

Legislative Analysis



PUBLIC TRANSPORTATION AUTHORITY ACT

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House Bill 4366 as enrolled
Public Act 122 of 2011
Sponsor: Rep. Margaret O'Brien

House Bill 4367 as enrolled
Public Act 123 of 2011
Sponsor: Rep. Sean McCann
House Committee: Transportation
Senate Committee: Transportation

Complete to 8-31-11

A SUMMARY OF HOUSE BILLS 4366 & 4367 AS ENROLLED

The bills, according to committee testimony, will allow Kalamazoo County to have two transportation authorities, with the two authorities sharing membership.

Public Act 196 of 1986 allows one or more political subdivisions, defined in Section 2 of the act as a county, city, village, or township, to form a public authority under the act to provide public transportation services.

House Bill 4367 would amend Section 4 of the Public Transportation Authority Act (Public Act 196 of 1986) to allow a county with a population between 240,000 and 255,000 to form more than one public authority under the act. (This applies to Kalamazoo County.)

House Bill 4366 would amend Public Act 566 of 1978, which deals with incompatibility in public offices, to allow a public officer or employee of a transportation authority created under Public Act 196, to serve as a public officer or employee on another transportation authority if each authority has members consisting of the identical political subdivisions. (Specifically, the bill would say the act does not prohibit serving in such a circumstance.)

[As enrolled, House Bill 4366 contained two unrelated provisions as conformity amendments; that is, provisions to the same act contained in other recently enacted bills. One dealt with the sharing of superintendents between intermediate and local school districts (as found in House Bill 4232, which became Public Act 104 of 2011). The other allows township supervisors to serve on county public works boards (contained in both House Bill 4232 and Senate Bill 215, which became Public Act 110 of 2011)].

FISCAL IMPACT:

The bill would have no impact on state costs or revenue. In addition, the bill would not impact local costs and revenue. The bill would provide more flexibility to Kalamazoo

county in funding local public transportation by allowing for different millage rates in different parts of the county in an integrated public transport system under Public Act 196 of 1986.

BACKGROUND INFORMATION:

The bills, according to committee testimony, will allow Kalamazoo County to have two transportation authorities, with the two authorities sharing membership. Supporters said that current law does not allow for a single authority with different millage rates for different levels of service in different member communities, and the bills would address that problem. Currently, the county has two millages, one a county millage for services operated by the Kalamazoo County Transportation Authority and the second a millage for services in the city of Kalamazoo and run by the city. One of the sponsors of the bill, Representative O'Brien, testified that "there is widespread community support for the two millages and authorities to be run by one body -- Kalamazoo County Transportation Authority."

Representative O'Brien testified that, "There is community consensus that the city of Kalamazoo needs and supports increased linehaul services [that] the rest of the county does not need. Kalamazoo County desires an efficient and effective transportation authority that can maximize community dollars. Current state law does not allow for a differentiated millage - meaning one millage with different rates for various townships or cities. But Kalamazoo County recognizes that the City of Kalamazoo has higher demand for services that would not benefit the rest of the community. Thus we have sought a compromise that reflects the unique desires of Kalamazoo County."

The chairperson of the Kalamazoo County Board of Commissioners testified that one way to view this proposal "is the overlay of two authorities, one encompassing the urbanized core receiving line haul service at one millage rate, and one comprised of the entire county (primarily paying for demand response service) at another millage rate, but both under a single, efficient operating umbrella." The bills, the commissioner said, "will permit and make it easier to levy different amounts of taxation to support differing levels of service . . . and to better integrate governance of the system."

There are 79 public transit agencies in the state of Michigan. Of these 79 agencies, 22 are organized under provisions of Public Act 196 of 1986. [The other public transit agencies in the state are organized under authority of other statutes; many are organized as a department of a city or county government.] In addition to these 22 Public Act 196 agencies, both Wayne County and Oakland County participate in the regional transportation authority, the Suburban Mobility Authority for Regional Transportation (SMART) through county-established Public Act 196 transportation authorities.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.