

HOUSE BILL No. 4699

May 2, 2001, Introduced by Reps. Scranton, Stallworth, Rocca, Hager, Gilbert, Richardville, Jamnick and Kowall and referred to the Committee on Transportation.

A bill to amend 1967 PA 204, entitled
"Metropolitan transportation authorities act of 1967,"
by amending sections 2 and 5 (MCL 124.402 and 124.405), as
amended by 1988 PA 481; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Authority" means an authority created by or pursuant to
3 this act.

4 (b) "Board" means the governing and administrative body of
5 an authority.

6 (c) "Chief executive officer" means, with respect to a city,
7 the mayor of the city and, with respect to a county, either the
8 county executive of the county or, for a county not having a
9 county executive, the chairperson of the county board of
10 commissioners.

1 (d) "Constituent unit" means each of the counties comprising
 2 a part of an authority or a council and each city having a popu-
 3 lation of 750,000 or more within such a county.

4 ~~(e) "Council" means a regional transit coordinating council~~
 5 ~~formed pursuant to section 4a.~~

6 (E) ~~(f)~~ "Governor" means the governor of the state.

7 (F) ~~(g)~~ "Metropolitan area" means an area conforming in
 8 general to a consolidated metropolitan statistical area as
 9 defined by the United States office of management and budget or 2
 10 or more counties ~~which~~ THAT form a generally recognized urban
 11 complex. However, for the purposes of this act, Lapeer county
 12 shall not be considered part of a consolidated metropolitan sta-
 13 tistical area.

14 (G) ~~(h)~~ "Public transportation facility" means all proper-
 15 ty, real and personal, public or private, so long as used or
 16 useful for general or special transportation service to the
 17 public, including, but not limited to, street railways, motor
 18 bus, tramlines, subways, monorails, rail rapid transit, and the
 19 movement of people thereby together with tunnel, bridge, and
 20 parking facilities used in connection with these transportation
 21 services of the authority, but ~~shall~~ DOES not include taxis,
 22 limousines, highways, ports, airports, charter or sightseeing
 23 services, or transportation ~~which~~ THAT is exclusively used for
 24 school purposes.

25 Sec. 5. (1) The southeastern Michigan transportation
 26 authority ~~which~~ THAT shall include the counties of Livingston,
 27 Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne is

1 established, but a county choosing not to participate in the
2 authority may withdraw by a resolution of withdrawal approved by
3 a majority vote of its elected county board of commissioners
4 within 1 year after the establishment of the authority and by a
5 2/3 vote of the members elected to and serving on the county
6 board of commissioners at any time thereafter. However, if the
7 county has an elected county executive ~~pursuant to Act No. 139~~
8 ~~of the Public Acts of 1973, as amended,~~ UNDER 1973 PA 139, MCL
9 45.551 TO 45.573, the county executive may veto the resolution.
10 A veto may be overridden by a 2/3 vote of the members elected to
11 and serving on the county board of commissioners. A county that
12 withdraws from the southeastern Michigan transportation authority
13 ~~and whose chief executive officer is or was required to form a~~
14 ~~corporation pursuant to section 4a, shall lose its seat on the~~
15 ~~council,~~ shall not retain any assets of the authority, and shall
16 not contract for public transportation services with the
17 authority.

18 ~~-(2) If a county whose chief executive officer is not~~
19 ~~required to form a corporation pursuant to section 4a elects to~~
20 ~~withdraw from the authority within 12 months after the effective~~
21 ~~date of the 1988 amendatory act that added this subsection, the~~
22 ~~authority shall convey to that county and to any local authority~~
23 ~~that has a service area within that county all assets and liabil-~~
24 ~~ities utilized by or attributable to that county or local~~
25 ~~authority. The state transportation department shall reduce the~~
26 ~~level of state funding to the authority by the amount~~
27 ~~attributable to that county or local authority and transmit these~~

~~1 funds directly to the county or local authority that has a~~
~~2 service area within the county that elected to withdraw.~~

3 (2) ~~-(3)-~~ If the southeastern Michigan transportation
4 authority ceases to operate or is dissolved and a successor
5 agency is not created to assume its assets and liabilities, and
6 perform its functions, and if the southeastern Michigan transpor-
7 tation authority is authorized to secure the payment of compensa-
8 tion under section 611(1)(a) of ~~Act No. 317 of the Public Acts~~
9 ~~of 1969, as amended, being section 418.611 of the Michigan~~
10 ~~Compiled Laws~~ THE WORKER'S DISABILITY COMPENSATION ACT OF 1969,
11 1969 PA 317, MCL 418.611, then the state guarantees the payment
12 of claims for benefits arising under ~~Act No. 317 of the Public~~
13 ~~Acts of 1969, as amended, being sections 418.101 to 418.941 of~~
14 ~~the Michigan Compiled Laws~~ THE WORKER'S DISABILITY COMPENSATION
15 ACT OF 1969, 1969 PA 317, MCL 418.101 TO 418.941, against the
16 southeastern Michigan transportation authority during the time
17 ~~they were~~ IT WAS approved as a self-insured employer. The
18 state shall be entitled to a lien ~~which~~ THAT shall take prece-
19 dence over all other liens on its portion of the assets of the
20 southeastern Michigan transportation authority in satisfaction of
21 the payment of claims for benefits under ~~Act No. 317 of the~~
22 ~~Public Acts of 1969, as amended~~ THE WORKER'S DISABILITY COMPEN-
23 SATION ACT OF 1969, 1969 PA 317, MCL 418.101 TO 418.941.

24 (3) ~~-(4)-~~ A community or group of communities in the south-
25 eastern Michigan transportation authority region may create citi-
26 zens planning and advisory councils to relate their particular
27 concerns to the board on a regularly scheduled basis. These

1 councils shall have memberships representative of the various
2 neighborhoods within those cities.

3 Enacting section 1. Sections 4a, 4b, and 5b of the metro-
4 politan transportation authorities act of 1967, 1967 PA 204, MCL
5 124.404a, 124.404b, and 124.405b, are repealed.