



HOUSE BILL No. 5295

October 25, 1995, Introduced by Rep. Gnodtke and referred to the Committee on Conservation, Environment and Great Lakes.

A bill to amend section 8a of Act No. 7 of the Public Acts of the Extra Session of 1967, entitled as amended "Urban cooperation act of 1967," as added by Act No. 138 of the Public Acts of 1989, being section 124.508a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 8a of Act No. 7 of the Public Acts of
2 the Extra Session of 1967, as added by Act No. 138 of the Public
3 Acts of 1989, being section 124.508a of the Michigan Compiled
4 Laws, is amended to read as follows:

5 Sec. 8a. (1) Subject to the requirement of subsection (2),
6 a county, by resolution of the county board of commissioners of
7 the county, or the agency responsible for preparing the solid
8 waste management plan for counties with a population of 690,000
9 or more as certified by the 1980 census that do not operate under

1 Act No. 139 of the Public Acts of 1973, being sections 45.551 to
2 45.573 of the Michigan Compiled Laws, or Act No. 293 of the
3 Public Acts of 1966, being sections 45.501 to 45.521 of the
4 Michigan Compiled Laws, as provided in ~~the solid waste manage-~~
5 ~~ment act, Act No. 641 of the Public Acts of 1978, being sections~~
6 ~~299.401 to 299.437~~ PART 115 (SOLID WASTE MANAGEMENT) OF THE NAT-
7 URAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, ACT NO. 451 OF
8 THE PUBLIC ACTS OF 1994, BEING SECTIONS 324.11501 TO 324.11549 of
9 the Michigan Compiled Laws, may impose a surcharge on households
10 within the county of not more than \$2.00 per month or \$25.00 per
11 year per household for waste reduction programs and for the col-
12 lection of consumer source separated materials for recycling or
13 composting including, but not limited to, recyclable materials,
14 as defined in ~~Act No. 641 of the Public Acts of 1978,~~ PART 115
15 OF ACT NO. 451 OF THE PUBLIC ACTS OF 1994, household hazardous
16 wastes, tires, batteries, and yard clippings.

17 (2) A county or agency shall defer the imposition and col-
18 lection of a surcharge imposed under subsection (1) in a local
19 unit of government within that county until the county or agency
20 has entered into an interlocal agreement under this act relating
21 to the collection and disposition of the surcharge with the local
22 unit of government. However, a city in a county in which the
23 agency described in subsection (1) prepared the update to the
24 county's solid waste management plan as provided in ~~Act No. 641~~
25 ~~of the Public Acts of 1978~~ PART 115 OF ACT NO. 451 OF THE PUBLIC
26 ACTS OF 1994 shall not enter into an interlocal agreement under
27 this subsection if the city has levied a tax of 3 mills on real

1 property within the city for the disposal or management of solid
2 waste in that city. Petitions for a referendum election on the
3 question of entering an interlocal agreement under this subsec-
4 tion may be filed with the local units clerk no later than
5 6 months following adoption of a resolution of the county or
6 agency to impose the surcharge or 6 months following any increase
7 in the surcharge. Upon petition of 10% of the qualified electors
8 of a local unit of government voting in the last general election
9 prior to the adoption of the interlocal agreement by the govern-
10 ing body, the local unit of government shall hold a referendum on
11 whether to reject the entrance into or terminate an interlocal
12 agreement under this subsection.

13 (3) As used in this section, agency does not include the
14 department of natural resources.