

HOUSE BILL No. 5124

October 2, 1989, Introduced by Reps. Nye, Bender, Sparks, Emmons and Muxlow and referred to the Committee on Economic Development and Energy.

A bill to amend the title and section 2 of Act No. 62 of the Public Acts of 1963, entitled as amended
"Industrial development revenue bond act of 1963,"
as amended by Act No. 153 of the Public Acts of 1985, being section 125.1252 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 2 of Act No. 62 of the
2 Public Acts of 1963, as amended by Act No. 153 of the Public Acts
3 of 1985, being section 125.1252 of the Michigan Compiled Laws,
4 are amended to read as follows:

TITLE

5
6 An act relating to industrial development; to authorize
7 municipalities to acquire and dispose of industrial buildings and
8 sites and industrial machinery and equipment, including water and
9 air pollution control equipment, solid waste disposal facilities,

1 ~~and~~ tourist and resort facilities, AND AIRPORTS and to lease
2 the same to persons, firms, or corporations; to authorize munici-
3 palities to acquire and dispose of water and air pollution con-
4 trol equipment and solid waste disposal facilities and to lease
5 or sell the same to persons, firms, corporations, or public util-
6 ities; to provide for the financing of such buildings, sites,
7 machinery, and equipment or water and air pollution control
8 equipment and solid waste disposal facilities by the issuance of
9 revenue bonds and refunding bonds; to provide the terms and con-
10 ditions of such bonds; and to prescribe the powers and duties of
11 the municipal finance commission.

12 Sec. 2. As used in this act:

13 (a) "Industrial building" means a building or structure
14 suitable for, and intended for or incidental to, use as a facto-
15 ry, mill, shop, processing plant, assembly plant, fabricating
16 plant, warehouse, research and development facility, an engineer-
17 ing, architectural, or design facility, ~~or~~ a tourist and resort
18 facility, OR AN AIRPORT.

19 (b) "Municipality" means a county, city, incorporated vil-
20 lage, township, or port district.

21 (c) "Governing body" means the board, by whatever name
22 known, charged with governing the municipality.

23 (d) "Industrial machinery and equipment" means ~~such~~
24 machinery and equipment, including water and air pollution con-
25 trol equipment and solid waste disposal facilities, other than
26 vehicular equipment, ~~as shall be~~ THAT IS necessary, suitable,
27 intended for, or incidental to the use to which the industrial

1 building in or near which the machinery or equipment shall be
2 situated is to be put.

3 (e) "Water and air pollution control equipment" means build-
4 ings, plants, structures, equipment, or facilities and their
5 appurtenances, together with lands or interest in lands therefor
6 or a portion thereof, for the purpose of controlling, eliminat-
7 ing, recovering, removing, reducing, dispersing, treating, or
8 neutralizing atmospheric or water pollutants, including liquid,
9 gaseous, or solid substances or discharges or radiation, or cool-
10 ing the temperature of any of the foregoing, or any liquid, gas,
11 or solid, resulting from any ~~of the following: (i) Any~~ process
12 of industry, manufacture, trade, or business; ~~.(ii) The~~ THE
13 development, processing, or recovery of any natural resources;
14 ~~.(iii) The~~ OR THE operation of any public utility, ~~any of~~
15 ~~which~~ THAT may pollute or may tend to pollute or affect the
16 water or air of or adjacent to the state. "Water and air pollu-
17 tion control equipment" includes buildings, plants, structures,
18 facilities, and equipment and their appurtenances, together with
19 lands or interest in lands therefor or a portion thereof, used or
20 to be used as a change in manufacturing, production, generation,
21 transmission, or distribution process to prevent, reduce, recov-
22 er, remove, disperse, neutralize, control, or eliminate air or
23 water pollution. The term includes any and all buildings,
24 plants, structures, equipment, or facilities and their appurte-
25 nances, together with lands or interest in lands therefor or a
26 portion thereof, ~~which~~ THAT qualify as air or water pollution

1 control facilities under FORMER section 103(c)(4) of the
2 ~~federal~~ internal revenue code.

3 (f) "Public utility" means a person, firm, or corporation
4 engaged in the manufacture, production, generation, or distribu-
5 tion of electricity, steam heat, gas, or any combination thereof,
6 for sale to the public.

7 (g) "Solid waste disposal facilities" means buildings,
8 plants, structures, equipment, or facilities and their appurte-
9 nances, together with lands or interest in lands therefor or a
10 portion thereof, for the purpose of treating, shredding, compres-
11 sion, high temperature incineration, pyrolization, separation, or
12 any other technology for recovery, transporting, storing, or the
13 final placement and disposal of solid wastes resulting from any
14 ~~of the following: (i) Any~~ process of industry, manufacture,
15 trade, or business; ~~.(ii) The~~ THE development, processing, or
16 recovery of any natural resources; ~~.(iii) The~~ OR THE opera-
17 tion of any public utility. "Solid waste disposal facilities"
18 includes any and all buildings, plants, structures, equipment, or
19 facilities and their appurtenances, together with lands or inter-
20 est in lands therefor or a portion thereof, ~~which~~ THAT qualify
21 as solid waste disposal facilities under FORMER section 103(c)(4)
22 OR SECTION 142 of the ~~federal~~ internal revenue code.

23 (h) "Pollution control facilities" means water and air pol-
24 lution control equipment and solid waste disposal facilities or
25 any of them.

26 (i) "Employee-owned corporation" means an employee-owned
27 corporation as defined by the employee-owned corporation act, ACT

1 NO. 152 OF THE PUBLIC ACTS OF 1985, BEING SECTIONS 450.731 TO
2 450.738 OF THE MICHIGAN COMPILED LAWS.