

Act No. 391
Public Acts of 1996
Approved by the Governor
October 2, 1996
Filed with the Secretary of State
October 3, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Rep. McManus

ENROLLED HOUSE BILL No. 5791

AN ACT to amend section 7 of Act No. 227 of the Public Acts of 1985, entitled as amended "An act to create the Michigan municipal bond authority and to prescribe its powers and duties; to provide for the issuance of, and terms and conditions for, notes and bonds of the authority; to authorize certain forms of assistance to governmental units including the creation and management of investments; to impose conditions on, grant certain powers to political subdivisions of the state regarding, and allow certain agreements regarding obligations of political subdivisions of the state purchased by the authority; to exempt the property, income, and operation of the authority, its bonds and notes, and the interest on its bonds and notes from certain taxes; and to grant powers and impose duties on officers and agencies of the state and political subdivisions of the state," as amended by Act No. 241 of the Public Acts of 1996, being section 141.1057 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 7 of Act No. 227 of the Public Acts of 1985, as amended by Act No. 241 of the Public Acts of 1996, being section 141.1057 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 7. The board has all of the following powers:

- (a) To adopt bylaws for the regulation of its affairs.
- (b) To adopt an official seal.
- (c) To maintain a principal office at a place within this state.
- (d) To sue and be sued in its own name and to plead and be impleaded.
- (e) To loan money to a governmental unit at a rate or rates as the authority determines and to purchase and sell, and to commit to purchase and sell, municipal obligations pursuant to this act.
- (f) To borrow money and issue negotiable revenue bonds and notes pursuant to this act.
- (g) To make and enter into contracts and other instruments necessary or incidental to the performance of its duties and the exercise of its powers. By rotating the services of legal counsel, the authority shall seek to increase the pool of nationally recognized bond counsel.
- (h) To receive and accept from any source grants or contributions of money, property, or other things of value, excluding appropriations from the general fund of the state except for appropriations to the state water pollution control revolving fund established under section 16a, to be used, held, and applied only for the purposes for which the grants and contributions were made.
- (i) To do all acts necessary or convenient to carry out the powers expressly granted.

(j) To require that final actions of the board are entered in the journal for the board and that all writings prepared, owned, used, in the possession of, or retained by the board in the performance of an official function be made available to the public in compliance with the freedom of information act, Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

(k) To promulgate rules necessary to carry out the purposes of this act and to exercise the powers expressly granted in this act pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws.

(l) To engage the services of private consultants on a contract basis for rendering professional and technical assistance and advice.

(m) To investigate and assess the infrastructure needs of the state, current methods of financing infrastructure rehabilitation and improvements, and resources and financing options currently available and potentially useful to improve the state's infrastructure and lower the costs of those improvements.

(n) To indemnify and procure insurance indemnifying members of the board from personal loss or accountability from liability asserted by a person on bonds or notes of the authority or from any personal liability or accountability by reason of the issuance of the bonds or notes, or by reason of any other action taken or the failure to act by the authority.

(o) To investigate and assess short-term and long-term borrowing requirements for operating, capital improvements, and delinquent taxes.

(p) To provide assistance, as that term is defined in section 5301 of part 53 (clean water assistance) of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being section 324.5301 of the Michigan Compiled Laws, to any municipality for a revolving fund project and to perform all functions necessary or incident to providing that assistance and to the operation of the state water pollution control revolving fund established under section 16a.

(q) To enter into agreements with the federal government to implement the establishment and operation of the state water pollution control revolving fund established under section 16a pursuant to the provisions of the federal water pollution control act and the rules and regulations promulgated under that act.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.