

SENATE BILL No. 675

June 25, 2009, Introduced by Senators BARCIA, CROPSEY and PAPPAGEORGE and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1955 PA 233, entitled

"An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies,"

by amending section 1 (MCL 124.281), as amended by 1981 PA 154.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. As used in this act:

(A) "AUTHORITY", UNLESS THE CONTEXT CLEARLY IMPLIES A DIFFERENT MEANING, MEANS AN AUTHORITY INCORPORATED UNDER SECTION 2.

(B) "CONSTITUENT MUNICIPALITY" OR "CONSTITUENT MUNICIPALITIES" INCLUDES ALL OF THE MUNICIPALITIES THAT SIGNED OR BECAME

1 SIGNATORIES OF ARTICLES OF INCORPORATION OF ANY AUTHORITY
2 INCORPORATED UNDER THIS ACT. HOWEVER, IF AN AUTHORITY IS
3 INCORPORATED BY 2 OR MORE COUNTIES, EACH MUNICIPALITY WITHIN THE
4 RESPECTIVE TERRITORIAL LIMITS OF THE COUNTIES, WHETHER THE COUNTIES
5 ARE ORIGINAL INCORPORATORS OR SUBSEQUENTLY BECAME A CONSTITUENT
6 PART OF THE AUTHORITY UNDER SECTION 6, IS A CONSTITUENT
7 MUNICIPALITY.

8 (C) "INDIAN TRIBE" MEANS AN INDIAN TRIBE, BAND, NATION, OR
9 OTHER ORGANIZED GROUP OR COMMUNITY OF INDIANS THAT IS RECOGNIZED AS
10 ELIGIBLE FOR SERVICES BY THE UNITED STATES SECRETARY OF THE
11 INTERIOR BECAUSE OF THEIR STATUS AS INDIANS.

12 (D) "MUNICIPALITY" MEANS A COUNTY, TOWNSHIP, CITY, OR VILLAGE.

13 (E) ~~(a)~~ "Sewage disposal system" ~~,~~ "includes all interceptor
14 sewers, storm sewers, sanitary sewers, combined sanitary and storm
15 sewers, sewage treatment plants, and all other plants, works,
16 instrumentalities, and properties used or useful in connection with
17 the collection, treatment, or disposal of sewage or industrial
18 wastes.

19 ~~—— (b) "Water supply system," includes all plants, works,~~
20 ~~instrumentalities, and properties used or useful in connection with~~
21 ~~obtaining a water supply, the treatment of water, or the~~
22 ~~distribution of water.~~

23 (F) ~~(e)~~ "Solid waste management system" includes all plants,
24 works, instrumentalities, and properties used or useful in
25 connection with the collection, transportation, processing, or
26 disposal of discarded or waste materials of any sort, including
27 access roads and facilities for resource recovery. ~~"Solid waste~~

1 management system "—does not include the storage or disposal of
2 toxic materials.

3 ~~—— (d) "Municipality," includes each county, township, city, or
4 village.~~

5 ~~—— (e) "Constituent municipality" or "constituent municipalities"
6 includes all of the municipalities which signed or became
7 signatories of articles of incorporation of any authority
8 incorporated under this act, except if the authority is
9 incorporated by 2 or more counties, in which event each
10 municipality within the respective territorial limits of the
11 counties as are either original incorporators or subsequently
12 become a constituent part of the authorities under section 6, shall
13 be considered to be a constituent municipality for the purposes of
14 this act.~~

15 (G) "WATER SUPPLY SYSTEM" INCLUDES ALL PLANTS, WORKS,
16 INSTRUMENTALITIES, AND PROPERTIES USED OR USEFUL IN CONNECTION WITH
17 OBTAINING A WATER SUPPLY, THE TREATMENT OF WATER, OR THE
18 DISTRIBUTION OF WATER.