

HOUSE BILL No. 6007

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

A bill to amend 1947 PA 179, entitled

"An act to provide for the incorporation of certain municipal authorities for the collection or disposal, or both, of garbage or rubbish, or both, and for the operation of a dog pound; and to prescribe the powers, rights and duties thereof,"

by amending sections 1, 2, and 7 (MCL 123.301, 123.302, and 123.307).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) Any 2 or more cities, villages, or townships,
2 ~~hereinafter referred to as "municipalities", or any combination~~
3 ~~thereof,~~ **OF CITIES, VILLAGES, OR TOWNSHIPS**, may incorporate an
4 authority for the purpose of ~~the collection or disposal,~~ **COLLECTING**
5 **OR DISPOSING**, or both, ~~of~~ garbage or rubbish, or both, and for ~~the~~
6 ~~establishment and operation of~~ **ESTABLISHING AND OPERATING** a dog

1 pound, by the adoption of ~~ADOPTING~~ articles of incorporation ~~by~~
 2 the legislative body of each ~~such municipality. The fact of such~~
 3 **INCORPORATING CITY, VILLAGE, OR TOWNSHIP. THE** adoption shall be
 4 endorsed on ~~such THE~~ articles of incorporation by the mayor and
 5 clerk of the city, the president and clerk of the village, or the
 6 supervisor and clerk of the township, as ~~the case may be,~~
 7 **APPLICABLE**, in form substantially as follows:

8 "The foregoing articles of incorporation were adopted by the
 9 of the of
 10
 11 county, Michigan, at a meeting duly held on the
 12 day of, ~~19-20~~.... of ~~said THE~~
 13 Clerk of ~~said THE~~"

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

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

6 Sec. 2. ~~Said~~**THE** articles of incorporation shall state the
7 name of ~~such~~**THE** authority, the names of the various municipalities
8 creating the ~~same~~**, AUTHORITY**, the purpose or purposes for which ~~it~~
9 **THE AUTHORITY** is created, the powers, duties, and limitations of
10 the authority and its officers, the method of selecting its
11 governing body, officers, and employees, **AND** the person or persons
12 who are charged with the responsibility of causing the articles of
13 incorporation to be published **OR POSTED** and printed copies to be
14 certified and filed ~~as above provided~~ or who are charged with any
15 other responsibility in connection with the incorporation of ~~said~~
16 **THE** authority, all of which shall be subject to the provisions of
17 the **STATE** constitution **OF 1963** and **THE** statutes of ~~the~~**THIS** state
18 ~~of Michigan~~ and particularly of this act.

19 Sec. 7. Any city, village, or township may become a part of
20 ~~such~~**AN** authority by amendment to the articles of incorporation,
21 adopted by the legislative body of ~~such~~**THE** city, village, or
22 township and by the legislative body of each city, village, or
23 township of which ~~such~~**THE** authority is composed. Other amendments
24 may be made to ~~such~~**THE** articles of incorporation if adopted by the
25 legislative body of each city, village, or township of which the
26 authority is composed. Any ~~such~~ amendment shall be endorsed,
27 published **OR POSTED**, and certified printed copies filed in the same

1 manner as the original articles of incorporation, except that the
2 filed printed copies shall be certified by the recording officer of
3 the authority.

4 Enacting section 1. This amendatory act does not take effect
5 unless Senate Bill No. ____ or House Bill No. 5560 (request no.
6 03796'13) of the 97th Legislature is enacted into law.