



HOUSE BILL No. 6158

September 25, 1996, Introduced by Rep. Whyman and referred to the Committee on Local Government.

A bill to amend section 10 of Act No. 325 of the Public Acts of 1994, entitled "The international tradeport development authority act," being section 125.2530 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 10 of Act No. 325 of the Public Acts of
2 1994, being section 125.2530 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 10. (1) ~~Within~~ NOT MORE THAN 60 days after THE
5 establishment of an authority and subject to THE approval of the
6 enterprise zone authority, that authority shall establish the
7 geographic boundaries of the zone, which shall include an airport
8 facility and surrounding area, the total area of which is greater
9 than 5,000 acres. The geographic boundaries of the zone shall be

1 contiguous. In addition, the board shall determine which of the
2 following are included in the geographic boundary of the zone:

3 (a) Multimodal facilities or planned multimodal facilities.

4 (b) Pertinent access roads and truck facilities.

5 (c) Industrial parks or warehousing facilities.

6 (d) Manufacturing plants that have been closed or abandoned
7 causing significant job loss.

8 (e) Infrastructure services.

9 (f) Relevant land uses directly related to the zone.

10 (g) Land capable of providing high-value added development
11 that will enhance the authority's bond activities.

12 (2) After the board makes a determination establishing the
13 geographic boundaries of the ~~authority~~ ZONE, the board shall
14 submit ~~these determinations~~ ITS DETERMINATION to the enterprise
15 zone authority for approval. If the enterprise zone authority
16 approves the geographic boundaries, then the geographic bounda-
17 ries of the zone shall be so fixed. If the enterprise zone
18 authority rejects the determinations of the geographic bounda-
19 ries, then the board shall redetermine the geographic boundaries
20 under this section and resubmit them to the enterprise zone
21 authority for approval.

22 (3) After the geographic boundaries of the zone are deter-
23 mined under subsections (1) and (2), the geographic boundaries of
24 the zone may be altered only on approval by a majority of the
25 board and the approval of the enterprise zone authority.

26 (4) Within 12 months after the establishment of an authority
27 and subject to approval by the enterprise zone authority, the

1 authority shall approve a development plan. The authority shall
2 approve the development plan for the zone ~~of~~ BY a 2/3 vote of
3 the board. Criteria for approval of a development plan shall
4 include, but ~~are not~~ NEED NOT BE limited to, the following:

5 (a) The development plan shall encompass the entire geo-
6 graphic area of the zone.

7 (b) The development plan shall identify site uses and phases
8 for development.

9 (c) The development plan shall identify the proposed source
10 and use of funds.

11 (5) The board shall coordinate its development plan and any
12 amendments to the development plan with both of the following:

13 (a) The master plan and zoning ordinances of the qualified
14 counties and local governmental units in which all or a portion
15 of the zone is located.

16 (b) The development plan of a tax increment finance author-
17 ity district in which all or a portion of the zone is located.

18 (6) After the board develops a development plan under sub-
19 section (4), the board shall submit the plan to the enterprise
20 zone authority for approval. ~~If~~ SUBJECT TO SUBSECTION (8), IF
21 the enterprise zone authority approves the development plan, that
22 development plan shall be the development plan of that
23 authority. If the enterprise zone authority OR THE ELECTORATE OF
24 A COUNTY VOTING IN A REFERENDUM ELECTION UNDER SUBSECTION (8)
25 rejects the development plan, then the board shall develop a new
26 development plan under this section and resubmit it to the
27 enterprise zone authority for approval.

1 (7) After the development plan is approved under subsections
2 (4) and (6), the development plan may be amended or altered only
3 upon approval of a 2/3 majority of the board and approval of the
4 enterprise zone authority.

5 (8) A DEVELOPMENT PLAN IS FINAL, SUBJECT ONLY TO AMENDMENT
6 OR ALTERATION UNDER SUBSECTION (7), 46 DAYS AFTER IT IS APPROVED
7 BY THE ENTERPRISE ZONE AUTHORITY UNDER SUBSECTION (6) UNLESS, NOT
8 MORE THAN 45 DAYS AFTER APPROVAL BY THE ENTERPRISE ZONE AUTHORI-
9 TY, A SUFFICIENT PETITION FOR A REFERENDUM ON THE DEVELOPMENT
10 PLAN IS FILED WITH THE CLERK OF A COUNTY IN WHICH THE ZONE IS
11 LOCATED, OR A COUNTY THAT IS CONTIGUOUS TO SUCH A COUNTY. THE
12 PETITION SHALL CONTAIN THE SIGNATURES OF AT LEAST 25% OF THE REG-
13 ISTERED ELECTORS RESIDING IN THE COUNTY WITH WHOSE CLERK THE
14 PETITION IS FILED. A REFERENDUM ON THE QUESTION OF THE APPROVAL
15 OF THE DEVELOPMENT PLAN SHALL BE HELD IN EACH COUNTY IN WHICH A
16 VALID PETITION WAS FILED. IF THE MAJORITY OF THE ELECTORATE
17 VOTING ON THE QUESTION IN EACH COUNTY IN WHICH A REFERENDUM IS
18 HELD, VOTING SEPARATELY, APPROVES THE DEVELOPMENT PLAN, THE
19 DEVELOPMENT PLAN IS FINAL 46 DAYS AFTER THE ELECTION. HOWEVER,
20 IF THE MAJORITY OF THE ELECTORATE IN 1 OR MORE COUNTIES IN WHICH
21 A REFERENDUM WAS HELD, VOTING SEPARATELY, REJECTS THE DEVELOPMENT
22 PLAN, THEN THE PLAN IS VOID.

23 (9) ~~-(8)-~~ The authority is subject to local ordinances and
24 regulatory codes.

25 (10) ~~-(9)-~~ Approval of the geographic boundaries of the zone
26 and the development plan by the board and the enterprise zone

1 authority conclusively establishes that the requirements of this
2 section have been met.