

SENATE BILL No. 410

April 21, 2005, Introduced by Senators LELAND, THOMAS, CLARK-COLEMAN, JACOBS, PRUSI, OLSHOVE, BRATER, BARCIA, SCHAUER, BASHAM and BERNERO and referred to the Committee on Appropriations.

A bill to amend 1979 PA 94, entitled
"The state school aid act of 1979,"
by amending section 17a (MCL 388.1617a), as amended by 2002 PA 71.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17a. (1) The department may withhold all or part of any
2 payment that a district or intermediate district is entitled to
3 receive under this act to the extent the withholdings are a
4 component part of a plan, developed and implemented pursuant to the
5 revised municipal finance act, 2001 PA 34, MCL 141.2101 to
6 141.2821, or other statutory authority, for financing an
7 outstanding obligation upon which the district or intermediate
8 district defaulted. Amounts withheld shall be used to pay, on
9 behalf of the district or intermediate district, unpaid amounts or

1 subsequently due amounts, or both, of principal and interest on the
2 outstanding obligation upon which the district or intermediate
3 district defaulted.

4 (2) THE STATE TREASURER MAY WITHHOLD ALL OR PART OF ANY
5 PAYMENT THAT A DISTRICT OR INTERMEDIATE DISTRICT IS ENTITLED TO
6 RECEIVE UNDER THIS ACT TO THE EXTENT AUTHORIZED OR REQUIRED UNDER
7 SECTION 16 OF THE SCHOOL BOND QUALIFICATION, APPROVAL, AND LOAN
8 ACT.

9 (3) ~~—(2)—~~ Under an agreement entered into by a district or
10 intermediate district assigning all or a portion of the payment
11 that it is eligible to receive under this act to the Michigan
12 municipal bond authority or to the trustee of a pooled arrangement
13 or pledging the amount for payment of an obligation it incurred
14 with the Michigan municipal bond authority or with the trustee of a
15 pooled arrangement, the state treasurer shall transmit to the
16 Michigan municipal bond authority or a trustee designated by the
17 authority or to the trustee of a pooled arrangement the amount of
18 the payment that is assigned or pledged under the agreement.
19 Notwithstanding the payment dates prescribed by this act for
20 distributions under this act, the state treasurer may advance all
21 or part of a payment that is dedicated for distribution or for
22 which the appropriation authorizing the payment has been made if
23 and to the extent, under the terms of an agreement entered into by
24 a district or intermediate district and the Michigan municipal bond
25 authority, the payment that the district or intermediate district
26 is eligible to receive has been assigned to or pledged for payment
27 of an obligation it incurred with the Michigan municipal bond

1 authority. This subsection does not require the state to make an
2 appropriation to any school district or intermediate school
3 district and shall not be construed as creating an indebtedness of
4 the state, and any agreement made pursuant to this subsection shall
5 contain a statement to that effect. As used in this subsection,
6 "trustee of a pooled arrangement" means the trustee of a trust
7 approved by the state treasurer and, subject to the conditions and
8 requirements of that approval, established for the purpose of
9 offering for sale, as part of a pooled arrangement, certificates
10 representing undivided interests in notes issued by districts or
11 intermediate districts under section 1225 of the revised school
12 code, 1976 PA 451, MCL 380.1225. If a trustee applies to the state
13 treasurer for approval of a trust for the purposes of this
14 subsection, the state treasurer shall approve or disapprove the
15 trust within 10 days after receipt of the application.

16 Enacting section 1. This amendatory act does not take effect
17 unless all of the following bills of the 93rd Legislature are
18 enacted into law:

19 (a) Senate Bill No. 406.

21 (b) Senate Bill No. 407.

23 (c) Senate Bill No. 409.

25 (d) Senate Bill No. 411.

27 (e) Senate Bill No. 408.