

**STATE OF MICHIGAN  
92ND LEGISLATURE  
REGULAR SESSION OF 2003**

**Introduced by Reps. Casperson, Stahl, Pastor, Pappageorge, Walker and Farhat**

**ENROLLED HOUSE BILL No. 4627**

AN ACT to amend 1952 PA 214, entitled "An act authorizing the Mackinac bridge authority to acquire a bridge connecting the upper and lower peninsulas of Michigan, including causeways, tunnels, roads and all useful related equipment and facilities, including park, parking, recreation, lighting and terminal facilities; extending the corporate existence of the authority; authorizing such authority to enjoy and carry out all powers incident to its corporate objects; authorizing the appropriation and use of state funds for the preliminary purposes of the authority; providing for the payment of the cost of such bridge and in that connection authorizing the authority to issue revenue bonds payable solely from the revenues of the bridge; granting the right of condemnation to the authority; granting the use of state land and property to the authority; making provisions for the payment and security of such bonds and granting certain rights and remedies to the holders thereof; authorizing banks and trust companies to perform certain acts in connection therewith; authorizing the imposition of tolls and charges; authorizing the authority to secure the consent of the United States government to the construction of the bridge and to secure approval of plans, specifications and location of same; authorizing employment of engineers irrespective of whether such engineers have been previously employed to make preliminary inspections or reports with respect to the bridge; authorizing the state highway department to operate and maintain such bridge or to contribute thereto and enter into leases and agreements in connection therewith; exempting such bonds and the property of the authority from taxation; prohibiting competing traffic facilities; authorizing the operation of ferries by the authority; providing for the construction and use of certain buildings; and making an appropriation," by amending section 7 (MCL 254.317).

*The People of the State of Michigan enact:*

Sec. 7. (1) Except as otherwise provided in this section, the authority shall construct, maintain, operate, repair, manage, and control the bridge and shall determine the rates of tolls and charges made for the services and facilities provided. The authority may make and enter into all contracts or agreements considered necessary or desirable to the performance of its duties and the execution of its powers under this act including, but not limited to, power to permit use of the bridge by public carriers and for telephone, telegraph, and other utility lines and to contract for such use and determine the terms and conditions of the contract, and the rates to be charged under the contract. The authority may construct as a part of the bridge telephone, telegraph, or other utility lines and mechanical equipment not inconsistent with the appropriate use of the bridge and may lease the right to use the lines on whatever terms it determines. Tolls, fees, rents, and charges shall be fixed, imposed, and collected for the use of the bridge, its services, and its facilities in order to make the revenues derived from the operation of the bridge fully sufficient, until the principal of and interest on the bonds authorized in this act are paid in full (a) pay all expenses of operating, repairing, and maintaining the bridge, except to the extent that the expenses may be in whole or in part paid for by the state transportation department, (b) make possible the prompt payment of principal of and interest on all bonds and the making of all payments required to be made for such purpose and for the creation of a reserve for the bonds and a reserve for

contingencies as may be provided in the resolution authorizing or the trust indenture securing the bonds. The tolls, fees, rents, rates, or other charges shall not be subject to supervision or regulation by any bureau, board, commission, or agency.

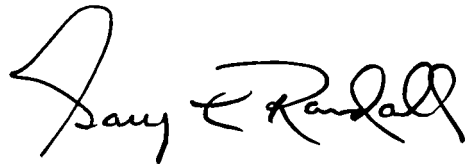
(2) If the bonds are sold before December 31, 1953, there shall be appropriated from the funds of the state highway department derived from taxes imposed upon gasoline or other motor fuels and on motor vehicles registered in the state to the Mackinac bridge authority amounts sufficient to pay all expenses of operating, repairing, and maintaining the bridge in each fiscal year beginning with the fiscal year in which the bridge shall be opened for traffic, and until the cost of bridge, including all principal of and interest on the bonds issued under this act and all advances made are fully paid. The amount appropriated to the authority under this subsection shall not exceed in the aggregate \$417,000.00 in any 1 fiscal year. The amounts paid shall be based upon requisitions of the authority subject to audits described in this act. The repair and maintenance of the bridge shall be an essential governmental function of the state, and the provisions of this paragraph shall have the force of contract with the holders of the bonds issued for the bridge, subject only to pledges of funds previously made. This state is not liable for any bonds or other obligations issued under this act, and the full faith and credit of the state is not pledged in carrying out any obligations under this act.

(3) It may be provided in the resolution authorizing or the trust indenture securing the bonds that the authority may not sell, encumber, lease, or otherwise dispose of the bridge or any substantial part of the bridge while the bonds are outstanding, except under such provisions as may be provided under this act.

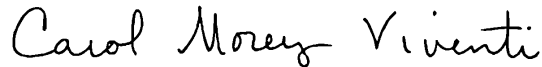
(4) When the cost of the bridge, including all principal of and interest on the bonds issued under this act and all advances made shall have been fully paid from the tolls, fees, rents, rates, and charges, the bridge shall be maintained and operated by the state authority, which is authorized to continue to charge the tolls, fees, rates, and charges for the use of the bridge as are necessary for operation and maintenance of the bridge.

(5) As of March 1, 2003, all advances made by this state to the Mackinac bridge authority pursuant to subsection (2) and sections 161 and 163 of the motor fuel tax act, 2000 PA 403, MCL 207.1161 and 207.1163, have been repaid or forgiven.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor