

HOUSE BILL No. 5237

November 4, 2003, Introduced by Reps. LaJoy, Woronchak, Taub, Voorhees, Tabor, DeRoche, Robertson, Ward, Brandenburg, Acciavatti and Farhat 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 a county, by resolution of the county board of commissioners of
3 the county, or the agency responsible for preparing the solid
4 waste management plan ~~for counties with a population of 690,000~~
5 ~~or more as certified by the 1980 census that do~~ **that does** not
6 operate under ~~Act No. 139 of the Public Acts of 1973, being~~
7 ~~sections 45.551 to 45.573 of the Michigan Compiled Laws, or Act~~
8 ~~No. 293 of the Public Acts of 1966, being sections 45.501 to~~
9 ~~45.521 of the Michigan Compiled Laws~~ **1973 PA 139, MCL 45.551 to**
10 **45.573, or 1966 PA 293, MCL 45.501 to 45.521,** as provided in part
11 115 ~~—(solid waste management)—~~ of the natural resources and

1 environmental protection act, ~~Act No. 451 of the Public Acts of~~
 2 ~~1994, being sections 324.11501 to 324.11549 of the Michigan~~
 3 ~~Compiled Laws~~ **1994 PA 451, MCL 324.11501 to 324.11550**, may
 4 impose a surcharge on households within the county of not more
 5 than \$2.00 per month or \$25.00 per year per household for waste
 6 reduction programs and for the collection of consumer source
 7 separated materials for recycling or composting including, but
 8 not limited to, recyclable materials, as defined in part 115 of
 9 ~~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 defer the imposition and
 14 collection of a surcharge imposed under subsection (1) in a local
 15 unit of government within that county until the county or agency
 16 has entered into an interlocal agreement under this act relating
 17 to the collection and disposition of the surcharge with the local
 18 unit of government. ~~However, a~~ **A** city in a county in which the
 19 agency described in subsection (1) prepared the update to the
 20 county's solid waste management plan as provided in part 115 of
 21 ~~Act No. 451 of the Public Acts of 1994~~ **the natural resources**
 22 **and environmental protection act, 1994 PA 451, MCL 324.11501 to**
 23 **324.11550**, shall not enter into an interlocal agreement ~~under~~
 24 ~~this subsection~~ if the city has levied a tax of 3 mills on real
 25 property within the city for the disposal or management of solid
 26 waste in that city. Petitions for a referendum election on the
 27 question of entering an interlocal agreement ~~under this~~

1 ~~subsection~~ may be filed with the ~~local units~~ clerk **of the**
2 **local unit of government** no later than 6 months following
3 adoption of a resolution of the county or agency to impose the
4 surcharge or 6 months following any increase in the surcharge.
5 Upon petition of 10% of the qualified electors of a local unit of
6 government voting in the last general election ~~prior to~~ **before**
7 the adoption of the interlocal agreement by the governing body,
8 the local unit of government shall hold a referendum on whether
9 to reject the entrance into or terminate an interlocal agreement.
10 ~~under this subsection.~~

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

13 (4) As used in this section, "household" means any residence
14 within the county. Household does not include vacant property.