

SUBSTITUTE FOR
SENATE BILL NO. 1136

A bill to amend 1989 PA 292, entitled
"Metropolitan council act,"
by amending sections 3, 5, 7, 9, 11, 19, 21, and 33 (MCL 124.653,
124.655, 124.657, 124.659, 124.661, 124.669, 124.671, and
124.683).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. As used in this act:

2 (a) "Articles" means a council's articles of incorporation
3 provided for in section 5.

4 (b) "Council" means a metropolitan council established pur-
5 suant to this act.

6 (c) "Council area" means the combined territory of the par-
7 ticipating ~~cities, villages, and townships~~ LOCAL GOVERNMENTAL
8 UNITS.

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1 (d) "Largest" means, if used in reference to a county, the
2 county having the greatest population residing in participating
3 cities, villages, and townships. "Largest", if used in reference
4 to a participating local governmental unit, means the participat-
5 ing local governmental unit having the greatest population.

6 (e) "Local governmental unit" means a county, township,
7 city, or village.

8 (f) "Metropolitan area" means a metropolitan statistical
9 area, as defined as of ~~the effective date of this act~~ JANUARY
10 3, 1990, by the United States department of commerce or a succes-
11 sor agency, with a population of less than 1,000,000 people.

12 (G) "OBSCENE" MEANS MATERIAL THAT MEETS THE FOLLOWING
13 CRITERIA:

14 (i) WHEN EXAMINED IN ITS TOTALITY, THE MATERIAL APPEALS TO A
15 PRURIENT INTEREST.

16 (ii) THE MATERIAL DEPICTS OR DESCRIBES, IN A PATENTLY OFFEN-
17 SIVE WAY, SEXUAL CONDUCT SPECIFICALLY DEFINED BY STATE LAW.

18 (iii) WHEN EXAMINED IN ITS TOTALITY, THE MATERIAL LACKS
19 SERIOUS LITERARY, ARTISTIC, POLITICAL, OR SCIENTIFIC VALUE.

20 (H) ~~(g)~~ "Participating", if used in reference to a local
21 governmental unit, means 1 of the following:

22 (i) After formation of a metropolitan council, a local gov-
23 ernmental unit that has joined in the formation of the council or
24 been added to the council pursuant to section 11 and that has not
25 withdrawn pursuant to section 33.

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1 (ii) Before formation of a metropolitan council, a local
2 governmental unit named in the articles of incorporation as a
3 participating local governmental unit.

4 (I) "QUALIFIED CITY" MEANS A CITY THAT MEETS BOTH OF THE
5 FOLLOWING CONDITIONS:

6 (i) THE CITY IS LOCATED IN A PARTICIPATING QUALIFIED
7 COUNTY.

8 (ii) THE CITY OWNS 2 OR MORE REGIONAL CULTURAL
9 INSTITUTIONS.

10 (J) "QUALIFIED COUNTY" MEANS A COUNTY THAT MEETS THE FOLLOW-
11 ING REQUIREMENTS:

12 (i) THE COUNTY HAS A POPULATION OF NOT LESS THAN 780,000
13 ACCORDING TO THE MOST RECENT FEDERAL DECENNIAL CENSUS.

14 (ii) THE COUNTY HAS A QUALIFIED CITY WITHIN ITS GEOGRAPHIC
15 BOUNDARIES, OR IS CONTIGUOUS TO A COUNTY WITH A QUALIFIED CITY.

16 (K) "REGIONAL CULTURAL INSTITUTION" MEANS A STRUCTURE, FIX-
17 TURE, OR ACTIVITY PROVIDED BY A TAX EXEMPT ENTITY THAT HAS BEEN
18 IN EXISTENCE FOR AT LEAST 18 CONSECUTIVE MONTHS BEFORE BECOMING
19 ELIGIBLE FOR FUNDING UNDER THIS CHAPTER. "REGIONAL CULTURAL
20 INSTITUTION" MAY INCLUDE A ZOOLOGICAL INSTITUTE; A SCIENCE
21 CENTER, WHETHER OR NOT IT IS AFFILIATED WITH A PRIVATE EDUCA-
22 TIONAL INSTITUTION; A PUBLIC BROADCAST STATION AS DEFINED BY
23 SECTION 397 OF SUBPART E OF PART IV OF TITLE III OF THE COMMUNI-
24 CATIONS ACT OF 1934, 47 U.S.C. 397, WHETHER OR NOT THE PUBLIC
25 BROADCAST STATION IS AFFILIATED WITH AN INSTITUTION OF HIGHER
26 EDUCATION; A MUSEUM, WHETHER OR NOT IT IS AFFILIATED WITH A
27 PRIVATE EDUCATIONAL INSTITUTION; A HISTORICAL CENTER; A

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1 PERFORMING ARTS CENTER; A VISUAL OR PERFORMANCE ART INSTRUCTION
2 CENTER AFFILIATED WITH AN INDEPENDENT INSTITUTION OF HIGHER EDU-
3 CATION IN THE ARTS; AN ORCHESTRA; A CHORUS; A CHORALE; OR AN
4 OPERA THEATER. "REGIONAL CULTURAL INSTITUTION" DOES NOT INCLUDE
5 A PROFESSIONAL SPORTS ARENA OR STADIUM; A LABOR ORGANIZATION; A
6 POLITICAL ORGANIZATION; A LIBRARY; A PUBLIC, PRIVATE, OR CHARTER
7 SCHOOL; OR AN EXHIBITION, PERFORMANCE, OR PRESENTATION THAT IS
8 OBSCENE.

9 (1) "TAX EXEMPT ENTITY" MEANS ANY OF THE FOLLOWING:

10 (i) AN ORGANIZATION EXEMPT FROM TAXATION UNDER SECTION
11 501(c) OF THE INTERNAL REVENUE CODE OF 1986.

12 (ii) AN ENTITY OR DIVISION OWNED BY AN ORGANIZATION
13 DESCRIBED IN SUBPARAGRAPH (i).

14 (iii) AN ENTITY OWNED BY A TOWNSHIP, CITY, VILLAGE, COMMU-
15 NITY COLLEGE, STATE UNIVERSITY, OR ANY OTHER PUBLIC BODY THAT IS
16 NOT A PUBLIC SCHOOL, CHARTER SCHOOL, OR PUBLIC SCHOOL ACADEMY.

17 Sec. 5. (1) ~~A combination of 2 or more local governmental~~
18 ~~units in a metropolitan area~~ EITHER OF THE FOLLOWING may form a
19 metropolitan council by adopting articles of incorporation pursu-
20 ant to the requirements of sections 7 and 9: —

21 (A) A COMBINATION OF 2 OR MORE LOCAL GOVERNMENTAL UNITS IN A
22 METROPOLITAN AREA.

23 (B) TWO OR MORE QUALIFIED COUNTIES IN COMBINATION WITH ONE
24 ANOTHER AND WITH 1 OR MORE QUALIFIED CITIES, IF THE COUNTY COM-
25 MISSION OF EACH QUALIFIED COUNTY SEEKING TO PARTICIPATE, AND THE
26 CITY COUNCIL OF EACH QUALIFIED CITY SEEKING TO PARTICIPATE, DOES
27 THE FOLLOWING:

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1 (i) ADOPTS A RESOLUTION DECLARING AN INTENT TO PARTICIPATE
2 IN THE FORMATION OF THAT AUTHORITY.

3 (ii) ADOPTS ARTICLES OF INCORPORATION IN ACCORDANCE WITH
4 SECTIONS 7 AND 9.

5 (2) UPON ADOPTION OF THE RESOLUTIONS DESCRIBED IN SUBSECTION
6 (1)(B)(ii), THE PARTICIPATING QUALIFIED COUNTIES AND QUALIFIED
7 CITIES OF A METROPOLITAN COUNCIL SHALL ESTABLISH A METROPOLITAN
8 COUNCIL BOARD. THE CHIEF EXECUTIVE OFFICER OF EACH PARTICIPATING
9 QUALIFIED COUNTY AND QUALIFIED CITY SHALL APPOINT 3 REPRESENTA-
10 TIVES TO THE BOARD, WITH THE ADVICE AND CONSENT OF THE LEGISLA-
11 TIVE BODY OF THE COUNTY OR CITY. HOWEVER, IF A PARTICIPATING
12 QUALIFIED COUNTY HAS A POPULATION GREATER THAN 2,000,000 PERSONS,
13 A REPRESENTATIVE SHALL BE APPOINTED BY EACH OF THE 3 LARGEST GEO-
14 GRAPHICAL CONFERENCES ESTABLISHED IN THE COUNTY BEFORE JANUARY 1,
15 1999 UNDER THE URBAN COOPERATION ACT OF 1967, 1967 (EX SESS)
16 PA 7, MCL 124.501 TO 124.512.

17 (3) ~~-(2)-~~ A council is a public corporate body with power to
18 sue and be sued in any court of the state.

19 (4) ~~-(3)-~~ A council is an authority under section 6 of arti-
20 cle IX of the state constitution of 1963.

21 (5) ~~-(4)-~~ A council possesses all the powers necessary for
22 carrying out the purposes of its formation. The enumeration of
23 specific powers in this act shall not be construed as a limita-
24 tion on the general powers of a council, consistent with its
25 articles.

26 Sec. 7. (1) A council's articles shall state the name of
27 the council; the names of the participating local governmental

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1 units; the purposes for which the council is formed; the powers,
2 duties, and limitations of the council and its officers; the
3 qualifications, method of selection and terms of office of dele-
4 gates sitting on the council and of council officers; the manner
5 in which participating local governmental units shall take part
6 in the governance of the council; the general method of amending
7 the articles; the method of amending the articles to reflect the
8 addition of a local governmental unit, which shall require the
9 adoption of a resolution by a vote of not less than 2/3 of the
10 delegates serving on the council, INCLUDING, FOR A COUNCIL
11 DESCRIBED IN SECTION 5(1)(B), AT LEAST 1 DELEGATE FROM EACH PAR-
12 TICIPATING QUALIFIED COUNTY AND QUALIFIED CITY; and any other
13 matters that the participating local governmental units consider
14 advisable.

15 (2) The articles may require each participating local gov-
16 ernmental unit to annually pay to the council an amount not to
17 exceed 0.2 mills multiplied by the ~~state equalized valuation~~
18 TAXABLE VALUE of all the taxable real and personal property
19 within that local governmental unit.

20 (3) ~~The~~ SUBJECT TO SUBSECTION (4), THE articles may autho-
21 rize the council to levy on all the taxable real and personal
22 property within the council area an ad valorem tax of not to
23 exceed 0.5 mills of the ~~state equalized valuation on each dollar~~
24 ~~of assessed valuation of~~ TAXABLE VALUE OF THE taxable property.
25 The levy of a tax under this subsection is subject to the
26 requirements of sections 25 and 27.

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1 (4) THE ARTICLES OF A COUNCIL ESTABLISHED BY ENTITIES
2 DESCRIBED IN SECTION 5(1)(B) SHALL SPECIFY THAT, AS A CONDITION
3 OF PROCEEDING UNDER SECTION 7(3), THE COUNTY COMMISSION OF EACH
4 QUALIFIED COUNTY PARTICIPATING IN THE COUNCIL SHALL PLACE ON A
5 COUNTYWIDE BALLOT THE PROPOSAL DESCRIBED IN SECTION 27(1).

6 (5) AS USED IN THIS SECTION, "TAXABLE VALUE" MEANS THAT
7 VALUE CALCULATED UNDER SECTION 27A OF THE GENERAL PROPERTY TAX
8 ACT, 1893 PA 206, MCL 211.27A.

9 Sec. 9. (1) The articles of a council shall be adopted and
10 may be amended by an affirmative vote of a majority of the mem-
11 bers elected to and serving on the legislative body of each par-
12 ticipating local governmental unit.

13 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), THE ARTICLES OF A
14 COUNCIL ESTABLISHED BY ENTITIES DESCRIBED IN SECTION 5(1)(B)
15 SHALL AUTHORIZE EACH PARTICIPATING QUALIFIED COUNTY TO RECEIVE UP
16 TO 1/3 OF ANY NET REVENUES COLLECTED WITHIN THAT PARTICIPATING
17 QUALIFIED COUNTY UNDER SECTION 7. THE AMOUNT OF UP TO 1/3 OF NET
18 REVENUES RECEIVED SHALL BE EXPENDED TO FUND CULTURAL AND RECREA-
19 TIONAL PROGRAMS AND FACILITIES.

20 (3) A PARTICIPATING QUALIFIED COUNTY WITH A POPULATION OF
21 MORE THAN 2,000,000 PERSONS ACCORDING TO THE MOST RECENT FEDERAL
22 DECENNIAL CENSUS SHALL NOT RECEIVE ANY NET REVENUES COLLECTED
23 WITHIN THAT COUNTY UNDER SECTION 7(3). INSTEAD, 1/3 OF THE NET
24 REVENUES COLLECTED IN EACH CITY, VILLAGE, OR PORTION OF A TOWN-
25 SHIP THAT IS NOT INCORPORATED AS A CITY OR VILLAGE SHALL BE
26 RETAINED BY THAT CITY, VILLAGE, OR PORTION OF A TOWNSHIP, AND
27 THOSE NET REVENUES SHALL BE EXPENDED BY THE AFFECTED CITIES,

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1 VILLAGES, AND PORTIONS OF TOWNSHIPS TO FUND CULTURAL AND
2 RECREATIONAL PROGRAMS AND FACILITIES.

3 (4) ~~-(2)-~~ Before the articles or amendments are adopted by
4 any participating local governmental unit THAT IS NOT A COUNTY,
5 the articles or amendments shall be published by the clerk of the
6 largest participating local governmental unit THAT IS NOT A
7 COUNTY at least once in a newspaper generally circulated within
8 the participating cities, villages, and townships. BEFORE THE
9 ARTICLES OR AMENDMENTS ARE ADOPTED BY PARTICIPATING QUALIFIED
10 COUNTIES, THE ARTICLES OR AMENDMENTS SHALL BE PUBLISHED BY THE
11 CLERK OF EACH PARTICIPATING QUALIFIED COUNTY AT LEAST ONCE IN A
12 NEWSPAPER GENERALLY CIRCULATED WITHIN THAT COUNTY.

13 (5) ~~-(3)-~~ The adoption of articles or amendments by the leg-
14 islative body of a local governmental unit shall be evidenced by
15 an endorsement on the articles or amendments by the clerk of the
16 local governmental unit in a form substantially as follows:

17 These articles of incorporation (or amendments) were adopted
18 by an affirmative vote of a majority of the members serving on
19 the legislative body of _____,
20 _____ at a meeting duly held on the _____ day
21 of _____, A.D., _____.

22

23

24 (6) ~~-(4)-~~ Upon adoption of the articles or amendments BY A
25 COUNCIL ESTABLISHED BY ENTITIES DESCRIBED IN SECTION 5(1)(A), a
26 printed copy of the articles or the amended articles shall be
27 filed by the clerk of the largest participating local

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1 governmental unit with the secretary of state, the clerk of each
2 county in which is located all or part of a participating city,
3 village, or township, and the clerk of each participating city,
4 village, or township. UPON ADOPTION OF THE ARTICLES OR AMEND-
5 MENTS BY A COUNCIL ESTABLISHED BY ENTITIES DESCRIBED IN SECTION
6 5(1)(B), THE CLERK OF EACH PARTICIPATING COUNTY SHALL FILE IN
7 THAT COUNTY AND WITH THE SECRETARY OF STATE A PRINTED COPY OF THE
8 ADOPTED OR AMENDED ARTICLES.

9 Sec. 11. (1) A local governmental unit may be added to the
10 council after the council's incorporation upon satisfaction of
11 all of the following requirements:

12 (a) A majority of the members elected to and serving on the
13 legislative body of the local governmental unit vote to adopt a
14 resolution stating that the local governmental unit desires to be
15 added to the council and that it accepts the requirements of the
16 articles as amended to reflect the addition of the local govern-
17 mental unit.

18 (b) If ~~there is a tax levied by the council pursuant to~~
19 ~~section 7 and~~ the local governmental unit is a city, village, or
20 township PROPOSING TO BE ADDED TO A COUNCIL THAT LEVIES A TAX
21 UNDER SECTION 7, the tax is authorized by a majority of the elec-
22 tors of that city, village, or township voting on the proposal.
23 IF THE LOCAL UNIT OF GOVERNMENT IS A QUALIFIED COUNTY PROPOSING
24 TO BE ADDED TO A COUNCIL THAT LEVIES A TAX UNDER SECTION 7, THE
25 TAX IS AUTHORIZED BY A MAJORITY OF THE ELECTORS OF THE QUALIFIED
26 COUNTY VOTING ON THE PROPOSAL.

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1 (c) The articles are amended to reflect the addition of the
2 local governmental unit.

3 (2) Upon addition of a local governmental unit to a council,
4 a printed copy of the amended articles shall be filed as required
5 by section 9 by the clerk of the local governmental unit added to
6 the council.

7 Sec. 19. (1) The articles OF A COUNCIL ESTABLISHED BY ENTI-
8 TIES DESCRIBED IN SECTION 5(1)(A) may authorize a council to pro-
9 pose standards, criteria, and suggested model ordinances to regu-
10 late the use and development of land and water within the council
11 area.

12 (2) To the extent authorized in the articles, a council
13 ESTABLISHED BY ENTITIES DESCRIBED IN SECTION 5(1)(A) may plan,
14 promote, finance, issue bonds for, acquire, improve, enlarge,
15 extend, own, construct, replace, or contract for public improve-
16 ments and services including, but not limited to, the following:

17 (a) Water and sewer public improvements and services.

18 (b) Solid waste collection, recycling, and disposal.

19 (c) Parks, museums, zoos, wildlife sanctuaries, and recrea-
20 tional facilities.

21 (d) Special use facilities.

22 (e) Ground and air transportation and facilities, including
23 airports.

24 (f) Economic development and planning for the council area.

25 (g) Higher education public improvements and services.

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1 (3) A council shall not contract for the operation by
2 another person of a public improvement or service acquired by the
3 council pursuant to subsection (2).

4 (4) A council may establish divisions, bureaus, and commit-
5 tees, including advisory committees. Members of advisory commit-
6 tees shall serve without compensation but may be reimbursed for
7 their reasonable expenses as determined by the council.

8 (5) A council in cooperation with other agencies and depart-
9 ments of the state and the state universities may develop a
10 center for data collection and storage to be used by the council
11 and other governmental users and may furnish information on
12 subjects such as population, land use, and governmental
13 finances.

14 (6) A council ESTABLISHED BY ENTITIES DESCRIBED IN SECTION
15 5(1)(A) may study the feasibility of programs relating but not
16 limited to water supply, refuse disposal, surface water drainage,
17 communication, transportation, and other subjects of concern to
18 the participating local governmental units and may institute
19 demonstration projects in connection with the studies.

20 (7) A COUNCIL ESTABLISHED BY ENTITIES DESCRIBED IN SECTION
21 5(1)(B) MAY BE ESTABLISHED SOLELY TO DEVELOP OR ENHANCE REGIONAL
22 CULTURAL INSTITUTIONS AND LOCAL RECREATION AND CULTURAL FACILI-
23 TIES WITHIN THE GEOGRAPHIC BOUNDARIES OF QUALIFIED COUNTIES PAR-
24 TICIPATING IN THE COUNCIL. THE COUNCIL'S ARTICLES SHALL STATE
25 THE NAME OF THE COUNCIL; THE NAMES OF THE PARTICIPATING LOCAL
26 GOVERNMENTAL UNITS; THE PURPOSES FOR WHICH THE COUNCIL IS FORMED;
27 THE POWERS, DUTIES, AND LIMITATIONS OF THE COUNCIL AND ITS

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1 OFFICERS; THE QUALIFICATIONS, METHOD OF SELECTION AND TERMS OF
2 OFFICE OF DELEGATES SITTING ON THE COUNCIL AND OF COUNCIL OFFI-
3 CERS; THE MANNER IN WHICH PARTICIPATING LOCAL GOVERNMENTAL UNITS
4 SHALL TAKE PART IN THE GOVERNANCE OF THE COUNCIL; THE GENERAL
5 METHOD OF AMENDING THE ARTICLES; THE METHOD OF AMENDING THE ARTI-
6 CLES TO REFLECT THE ADDITION OF A LOCAL GOVERNMENTAL UNIT; THE
7 METHOD OF AMENDING THE ARTICLES TO REFLECT A CHANGE IN THE DIS-
8 TRIBUTION OF FUNDS AMONG REGIONAL CULTURAL INSTITUTIONS, WHICH
9 SHALL REQUIRE THE ADOPTION OF A RESOLUTION BY A VOTE OF NOT LESS
10 THAN 2/3 OF THE DELEGATES SERVING ON THE COUNCIL, INCLUDING AT
11 LEAST 1 DELEGATE FROM EACH PARTICIPATING QUALIFIED COUNTY AND
12 QUALIFIED CITY; AND ANY OTHER MATTERS THAT THE PARTICIPATING
13 LOCAL GOVERNMENTAL UNITS CONSIDER ADVISABLE.

14 (8) THE ARTICLES OF A COUNCIL ESTABLISHED BY ENTITIES
15 DESCRIBED IN SECTION 5(1)(B) SHALL SPECIFY THE MAXIMUM AMOUNT OR
16 PERCENTAGE OF REVENUES RECEIVED UNDER THIS ACT THAT THE COUNCIL
17 MAY AUTHORIZE TO BE EXPENDED ANNUALLY FOR ADMINISTRATIVE COSTS
18 INCURRED UNDER THIS ACT. THE ARTICLES SHALL ALSO SPECIFY THAT
19 NOT MORE THAN 3% OF ANNUAL REVENUES RECEIVED UNDER THIS ACT MAY
20 BE EXPENDED ANNUALLY FOR THOSE ADMINISTRATIVE COSTS.
21 ADDITIONALLY, THE ARTICLES SHALL AUTHORIZE THE COUNCIL TO PROVIDE
22 FUNDING, SUPPLEMENTAL TO FUNDING RECEIVED FROM OTHER SOURCES, FOR
23 REGIONAL CULTURAL INSTITUTIONS LOCATED WITHIN THE COUNCIL AREA
24 THAT THE COUNCIL SERVES. HOWEVER, A COUNCIL SHALL NOT EXPEND
25 MONEY COLLECTED UNDER SECTION 7 UNLESS THE SPECIFIC EXPENDITURE
26 IS INCLUDED IN THE COUNCIL'S ANNUAL BUDGET, EXPRESSLY AUTHORIZED

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1 IN THE COUNCIL'S ARTICLES, OR UNLESS THE EXPENDITURE IS APPROVED
2 BY AN AFFIRMATIVE VOTE OF A MAJORITY OF THE COUNCIL'S DELEGATES.

3 Sec. 21. (1) A council may do 1 or more of the following:

4 (a) Adopt bylaws for the administration of the council.

5 (b) Acquire and hold, by purchase, lease, grant, gift,
6 devise, land contract, installment purchase contract, bequest,
7 condemnation, or other legal means, real and personal property
8 within or without the participating ~~cities, villages, and~~
9 ~~townships~~ LOCAL GOVERNMENTAL UNITS. The property may include
10 franchises, easements, or rights of way on, under, or above any
11 property. The council may pay for the property from, or pledge
12 for the payment of the property, revenue of the council. A coun-
13 cil shall not condemn public property.

14 (c) Apply for and accept grants, loans, or contributions
15 from the federal government or any of its agencies, this state,
16 or other public or private agencies to be used for any of the
17 purposes of this act.

18 (d) Sell or lease property acquired for the purposes of this
19 act but not needed for those purposes.

20 (e) ~~Contract~~ IF THE COUNCIL IS A METROPOLITAN COUNCIL
21 ESTABLISHED BY ENTITIES DESCRIBED IN SECTION 5(1)(A), CONTRACT
22 with a participating local governmental unit for the provision of
23 a service listed in section 19(2) in the participating local gov-
24 ernmental unit for a period not exceeding 30 years. The service
25 may be established or funded in conjunction with a service of a
26 local governmental unit, and the provision of a service of a
27 local governmental unit may be delegated to a council. A charge

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1 specified in a contract is subject to increase by the council, if
2 necessary to provide funds to meet its obligations. A council
3 ESTABLISHED BY ENTITIES DESCRIBED IN SECTION 5(1)(A) may also
4 enter into a contract with a nonparticipating local governmental
5 unit for a period not exceeding 30 years, except that a charge
6 for a service under a contract with a nonparticipating local gov-
7 ernmental unit may be greater than a charge to a participating
8 local governmental unit, and is subject to change from time to
9 time without notice. A council's powers under this subdivision
10 are subject to section 19(3).

11 (f) Hire employees, attorneys, accountants, and
12 consultants.

13 (2) A council shall do all of the following:

14 (a) Prepare budgets and appropriations acts in the manner
15 required of local units under the uniform budgeting and account-
16 ing act, ~~Act No. 2 of the Public Acts of 1968, being sections~~
17 ~~141.421 to 141.440a of the Michigan Compiled Laws~~ 1968 PA 2,
18 MCL 141.421 TO 141.440A.

19 (b) If ending a fiscal year with a deficit, file a financial
20 plan to correct the deficit in the same manner as provided in
21 section 21 of ~~Act No. 140 of the Public Acts of 1971, being sec-~~
22 ~~tion 141.921 of the Michigan Compiled Laws~~ THE STATE REVENUE
23 SHARING ACT OF 1971, 1971 PA 140, MCL 141.921.

24 Sec. 33. (1) Except as otherwise provided in
25 subsection (2), a participating local governmental unit may with-
26 draw from membership in the council if all of the following
27 conditions are met:

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1 (a) Adoption of a resolution by a majority of the members
2 elected to and serving on the legislative body of the local gov-
3 ernmental unit requesting withdrawal from membership.

4 (b) Payment or the provision for payment is made regarding
5 any obligations of the local governmental unit to the council or
6 its creditors.

7 (2) If, upon withdrawal, ~~of a city, village, or township,~~
8 ~~the city, village, or township~~ A LOCAL GOVERNMENTAL UNIT has
9 unpaid obligations to the council, a tax levied by the council
10 pursuant to section 7(3) before withdrawal of the ~~city, village,~~
11 ~~or township~~ LOCAL GOVERNMENTAL UNIT shall continue to be levied
12 in the ~~city, village, or township~~ LOCAL GOVERNMENTAL UNIT, to
13 the extent and in an amount needed to satisfy the unpaid obliga-
14 tions, until the obligations are paid or the tax expires, which-
15 ever happens first. A ~~city, village, or township~~ LOCAL GOVERN-
16 MENTAL UNIT that withdraws from a council shall continue to
17 receive services from the council until the ~~city, village, or~~
18 ~~township~~ LOCAL GOVERNMENTAL UNIT is no longer required to pay a
19 tax levied by the council.

20 (3) Withdrawal of a local governmental unit from a council
21 shall be evidenced by an amendment to the articles executed by
22 the secretary or, if the council has no secretary, by the chair-
23 person of the council and filed and published in the same manner
24 as the original articles.