



HOUSE BILL No. 4891

May 24, 1995, Introduced by Rep. Bobier and referred to the Committee on Local Government.

A bill to amend section 2 of Act No. 57 of the Public Acts of 1988, 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 guarantee certain labor contracts and employment rights in regard to the formation and reorganization of authorities; to provide for certain condemnation proceedings; and to provide for the levy of property taxes for certain purposes,"

being section 124.602 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2 of Act No. 57 of the Public Acts of
2 1988, being section 124.602 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 2. (1) Any 2 or more municipalities may incorporate an
5 authority for the purpose of providing emergency services to the
6 incorporating municipalities. An incorporating municipality may

1 transfer to the authority of which it is a part any municipal
2 emergency service.

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

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

19 (3) An authority's jurisdiction shall be comprised of the
20 total territory within the incorporating municipalities. The
21 articles of incorporation OR A SUMMARY OF THE ARTICLES OF
22 INCORPORATION shall be published at least once in a newspaper
23 designated in the articles of incorporation and circulating
24 within the territory of the authority. A printed copy of the
25 articles of incorporation, certified as a true copy by the person
26 or persons designated in the articles, and containing the date
27 and place of publication, shall be filed with the secretary of

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

7 (4) ~~The~~ SUBJECT TO THIS ACT, THE laws of this state apply-
8 ing to a municipality that becomes a part of an authority also
9 shall continue to apply to the municipality and the authority
10 after the municipality becomes a part of the authority.