

SENATE BILL No. 676

June 25, 2009, Introduced by Senators BARCIA, CROPSEY and PAPPAGEORGE and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1955 PA 233, entitled

"An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies,"

by amending section 10 (MCL 124.290), as amended by 1981 PA 154.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. (1) The authority and any ~~constituent or~~
2 ~~nonconstituent municipality of the authority~~ **OR INDIAN TRIBE** may
3 contract for the furnishing of water, sewage disposal, or waste
4 management services ~~—~~ or a combination of ~~the~~ **SUCH** services by the
5 authority to the municipality **OR INDIAN TRIBE**. The charges or rates

1 specified in a contract ~~shall be~~ **UNDER THIS SUBSECTION ARE** subject
2 to change by the authority, if necessary to meet its obligations.
3 The charges or rates to a ~~nonconstituent~~ municipality **THAT IS NOT A**
4 **CONSTITUENT MUNICIPALITY OR TO AN INDIAN TRIBE** may be greater than
5 those to constituent municipalities.

6 (2) The authority and any other public corporation may
7 contract for the furnishing of water, sewage disposal, or solid
8 waste management system services ~~—~~ or a combination of **SUCH**
9 services by the other public corporation to the authority or may
10 contract for the use by the authority of any of the facilities of
11 the water supply system; sewage disposal system, including sewers;
12 **OR** solid waste management ~~systems;~~ **SYSTEM** or a combination of
13 systems of the other public corporation. Any lump sum payment for
14 ~~those uses~~ **SUCH A USE** may be considered as a part of the cost of
15 the authority system and may be financed the same as other capital
16 costs are financed under this act.

17 (3) Each contract authorized in this section shall be for a
18 period not exceeding 40 years. Each contract **WITH A MUNICIPALITY**
19 authorized in this section ~~shall be~~ **IS** a general obligation of the
20 municipality.