

REPRINT
SUBSTITUTE FOR
HOUSE BILL NO. 5197
(As passed the House, May 6, 1998)

A bill to amend 1957 PA 4, entitled
"Charter water authority act,"
by amending the title and section 14a (MCL 121.14a).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE

2 An act to provide for the incorporation of municipal author-
3 ities to acquire, own and operate water supply and transmission
4 systems; to provide a municipal charter therefor; ~~and~~ to pre-
5 scribe the powers and functions thereof; AND TO PRESCRIBE PENAL-
6 TIES AND PROVIDE REMEDIES.

7 Sec. 14a. (1) The resolution authorizing the issuance of
8 bonds by the authority shall be published in full in a newspaper
9 of general circulation within the corporate limits of the
10 authority within 1 week after its adoption. If, within 30 days

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1 from the publication of the resolution, a petition signed by not
2 less than 2% ~~per centum~~ of the registered electors ~~who have~~
3 ~~property assessed for taxation~~ in any part of the authority ~~,~~
4 ~~or the lawful husband or wife of such persons, shall have been~~
5 IS filed with the secretary of the authority, requesting a refer-
6 endum upon the question of the issuance of ~~such~~ THE bonds, then
7 the ~~same~~ BONDS shall not be issued until approved by the vote
8 of a majority of ~~such~~ THE qualified electors residing within
9 the corporate limits of the authority voting ~~thereon~~ ON THE
10 QUESTION. ~~In the event such~~

11 (2) IF a petition for a referendum is filed with the secre-
12 tary of the authority within the PRESCRIBED time ~~above limited~~
13 PERIOD, the board of commissioners of the authority, by resolu-
14 tion, shall establish the date of ~~such~~ THE election, which
15 shall be not less than 60 days ~~nor~~ OR more than 90 days after
16 the adoption of ~~such~~ THE resolution. The secretary of the
17 authority, ~~shall,~~ within 3 days after the adoption of ~~such~~
18 THE resolution, SHALL transmit a certified copy ~~thereof~~ OF THE
19 RESOLUTION to the governing body of each city, village, or town-
20 ship ~~which~~ THAT is a part of the authority. The governing body
21 of each ~~such~~ city, village, or township shall forthwith provide
22 for an election in accordance with the resolution so passed, in
23 which the question of issuing ~~such~~ THE bonds shall be
24 submitted. The ballots for use in ~~such~~ THE election shall be
25 provided by the authority and the elections shall be conducted in
26 the same manner as all special elections are required to be
27 conducted in the respective cities, villages, and townships

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1 except that wherever any part or all of a village belonging to
2 ~~such~~ THE authority is located in a township ~~which~~ THAT is not
3 a member of the authority, the village shall conduct ~~such~~ THE
4 special election.

5 (3) The governing bodies of ~~such~~ THE cities, villages, and
6 townships ~~which~~ THAT are a part of the authority shall act as a
7 board of canvassers and shall certify the results of ~~such~~ THE
8 election to the board of commissioners of the authority within 5
9 days after the date of the election. The board of commissioners
10 of the authority within 5 days after the date of election shall
11 compile and tabulate the vote as received from the respective
12 cities, villages, and townships and certify the result of ~~such~~
13 THE election by resolution upon the records of the authority and
14 a majority of the total valid votes cast at ~~such an~~ THE elec-
15 tion voting "yes" on the question submitted shall constitute an
16 approval.

17 (4) A PETITION UNDER SUBSECTION (1), INCLUDING THE CIRCULA-
18 TION AND SIGNING OF THE PETITION, IS SUBJECT TO SECTION 488 OF
19 THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.488. A PERSON
20 WHO VIOLATES A PROVISION OF THE MICHIGAN ELECTION LAW, 1954 PA
21 116, MCL 168.1 TO 168.992, APPLICABLE TO A PETITION DESCRIBED IN
22 THIS SECTION IS SUBJECT TO THE PENALTIES PRESCRIBED FOR THAT VIO-
23 LATION IN THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.1 TO
24 168.992.

25 Enacting section 1. This amendatory act does not take
26 effect unless House Bill No. 5138 of the 89th Legislature is
27 enacted into law.