

HOUSE BILL No. 6017

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

A bill to amend 1988 PA 57, entitled

"An act to provide for the incorporation by 2 or more municipalities of certain authorities for the purpose of providing emergency services to municipalities; to provide for the powers and duties of authorities and of certain state and local agencies and officers; to provide for certain condemnation proceedings; to provide for fees; to provide for the levy of property taxes for certain purposes; and to prescribe penalties and provide remedies,"

by amending sections 2 and 3 (MCL 124.602 and 124.603).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) Any 2 or more municipalities may incorporate an
2 authority for the purpose of providing emergency services to the
3 incorporating municipalities. An incorporating municipality may
4 transfer to the authority of which it is a part any municipal
5 emergency service.

1 (2) An authority is created by the adoption of articles of
 2 incorporation by the legislative body of each incorporating
 3 municipality. The adoption by an incorporating municipality shall
 4 be endorsed on the articles of incorporation in the case of a
 5 county by the county executive or chairperson of the board of
 6 commissioners of the county and the county clerk; in the case of a
 7 city by the mayor and clerk of the city; in the case of a village
 8 by the president and clerk of a village; and in the case of a
 9 township by the supervisor and clerk of a township, in a form
 10 substantially as follows:

11 "The foregoing articles of incorporation were adopted by the
 12 _____ of the _____ of
 13 _____, _____ county,
 14 Michigan, at a meeting duly held on the _____ day of
 15 _____, 19____ of said
 16 _____ Clerk of said _____".

17 (3) An authority's jurisdiction shall be comprised of the
 18 total territory within the incorporating municipalities. ~~The~~**BEFORE**
 19 **JANUARY 1, 2015, THE** articles of incorporation shall be published
 20 at least once in a newspaper designated in the articles of
 21 incorporation and circulating within the territory of the
 22 authority. **BEGINNING JANUARY 1, 2015, TIER B PUBLIC NOTICE WITH A**
 23 **LINK OF THE ARTICLES OF INCORPORATION SHALL BE PROVIDED AS SET**
 24 **FORTH IN THE LOCAL GOVERNMENT PUBLIC NOTICE ACT.** A printed copy of
 25 the articles of incorporation, certified as a true copy by the
 26 person or persons designated in the articles, and containing the
 27 date and place of publication **OR POSTING**, shall be filed with the

1 secretary of state. An authority shall become effective at the time
2 provided in its articles of incorporation. The validity of the
3 incorporation of an authority shall be conclusively presumed unless
4 questioned in a court of competent jurisdiction within 60 days
5 after the date on which certified copies of the articles of
6 incorporation are filed with the secretary of state.

7 (4) The laws of this state applying to a municipality that
8 becomes a part of an authority also shall continue to apply to the
9 municipality and the authority after the municipality becomes a
10 part of the authority.

11 Sec. 3. (1) Any county, city, village, or township may become
12 a part of an existing authority by amendment to the authority's
13 articles of incorporation, adopted by the legislative body of the
14 county, city, village, or township and by the legislative body of
15 every other county, city, village, or township of which the
16 existing authority is composed.

17 (2) Other amendments may be made to an authority's articles of
18 incorporation if adopted by the legislative body of each city,
19 village, or township of which the authority is composed. An
20 amendment shall be endorsed and published **OR POSTED**, and certified
21 printed copies shall be filed in the same manner as the original
22 articles of incorporation, except that the filed printed copies
23 shall be certified by the recording officer of the authority.

24 Enacting section 1. This amendatory act does not take effect
25 unless Senate Bill No. ____ or House Bill No. 5560 (request no.
26 03796'13) of the 97th Legislature is enacted into law.