



# HOUSE BILL No. 4336

February 23, 1993, Introduced by Reps. Bullard, Brackenridge, Munsell, Dobb, Jondahl, Gubow, Brown and DeMars and referred to the Committee on Taxation.

A bill to amend section 5 of Act No. 345 of the Public Acts of 1978, entitled "Waste management and resource recovery finance act of 1978," being section 123.315 of the Michigan Compiled Laws.

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

1 Section 1. Section 5 of Act No. 345 of the Public Acts of  
2 1978, being section 123.315 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 5. A municipality may DO ALL OF THE FOLLOWING:

5 (a) Include in a contract with a municipality ~~or~~ or person  
6 provisions to the effect that the municipality will require all  
7 residential waste subject to its jurisdiction and police power  
8 under applicable law or charter and collected within its limits,  
9 whether by a municipality or person operating under contract with  
10 the municipality, to be disposed of at the waste management

1 project. If ~~so~~ included, the municipality shall enact  
 2 legislation with appropriate penalties to make the requirement  
 3 effective. However, a township, by resolution, may disapprove  
 4 the collection of waste within the township boundaries by a  
 5 county.

6 (b) Provide by contract with a municipality ~~or~~ or person  
 7 for the ownership of a waste management project after all indebt-  
 8 edness with respect to the project ~~has been~~ IS retired.

9 (c) Provide that rates or charges to users and beneficiaries  
 10 of the service furnished by the waste management project ~~shall~~  
 11 ~~be~~ ARE a lien on the premises for which the services have been  
 12 provided ~~and~~ and that amounts delinquent for 3 months or more may  
 13 be certified annually to the proper tax assessing officer or  
 14 agency of the municipality ~~to~~ to be entered upon the next tax  
 15 roll against the premises to which the services have been  
 16 rendered OR THE MUNICIPALITY MAY AUTHORIZE THE PROPER TAX ASSESS-  
 17 ING OFFICER OR AGENCY OF THE MUNICIPALITY TO ENTER THE RATES OR  
 18 CHARGES FOR SERVICES RENDERED BY THE WASTE MANAGEMENT PROJECT  
 19 DIRECTLY ON THE NEXT TAX ROLL AGAINST THE PREMISES TO WHICH THE  
 20 SERVICES HAVE BEEN RENDERED FOR INITIAL COLLECTION IN THE SAME  
 21 MANNER AS AD VALOREM PROPERTY TAXES UNDER THE GENERAL PROPERTY  
 22 TAX ACT, ACT NO. 206 OF THE PUBLIC ACTS OF 1893, BEING SECTIONS  
 23 211.1 TO 211.157 OF THE MICHIGAN COMPILED LAWS. ADDITIONALLY, IF  
 24 A COUNTY OR AGENCY RESPONSIBLE FOR PREPARING THE SOLID WASTE MAN-  
 25 AGEMENT PLAN FOR COUNTIES HAS ENTERED INTO AN INTERLOCAL AGREE-  
 26 MENT UNDER THE URBAN COOPERATION ACT OF 1967, ACT NO. 7 OF THE  
 27 PUBLIC ACTS OF THE EXTRA SESSION OF 1967, BEING SECTIONS 124.501

1 TO 124.512 OF THE MICHIGAN-COMPILED LAWS, THAT ALLOWS THE  
2 SURCHARGE UNDER THAT ACT TO BE PLACED ON THE TAX ROLL, THE COUNTY  
3 OR AGENCY MAY AUTHORIZE THE PROPER TAX ASSESSING OFFICER TO ENTER  
4 THE SURCHARGE DIRECTLY ON THE NEXT TAX ROLL AGAINST EACH PREMISES  
5 LIABLE FOR THE SURCHARGE UNDER ACT NO. 206 OF THE PUBLIC ACTS OF  
6 1893. IF THE RATES OR CHARGES FOR SERVICES RENDERED OR THE SUR-  
7 CHARGES THAT ARE ENTERED ON THE TAX ROLL ARE NOT PAID BEFORE  
8 FEBRUARY 15, THE RATES OR CHARGES FOR SERVICES RENDERED OR SUR-  
9 CHARGES SHALL BE RETURNED AS DELINQUENT TO THE COUNTY TREASURER  
10 IN THE SAME MANNER AS PROVIDED FOR DELINQUENT TAXES UNDER ACT  
11 NO. 206 OF THE PUBLIC ACTS OF 1893. The charges shall be col-  
12 lected and the lien enforced in the same manner as provided for  
13 the collection of taxes assessed upon the tax roll and the  
14 enforcement of a lien for unpaid taxes. The time and manner of  
15 certification and other details in respect to the collection of  
16 the rates and charges and the enforcement of the lien shall be  
17 prescribed by the governing body of the municipality. The munic-  
18 ipality may authorize a person or municipality to impose, levy,  
19 and collect rates or charges against users and beneficiaries of  
20 the service furnished by the waste management project. The  
21 municipality may agree with a municipality or person that the  
22 rates and charges shall be a lien on the premises serviced, and  
23 may further agree that the collection of the rates and charges  
24 imposed may be collected and the lien enforced in the same manner  
25 as provided in this subsection for the collection of rates and  
26 charges and the enforcement of a lien by the municipality.