



# HOUSE BILL No. 4451

February 21, 1995, Introduced by Reps. Hammerstrom, Pitoniak, Dolan, Hill, Jellema, Bullard, Dalman, Bodem and Goschka and referred to the Committee on Local Government.

A bill to amend section 14a of Act No. 359 of the Public Acts of 1947, entitled "The charter township act," being section 42.14a of the Michigan Compiled Laws.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. Section 14a of Act No. 359 of the Public Acts of  
2 1947, being section 42.14a of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 14a. (1) The township may borrow money and issue bonds  
5 on the credit of the township for the purpose of constructing or  
6 otherwise acquiring a public improvement ~~which~~ THAT the town-  
7 ship is authorized to construct or otherwise acquire by LAW.  
8 ~~this act or any other act relating to public improvements by~~  
9 ~~townships.~~

1 (2) Bonds shall not be issued, except special assessment  
 2 bonds, bonds for the township portion of local improvements, and  
 3 bonds ~~which~~ THAT the township board is authorized by specific  
 4 statute to issue without vote of the electors, unless approved by  
 5 a majority of the electors voting ~~thereon~~ ON THE BONDS at a  
 6 general or special election.

7 (3) The net indebtedness of the township incurred for all  
 8 public purposes shall not exceed 10% of the assessed value of all  
 9 real and personal property in the township. In computing THE net  
 10 indebtedness ~~for the purposes of this section, bonds~~ ALL OF THE  
 11 FOLLOWING SHALL BE DEDUCTED:

12 (A) BONDS issued in anticipation of the collection of spe-  
 13 cial assessments, even though they are general obligations of the  
 14 township. ~~, revenue~~

15 (B) REVENUE bonds, even though they are general obligations  
 16 of the township. ~~, bonds~~

17 (C) BONDS issued to comply with an order of the FORMER water  
 18 resources commission, THE DEPARTMENT OF NATURAL RESOURCES, or a  
 19 court of competent jurisdiction, even though they are a general  
 20 obligation of the township. ~~, and bonds~~

21 (D) BONDS issued, or contract or assessment obligations  
 22 incurred, for water supply, sewerage, drainage, solid waste dis-  
 23 posal, AND steam generation and distribution necessary to protect  
 24 the public health by abating pollution, even though they are a  
 25 general obligation of the township. ~~, shall not be included, and~~  
 26 ~~the~~

1 (E) BONDS ISSUED OR CONTRACT OR ASSESSMENT OBLIGATIONS  
2 INCURRED FOR THE CONSTRUCTION, IMPROVEMENT, OR REPLACEMENT OF A  
3 COMBINED SEWER OVERFLOW ABATEMENT FACILITY. AS USED IN THIS  
4 SUBDIVISION:

5 (i) "COMBINED SEWER OVERFLOW" MEANS A DISCHARGE FROM A COM-  
6 BINED SEWER SYSTEM THAT OCCURS WHEN THE FLOW CAPACITY OF THE COM-  
7 BINED SEWER SYSTEM IS EXCEEDED.

8 (ii) "COMBINED SEWER OVERFLOW ABATEMENT FACILITY" MEANS ANY  
9 WORKS, INSTRUMENTALITIES, OR EQUIPMENT NECESSARY OR APPROPRIATE  
10 TO ABATE COMBINED SEWER OVERFLOWS.

11 (iii) "COMBINED SEWER SYSTEM" MEANS A SEWER DESIGNED AND  
12 USED TO CONVEY BOTH STORM WATER RUNOFF AND SANITARY SEWAGE, AND  
13 WHICH CONTAINS LAWFULLY INSTALLED REGULATORS AND CONTROL DEVICES  
14 THAT ALLOW FOR DELIVERY OF SANITARY FLOW TO TREATMENT DURING DRY  
15 WEATHER PERIODS AND DIVERT STORM WATER AND SANITARY SEWAGE TO  
16 SURFACE WATERS DURING STORM FLOW PERIODS.

17 (iv) "CONSTRUCTION" MEANS ANY ACTION TAKEN IN THE DESIGNING  
18 OR BUILDING OF A COMBINED SEWER OVERFLOW ABATEMENT FACILITY.  
19 CONSTRUCTION INCLUDES, BUT IS NOT LIMITED TO, ALL OF THE  
20 FOLLOWING:

21 (A) ENGINEERING SERVICES.

22 (B) LEGAL SERVICES.

23 (C) FINANCIAL SERVICES.

24 (D) DESIGN OF PLANS AND SPECIFICATIONS.

25 (E) ACQUISITION OF LAND OR STRUCTURAL COMPONENTS, OR BOTH.

26 (F) BUILDING, ERECTION, ALTERATION, REMODELING, OR EXTENSION  
27 OF A COMBINED SEWER OVERFLOW ABATEMENT FACILITY.

1 (G) TOWNSHIP SUPERVISION OF THE PROJECT ACTIVITIES DESCRIBED  
2 IN SUB-SUBPARAGRAPHS (A) TO (F).

3 (v) "IMPROVEMENT" MEANS ANY ACTION TAKEN TO EXPAND, REHABIL-  
4 ITATE, OR RESTORE A COMBINED SEWER OVERFLOW ABATEMENT FACILITY.

5 (vi) "REPLACEMENT" MEANS ANY ACTION TAKEN TO OBTAIN AND  
6 INSTALL EQUIPMENT, ACCESSORIES, OR APPURTENANCES DURING THE  
7 USEFUL LIFE OF A COMBINED SEWER OVERFLOW ABATEMENT FACILITY NEC-  
8 ESSARY TO MAINTAIN THE CAPACITY AND PERFORMANCE FOR WHICH THE  
9 EQUIPMENT, ACCESSORIES, OR APPURTENANCES ARE DESIGNED AND  
10 CONSTRUCTED.

11 (4) THE resources of the sinking fund or debt retirement  
12 fund pledged for retirement of outstanding bonds shall ALSO be  
13 deducted from the amount of the indebtedness.

14 (5) Bonds shall be issued subject to THE MUNICIPAL FINANCE  
15 ACT, Act No. 202 of the Public Acts of 1943, ~~as amended,~~ being  
16 sections 131.1 to ~~138.2~~ 139.3 of the Michigan Compiled Laws.