

SENATE BILL No. 607

July 3, 2003, Introduced by Senators ALLEN and BISHOP and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 2000 PA 321, entitled
"Recreational authorities act,"
by amending section 5 (MCL 123.1135).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) Two or more municipalities may establish a
2 recreational authority. A recreational authority is an authority
3 under section 6 of article IX of the state constitution of 1963.

4 (2) To initiate the establishment of an authority, articles
5 of incorporation shall be prepared. The articles of
6 incorporation shall include all of the following:

7 (a) The name of the authority.

8 (b) The names of the participating municipalities.

9 (c) A description of the territory of the authority.

10 (d) The size of the board of the authority, which shall be
11 comprised of an odd number of members; the qualifications, method

1 of selection, and terms of office of board members; and the
2 filling of vacancies in the office of board member. If board
3 members are elected in at large elections by the qualified and
4 registered electors of the participating municipalities, voting
5 collectively, the election of board members shall be conducted
6 pursuant to the same procedures that govern an election for a tax
7 under sections 13 to 17.

8 (e) The purposes for which the authority is established,
9 which shall be the acquisition, construction, operation,
10 maintenance, or improvement of 1 or more of the following:

- 11 (i) A public swimming pool.
- 12 (ii) A public recreation center.
- 13 (iii) A public auditorium.
- 14 (iv) A public conference center.
- 15 (v) A public park.
- 16 **(vi) A public museum.**
- 17 **(vii) A public historic farm.**

18 (f) The procedure and requirements for a municipality to
19 become a participating municipality in, and for a participating
20 municipality to withdraw from, an existing authority. For a
21 municipality to become a participating municipality in an
22 existing authority, a majority of the electors of the
23 municipality proposed to be included in the territory of the
24 authority and voting on the question shall approve a tax that the
25 authority has been authorized to levy by a vote of the electors
26 of the authority under section 11. A municipality shall not
27 withdraw from an authority during the period for which the

1 authority has been authorized to levy a tax by the electors of
2 the authority.

3 (g) Any other matters considered advisable.

4 (3) The articles shall be adopted and may be amended by an
5 affirmative vote of a majority of the members serving on the
6 legislative body of each participating municipality. Unless the
7 articles provide otherwise, the requirements of this subsection
8 do not apply to an amendment to the articles to allow a
9 municipality to become a participating municipality in, or to
10 allow a participating municipality to withdraw from, an existing
11 authority.

12 (4) Before the articles or amendments to the articles are
13 adopted, the articles or amendments to the articles shall be
14 published not less than once in a newspaper generally circulated
15 within the participating municipalities. The adoption of
16 articles or amendments to the articles by a municipality shall be
17 evidenced by an endorsement on the articles or amendments by the
18 clerk of the municipality.

19 (5) Upon adoption of the articles or amendments to the
20 articles by each of the participating municipalities, a printed
21 copy of the articles or the amended articles shall be filed with
22 the secretary of state by the clerk of the last participating
23 municipality to adopt the articles or amendments.

24 (6) The authority's articles of incorporation, or amendments
25 to the articles, take effect upon filing with the secretary of
26 state.