

SUBSTITUTE FOR  
SENATE BILL NO. 425

A bill to amend 1945 PA 327, entitled  
"Aeronautics code of the state of Michigan,"  
by amending section 35 (MCL 259.35), as amended by 2002 PA 352.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 35. (1) ~~There is appropriated all~~ **ALL** money in and  
2 ~~currently~~ credited to the state aeronautics fund created under  
3 section ~~34,~~ **34(1) IS APPROPRIATED** for carrying out ~~the purposes and~~  
4 ~~provisions of~~ this act, **OTHER THAN SUBSECTION (2)**, and to meet the  
5 expenses of the department. Upon appropriation, the state treasurer  
6 may draw a warrant ~~upon~~ **ON** the state treasury to make payments in  
7 the amounts and to the persons as directed by the department  
8 subject to approval and release by the state administrative board  
9 of the authorized amounts. However, ~~funds~~ **MONEY** appropriated under  
10 this ~~section~~ **SUBSECTION** or ~~subsequently~~ **LATER** made available ~~shall~~

1 MUST not be expended ~~upon any~~ ON AN aviation project that is not  
2 carried out under the supervision and direction of the department.

3 (2) ALL MONEY IN AND CREDITED TO THE QUALIFIED AIRPORT FUND  
4 CREATED UNDER SECTION 34(2) IS APPROPRIATED FOR CARRYING OUT THE  
5 PURPOSES DESCRIBED IN THIS SUBSECTION. ON A QUARTERLY BASIS, THE  
6 STATE TREASURER SHALL DISBURSE FROM THE QUALIFIED AIRPORT FUND TO  
7 THE OPERATOR OF A QUALIFIED AIRPORT AN AMOUNT EQUAL TO THE AMOUNT  
8 DEPOSITED INTO THE QUALIFIED AIRPORT FUND. IF THERE IS MORE THAN 1  
9 QUALIFIED AIRPORT THE STATE TREASURER SHALL DISBURSE THE AMOUNT  
10 DEPOSITED INTO THE QUALIFIED AIRPORT FUND TO EACH OPERATOR OF A  
11 QUALIFIED AIRPORT IN THE SAME PROPORTION THAT THE AMOUNT OF TAXABLE  
12 GALLONS OF FUEL SOLD AT THE QUALIFIED AIRPORT DURING THE PRECEDING  
13 FISCAL YEAR BEARS TO THE TOTAL AMOUNT OF TAXABLE GALLONS OF FUEL  
14 SOLD AT ALL QUALIFIED AIRPORTS DURING THE PRECEDING FISCAL YEAR. AN  
15 OPERATOR OF A QUALIFIED AIRPORT SHALL USE MONEY DISBURSED TO THE  
16 OPERATOR UNDER THIS SUBSECTION IN THE FOLLOWING ORDER OF PRIORITY:

17 (A) FOR DEPOSIT IN A BOND AND INTEREST REDEMPTION ACCOUNT  
18 CREATED BY ORDINANCE OF THE QUALIFIED AIRPORT SOLELY TO PAY THE  
19 NEXT SCHEDULED PAYMENTS FOR REVENUE BONDS ISSUED BY THE OPERATOR OF  
20 THE QUALIFIED AIRPORT PURSUANT TO AN ORDINANCE UNDER THE REVENUE  
21 BOND ACT OF 1933, 1933 PA 94, MCL 141.101 TO 141.140, TO FINANCE  
22 CAPITAL IMPROVEMENTS TO LANDING AREAS AT THE QUALIFIED AIRPORT. THE  
23 CAPITAL IMPROVEMENTS TO LANDING AREAS MAY INCLUDE, BUT ARE NOT  
24 LIMITED TO, RUNWAY AND TAXIWAY DESIGN, CONSTRUCTION, REPAIR OR  
25 REHABILITATION, LIGHTING, DRAINAGE SYSTEMS, LAND ACQUISITION,  
26 AIRFIELD ROADWAYS, NOISE MITIGATION SYSTEMS, DEICING PADS, AND  
27 SURVEILLANCE SYSTEMS AT THE QUALIFIED AIRPORT.

1 (B) TO DEFRAY THE COSTS OF CAPITAL IMPROVEMENTS TO LANDING  
2 AREAS OF THE QUALIFIED AIRPORT. THE CAPITAL IMPROVEMENTS TO LANDING  
3 AREAS MAY INCLUDE, BUT ARE NOT LIMITED TO, RUNWAY AND TAXIWAY  
4 DESIGN, CONSTRUCTION, REPAIR OR REHABILITATION, LIGHTING, DRAINAGE  
5 SYSTEMS, LAND ACQUISITION, AIRFIELD ROADWAYS, NOISE MITIGATION  
6 SYSTEMS, DEICING PADS, AND SURVEILLANCE SYSTEMS AT THE QUALIFIED  
7 AIRPORT.

8 (3) AS USED IN THIS SECTION, "ORDINANCE" MEANS THAT TERM AS  
9 DEFINED IN SECTION 3 OF THE REVENUE BOND ACT OF 1933, 1933 PA 94,  
10 MCL 141.103.

11 Enacting section 1. This amendatory act takes effect 90 days  
12 after the date it is enacted into law.

13 Enacting section 2. This amendatory act does not take effect  
14 unless all of the following bills of the 98th Legislature are  
15 enacted into law:

- 16 (a) Senate Bill No. 418.  
17 (b) Senate Bill No. 426.  
18 (c) Senate Bill No. 612.  
19 (d) Senate Bill No. 613.  
20 (e) Senate Bill No. 614.