

HOUSE BILL No. 5236

November 4, 2003, Introduced by Reps. Farhat, Vander Veen, Voorhees, Richardville, Amos, Robertson, Tabor, Ward, DeRoche, Brandenburg, Rocca and Acciavatti and referred to the Committee on Land Use and Environment.

A bill to amend 1967 (Ex Sess) PA 7, entitled
"Urban cooperation act of 1967,"
by amending section 8a (MCL 124.508a), as amended by 1996 PA 45.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8a. (1) Subject to the requirement of ~~subsection (2)~~
2 **subsections (2) and (3)**, a county ~~by resolution of the county~~
3 ~~board of commissioners of the county,~~ or the agency responsible
4 for preparing the solid waste management plan ~~for counties with~~
5 ~~a population of 690,000 or more as certified by the 1980 census~~
6 ~~that do~~ **that does** not operate under ~~Act No. 139 of the Public~~
7 ~~Acts of 1973, being sections 45.551 to 45.573 of the Michigan~~
8 ~~Compiled Laws, or Act No. 293 of the Public Acts of 1966, being~~
9 ~~sections 45.501 to 45.521 of the Michigan Compiled Laws~~ **1973 PA**
10 **139, MCL 45.551 to 45.573, or 1966 PA 293, MCL 45.501 to 45.521,**
11 as provided in part 115 ~~(solid waste management)~~ of the natural

1 resources and environmental protection act, ~~Act No. 451 of the~~
 2 ~~Public Acts of 1994, being sections 324.11501 to 324.11549 of the~~
 3 ~~Michigan Compiled Laws~~ **1994 PA 451, MCL 324.11501 to 324.11550,**
 4 may impose a surcharge **or fee** on households within the county of
 5 not more than \$2.00 per month or \$25.00 per year per household
 6 for waste reduction programs and for the collection of consumer
 7 source separated materials for recycling or composting including,
 8 but not limited to, recyclable materials, as defined in part 115
 9 of ~~Act No. 451 of the Public Acts of 1994~~ **the natural resources**
 10 **and environmental protection act, 1994 PA 451, MCL 324.11501 to**
 11 **324.11550,** household hazardous wastes, tires, batteries, and yard
 12 clippings.

13 **(2) A county or agency shall not impose a surcharge or fee**
 14 **allowed under subsection (1) without the approval of the voters**
 15 **within the county at a regularly scheduled election.**

16 **(3) ~~-(2)-~~** A county or agency shall defer the imposition and
 17 collection of a surcharge imposed under subsection (1) in a local
 18 unit of government within that county until the county or agency
 19 has entered into an interlocal agreement under this act relating
 20 to the collection and disposition of the surcharge with the local
 21 unit of government. ~~However, a~~ **A** city in a county in which the
 22 agency described in subsection (1) prepared the update to the
 23 county's solid waste management plan as provided in part 115 of
 24 ~~Act No. 451 of the Public Acts of 1994~~ **the natural resources**
 25 **and environmental protection act, 1994 PA 451, MCL 324.11501 to**
 26 **324.11550,** 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~~
 4 ~~subsection~~ may be filed with the ~~local units~~ clerk of the
 5 local unit of government no later than 6 months following
 6 adoption of a resolution of the county or agency to impose the
 7 surcharge or 6 months following any increase in the surcharge.
 8 Upon petition of 10% of the qualified electors of a local unit of
 9 government voting in the last general election ~~prior to~~ before
 10 the adoption of the interlocal agreement by the governing body,
 11 the local unit of government shall hold a referendum on whether
 12 to reject the entrance into or terminate an interlocal agreement.
 13 ~~under this subsection.~~

14 (4) The surcharge approved under subsection (1) may be
 15 collected by any reasonable billing method approved by the
 16 county, including, but not limited to, as part of billings for
 17 property taxes, water and sewage usage, or other services
 18 provided by the county to households within the county.

19 (5) ~~(3)~~ As used in this section, agency does not include
 20 the department of natural resources.