

HOUSE BILL No. 5756

May 15, 1990, Introduced by Reps. Bryant, Weeks, Kulchitsky
and Jaye 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~~ MAY accept federal or other assistance in the
7 acquisition, construction, enlargement, improvement, maintenance,
8 equipment, or operation of airports, landing fields, and other
9 aeronautical facilities.

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

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

26 (4) DUE TO UNIQUE AND CONSIDERABLE POTENTIAL PROBLEMS OF
27 SAFETY AND OF NOISE, AIR, WATER, AND SOIL POLLUTION RELATIVE TO

1 MAJOR AIRPORT OPERATIONS IN HEAVILY POPULATED AREAS, AND THE
2 LONG-TERM NATURE OF AIRPORT EXPANSION, THE COMMISSION SHALL NOT
3 APPROVE A PROJECT OR PROJECT APPLICATION; APPROVE THE USE OR
4 ADVANCING OF FUNDS FROM THE AERONAUTICS FUND, THE COMPREHENSIVE
5 TRANSPORTATION FUND, OR ANY OTHER STATE OR FEDERAL REVENUE
6 SOURCE; OR ENTER INTO AGREEMENTS TO ACCEPT, RECEIVE, RECEIPT FOR,
7 OR DISBURSE FEDERAL FUNDS, RELATIVE TO EXPANSION OF AN AIRPORT
8 LOCATED WITHIN A MUNICIPALITY WITH A POPULATION OF 500,000 OR
9 MORE, WITHOUT PRIOR WRITTEN APPROVAL OF THE NATURAL RESOURCES
10 COMMISSION, THE APPROPRIATE MULTI-COUNTY REGIONAL PLANNING
11 AGENCY, THE LEGISLATIVE BODY OF THE MUNICIPALITY, AND THE COUNTY
12 BOARD OF COMMISSIONERS OF EACH COUNTY WITHIN WHICH THE AIRPORT OR
13 PROPOSED EXPANSION OF THE AIRPORT IS LOCATED, AND OF EACH COUNTY
14 WITHIN 6 MILES OF THE AIRPORT OR THE PROPOSED EXPANSION OF THE
15 AIRPORT.