

SENATE BILL No. 847

November 29, 2001, Introduced by Senator BULLARD and referred to the Committee on Finance.

A bill to amend 1941 PA 107, entitled

"An act to authorize township water supply and sewage disposal services and facilities; to provide for financing of those services and facilities; to prescribe the powers and duties of township boards with respect to those services and facilities; and to prescribe penalties and provide remedies,"

by amending sections 8, 20m, and 20o (MCL 41.338, 41.350m, and 41.350o), section 8 as amended and sections 20m and 20o as added by 1989 PA 83.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8. If a sufficient number of private connection rights
2 are timely paid for in accordance with the terms of the plan pro-
3 vided for by section 5, the township board shall immediately pro-
4 ceed to make and install the improvement petitioned for under
5 section 1 and may, by resolution, do what is necessary to
6 accomplish the purposes of the plan. The board may borrow all or
7 part of the amount to be appropriated from the contingent fund

1 under section 3 if, in the judgment of the board, the contingent
2 fund will, by such appropriation, be depleted to such extent as
3 may hamper general township operations. The loan shall conform
4 to the provisions of the ~~municipal finance act, Act No. 202 of~~
5 ~~the Public Acts of 1943, being sections 131.1 to 139.3 of the~~
6 ~~Michigan Compiled Laws~~ REVISED MUNICIPAL FINANCE ACT, 2001 PA
7 34, MCL 141.2101 TO 141.2821.

8 Sec. 20m. ~~Subject to prior approval under the municipal~~
9 ~~finance act, Act No. 202 of the Public Acts of 1943, being sec-~~
10 ~~tions 131.1 to 139.3 of the Michigan Compiled Laws, a~~ A township
11 board may borrow money and issue notes for money necessary for
12 acquisition and installation by the township of water supply
13 facilities, including water mains and elevated water tanks, which
14 are required of the township by the terms of a water supply con-
15 tract authorized by section 20l.

16 Sec. 20o. ~~The requirement of section 20m for obtaining~~
17 ~~prior approval under the municipal finance act before borrowing~~
18 ~~money and issuing a note is subject to sections 10 and 11 of~~
19 ~~chapter III of the municipal finance act, Act No. 202 of the~~
20 ~~Public Acts of 1943, being sections 133.10 and 133.11 of the~~
21 ~~Michigan Compiled Laws. The department of treasury has the same~~
22 ~~authority as provided by section 11 of chapter III of Act No. 202~~
23 ~~of the Public Acts of 1943 to issue an order providing or denying~~
24 ~~an exception from the prior approval required by section 20m for~~
25 ~~notes authorized by section 20m. Unless an exception from prior~~
26 ~~approval is available, the department of treasury may in its~~
27 ~~discretion approve or deny, in whole or in part, the borrowing~~

~~1 and the issuing of notes under section 20m. A note authorized~~
~~2 under section 20m shall be advertised and sold as provided by~~
~~3 section 2 of chapter III of Act No. 202 of the Public Acts of~~
~~4 1943, being section 133.2 of the Michigan Compiled Laws. NOTES~~
5 ISSUED UNDER SECTION 20M ARE SUBJECT TO THE REVISED MUNICIPAL
6 FINANCE ACT, 2001 PA 34, MCL 141.2101 TO 141.2821.