

SENATE BILL No. 197

March 19, 1991, Introduced by Senators KELLY, POLLACK, CONROY, VAUGHN, MILLER, CHERRY, DINGELL, HART, HOLMES, O'BRIEN, BERRYMAN, DI NELLO, KOIVISTO, MC MANUS, GEAKE, SCHWARZ, DE GROW, GAST, CISKY, CARL, DILLINGHAM, WELBORN, PRIDNIA and BARCIA and referred to the Committee on Government Operations.

A bill to amend sections 1, 2, 3, and 7 of Act No. 31 of the Public Acts of the First Extra Session of 1948, entitled as amended

"An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use or benefit of any county or for the use or benefit of any county and any city or village therein, or for the use or benefit of any city, village, or township or for the use of any school district and any city, village, or township wholly or partially within the district's boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district's boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use thereof; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; and to provide other powers, rights, and

duties of authorities and incorporating units, including those for the disposal of authority property,"

being sections 123.951, 123.952, 123.953, and 123.957 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 1, 2, 3, and 7 of Act No. 31 of the
2 Public Acts of the First Extra Session of 1948, being sections
3 123.951, 123.952, 123.953, and 123.957 of the Michigan Compiled
4 Laws, are amended to read as follows:

5 Sec. 1. ~~Any~~ A county, city, village, or township may
6 incorporate, as provided in this act, 1 or more authorities for
7 the purpose of acquiring, furnishing, equipping, owning, improv-
8 ing, enlarging, operating, and maintaining ~~a building or~~ build-
9 ings, automobile parking lots or structures, recreational facili-
10 ties, stadiums, SUBJECT TO SECTION 7, and the necessary site or
11 sites ~~therefor~~ FOR THE PROPERTY, together with appurtenant
12 properties and facilities necessary or convenient for the effec-
13 tive use ~~thereof~~ OF THE PROPERTY, for use for any legitimate
14 public purpose of the county, city, village, or township.

15 Sec. 2. ~~Any~~ A county and ~~any~~ A city, township, or vil-
16 lage ~~therein~~ IN THE COUNTY, may incorporate 1 or more authori-
17 ties for the purpose of acquiring, furnishing, equipping, owning,
18 improving, enlarging, operating, and maintaining ~~a building or~~
19 buildings, automobile parking lots or structures, recreational
20 facilities, stadiums, SUBJECT TO SECTION 7, and the necessary
21 site or sites ~~therefor~~ FOR THE PROPERTY, together with
22 appurtenant properties and facilities necessary or convenient for

1 the effective use ~~thereof~~ OF THE PROPERTY, for use for any
2 legitimate public purpose of ~~such~~ THE county and city,
3 township, or village.

4 Sec. 3. ~~The term "incorporating unit" as~~ AS used in this
5 act: ~~shall be deemed to mean~~

6 (A) "COUNTY" MEANS A COUNTY HAVING AN OPTIONAL UNIFIED FORM
7 OF COUNTY GOVERNMENT, A CHARTER COUNTY, OR A GENERAL LAW COUNTY.

8 (B) "INCORPORATING UNIT" MEANS a county, city, village,
9 township, intermediate school district or other school district
10 incorporating an authority or joining in such incorporation.

11 (C) "TOWNSHIP" MEANS A CHARTER TOWNSHIP OR A GENERAL LAW
12 TOWNSHIP.

13 Sec. 7. (1) ~~Such~~ AN authority ~~shall be~~ INCORPORATED
14 UNDER THIS ACT IS a body corporate with power to sue and be sued
15 in any court of this state. It ~~shall possess~~ POSSESSES all the
16 powers necessary to carry out the purpose of its incorporation
17 and those incident thereto. The enumeration of any powers in
18 this act ~~shall~~ IS not ~~be construed as~~ a limitation upon
19 ~~such~~ THESE general powers.

20 (2) AN AUTHORITY INCORPORATED UNDER THIS ACT SHALL NOT CON-
21 STRUCT A PROFESSIONAL SPORTS STADIUM WITH A SEATING CAPACITY OF
22 MORE THAN 25,000 PEOPLE.

23 (3) AN AUTHORITY INCORPORATED UNDER THIS ACT SHALL NOT
24 IMPROVE, ENLARGE, OR BOTH IMPROVE AND ENLARGE A PROFESSIONAL
25 SPORTS STADIUM EXISTING ON THE EFFECTIVE DATE OF THE AMENDATORY
26 ACT THAT ADDED THIS SUBSECTION, IF THE PROJECT COST EXCEEDS THE
27 GREATER OF \$75,000,000.00 OR 1/6 OF THE UNIFIED VOLUME LIMITATION

1 DETERMINED UNDER THE UNIFIED VOLUME LIMITATION ALLOCATION ACT,
2 ACT NO. 496 OF THE PUBLIC ACTS OF 1988, BEING SECTIONS 12.111 TO
3 12.124 OF THE MICHIGAN COMPILED LAWS.