

HOUSE BILL No. 6026

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

A bill to amend 1933 PA 94, entitled
"The revenue bond act of 1933,"
by amending sections 6 and 33 (MCL 141.106 and 141.133), section 33
as amended by 1982 PA 188.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. The governing body of a public corporation by the
2 affirmative vote of a majority of its elected members, at the
3 meeting at which it is introduced or any subsequent meeting, may
4 adopt an ordinance relating to the exercise of the powers granted
5 in this act and to other matters necessary or desirable to
6 effectuate this act, to provide for the adequate operation of a
7 public improvement established under this act, and to insure the
8 security of bonds issued. The adoption shall be subject to
9 applicable statutory or charter provisions in respect to the

1 approval or disapproval of the chief executive or other officer of
2 the public corporation and the adoption of the ordinance over his
3 or her veto, except in case of the adoption of an ordinance under
4 this act by the board of commissioners of a county, it shall not be
5 necessary to submit the ordinance to the governor for approval. An
6 ordinance adopted under this act shall become effective upon its
7 adoption unless otherwise specified in the ordinance. It shall not
8 be subject to a referendum vote of the electors of the public
9 corporation except as provided in section 33. The ordinance shall
10 be recorded in the minutes of the meeting of the governing body of
11 the public corporation as soon as practicable after its passage.
12 The record shall be authenticated by the signatures of the
13 presiding officer and the clerk or other recording officer of the
14 governing body. ~~The~~ **THROUGH DECEMBER 31, 2014, THE** ordinance shall
15 be published once in a newspaper of general circulation within the
16 boundaries of the public corporation. ~~The~~ **THROUGH DECEMBER 31,**
17 **2014, THE** publication of the ordinance as a part of the minutes of
18 the meeting at which it was adopted, shall be considered a
19 publication in conformity with this act. **BEGINNING JANUARY 1, 2015,**
20 **THE GOVERNING BODY SHALL PROVIDE TIER B PUBLIC NOTICE AS PROVIDED**
21 **IN THE LOCAL GOVERNMENT PUBLIC NOTICE ACT.** Except as otherwise
22 provided in this act, this section shall constitute the sole
23 requirements in respect to the adoption and publication of an
24 ordinance and shall not be limited by a charter or statutory
25 provisions.

26 Sec. 33. Unless otherwise provided in this act, the powers
27 conferred upon public corporations by this act shall be exercised

1 by their respective governing bodies and this act shall be
2 construed as authorizing the issuance of bonds under this act
3 without submitting the proposition for the approval of the
4 proposition to the voters of the borrowers. Except in the case of
5 refunding bonds or bonds issued to comply with an order of a court
6 or an order or permit requirement of a state or federal agency of
7 competent jurisdiction to prevent or limit pollution of the
8 environment, the governing body shall, **THROUGH DECEMBER 31, 2014,**
9 publish a notice of intent to issue bonds. **BEGINNING JANUARY 1,**
10 **2015, THE GOVERNING BODY SHALL PROVIDE TIER B PUBLIC NOTICE AS**
11 **PROVIDED IN THE LOCAL GOVERNMENT PUBLIC NOTICE ACT.** If within 45
12 days after ~~the publication~~ **PROVIDING NOTICE** of the notice a
13 petition, signed by not less than 10% or 15,000 of the registered
14 electors, whichever is less, residing within the limits of the
15 borrower, is filed with the clerk, or other recording officer, of
16 the borrower, requesting a referendum upon the question of the
17 issuance of the bonds, then the bonds shall not be issued until
18 approved by the vote of a majority of the electors of the borrower
19 qualified to vote and voting on the bonds at a general or special
20 election. The notice shall be directed to the electors of the
21 borrower, and, if the borrower is an authority, to the electors of
22 its constituent public corporations, and shall be published in a
23 newspaper which has general circulation in the territory of the
24 borrower, and shall state the maximum amount of bonds to be issued,
25 the purpose of the bonds, source of payment, right of referendum on
26 the bonds, and other information the governing body determines
27 necessary to adequately inform the electors of the nature of the

1 issue. A special election called for this purpose shall not be
2 included in a statutory or charter limitation as to the number of
3 special elections to be called within a period of time. Signatures
4 on the petition shall be verified by a person under oath, as the
5 actual signatures of the persons whose names are signed to the
6 petition, and the clerk, or other recording officer, of the
7 borrower shall have the same power to reject signatures and
8 petitions as city clerks pursuant to section 25 of ~~Act No. 279 of~~
9 ~~the Public Acts of 1909, as amended, being section 117.25 of the~~
10 ~~Michigan Compiled Laws.~~ **THE HOME RULE CITY ACT, 1909 PA 279, MCL**
11 **117.25.** The number of registered electors in any borrower shall be
12 determined by the township or city registration books, or both, or
13 if the borrower is a village, then by the village registration
14 books. Section ~~5(g)~~ **5(1)(G)** of ~~Act No. 279 of the Public Acts of~~
15 ~~1909, as amended, being section 117.5 of the Michigan Compiled~~
16 ~~Laws,~~ **THE HOME RULE CITY ACT, 1909 PA 279, MCL 117.5,** relative to
17 notice of intention to issue bonds, shall not apply to the
18 authorization of the issuance of bonds under this act.

19 Enacting section 1. This amendatory act does not take effect
20 unless Senate Bill No. ____ or House Bill No. 5560 (request no.
21 03796'13) of the 97th Legislature is enacted into law.