MEASURE READ THE FIRST TIME

S. 1618. A bill to reauthorize Federal Aviation Administration Programs for the period beginning on October 1, 2003, and ending on March 31, 2004, and for other purposes.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–269. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to a permanent repository for high-level nuclear waste; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 48

Whereas, over the past four decades, nuclear power has become a significant source for the nation's production of electricity. Michigan is among the majority of states that derive energy from nuclear plants; and

Whereas, since the earliest days of nuclear power, the great dilemma associated with this technology is how to deal with the waste material that is produced. This high-level radioactive waste material demands exceptional care in all facets of its storage and disposal, including the transportation of this material; and

Whereas, in 1982, Congress passed the Nuclear Waste Policy Act of 1982. This legislation requires the federal government, through the Department of Energy, to build a facility for the permanent storage of high-level nuclear waste. This act, which was amended in 1987, includes a specific timetable to identify a suitable location and to establish the waste facility. The costs for this undertaking are to be paid from a fee that is assessed on all nuclear energy produced; and

Whereas, in accordance with the federal act, Michigan electric customers have paid $405.8 million into this federal fund for construction of the federal waste facility; and

Whereas, there are serious concerns that the federal government is not complying with the timetables set forth in federal law. Every delay places our country at greater risk, because the large number of temporary storage sites at nuclear facilities across the country make us vulnerable to potential problems. The events since September 11, 2001, clearly illustrate the urgency of the need to establish a safe and permanent high-level nuclear waste facility as soon as possible. The Department of Energy, working with the Nuclear Regulatory Commission, must not fail to meet its obligation as provided by law. There is too much at stake: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring). That we support the United States Department of Energy and the Nuclear Regulatory Commission in their efforts to fulfill their obligation to establish a permanent repository for high-level nuclear waste; and be it further

Resolved, That copies of this resolution be transmitted to the United States Department of Energy, the Nuclear Regulatory Commission, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–270. A concurrent resolution adopted by the Legislature of the State of Michigan relative to beach grooming on private property; to the Committee on Environment and Public Works.

SENATE CONCURRENT RESOLUTION NO. 26

Whereas, the most effective stewardship of our environment includes both public and private participation. Michigan has recently taken an important step in the direction of caring for our shorelines and beaches with the enactment of legislation permitting shoreline property owners to take certain actions to maintain beaches within specific guidelines; and

Whereas, with the reduction in lake levels, shoreline property has changed dramatically in many areas. In many instances, beaches have been transformed by vegetation, which has led property owners to seek authority to groom the beaches. However, the potential for conflict with the long-term integrity of shore lands and habitat required extensive discussions to develop an effective and responsible strategy; and

Whereas, as a result of the input of individual property owners, local landowner and environmental groups, state officials, and lawmakers, Michigan has enacted legislation, 2003 PA 14 (Enrolled House Bill No. 4257), that will allow property owners to remove vegetation and debris from beaches. These actions are limited in scope and strike a workable balance between legitimate recreational concerns and environmental considerations; and

Whereas, the effective compromise established with regard to maintenance on Michigan beaches will be far more productive than contentiousness between property owners and governmental regulators. This legislation capitalizes on the shared commitment private and public interests have in the quality and the appearances of our beaches: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to work with the appropriate federal agencies in adopting guidelines on beach maintenance activities as defined in 2003 PA 14. We also encourage the United States Army Corps of Engineers to work cooperatively with property owners on the stewardship of beaches; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the Environmental Protection Agency, the United States Army Corps of Engineers, the Office of the Governor, the Michigan Department of Environmental Quality, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–271. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to widening and resurfacing of the M 50 to US 12 segment of US 127; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NO. 95

Whereas, the Michigan International Speedway (MIS), which attracts 600,000 visitors annually, is the largest sporting venue in Michigan. Michigan International Speedway has accepted its role as a corporate citizen with pride for the last 35 years; and

Whereas, fifty-five percent of MIS season ticket holders are from outside the state of Michigan, with season ticket holders in 47 states and 12 foreign countries. The indirect economic impact of the Michigan International Speedway to Michigan's economy exceeds $500 million dollars annually. With over 50% of the race weekend business coming from outside the state, a substantial amount of money is brought into Michigan's economy from the surrounding area; and

Whereas, in 2002, a resurfacing project was completed on US 127 from M 50 North to Interstate 94, which has caused a deterioration in the roadway south of M 50 to US 12; and

Whereas, traffic counts escalate annually, averaging 20,000 vehicles per day, and they spike drastically during the three race weekends at Michigan International Speedway; and

Whereas, traffic engineers routinely specify a four-lane highway as mandatory for traffic volumes that exceed 17,500 on a daily basis; and

Whereas, transportation planners project that without any new development, traffic counts along US 127 in Jackson County will range from 31,000 to 51,000 vehicles daily; and

Whereas, the number of vehicle accidents occurring on US 127 is unacceptably high, with an annual average of 311 occurring annually. Of this number, 248 occur on the road segment between M 50 and US 12; and

Whereas, the state of Michigan has recognized the increasing problems associated with traffic pressure on US 127 since 1994, when it was specifically cited in the Michigan Long-Range Plan; and

Whereas, roadway expansion for US 127 in Jackson County has previously been permitted and does not require an environmental impact study; and

Whereas, improvements to US 127 from M 50 to US 12 will both improve community safety and enhance economic development efforts; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to enact legislation to support funding for the widening and resurfacing of the M 50 to US 12 segment of US 127; and

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–272. A concurrent resolution adopted by the Legislature of the State of Texas relative to the Highway Trust Fund and the State of Texas; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 82

Whereas, an integrated, safe, and adequately financed transportation system is a critical component of the economic, social, and environmental well-being of both the United States and Texas; and

Whereas, the Highway Trust Fund was established by the Highway Revenue Act of 1956 as a mechanism to finance an accelerated highway program, including the Interstate Highway System; the revenues used to finance the trust fund are derived from federal excise taxes on highway motor fuel and certain truck-related taxes collected from motorists in all 50 states and paid into the federal Highway Trust Fund; and

Whereas, federal law requires that the money paid into the trust fund be returned to the states in accordance with legislatively established formulas that are recalculated every six years in reauthorization legislation; most recently the Transportation Equity Act for the 21st Century (TEA–21) was passed in 1998; and

Whereas, due to funding disparities, 26 states, known as highway program donor states, receive less than their fair share of the federal fuel taxes that their citizens have paid into the highway account of the trust fund; from 1956 to 2001, Texas received only an average highway program rate of return of 78 percent on the funds sent to Washington; and

Whereas, currently, the United States Congress is drafting legislation to reauthorize TEA–21, which guaranteed a minimum rate