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BILL ANALYSIS

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House Bill 6121 (as passed by the House)
Sponsor: Representative Tom Pearce
House Committee: Intergovernmental, Urban, and Regional Affairs
Senate Committee: Local, Urban and State Affairs

Date Completed: 6-17-08

CONTENT

The bill would amend Public Act 233 of 1955, which authorizes the incorporation of municipal authorities to acquire, own, and operate sewage disposal systems, water supply systems, and solid waste management systems, to allow a municipal authority to publish in a newspaper a summary of rules and regulations adopted by resolution, instead of publishing the rules and regulations.

Under the Act, any two or more municipalities may incorporate an authority for the purpose of acquiring, owning, improving, enlarging, extending, and operating a sewage disposal system, a water supply system, a solid waste management system, or a combination of systems, by the adoption of articles of incorporation by the legislative body of each of the municipalities. The authority must adopt rules and regulations by resolution of its governing body and with concurrence of constituent municipalities. A notice of the resolution and the rules and regulations adopted by the resolution must be published in a newspaper of general circulation within the territory encompassed by the authority and within the territory furnished service by the authority under contract. The rules and regulations take effect 30 days after the date of publication of the notice and the rules and regulations.

Under the bill, after adoption of the resolution and concurrence by the constituent municipalities, a notice of adoption of the resolution and the rules and regulations, or a summary of those rules and regulations, would have to be published as described above. If a summary of rules and regulations were published, the summary would have to be written in clear and nontechnical language and the authority would have to designate in the publication the location where a full copy of the rules and regulations could be inspected or obtained.

MCL 124.284a

Legislative Analyst: Craig Laurie

FISCAL IMPACT

This bill would reduce the amount of information that local governments are required to publish in local newspapers and, therefore, the cost of publishing this information would decline. While the savings under the bill would not be significant compared with overall local government spending, it is not possible to make a reasonable estimate of the cost savings local governments would realize because there are too many unknowns, including: 1) the number of local governments that would be adopting new water or sewer authority rules and regulations, 2) the amount by which the summary would be shorter than the entire text of the rules and regulations, and 3) the average rates to publish such a notice in newspapers. This bill would have no impact on State government.

Fiscal Analyst: Jay Wortley

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.