

HOUSE BILL No. 5439

January 27, 2004, Introduced by Reps. Shulman and Hunter and referred to the Committee on Great Lakes and Tourism.

A bill to create and provide for the operation of the Michigan port authority; to provide for the creation and appointment of a board to govern the authority and to prescribe its powers and duties; to provide for the powers and duties of the authority; to extend protections against certain liabilities to the authority; to provide for the issuance of certain bonds, notes, and other obligations; to facilitate the use and development of authority property and port facilities; to promote economic growth; to exempt property, income, and operations of an authority from tax; and to provide an appropriation.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "Michigan port authority act".

3 Sec. 2. As used in this act:

4 (a) "Authority" means the Michigan port authority created

1 under section 3.

2 (b) "Authorized purposes" means activities that enhance,
3 foster, aid, provide, or promote transportation, economic
4 development, housing, recreation, education, governmental
5 operations, culture, or research within this state.

6 (c) "Board" means the governing body of the authority
7 described in section 4.

8 (d) "Department" means the department of labor and economic
9 growth described in Executive Order No. 2003-18.

10 (e) "Develop" means the acquisition, financing, purchase,
11 construction, reconstruction, rehabilitation, remodeling,
12 improvement, enlargement, repair, condemnation, maintenance, or
13 operation of port facilities.

14 (f) "Fund" means the Michigan port authority fund created in
15 section 20.

16 (g) "Governmental agency" means a department, agency, or
17 commission of this state or of a county, city, village, or
18 township of this state.

19 (h) "Local unit of government" means a city, county,
20 township, or village.

21 (i) "Michigan economic development corporation" means the
22 public body corporate created under section 28 of article VII of
23 the state constitution of 1963 and the urban cooperation act of
24 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by a
25 contractual interlocal agreement effective April 5, 1999 between
26 local participating economic development corporations formed
27 under the economic development corporations act, 1974 PA 338,

1 MCL 125.1601 to 125.1636, and the Michigan strategic fund under
2 the Michigan strategic fund act, 1984 PA 270, MCL 125.2001 to
3 125.2093.

4 (j) "Person" means an individual, partnership, corporation,
5 limited liability company, association, governmental entity, or
6 other legal entity.

7 (k) "Port facilities" means real or personal property, or any
8 combination of real or personal property, that is owned, leased,
9 or otherwise controlled or financed by a port authority and is
10 related to, useful for, or in furtherance of, 1 or more
11 authorized purposes.

12 Sec. 3. (1) There is created by this act a public body
13 corporate and politic known as the Michigan port authority. The
14 authority shall be located within the department.

15 (2) The authority shall exercise its prescribed statutory
16 powers, duties, and functions independently of the director of
17 the department. The budgeting, procurement, and related
18 administrative functions of the authority shall be performed
19 under the direction and supervision of the director of the
20 department.

21 (3) The authority may contract with the department for the
22 purpose of maintaining the rights and interests of the
23 authority.

24 (4) The accounts of the authority may be subject to annual
25 financial audits by the state auditor general. Records of the
26 authority shall be maintained according to generally accepted
27 accounting principles.

1 Sec. 4. (1) The authority created under this act shall be
2 governed by the Michigan port authority board, which shall
3 consist of 7 board members who are residents of this state. Of
4 the members first appointed under subsection (2)(d), 2 shall be
5 appointed for a term of 2 years and 2 shall be appointed for a
6 term of 3 years.

7 (2) The members of the board shall be as follows:

8 (a) The chief executive officer of the Michigan economic
9 development corporation, or his or her designee, as chairperson
10 of the authority.

11 (b) The director of the department of labor and economic
12 growth, or his or her designee.

13 (c) The director of the state transportation department, or
14 his or her designee.

15 (d) Four other members appointed by the governor by and with
16 the advice and consent of the senate who are not employed by this
17 state and who have knowledge, skill, and experience in economic
18 development. Of the members appointed by the governor under this
19 subsection, 1 shall be appointed from 1 or more nominees of the
20 majority leader of the senate and 1 shall be appointed from 1 or
21 more nominees of the speaker of the house of representatives.

22 (3) Upon appointment to the board under subsection (2) and
23 upon the taking and filing of the constitutional oath of office
24 prescribed in section 1 of article XI of the state constitution
25 of 1963, a member of the board shall enter the office and
26 exercise the duties of the office.

27 (4) After the first appointment, each member shall serve a

1 term of 4 years, except that a person appointed to fill a vacancy
2 shall be appointed for the balance of the unexpired term. The
3 governor shall fill a vacancy in the office by appointment in the
4 same manner as an appointment under subsection (2). A member of
5 the board shall hold office until a successor has been appointed
6 and qualified. A member of the board is eligible for
7 reappointment.

8 (5) Members of the board and officers and employees of the
9 authority are considered public servants subject to 1968 PA 317,
10 MCL 15.321 to 15.330, and 1968 PA 318, MCL 15.301 to 15.310. A
11 member of the board or an officer, employee, or agent of the
12 authority shall discharge the duties of the position in a
13 nonpartisan manner, in good faith, in the best interests of the
14 authority, and with the degree of diligence, care, and skill that
15 an ordinarily prudent person would exercise under similar
16 circumstances in a like position. In discharging duties of the
17 office, a member of the board or an officer, employee, or agent
18 of the authority, when acting in good faith, may rely upon a
19 majority vote of a quorum of the board, upon the opinion of
20 counsel for the authority, upon the report of an independent
21 appraiser selected with reasonable care by the board, or upon
22 financial statements of the authority represented to the member
23 of the board, officer, employee, or agent to be correct by the
24 officer of the authority having charge of its books or accounts
25 or stated in a written report by the auditor general or a
26 certified public accountant or a firm of accountants to fairly
27 reflect the financial condition of the authority.

1 (6) The board shall elect a vice-chairperson, secretary, and
2 any additional officers of the board considered necessary by the
3 board from among its members. All elected officers of the board
4 shall be elected annually by the board. Members of the board
5 shall serve without compensation, but shall be reimbursed for
6 actual and necessary expenses.

7 Sec. 5. (1) Upon the appointment of at least 4 members of
8 the board under section 4, the board may hold its first meeting.
9 The first meeting of the board shall be held not more than 60
10 days after the date the authority is created.

11 (2) The board shall organize and adopt its own policies,
12 procedures, schedule of regular meetings, and a regular meeting
13 date, place, and time. The board shall conduct all business at
14 public meetings held in compliance with the open meetings act,
15 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time,
16 date, and place of each meeting shall be given in the manner
17 required by the open meetings act, 1976 PA 267, MCL 15.261 to
18 15.275.

19 (3) A writing prepared, owned, used, in the possession of, or
20 retained by the board in the performance of an official function
21 shall be made available to the public in compliance with the
22 freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

23 (4) A board may act only by resolution. A majority of the
24 members of the board then in office, or of any committee of the
25 board, shall constitute a quorum for the transaction of
26 business. The board shall meet in person or by means of
27 electronic communication devices that enable all participants in

1 the meeting to communicate with each other. A vote of a majority
2 of the members of the board serving at the time of the vote is
3 necessary to approve the issuance by the authority of bonds, to
4 approve or amend the annual budget of the authority. Except as
5 otherwise provided in this act, a vote of the majority of the
6 board members present at a meeting at which a quorum is present
7 constitutes the action of the board or of the committee.

8 (5) Before the beginning of each fiscal year, the board shall
9 prepare a budget containing an itemized statement of the
10 estimated current operational expenses for the operation of the
11 authority and development of port facilities in this state, the
12 amount necessary to pay the principal and interest of any
13 outstanding bonds or other obligations of the authority maturing
14 during the ensuing fiscal year or that have previously matured
15 and are unpaid, an estimate of the revenue of the authority from
16 all sources for the ensuing fiscal year, and other amounts
17 necessary to further the purposes of this act. The authority's
18 budget shall be funded by proceeds derived from gifts, grants,
19 loans, and other aids from any person or the federal government,
20 this state, or a local government or any agency of the federal
21 government, this state, or a local government.

22 Sec. 6. (1) The board may appoint a person, other than a
23 member of the board, to serve as director of the authority, to
24 whom the authority may delegate any of its administrative powers
25 and authorization.

26 (2) Subject to the approval of the board, the director shall
27 supervise, and be responsible for, all of the following:

1 (a) The performance of the functions of the authority under
2 this act.

3 (b) A regular report describing the activities and financial
4 condition of the authority.

5 (c) The issuance of bonds and notes approved by the board.

6 (d) All other activities or functions that the board
7 considers necessary.

8 (3) The board may employ legal and technical experts, private
9 consultants and engineers, accountants, and other agents or
10 employees for rendering professional and technical assistance and
11 advice as may be necessary. The authority shall determine the
12 qualifications, duties, and compensation of those it employs.

13 Sec. 7. Except as otherwise provided in this act, the
14 authority may do all things necessary to implement the purposes
15 of this act, including, but not limited to, all of the
16 following:

17 (a) Adopt, amend, and repeal bylaws for the regulation of its
18 affairs and the conduct of its business.

19 (b) Adopt an official seal and alter the seal at the pleasure
20 of the board.

21 (c) Sue and be sued in its own name and plead and be
22 impleaded.

23 (d) Solicit and accept gifts, grants, loans, and other
24 assistance from any person or the federal, the state, or a local
25 government or any agency of the federal, the state, or a local
26 government or participate in any other way in any federal, state,
27 or local government program.

1 (e) Research and publish studies, investigations, surveys,
2 and findings on the developing and operations of port
3 facilities.

4 (f) Finance, direct, or otherwise aid in the planning,
5 construction, and design of port facilities.

6 (g) Finance, direct, or otherwise aid in the securing of port
7 facilities and surrounding areas in this state.

8 (h) Make grants, loans, and investments; guarantee and insure
9 loans, leases, bonds, notes, or other indebtedness, whether
10 public or private; and issue letters of credit.

11 (i) Construct; acquire by gift, purchase, installment
12 purchase, or lease; and reconstruct, improve, repair, or equip a
13 port facility or any part of a port facility, including related
14 infrastructure.

15 (j) Borrow money and issue bonds and notes to finance part or
16 all of the costs of developing port facilities and secure those
17 bonds and notes by mortgage, assignment, or pledge of any of its
18 money, revenues, income, and properties.

19 (k) Acquire or contract to acquire from a person, a
20 municipality, the federal or state government, or an agency of
21 the federal or state government, leaseholds, real or personal
22 property, or any interest in real or personal property and own,
23 hold, clear, improve, and rehabilitate and sell, assign,
24 exchange, transfer, convey, lease, mortgage, or otherwise dispose
25 of or encumber leaseholds, real or personal property, or any
26 interest in real or personal property, as is convenient for the
27 accomplishment of the purposes of this act and of the authority.

1 (l) Procure insurance against any loss in connection with the
2 authority's property, assets, or activities.

3 (m) Invest any money of the authority, at the board's
4 discretion, in any bond, note, or other obligation determined
5 proper by the board, and name and use depositories for its
6 money.

7 (n) Contract for goods and services and engage personnel as
8 necessary and engage the services of private consultants,
9 managers, legal counsel, engineers, accountants, and auditors for
10 rendering professional financial assistance and advice payable
11 out of any money of the authority.

12 (o) Charge, impose, and collect fees and charges in
13 connection with any transaction and provide for reasonable
14 penalties for delinquent payment of fees or charges.

15 (p) Indemnify and procure insurance indemnifying any members
16 of the board or employees of the board from personal loss or
17 accountability from liability asserted by a person on the bonds
18 or notes of the authority or from any personal liability or
19 accountability by reason of the issuance of the bonds, notes,
20 insurance, or guarantees; by reason of acquisition, construction,
21 ownership, or operation of a project; or by reason of any other
22 action taken or the failure to act by the authority.

23 (q) Mortgage or create security interests in a port facility
24 or any part of a port facility, or in a lease or loan, or in the
25 rents, revenues, or sums to be paid under a lease or loan, in
26 favor of the holders of the bonds or notes issued by the
27 authority.

1 (r) Convey or release a port facility or any part of a port
2 facility to a lessee, purchaser, or borrower under any agreement
3 after provision has been made for the retirement in full of the
4 bonds or notes issued for that port facility under terms and
5 conditions provided in the agreement or as may be agreed with the
6 holders of the bonds or notes, at any time where the obligation
7 of the lessee, purchaser, or borrower to make the payments
8 prescribed shall remain fixed as provided in the agreement
9 notwithstanding the conveyance or release, or as may otherwise be
10 agreed with the holders of the bonds or notes.

11 (s) Promulgate rules pursuant to the administrative
12 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328,
13 necessary to carry out the purposes of this act.

14 (t) Do all other things necessary to promote and develop port
15 facilities in this state.

16 Sec. 8. (1) The authority may acquire real or personal
17 property or rights or interests in real or personal property by
18 gift, devise, transfer, exchange, foreclosure, purchase, or
19 otherwise on terms and conditions and in a manner the authority
20 considers proper. The authority may own, lease, convey,
21 demolish, relocate, or rehabilitate real or personal property or
22 rights or interests in real or personal property, consistent with
23 the purposes of this act.

24 (2) Real property acquired by the authority by purchase may
25 be obtained by any method considered desirable by the authority.
26 The authority may purchase real property or rights or interests
27 in real property for any purpose the authority considers

1 necessary to carry out the purposes of this act.

2 (3) The authority may acquire real property by condemnation
3 as provided in the uniform condemnation procedures act, 1980 PA
4 87, MCL 213.51 to 213.75.

5 Sec. 9. The authority may control, hold, manage, maintain,
6 operate, repair, lease, secure, prevent the waste or
7 deterioration of, demolish, and take all other actions necessary
8 to preserve the value of property held by the authority.

9 Sec. 10. (1) The authority may authorize and issue its
10 bonds or notes payable solely from revenues or funds available to
11 the authority. Bonds and notes of the authority are not a debt
12 or liability of this state and do not create or constitute any
13 indebtedness, liability, or obligations of this state or
14 constitute a pledge of the full faith or credit of this state.
15 All authority bonds and notes shall be payable solely from
16 revenues or funds pledged or available for their payment as
17 authorized in this act. Each bond and note shall contain on its
18 face a statement to the effect that the authority is obligated to
19 pay the principal of and the interest on the bond or note only
20 from revenue or funds of the authority pledged for the payment of
21 principal and interest and that this state is not obligated to
22 pay that principal and interest and that neither the full faith
23 and credit nor the taxing power of this state is pledged to the
24 payment of the principal of or the interest on the bond or note.
25 (2) All expenses incurred in carrying out this section shall
26 be payable solely from revenues or funds provided or to be
27 provided under this act. This act does not authorize the

1 authority to incur any indebtedness or liability on behalf of or
2 payable by this state.

3 (3) Bonds and notes issued under this act are not subject to
4 the revised municipal finance act, 2001 PA 34, MCL 141.2101 to
5 141.2821.

6 (4) The issuance of bonds and notes under this section is
7 subject to the agency financing reporting act, 2002 PA 470, MCL
8 129.171 to 129.177.

9 Sec. 11. (1) The authority may issue from time to time
10 bonds or notes in principal amounts the authority considers
11 necessary to provide funds for any purpose, including, but not
12 limited to, all of the following:

13 (a) The payment, funding, or refunding of the principal of,
14 interest on, or redemption premiums on bonds or notes issued by
15 the authority whether the bonds or notes or interest to be funded
16 or refunded has or has not become due.

17 (b) The establishment or increase of reserves to secure or to
18 pay authority bonds or notes or interest on those bonds or
19 notes.

20 (c) The payment of interest on the bonds or notes for a
21 period as the authority determines.

22 (d) The payment of all other costs or expenses of the
23 authority incident to and necessary or convenient to carry out
24 its authorized purposes and powers.

25 (2) The bonds or notes of the authority shall not be a
26 general obligation of the authority but shall be payable solely
27 from the revenues or funds, or both, pledged to the payment of

1 the principal of and interest on the bonds or notes as provided
2 in the resolution authorizing the bonds or notes.

3 (3) The bonds or notes of the authority:

4 (a) Shall be authorized by resolution of the authority.

5 (b) Shall bear the date or dates of issuance.

6 (c) May be issued as either tax-exempt bonds or notes or
7 taxable bonds or notes for federal income tax purposes.

8 (d) Shall be serial bonds, term bonds, or term and serial
9 bonds.

10 (e) Shall mature at a time or times not exceeding 40 years
11 from the date of issuance.

12 (f) May provide for sinking fund payments.

13 (g) May provide for redemption at the option of the authority
14 at any time for any reason or reasons.

15 (h) May provide for redemption at the option of the
16 bondholder at any time for any reason.

17 (i) Shall bear interest at a fixed or variable rate or rates
18 of interest per year or at no interest.

19 (j) Shall be registered bonds, coupon bonds, or both.

20 (k) May contain a conversion feature.

21 (l) May be transferable.

22 (m) Shall be in the form, denomination or denominations, and
23 with such other provisions and terms as are determined necessary
24 or beneficial by the authority.

25 Sec. 12. (1) The authority may authorize and approve an
26 insurance contract, an agreement for a line of credit, a letter
27 of credit, a commitment to purchase notes or bonds, an agreement

1 to remarket bonds or notes, or any other transaction to provide
2 security to assure timely payment of a bond or note.

3 (2) The authority may authorize payment from the proceeds of
4 the notes or bonds, or other funds available, of the costs of
5 issuance, including, but not limited to, fees for placement,
6 charges for insurance, letters of credit, lines of credit,
7 remarketing agreements, reimbursement agreements, or purchase or
8 sales agreements or commitments, or agreements to provide
9 security to assure timely payment of notes or bonds.

10 Sec. 13. Within limitations contained in the issuance or
11 authorization resolution of the authority, the authority may
12 authorize a member of the board, the director, or other officer
13 of the authority to do 1 or more of the following:

14 (a) Sell and deliver and receive payment for notes or bonds.

15 (b) Refund notes or bonds by the delivery of new notes or
16 bonds whether or not the notes or bonds to be refunded have
17 matured or are subject to redemption.

18 (c) Deliver notes or bonds, partly to refund notes or bonds
19 and partly for any other authorized purpose.

20 (d) Buy notes or bonds that are issued and resell those notes
21 or bonds.

22 (e) Approve interest rates or methods for fixing interest
23 rates, prices, discounts, maturities, principal amounts,
24 denominations, dates of issuance, interest payment dates,
25 redemption rights, at the option of the authority or the holder,
26 the place of delivery and payment, and other matters and
27 procedures necessary to complete the transactions authorized.

1 (f) Direct the investment of any and all funds of the
2 authority.

3 (g) Approve the terms of a contract and execute and deliver
4 the contract subject to the restrictions of this part.

5 (h) Approve the terms of any insurance contract, agreement
6 for a line of credit, a letter of credit, a commitment to
7 purchase notes or bonds, an agreement to remarket bonds or notes,
8 an agreement to manage payment, revenue, or interest rate
9 exposure, or any other transaction to provide security to assure
10 timely payment of a bond or note.

11 (i) Perform any power, duty, function, or responsibility of
12 the authority.

13 Sec. 14. A resolution authorizing bonds or notes may
14 provide for all of the following that shall be part of the
15 contract with the holders of the bonds or notes:

16 (a) A pledge to any payment or purpose all or any part of
17 authority revenues or assets to which its right then exists or
18 may later come to exist, of money derived from the revenues or
19 assets, and of the proceeds of bonds or notes or of an issue of
20 bonds or notes, subject to any existing agreements with
21 bondholders or noteholders.

22 (b) A pledge of a loan, grant, or contribution from the
23 federal, state, or local government.

24 (c) The establishment and setting aside of reserves or
25 sinking funds and the regulation and disposition of reserves or
26 sinking funds subject to this act.

27 (d) Authorization for and limitations on the issuance of

1 additional bonds or notes for the purposes provided for in the
2 resolution and the terms upon which additional notes or bonds may
3 be issued and secured.

4 (e) The procedure, if any, by which the terms of a contract
5 with noteholders or bondholders may be amended or abrogated, the
6 number of noteholders or bondholders who are required to consent
7 to the amendment or abrogation, and the manner in which consent
8 may be given.

9 (f) A contract with the bondholders as to the custody,
10 collection, securing, investment, and payment of any money of the
11 authority. Money of the authority and deposits of money may be
12 secured in the manner determined by the authority. Banks and
13 trust companies may give security for the deposits.

14 (g) Vest in a trustee, or a secured party, the property,
15 income, revenue, receipts, rights, remedies, powers, and duties
16 in trust or otherwise as the authority determines necessary or
17 appropriate to adequately secure and protect noteholders and
18 bondholders or to limit or abrogate the right of the holders of
19 bonds or notes of the authority to appoint a trustee under this
20 act or to limit the rights, powers, and duties of the trustee.

21 (h) Provide the trustee, the noteholders, or the bondholders
22 remedies that may be exercised if the authority fails or refuses
23 to comply with this act or defaults in an agreement made with the
24 holders of an issue of bonds or notes, which may include, but are
25 not limited to, the following:

26 (i) By mandamus or other action or proceeding at law or in
27 equity, to enforce the rights of the bondholders or noteholders

1 and require the authority to carry out any other agreement with
2 the holders of those notes or bonds and to perform the duties of
3 the authority under this act.

4 (ii) Bring action upon the notes or bonds.

5 (iii) By action, require the authority to account as if it
6 were the trustee of an express trust for the holders of the notes
7 or bonds.

8 (iv) By action in equity, enjoin any acts or things that may
9 be unlawful or in violation of the rights of the holders of the
10 notes or bonds.

11 (v) Declare the notes or bonds due and payable and, if all
12 defaults shall be made good, then, as permitted by the
13 resolution, annul that declaration and its consequences.

14 (i) Any other matters of like or different character that in
15 any way affect the security or protection of the bonds or notes.

16 Sec. 15. A pledge made by the authority shall be valid and
17 binding from the time the pledge is made. The money or property
18 pledged and then received by the authority immediately is subject
19 to the lien of the pledge without physical delivery or further
20 act. The lien of a pledge is valid and binding as against
21 parties having claims of any kind in tort, contract, or otherwise
22 against the authority and is valid and binding as against the
23 transfers of money or property pledged, irrespective of whether
24 parties have notice. The resolution, the trust agreement, or any
25 other instrument by which a pledge is created is not required to
26 be recorded in order to establish and perfect a lien or security
27 interest in the property pledged.

1 Sec. 16. The members of the board and any person executing
2 bonds or notes issued as provided in this act and any person
3 executing any agreement on behalf of the authority is not
4 personally liable on the bonds or notes by reason of their
5 issuance.

6 Sec. 17. The authority may hold, cancel, or resell
7 authority bonds or notes subject to or in accordance with an
8 agreement with holders of authority bonds or notes.

9 Sec. 18. This state pledges to and agrees with the holders
10 of bonds or notes issued in accordance with this act that this
11 state shall not limit or restrict the rights vested in the
12 authority by this act to fulfill the terms of an agreement made
13 with the holders of authority bonds or notes or in any way impair
14 the rights or remedies of the holders of the bonds or notes of
15 the authority until the bonds and notes, together with interest
16 on the bonds or notes and interest on any unpaid installments of
17 interest, and all costs and expenses in connection with an action
18 or proceedings by or on behalf of those holders are fully met,
19 paid, and discharged.

20 Sec. 19. Notwithstanding any restriction in any other law,
21 this state and a public officer, local unit of government, agency
22 of this state or a local unit of government, an intergovernmental
23 entity created under the laws of this state; a bank, trust
24 company, savings bank and institution, savings and loan
25 association, investment company, or other person carrying on a
26 banking business; an insurance company, insurance association, or
27 other person carrying on an insurance business; or an executor,

1 administrator, guardian, trustee, or other fiduciary may legally
2 invest funds belonging to them or within their control in bonds
3 or notes issued under this act, and authority bonds or notes
4 shall be authorized security for public deposits.

5 Sec. 20. (1) The Michigan port authority fund is created
6 under the jurisdiction and control of the authority and may be
7 administered for the general operations of the authority and to
8 secure any notes and bonds of the authority.

9 (2) The authority may receive money or other assets from any
10 source for deposit into the fund. The authority shall credit to
11 the fund interest and earnings from fund investments.

12 (3) Money in the fund at the close of the fiscal year shall
13 remain in the fund and shall not lapse to the general fund.

14 (4) The authority shall expend money from the fund only for
15 the authorized purposes provided in this act.

16 Sec. 21. The authority created under this act shall be
17 exempt from and shall not be required to pay taxes on property,
18 both real and personal, belonging to the authority, which is used
19 for a public or governmental purpose. Property of the authority
20 is public property devoted to an essential public or governmental
21 function and purpose. The authority's income and operation,
22 including bonds or notes issued by the authority or the interest
23 and income derived from the bonds or notes, are exempt from all
24 taxes and special assessments of this state or a political
25 subdivision of this state.

26 Sec. 22. This act shall be construed liberally to
27 effectuate the legislative intent and its purposes. All powers

1 granted shall be cumulative and not exclusive and shall be
2 broadly interpreted to effectuate the intent and purposes and not
3 as a limitation of powers.

4 Sec. 23. There is appropriated from the general fund for
5 initial implementation costs for this act the sum of
6 \$100,000.00.