

PA130 of 2008 – Additional opt-in opportunity

In 2006, Senator Raymond E. Basham introduced legislation, SB1211, to amend the METRO Act to allow ineligible municipalities that elect to opt-in. The METRO Authority mailed letters on April 28, 2006 to 39 municipalities that had not opted in to PA 48, informing them of the proposed legislation and requesting they complete and return an “intent notice form”

The intent form gave the municipalities three options to choose from, depending on whether and/or when the proposed legislation was enacted:

1. The municipality intended to take appropriate action by June 30, 2006 to become eligible (opt-in) to be allocated for 2006 METRO Act funds to be distributed by June 15, 2006; and thereafter. (The form must have been returned by May 26, 2006 and action taken by June 30, 2006.)
2. The municipality intended to take appropriate action by December 31, 2006 to become eligible (opt-in) to receive their pro-rata distribution of any available 2006 funds after the above cited June 2006 distribution; and thereafter. (The form must have been returned and action taken by December 31, 2006.)
3. Municipality did not plan to take appropriate action to become eligible to receive METRO Act funds in 2006 as cited above; or thereafter.

Nineteen municipalities returned the intent forms, selecting either option 1 or 2. However, SB1211 expired in the lame duck session. As a result, these 19 municipalities were not eligible to receive 2006 METRO Act funds.

On January 30, 2007, Senator Basham introduced SB108 with a similar intent – to allow those municipalities that did not opt in to receive METRO Act funding. This bill was signed and enrolled as [PA130 of 2008](#) on May 9, 2008. Subsequently, those 19 municipalities that had returned their intent forms selection option 1 or 2, and had adopted an appropriate resolution or ordinance modifying any local fees charged to telecom providers to an amount not exceeding the amounts of fees and charges required under the METRO Act, became eligible to receive funding in future years. In addition, they received funds from 2007 that had been set aside for them in the eventuality that this legislation would be passed.