportation fund. (i) "SAF" means state aeronautics fund. (j) "STF" means state trunkline fund.</p>	<p>Sec. 19-203. As used in this article:</p> <p>(a) "AMTRAK" means the national railroad passenger corporation. (b) "CTF" means comprehensive transportation fund. (c) "Department" means the state transportation department. (d) "DOT" means the United States department of transportation. (e) "DOT-FHWA" means DOT, federal highway administration. (f) "FTE" means full-time equated. (g) "IRS" means the internal revenue service. (h) "MTF" means Michigan transportation fund. (i) "SAF" means state aeronautics fund. (j) "STF" means state trunkline fund.</p>	<p>No changes from current law, other than to write "Amtrak" in lower case.</p>		
<p>Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$200,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>		
<p>(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$40,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>		



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<p>(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	No changes from current law.	No changes from current law.		
<p>(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed 1,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in part 1 pursuant to section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.</p>	No changes from current law.	No changes from current law.		
<p>Sec. 207. The department shall cooperate with the department of technology, management, and budget to maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:</p> <p>(a) Fiscal year-to-date expenditures by category. (b) Fiscal year-to-date expenditures by appropriation unit. (c) Fiscal year-to-date payments to a selected vendor, including the vendor name, payment date, payment amount, and payment description. (d) The number of active department employees by job classification. (e) Job specifications and wage rates.</p>	No changes from current law.	No changes from current law.		
<p>Sec. 208. The departments and agencies receiving appropriations in part 1 shall use the Internet to fulfill the reporting requirements of this article. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.</p>	No changes from current law.	No changes from current law.		



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<p>Sec. 209. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference shall be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable quality. In addition, preference shall be given to goods or services, or both, that are manufactured or provided by Michigan businesses owned and operated by veterans, if they are competitively priced and of comparable quality.</p>	No changes from current law.	No changes from current law.		
<p>Sec. 210. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. Each director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.</p>	No changes from current law.	No changes from current law.		
<p>Sec. 212. The department and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. Federal and state guidelines for short-term and long-term retention of records shall be followed. The department may electronically retain copies of reports unless otherwise required by federal and state guidelines.</p>	Not included.	Retains		
<p>Sec. 215. A department shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.</p>	Not included.	Retains		



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<p>Sec. 228. Not later than November 30, the state budget office shall prepare and transmit a report that provides for estimates of the total general fund/general purpose appropriation lapses at the close of the prior fiscal year. This report shall summarize the projected year-end general fund/general purpose appropriation lapses by major departmental program or program areas. The report shall be transmitted to the office of the state budget, the chairpersons of the senate and house of representatives standing committees on appropriations, and the senate and house fiscal agencies.</p>	No changes from current law.	No changes from current law.		
<p>Sec. 229. Within 14 days after the release of the executive budget recommendation, the department shall cooperate with the state budget office to provide the state budget director, the senate and house appropriations chairs, the senate and house appropriations subcommittees on transportation, respectively, and the senate and house fiscal agencies with an annual report on estimated state restricted fund balances, state restricted fund projected revenues, and state restricted fund expenditures for the fiscal years ending September 30, 2013 and September 30, 2014.</p>	No changes from current law other than references to fiscal years ending September 30, 2014 and September 30, 2015.	No changes from current law other than references to fiscal years ending September 30, 2014 and September 30, 2015.		
<p>Sec. 233. Not later than April 1, the department shall prepare and transmit a report that provides detail regarding the department's expenditures for administration and planning associated with local units of government. The report shall list the portion of all the expenditures from part 1 that are allocated for administration and planning that are associated with the disbursement of all local funds. The report shall be transmitted to the office of the state budget, the senate and house appropriations chairs, the senate and house appropriations subcommittees on transportation, respectively, and the senate and house fiscal agencies.</p>	Not included.	Retains		



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Sec. 235. The department shall maintain, on a publicly accessible website, a department scorecard that identifies, tracks, and regularly updates key metrics that are used to monitor and improve the agency's performance.

No changes from current law.

No changes from current law.

Sec. 260. The departments and agencies receiving appropriations in part 1 shall prepare a report on out-of-state travel expenses not later than January 1 of each year. The travel report shall be a listing of all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the senate and house appropriations committees, the house and senate fiscal agencies, and the state budget director. The report shall include the following information:

No changes from current law.

No changes from current law.

- (a) The dates of each travel occurrence.
- (b) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

Sec. 262. Funds appropriated in part 1 shall not be used by a principal executive department, state agency, or authority to hire a person to provide legal services that are the responsibility of the attorney general. This prohibition does not apply to legal services for bonding activities and for those activities that the attorney general authorizes.

No changes from current law.

No changes from current law.

Sec. 263. (1) The department shall report no later than April 1, 2014 on each specific policy change made to implement a public act affecting the department that took effect during the prior calendar year to the house and senate appropriations subcommittees on the budget for the department, the joint committee on administrative rules, and the senate and house fiscal agencies.

Not included.

Retains; updates report due date to April 1, 2015.



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(2) Funds appropriated in part 1 shall not be used by the department to adopt a rule that will apply to a small business and that will have a disproportionate economic impact on small businesses because of the size of those businesses if the department fails to reduce the disproportionate economic impact of the rule on small businesses as provided under section 40 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.240.	Not included.		Retains		
(3) As used in this section: (a) "Rule" means that term as defined under section 7 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207. (b) "Small business" means that term as defined under section 7a of the administrative procedures act of 1969, 1969 PA 306, MCL 24.207a.	Not included.		Retains		
Sec. 270. In order to reduce costs and maintain quality, it is the intent of the legislature that, excluding the fleet of motor vehicles for the department of state police, the department will prioritize the utilization of remanufactured parts as the primary means of maintenance and repair for the state of Michigan's fleet of motor vehicles.	Not included.		Retains		
	NEW Sec. 19-271. Total authorized appropriations from all sources under part 1 for legacy costs for the fiscal year ending September 30, 2015 is \$75,324,500. From this amount, total agency appropriations for pension-related legacy costs are estimated at \$42,130,400. Total agency appropriations for retiree health care legacy costs are estimated at \$33,194,100.		Not included		



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<p><u>DEPARTMENTAL SECTIONS</u></p> <p>Sec. 301. (1) The department may establish a fee schedule and collect fees sufficient to cover the costs to issue the permits that the department is authorized by law to issue upon request, unless otherwise stipulated by law. All permit fees are nonrefundable application fees and shall be credited to the appropriate fund to recover the direct and indirect costs of receiving, reviewing, and processing the requests.</p>	<p><u>DEPARTMENTAL OPERATIONS</u></p> <p>No changes from current law.</p>	<p>No changes from current law.</p>		
<p>(2) A bridge authority shall hold 3 public hearings on an increase in any toll charged by the authority at least 30 days before the toll change will become effective. Two of the hearings shall be held within 5 miles of the bridge over which the bridge authority has jurisdiction. One hearing shall be held in Lansing. Public hearings held under this section shall be conducted in accordance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, and shall be conducted so as to provide a reasonable opportunity for public comment, including both spoken and written comments.</p>	<p>(No changes from current law.</p>	<p>No changes from current law.</p>		
<p>Sec. 303. On request, the department shall provide to a legislator, in writing, a report on the amount of money to be received by each city and village and the county road commission of each county, that is included in whole or in part within the legislator's legislative district.</p>	<p>Not included.</p>	<p>Retains</p>		
<p>Sec. 304. If, as a requirement of bidding on a highway project, the department requires a contractor to submit financial or proprietary documentation as to how the bid was calculated, that bid documentation shall be kept confidential and shall not be disclosed other than to a department representative without the contractor's written consent. The department may disclose the bid documentation if necessary to address or defend a claim by a contractor.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>		



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<p>Sec. 305. (1) The department may permit space on public passenger transportation properties to be occupied by public or private tenants on a competitive market rate basis. The department shall require that revenue from the tenants be placed in an account to be used to pay the costs to maintain and improve the property.</p>	<p>Sec. 19-305. The department may permit space on public passenger transportation properties to be occupied by public or private tenants on a competitive market rate basis when such use is consistent with the public transportation use as determined by the department. The department shall require that revenue from the tenants be placed in an account to be used to pay the costs to maintain and improve the property.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>
<p>(2) The department shall charge public transit agencies and intercity bus carriers equal rates per square foot for leasing space in state-owned intermodal facilities.</p>	<p>Not included.</p>	<p>Retains</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>
<p>Sec. 306. (1) The amounts appropriated in part 1 to support tax and fee collection, law enforcement, and other program services provided to the department and to transportation funds by other state departments shall be expended from transportation funds pursuant to annual contracts between the department and those other state departments. The contracts shall be executed prior to the expenditure or obligation of those funds. The contracts shall provide, but are not limited to, the following data applicable to each state department:</p> <p>(a) Estimated costs to be recovered from transportation funds.</p> <p>(b) Description of services provided to the department and/or transportation funds and financed with transportation funds.</p> <p>(c) Detailed cost allocation methods appropriate to the type of services being provided and the activities financed with transportation funds.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>



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<p>(2) Not later than 2 months after publication of the state of Michigan comprehensive annual financial report, each state department receiving funding pursuant to an interdepartment contract with the department shall submit a written report to the department, the state budget director, and the house and senate fiscal agencies stating by spending authorization account the amount of estimated funds contracted with the department, the amount of funds expended, the amount of funds returned to the transportation funds, and any unreimbursed transportation-related costs incurred but not billed to transportation funds. A copy of the report shall be submitted to the auditor general, and the report shall be subject to audit by the auditor general as provided in subsection (3).</p>	No changes from current law.	No changes from current law.		
<p>(3) Biennially, in each even-numbered fiscal year, the auditor general shall conduct an audit of charges to transportation funds by state departments for the 2 preceding fiscal years. The audit shall include both charges governed by interdepartmental contracts as well as miscellaneous charges from other state departments not governed by contracts. The auditor general shall prepare a detailed report, with recommendations and conclusions, including a summary of charges and related services to transportation funds by department, the appropriateness of those charges, the cost allocation methodologies used in determining the level of funding, and any unreimbursed transportation-related costs, if any. The report shall be provided to the senate and house of representatives committees on appropriations, the senate and house fiscal agencies, and the state budget director 9 months after publication of the state of Michigan comprehensive annual financial report.</p>	No changes from current law.	No changes from current law.		
<p>Sec. 307. Before March 1 of each year, the department will provide to the legislature, the state budget office, and the house and senate fiscal agencies its rolling 5-year plan listing by county or by county road commission all highway construction projects for the fiscal year and all expected projects for the ensuing fiscal years.</p>	Not included.	Retains		



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Sec. 308. (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 department activities related to the prequalification of construction contractors under 1933 PA 170, MCL 123.501 to 123.508, and related administrative rules. The report shall be submitted on or before December 1, 2013.

Not included.

Retains; changes report due date to March 1, 2015.

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

(a) A description of the department's processes and procedures for evaluating construction contractor performance on capital construction projects administered by the department including state trunkline projects, rail infrastructure projects, local agency federal-aid highway projects, and airport improvement projects.

(b) Criteria that would cause the department to rate contractor performance as unsatisfactory.

(c) The impact, if any, on a contractor's prequalification if given an unsatisfactory performance rating by the department.

(d) A description of all department actions related to unsatisfactory contractor performance ratings and restrictions on contractor prequalification during the fiscal year ending September 30, 2013.

Not included.

Retains, updated fiscal year reference to September 30, 2014.

Sec. 310. The department shall provide in a timely manner copies of the agenda and approved minutes of monthly transportation commission meetings to the members of the house and senate appropriations subcommittees on transportation, the house and senate fiscal agencies, and the state budget director.

Not included.

Retains

Sec. 311. From the funds appropriated in part 1, the department shall work with the Michigan economic development corporation and local stakeholders to update a 1992 study of a proposed Father Marquette national memorial and Mackinac Straits area museum. The study update shall include a discussion of funding alternatives.

Not included.

Not included.



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<p>Sec. 313. (1) From funds appropriated in part 1, the department may increase a state infrastructure bank program and grant or loan funds in accordance with regulations of the state infrastructure bank program of the United States department of transportation. The state infrastructure bank is to be administered by the department for the purpose of providing a revolving, self-sustaining resource for financing transportation infrastructure projects.</p>	No changes from current law.	No changes from current law.		
<p>(2) In addition to funds provided in subsection (1), money received by the state as federal grants, repayment of state infrastructure bank loans, or other reimbursement or revenue received by the state as a result of projects funded by the program and interest earned on that money shall be deposited in the revolving state infrastructure bank fund and shall be available for transportation infrastructure projects. At the close of the fiscal year, any unencumbered funds remaining in the state infrastructure bank fund shall remain in the fund and be carried forward into the succeeding fiscal year.</p>	No changes from current law.	No changes from current law.		
<p>(3) The department shall submit a report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on the status of the state infrastructure bank. The report shall be submitted on or before December 1, 2013. The report shall include all of the following:</p> <p>(a) The balance in the state infrastructure bank at September 30, 2013, including a breakdown of the balance by cash and cash equivalents, outstanding loans, and balance available for loan to local agencies.</p> <p>(b) A breakdown of the state infrastructure loan balance by amounts designated as originating from federal sources and the amounts originating from nonfederal sources.</p> <p>(c) A list of outstanding loans by agency, original loan amount, project description, loan term, and amount outstanding.</p>	Not included.	Retains; updates report due date to December 1, 2014 and fiscal year reference to September 30, 2014.		



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Sec. 319. The department shall post signs at each rest area to identify the agency or contractor responsible for maintenance of the rest area. The signs shall include a department telephone number and shall indicate that unsafe or unclean conditions at the rest area may be reported to that telephone number.	Not included.	Retains		
Sec. 353. The department shall review its contractor payment process and ensure that all prime contractors are paid promptly. The department shall ensure that prime contractors are in compliance with special provision 109.10 regarding the prompt payment of subcontractors.	Not included.	Retains		
Sec. 357. When presented with complete local federal aid project submittals, the department shall complete all necessary reviews and inspections required to let local federal aid projects within 120 days of receipt. The department shall implement a system for monitoring the local federal aid project review process.	Not included.	Retains		
Sec. 375. The department is prohibited from reimbursing contractors or consultants for costs associated with groundbreaking ceremonies, receptions, open houses, or press conferences related to transportation projects funded, in whole or in part, by revenue appropriated in part 1.	Not included.	Retains		



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<p>Sec. 381. The department shall require as a condition of each contract or subcontract for construction, maintenance, or engineering services that the prequalified contractor or prequalified subcontractor agree to use the E-Verify system to verify that all persons hired during the contract term by the contractor or subcontractor are legally present and authorized to work in the United States. The department may verify this information directly or may require contractors and subcontractors to verify the information and submit a certification to the department. The department shall report to the house and senate appropriations committees and the house and senate fiscal agencies by March 1, 2014 describing the processes it has developed and implemented under provisions of this section. As used in this section, "E-Verify" means an Internet-based system operated by the department of homeland security, U.S. citizenship and immigration services in partnership with the social security administration.</p>	<p>Not included.</p>	<p>Retains; updates report due date to March 1, 2015.</p>		
<p>Sec. 382. In administering a contract with a county road commission, city, or village that allocates costs of construction or reconstruction of highways, roads, and streets as provided in section 18d of 1951 PA 51, MCL 247.668d, the department shall submit the final cost-sharing bill to the county road commission, city, or village not later than 2 years after the date of the final contract payment to the construction contractor.</p>	<p>Not included.</p>	<p>Retains</p>		



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Sec. 383. (1) The department shall prepare an annual report on all travel by executive branch employees, and others including local public officials, university employees, and other public employees on department-owned aircraft. The report shall include, by department, the name of the traveler, the travel origination location, the travel destination location, type of aircraft, and the total estimated costs associated with the air travel.

No changes from current law.

Sec. 383. (1) The department shall prepare a report on use of department-owned aircraft during the fiscal year ending September 30, 2014. With respect to each department-owned aircraft, the report shall include all of the following:

- a. Total hours of usage
- b. Description of specific flights including dates of travel, names of passengers including state agency, university, or local government affiliation, travel origin and destination, purpose of travel, and total estimated costs associated with the air travel.

(2) The report shall be submitted to the senate and house appropriations subcommittees on transportation and the house and senate fiscal agencies no later than July 1.

(2) The report shall be submitted to the senate and house appropriations subcommittees on transportation and the house and senate fiscal agencies no later than **October 31**.

(2) The report shall be submitted to the senate and house appropriations subcommittees on transportation and the house and senate fiscal agencies no later than **February 1, 2015**.

(3) From the funds appropriated in part 1, the department is prohibited from transporting legislators or legislative staff on state-owned aircraft without prior approval from the senate majority leader or the speaker of the house of representatives and only when the aircraft is already scheduled by state employees on related official state business.

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(3) From the funds appropriated in part 1, the department is prohibited from transporting legislators or legislative staff on state-owned aircraft without prior approval from the senate majority leader or the speaker of the house of representatives and only when the aircraft is already scheduled by state agencies employees on related official state business.
[renumbered as subsection (4)]

(4) The department shall maintain a system for recovering the cost of operating department-owned aircraft through charges to aircraft users.

No changes from current law.

No changes from current law, other than to renumber as subsection (3).



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		<p>NEW (5) It is the intent of the legislature that the department work with the Michigan State Police to establish a reciprocal agreement on employing fixed wing aircraft with specifically designed equipment for use by the Michigan State Police when conducting operations.</p>		
<p>Sec. 384. (1) Except as otherwise provided in subsection (2), the department shall not obligate the state to expend any state transportation revenue for construction planning or construction of the Detroit River International Crossing or a renamed successor. In addition, except as provided in subsection (2), the department shall not commit the state to any new contract related to the construction planning or construction of the Detroit River International Crossing or a renamed successor that would obligate the state to expend any state transportation revenue. An expenditure for staff resources used in connection with project activities, which expenditure is subject to full and prompt reimbursement from Canada, shall not be considered an expenditure of state transportation revenue.</p>	Not included.	Retains		
<p>(2) If the legislature enacts specific enabling legislation for the construction of the Detroit River International Crossing or a renamed successor, subsection (1) does not apply once the enabling legislation goes into effect.</p>	Not included.	Retains		
<p>Sec. 385. (1) The department shall submit reports to the state budget director, the speaker of the house, the house minority leader, the senate majority leader, the senate minority leader, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on department activities related to all nonconstruction or construction planning activities related to the Detroit River International Crossing or a renamed successor. The initial report shall be submitted on or before December 1, 2013 and shall cover the fiscal year ending September 30, 2013.</p>	Not included.	Retains; updates report due date to December 1, 2014, and fiscal year reference to September 30, 2014.		



DEPARTMENT OF TRANSPORTATION - BOILERPLATE

FY 2013-14 CURRENT LAW	FY 2014-15			
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p>(2) The initial report shall include, at a minimum, all of the following:</p> <p>(a) Department costs incurred in the fiscal year ending September 30, 2013, including employee salaries, wages, benefits, travel, and contractual services, and what activities those costs were related to.</p> <p>(b) Costs of other executive branch agencies incurred in the fiscal year ending September 30, 2013, including employee salaries, wages, benefits, travel, and contractual services, and what activities those costs were related to.</p> <p>(c) A breakdown of the source of funds used for the activities described in subdivisions (a) and (b).</p> <p>(d) A breakdown of reimbursements made by Canada under section 384(1) to the state for expenditures for staff resources used in connection with project activities.</p> <p>(e) A narrative description of the status of the Detroit River International Crossing or a renamed successor, including efforts undertaken to implement provisions of the crossing agreement executed June 15, 2012 by representatives of the Canadian government and this state.</p>	Not included.	Retains; updates fiscal year reference to September 30, 2014.		
<p>(3) After submission of the initial report, a subsequent report shall be submitted on March 1, 2014, June 1, 2014, and September 1, 2014 and shall include the same information described in subsection (2) for the applicable previous fiscal quarter.</p>	Not included.	Retains; updates quarterly report due dates to March 1, 2015, June 1, 2015, and September 1, 2015.		



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**FY 2013-14
CURRENT LAW**

FY 2014-15

EXECUTIVE

HOUSE

SENATE

CONFERENCE

NEW
Sec. 393 (1). The department shall promote best practices for public transportation services in this state, including, but not limited to, the following:
(a) Transit vehicle rehabilitation to reduce life-cycle cost of public transportation through mid-life rehabilitation of transit buses.
(b) Cooperation between entities using transit, including school districts, cities, townships, and counties with a view to promoting cost savings through joint purchasing of fuel and other procurements.
(c) Coordination of transportation dollars among state departments which provide transit-related services, including the department of human services and the department of community health. Priority should be given to use of public transportation services where available.
(d) Promotion of intelligent transportation services for buses that incorporate computer and navigation technology to make transit systems more efficient, including stoplight coordinating, vehicle tracking, data tracking, and computerized scheduling.



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	FY 2013-14 CURRENT LAW	FY 2014-15		
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
			(2) The department shall report on efforts taken to implement this section as well as Section 393 of Article XVII of 2011 PA 63. The department shall complete and submit the report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on or before March 1, 2015.	
<u>FEDERAL</u> Sec. 401. Within 30 days of receiving the applicable fiscal year authorization from the federal government to commit transportation funds, the department shall notify local agency representatives, the senate and house of representatives appropriations transportation subcommittees, the senate and house fiscal agencies, and the state budget director regarding the amount of federal aid for categorical allocations to state and local agency programs not specifically allocated in either federal or state law.	<u>FEDERAL</u> Not included.	<u>FEDERAL</u> Retains		
Sec. 402. A portion of the federal DOT-FHWA highway research, planning, and construction funds made available to this state shall be allocated to transportation programs administered by local jurisdictions in accordance with section 10o of 1951 PA 51, MCL 247.660o. A local road agency, with respect to a project approved for federal aid funding in a state transportation improvement program, may enter into a voluntary buyout agreement with the department or with another local road agency to exchange the federal aid with state restricted transportation funds as agreed to by the respective parties. The state restricted transportation funds received in exchange for federal aid funds shall be used for the same purpose as the federal aid funds were originally intended.	No changes from current law.	No changes from current law.		



DEPARTMENT OF TRANSPORTATION - BOILERPLATE

FY 2013-14 CURRENT LAW	FY 2014-15			
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p><u>MICHIGAN TRANSPORTATION FUND</u></p> <p>Sec. 501. The money received under the motor carrier act, 1933 PA 254, MCL 475.1 to 479.43, and not appropriated to the department of licensing and regulatory affairs or the department of state police is deposited in the Michigan transportation fund.</p>	<p><u>MICHIGAN TRANSPORTATION FUND</u></p> <p>No changes from current law.</p>	<p><u>MICHIGAN TRANSPORTATION FUND</u></p> <p>No changes from current law.</p>		
<p>Sec. 503. (1) The funds appropriated in part 1 for the economic development and local bridge programs shall not lapse at the end of the fiscal year but shall carry forward each fiscal year for the purposes for which appropriated in accordance with 1987 PA 231, MCL 247.901 to 247.913, and section 10(5) of 1951 PA 51, MCL 247.660.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>		
<p>(2) Interest earned in the department of transportation economic development fund and local bridge fund shall remain in the respective funds and shall be allocated to the respective programs based on actual interest earned at the end of each fiscal year.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>		
<p>(3) In addition to the funds appropriated in part 1, the department of transportation economic development fund and local bridge fund may receive federal, local, or private funds or restricted source funds such as interest earnings. These funds are appropriated for projects that are consistent with the purposes of the respective funds.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>		
<p>(4) None of the funds statutorily dedicated to the transportation economic development fund and local bridge fund shall be diverted to other projects.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>		
<p>Sec. 504. Funds from the Michigan transportation fund shall be distributed to the comprehensive transportation fund, the economic development fund, the recreation improvement fund, and the state trunkline fund, in accordance with this article and part 711 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.71101 to 324.71108, and may only be used as specified in this article, 1951 PA 51, MCL 247.651 to 247.675, and part 711 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.71101 to 324.71108.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>		



DEPARTMENT OF TRANSPORTATION - BOILERPLATE

FY 2013-14 CURRENT LAW	FY 2014-15			
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p><u>STATE TRUNKLINE FUND</u></p> <p>Sec. 601. The department shall work with the road construction industry and engineering consulting community to develop performance and road construction warranties for construction contracts. The development of warranties shall include warranties on materials, workmanship, performance criteria, and design/build projects. The department will report by September 30 of each calendar year to the house of representatives and senate appropriations subcommittees on transportation, the state budget director, and the house and senate fiscal agencies on the status of efforts to develop performance and road construction warranties.</p>	<p><u>STATE TRUNKLINE FUND</u></p> <p>Not included.</p>	<p><u>STATE TRUNKLINE FUND</u></p> <p>Retains</p>		
<p>Sec. 603. The department shall use traffic congestion as 1 of the criteria in determining the priorities for designating which roads shall be remediated in its 5-year road plan, which must be submitted on or before March 1 of each year. Criteria for evaluating traffic congestion shall include, but not be limited to, coordination with local, county, and regional planning, improvement in traffic operations, improvement in physical roadway conditions, accident reduction, and coordination with area public transportation planning.</p>	<p>Not included.</p>	<p>Retains</p>		
<p>Sec. 604. At the close of the fiscal year, any unencumbered and unexpended balance in the state trunkline fund shall remain in the state trunkline fund and shall carry forward and is appropriated for federal aid road and bridge programs for projects contained in the annual state transportation program.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>		
<p>Sec. 610. The department shall have as a priority the removal of dead deer and other large animal remains from the traveled portion and shoulder of state highways. The department, and counties that perform state highway maintenance under contract, shall remove animal remains, wherever practicable and when funds are available, away from the traveled portion and shoulder of state highways.</p>	<p>Not included.</p>	<p>Retains</p>		



DEPARTMENT OF TRANSPORTATION - BOILERPLATE

FY 2013-14 CURRENT LAW	FY 2014-15			
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p>Sec. 612. The department shall establish guidelines governing incentives and disincentives provided under contracts for state trunkline projects. The guidelines shall include specific financial information concerning incentives and disincentives. On or before January 1 of each year, the department shall prepare a report for the immediately preceding fiscal year regarding contract incentives and disincentives. This report shall include a list, by project, of the contractors that received contract incentives and/or disincentives, the amount of the incentives and/or disincentives, and the number of days that each project was completed either ahead or past the contracted completion date. This report shall be provided to the senate and house appropriations subcommittees on transportation, the senate and house standing committees on transportation, and the senate and house fiscal agencies.</p>	Not included.	Retains		
<p>Sec. 660. (1) The legislature encourages the department to examine the use of alternative road surface materials, including recycled materials, and to develop criteria and specifications for their use in both department-managed and contracted projects.</p>	Not included.	Retains		
<p>(2) The department shall evaluate the use of a bituminous mix which incorporates crumb rubber from scrap tires.</p>	Not included.	Retains		
		<p>NEW (3) The department shall report on efforts taken to implement this section. The report shall include descriptions of specific materials evaluated, evaluation methods, and results of specific field or laboratory tests. The department shall complete and submit the report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on or before March 1, 2015.</p>		



DEPARTMENT OF TRANSPORTATION - BOILERPLATE

	FY 2013-14 CURRENT LAW	FY 2014-15		
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p><u>COMPREHENSIVE TRANSPORTATION FUND</u></p> <p>Sec. 701. The department shall establish an intercity bus equipment and facility fund as a subsidiary fund within the comprehensive transportation fund created under section 10b of 1951 PA 51, MCL 247.660b. Proceeds received by this state from the sale of state-owned intercity bus equipment shall be credited to the intercity bus equipment facility fund for the purchase and repair of intercity bus equipment, as appropriated. Security deposits not returned to a lessee of state-owned intercity bus equipment under terms of the lease agreement shall be credited to the intercity bus equipment fund for the repair of intercity bus equipment, as appropriated. Money received by the department from lease payments for state-owned intercity bus equipment, and facility maintenance charges under terms of leases of state-owned intercity 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.</p>	<p><u>TRANSIT AND RAIL RELATED FUNDS</u></p> <p>No changes from current law.</p>	<p><u>TRANSIT AND RAIL RELATED FUNDS</u></p> <p>No changes from current law.</p>		
<p>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.</p>	<p>No changes from current law.</p>	<p>No changes from current law.</p>		



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FY 2013-14 CURRENT LAW	FY 2014-15			
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p>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.</p>	Not included.	Retains		
<p>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.</p>	No changes from current law.	No changes from current law		
<p>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.</p>	No changes from current law except for report due dated updated to May 1, 2015	No changes from current law except for report due date updated to May 1, 2015; Amtrak in lower case.		
<p>(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.</p>	No changes from current law.	No changes from current law		



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FY 2013-14 CURRENT LAW	FY 2014-15			
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
		<p>NEW Sec. 712. From the funds appropriated in part 1, the department shall conduct a study of the feasibility of rail passenger service on the rail corridor between Holland and Detroit, via Grand Rapids and Lansing. The study shall include ridership projections within the corridor, estimated rail passenger service capital and operating costs, and revenue estimates. The department shall complete and submit the report to the state budget director, the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies on or before May 1, 2015.</p>		
<p>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.</p>	No changes from current law other than fiscal year reference.	No changes from current law other than fiscal year reference.		
<p>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. [VETOED]</p>	Not included.	Retains		
<p>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.</p>	Not included.	Retains		



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	FY 2013-14 CURRENT LAW	FY 2014-15		
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p><u>AERONAUTICS FUND</u></p> <p>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.</p>	<p><u>STATE AERONAUTICS FUND</u></p> <p>No changes from current law.</p>	<p><u>AERONAUTICS FUND</u></p> <p>No changes from current law.</p>		
		<p>NEW</p> <p>Sec. 802. The legislature encourages the department to find private entities or local public agencies to assume ownership and operating responsibility for airports currently owned by the department.</p>		
<p><u>CAPITAL OUTLAY</u></p> <p>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.</p>	<p><u>CAPITAL OUTLAY</u></p> <p>No changes from current law.</p>	<p><u>CAPITAL OUTLAY</u></p> <p>No changes from current law.</p>		
<p>(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.</p>	<p>(No changes from current law.)</p>	<p>No changes from current law.</p>		



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	FY 2013-14 CURRENT LAW	FY 2014-15			
		EXECUTIVE	HOUSE	SENATE	CONFERENCE
	<p>(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.</p>	No changes from current law.	No changes from current law.		
<p>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.</p>	Not included.	Retains			
<p>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.</p>	No changes from current law.	No changes from current law.			
<p><u>ONE-TIME APPROPRIATIONS</u></p> <p>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.</p>	Not included.	<p><u>ONE-TIME APPROPRIATIONS</u></p> <p>Sec. 1001. The appropriation in part 1 of \$127,000,000.00 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.</p>			



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	FY 2013-14 CURRENT LAW	FY 2014-15			
		EXECUTIVE	HOUSE	SENATE	CONFERENCE
			<p>NEW Sec. 1002. (1) The appropriation in part 1 of \$115,000,000.00 for state and local road and bridge programs shall be distributed to the state trunk line fund, county road commissions, and cities and villages, in the same percentages described in section 10(1)(j) of 1951 PA 51, MCL 247.660. Funds distributed to county road commissions under this section shall be distributed among the county road commissions in accordance with section 12 of 1951 PA 51, MCL 247.662. Funds distributed to cities and villages under this section shall be distributed among cities and villages in accordance with section 13 of 1951 PA 51, MCL 247.663.</p>		
			<p>NEW Sec. 1003. By December 1, 2015, the department shall report to the house and senate appropriations subcommittees on transportation, and the house and senate fiscal agencies, on the use of one-time general fund/general purpose funds appropriated in part 1 for transit capital and rail infrastructure. The report shall include a summary of funds expended, encumbered, and lapsed for both transit capital and rail operations and infrastructure. With regard to transit capital projects, the report shall include grantees, grant amounts, project description, and project completion dates. With regard to rail operations and infrastructure projects, the report shall include grant amounts, project description, and project completion dates.</p>		



DEPARTMENT OF TRANSPORTATION - BOILERPLATE

FY 2013-14 CURRENT LAW	FY 2014-15			
	EXECUTIVE	HOUSE	SENATE	CONFERENCE
<p><u>GENERAL SECTIONS - APPROPRIATIONS FOR FISCAL YEAR 2014-2015</u></p> <p>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.</p>	Not included.	Not included.		
<p>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.</p>	Not included.	Not included.		