

SUBSTITUTE FOR
HOUSE BILL NO. 5553

A bill to amend 1988 PA 57, entitled

"An act to provide for the incorporation by 2 or more municipalities of certain authorities for the purpose of providing emergency services to municipalities; to provide for the powers and duties of authorities and of certain state and local agencies and officers; to guarantee certain labor contracts and employment rights in regard to the formation and reorganization of authorities; to provide for certain condemnation proceedings; to provide for the levy of property taxes for certain purposes; and to prescribe penalties and provide remedies,"

by amending the title and sections 5 and 9 (MCL 124.605 and 124.609), the title as amended by 1999 PA 167.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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TITLE

An act to provide for the incorporation by 2 or more municipalities of certain authorities for the purpose of providing emergency services to municipalities; to provide for the powers and duties of authorities and of certain state and local agencies and officers; to guarantee certain labor contracts and employment rights in regard to the formation and reorganization of

House Bill No. 5553 (H-1) as amended March 30, 2006

1 authorities; to provide for certain condemnation proceedings; **TO**
 2 **PROVIDE FOR FEES**; to provide for the levy of property taxes for
 3 certain purposes; and to prescribe penalties and provide remedies.

4 Sec. 5. ~~An~~ **SUBJECT TO THE LAWS OF THIS STATE, AN** authority's
 5 articles of incorporation shall state the name of the authority; ~~—~~
 6 the names of the incorporating municipalities; ~~—~~ the purpose or
 7 purposes for which the authority is created; ~~—~~ the powers,
 8 duties, and limitations of the authority and its officers,
 9 **INCLUDING ORDINANCES NECESSARY TO SUPPORT THE AUTHORITY [AS ALLOWED UNDER**
SECTION 9(B)]; the method
 10 of selecting its governing body, officers, and employees; ~~—~~ **AND**
 11 the person or persons who are charged with the responsibility of
 12 causing the articles of incorporation to be published and printed
 13 copies to be certified and filed as provided in section 2 ~~—~~ or
 14 who are charged with any other responsibility in connection with
 15 the incorporation of the authority. ~~—, all of which shall be~~
 16 ~~subject to the provisions of the constitution and statutes of this~~
 17 ~~state, and this act.~~

18 Sec. 9. An authority, in addition to its other powers and
 19 duties, may do all of the following:

20 (a) Adopt bylaws and rules of administration to accomplish the
 21 purposes of this act.

22 **(B) ADOPT ORDINANCES THAT ALLOW THE AUTHORITY TO ASSESS FEES**
 23 **ON OWNERS OR OCCUPANTS OF PROPERTY WHO RECEIVE EMERGENCY SERVICES**
 24 **TO COVER THE COSTS OF PROVIDING EMERGENCY SERVICES UNDER THIS ACT.**
 25 **AN ORDINANCE ADOPTED UNDER THIS SUBDIVISION SHALL BE RESCINDED IF,**
 26 **WITHIN 60 DAYS FROM THE DATE THE ORDINANCE IS ADOPTED, 1/3 OR MORE**
 27 **OF THE MUNICIPALITIES AFFECTED BY THE ORDINANCE VOTE TO RESCIND THE**

1 **ORDINANCE.**

2 (C) ~~—(b)—~~ Apply for and accept grants, loans, or contributions
3 from the federal government or any of its agencies, the state, or
4 other public or private agencies to be used for any of the purposes
5 of this act and to do any and all things within its express or
6 implied powers necessary or desirable to secure that financial or
7 other aid or cooperation in the carrying out of any of the purposes
8 of this act.

9 (D) ~~—(e)—~~ Enter into any contracts with other entities not
10 prohibited by law.

11 (E) ~~—(d)—~~ Investigate emergency services requirements, needs,
12 and programs and engage, by contract, consultants as may be
13 necessary and cooperate with the federal government, state,
14 political subdivisions, and other authorities in those
15 investigations.

16 (F) ~~—(e)—~~ Subject to ~~the terms and conditions prescribed in~~
17 section 10, hire employees, attorneys, accountants, and consultants
18 as the authority considers necessary to carry out the purposes of
19 the authority.