

# HOUSE BILL No. 6012

December 2, 2014, Introduced by Rep. Price and referred to the Committee on Local Government.

A bill to amend 1952 PA 196, entitled

"An act to provide for the incorporation of municipal authorities to acquire, own and operate water supply systems; to prescribe the rights, powers and duties thereof; and to authorize contracts between such authorities and other public corporations,"

by amending sections 2, 3, and 7 (MCL 124.252, 124.253, and 124.257).

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

1           Sec. 2. (1) Any 2 or more cities, villages, or townships,  
2 ~~(hereinafter sometimes referred to as "municipalities")~~ or any  
3 combination thereof, **OF CITIES, VILLAGES, OR TOWNSHIPS,** may  
4 incorporate an authority for the purpose of acquiring, owning,  
5 ~~and/or~~ **OR** operating a water supply system or systems, by the  
6 ~~adoption of~~ **ADOPTING** articles of incorporation by the legislative  
7 body of each municipality. **INCORPORATING CITY, VILLAGE, OR**  
8 **TOWNSHIP.** The ~~fact of such~~ adoption shall be endorsed on ~~such~~ **THE**

1 articles of incorporation by the mayor and clerk in case of a  
2 city, the president and clerk in case of a village, and the  
3 supervisor and clerk in case of a township, in form substantially  
4 as follows:

5 "The foregoing Articles of Incorporation were adopted by the  
6 ..... of the ..... of .....  
7 ..... County, Michigan, at a meeting duly held on the  
8 ..... day of ....., ~~19.....~~20.....

9 .....  
10 ..... of ~~said-**THE**~~ .....  
11 .....  
12 ..... of ~~said-**THE**~~ ....."

13 (2) The authority shall be comprised of the territory lying  
14 within ~~such-**THE**~~ incorporating municipalities. ~~The-**CITIES,**~~  
15 **VILLAGES, OR TOWNSHIPS. BEFORE JANUARY 1, 2015, THE** articles of  
16 incorporation shall be published at least once in a newspaper  
17 designated in ~~said-**THE**~~ **OF INCORPORATION** and circulating  
18 within the authority. **BEGINNING JANUARY 1, 2015, TIER B PUBLIC**  
19 **NOTICE WITH A LINK OF THE ARTICLES OF INCORPORATION SHALL BE**  
20 **PROVIDED AS SET FORTH IN THE LOCAL GOVERNMENT PUBLIC NOTICE ACT.**  
21 One printed copy of ~~such-**THE**~~ articles of incorporation certified  
22 as a true copy by the person or persons designated therefor, with  
23 the date and place of ~~such-**THE**~~ publication **OR POSTING**, shall be  
24 filed with ~~each,~~ the secretary of state and the clerk of the  
25 county within which ~~such-**THE**~~ territory or the major portion  
26 ~~thereof-**OF THE TERRITORY**~~ is located. ~~Such-**THE**~~ authority shall

1 ~~become~~ **BECOMES** effective at the time provided in ~~said~~ **THE**  
 2 articles of incorporation. The validity of ~~such~~ **THE** incorporation  
 3 ~~shall be~~ **IS** conclusively presumed unless questioned in a court of  
 4 competent jurisdiction within 60 days after the filing of ~~such~~  
 5 **THE** certified copies with the secretary of state and the county  
 6 clerk.

7       Sec. 3. ~~Said~~ **THE** articles of incorporation shall state the  
 8 name of ~~such~~ **THE** authority, the names of the various  
 9 ~~municipalities~~ **CITIES, VILLAGES, OR TOWNSHIPS** creating the ~~same,~~  
 10 **AUTHORITY**, the purpose or purposes for which ~~it~~ **THE AUTHORITY** is  
 11 created, the powers, duties, and limitations of the authority and  
 12 its officers, the method of selecting its governing body,  
 13 officers, and employees, the person or persons who are charged  
 14 with the responsibilities of causing the articles of  
 15 incorporation to be published **OR POSTED** and the printed copies  
 16 ~~thereof~~ **OF THE ARTICLES OF INCORPORATION** to be certified and  
 17 filed, ~~as above provided,~~ or who are charged with any other  
 18 responsibility in connection with the incorporation of ~~said~~ **THE**  
 19 authority, and any other matters ~~which~~ **THAT** the incorporators  
 20 ~~shall deem~~ **CONSIDER** advisable, all of which ~~shall be~~ **ARE** subject  
 21 to the provisions of the **STATE** constitution **OF 1963** and **THE**  
 22 statutes of ~~the~~ **THIS** state of Michigan and particularly of this  
 23 act.

24       Sec. 7. Any city, village, or township, ~~which~~ **THAT** did not  
 25 join in the incorporation of an authority, ~~may~~ become a  
 26 constituent part ~~thereof~~ **OF AN AUTHORITY** by amendment to the  
 27 articles of incorporation adopted by the legislative body of ~~such~~

1 **THE** city, village, or township and by the legislative body of  
2 each city, village, or township of which ~~such~~**THE** authority is  
3 composed. Other amendments may be made to ~~such~~**THE** articles of  
4 incorporation if adopted by the legislative body of each city,  
5 village, or township of which the authority is composed. ~~Any such~~  
6 **EACH** amendment shall be endorsed, published **OR POSTED**, and  
7 certified printed copies filed ~~,~~in the same manner as the  
8 original articles of incorporation, except that the printed  
9 copies shall be certified and filed by the recording officer of  
10 the authority.

11       Enacting section 1. This amendatory act does not take effect  
12 unless Senate Bill No.\_\_\_\_ or House Bill No. 5560 (request no.  
13 03796'13) of the 97th Legislature is enacted into law.