



HOUSE BILL No. 4402

February 14, 1995, Introduced by Rep. Bryant and referred to the Committee on Transportation.

A bill to amend section 135 of Act No. 327 of the Public Acts of 1945, entitled as amended "Aeronautics code of the state of Michigan," as amended by Act No. 466 of the Public Acts of 1982, being section 259.135 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 135 of Act No. 327 of the Public Acts of
2 1945, as amended by Act No. 466 of the Public Acts of 1982, being
3 section 259.135 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 135. (1) A political subdivision of this state ~~is~~
6 ~~empowered to~~ SHALL NOT accept federal or other assistance in the
7 acquisition, construction, enlargement, improvement, maintenance,
8 equipment, or operation of airports, landing fields, and other

1 aeronautical facilities, EXCEPT IN COMPLIANCE WITH THE
2 REQUIREMENTS OF SUBSECTION (4).

3 (2) A political subdivision of this state, whether acting
4 alone or jointly with another political subdivision or with the
5 state, shall not submit directly to the administrator of the fed-
6 eral aviation administration or its successor agency any project
7 application under the provisions of an act of Congress for air-
8 port and airway systems, unless the project and the project
9 application ~~have been~~ ARE first approved by the commission.

10 (3) A political subdivision shall not directly accept,
11 receive, receipt for, or disburse any funds granted by the United
12 States for the purpose of acquisition, construction, enlargement,
13 maintenance, equipment, or improvement of airports, landing
14 fields, or other aeronautical facilities, but it shall designate
15 the commission as its agent and in its behalf to accept, receive,
16 receipt for, and disburse such funds. A political subdivision
17 shall enter into an agreement with the commission which shall
18 prescribe the terms and conditions of the agency in accordance
19 with federal laws, rules, and regulations and the applicable laws
20 of this state. Money paid over by the United States government
21 for the acquisition, construction, improvement, enlargement,
22 equipment, or maintenance of airports, landing fields, or other
23 aeronautical facilities shall be channeled through the state
24 treasury and disbursed for and in behalf of the political subdi-
25 vision under the terms and conditions of the respective grants.
26 The disbursements shall be made in accordance with the accounting
27 laws and procedures of this state.

1 (4) THE COMMISSION SHALL NOT ACCEPT OR PERMIT A POLITICAL
2 SUBDIVISION TO ACCEPT FEDERAL FUNDS AND THE COMMISSION SHALL NOT
3 APPROVE THE USE OR ADVANCING OF STATE FUNDS FROM WHATEVER SOURCE
4 RELATIVE TO A PROPOSED DRAFT LOCAL GOVERNMENT MASTER PLAN OR
5 AMENDMENT TO THE STATE MASTER PLAN FOR THE CONSTRUCTION OF A NEW
6 AIRPORT FACILITY OR AN EXPANSION OF AN EXISTING AIRPORT FACILITY
7 UNTIL THE DEPARTMENT OF NATURAL RESOURCES COMPLETES A STATE ENVI-
8 RONMENTAL IMPACT STATEMENT ON THE PROPOSED CONSTRUCTION OR EXPAN-
9 SION AND A COPY OF THAT STATEMENT HAS BEEN IN POSSESSION OF THE
10 COMMISSION FOR NOT LESS THAN 15 DAYS, AND EACH MEMBER OF THE COM-
11 MISSION HAS BEEN IN POSSESSION OF A COPY FOR NOT LESS THAN 10
12 DAYS. THE ENVIRONMENTAL IMPACT STATEMENT SHALL INCLUDE AN ANALY-
13 SIS OF THE IMPACT THE CONSTRUCTION OF THE NEW AIRPORT FACILITY OR
14 THE EXPANSION OF THE EXISTING AIRPORT FACILITY WOULD OR MAY HAVE
15 ON NOISE, AIR, WATER, OR GROUND POLLUTION, AND OTHER ENVIRONMEN-
16 TAL FACTORS WHICH MAY AFFECT HUMAN HEALTH AND SAFETY OR PROPERTY
17 VALUES IN EACH POLITICAL SUBDIVISION THAT MAY BE IMPACTED BY THE
18 PROPOSED PROJECT.