

Act No. 44
Public Acts of 1994
Approved by the Governor
March 22, 1994
Filed with the Secretary of State
March 23, 1994

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994**

Introduced by Senators McManus DeGrow, Koivisto Pridnia Welborn and Kelly

ENROLLED SENATE BILL No. 309

AN ACT to amend section 3 of Act No 99 of the Public Acts of 1954 entitled An act authorizing the international bridge authority of Michigan created by Act No 237 of the Public Acts of 1935 as amended being sections 254 201 to 254 216 inclusive of the Compiled Laws of 1948 to construct maintain repair and operate a bridge or tunnel project from the Upper Peninsula of Michigan to the province of Ontario Canada and providing for the acquisition and operation of the existing ferry system and buses in connection with such project defining the powers and duties of the authority granting to the authority power to acquire necessary real and personal property and to exercise the power of condemnation providing for financing such project by the issuance of revenue bonds of the authority payable solely from tolls and other revenues providing that no debt of the state shall be incurred in the exercise of any such powers providing for the collection of tolls and other revenues to pay such bonds and the interest thereon and the cost of maintenance repair and operation of such project exempting from taxes and assessments such project and such bonds and the income therefrom authorizing the issuance of revenue refunding bonds prescribing the rights and remedies of the holders of bonds issued under the provisions of this act making an appropriation and repealing certain acts and parts of acts being section 254 223 of the Michigan Compiled Laws

The People of the State of Michigan enact

Section 1 Section 3 of Act No 99 of the Public Acts of 1954 being section 254 223 of the Michigan Compiled Laws is amended to read as follows

Sec 3 The authority is hereby authorized and empowered to do the following

- (a) To adopt by laws for the regulation of its affairs and the conduct of its business
- (b) To adopt an official seal and alter the same at pleasure
- (c) To maintain an office at such place or places within the state as it may designate
- (d) To sue and be sued in its own name plead and be impleaded
- (e) To elect 1 of the appointed members as vice chairperson a secretary treasurer who need not be a member of the authority and such other officers as it shall determine necessary all of whom shall serve at the pleasure of the authority
- (f) To determine the location of the project to determine in its discretion and without reference to any other provisions of this act or any other law the design standards and the materials of construction and to construct maintain repair and operate the project
- (g) To issue revenue bonds of the authority for any of its corporate purposes payable solely from the tolls and revenues pledged for their payment and to refund its bonds all as provided in this act
- (h) To fix and revise from time to time and charge and collect tolls and other charges for the use of the project

- (i) To establish rules and regulations for the use of the project
- (j) To acquire hold and dispose of real and personal property in the exercise of its powers and the performance of its duties under this act
- (k) To acquire the existing ferry system or any portion of that system operating between Sault Ste Marie Michigan and Sault Ste Marie in the province of Ontario Canada and to maintain repair and operate this ferry system or portion of this system until the project is opened for traffic
- (l) To acquire maintain repair and operate buses between Sault Ste Marie Michigan and Sault Ste Marie in the province of Ontario Canada
- (m) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act
- (n) To employ consulting engineers attorneys accountants construction and financial experts superintendents managers and such other employees and agents as may be necessary in its judgment and to fix their compensation
- (o) To receive and accept from any federal agency grants for or in aid of the construction of the project and to receive and accept aid or contributions from any source of money property labor or other things of value to be held used and applied only for the purposes for which such grants and contributions may be made
- (p) To enter into contracts and leases to provide for the development and use of any real property owned by the authority in the United States or Canada for customs brokering or for the sale of articles which are for export and consumption outside the United States or Canada respectively to the extent that such use is not restricted by federal or Canadian law The authority shall obtain proposals before entering into any contracts or leases for the development and use of its real property for the sale of articles which are for export and consumption outside of the United States The authority shall advertise for proposals once each week for 2 successive weeks in a newspaper of general circulation in this state The authority shall open and examine all proposals at a public meeting of the authority The authority may reject any or all proposals and shall readvertise in the event of rejection of all proposals in the manner required by this section The revenue from these contracts or leases shall be deposited in the fund created by section 7 This subdivision shall not be construed to exempt a person from the payment of any motor fuel sales or other taxes required to be paid under the laws of this state on articles or fuel sold or brought into this state irrespective of whether the articles or fuel is for export or consumption outside the United States or Canada
- (q) To do all acts and things necessary or convenient to carry out the powers expressly granted in this act

This act is ordered to take immediate effect

Secretary of the Senate

Co Clerk of the House of Representatives

Approved

Governor