

# HOUSE BILL No. 4338

February 18, 1997, Introduced by Rep. Whyman and referred to the Committee on Transportation.

A bill to amend 1994 PA 325, entitled  
"The international tradeport development authority act,"  
by amending section 10 (MCL 125.2530).

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1       Sec. 10. (1) ~~Within~~ NOT MORE THAN 60 days after THE  
2 establishment of an authority and subject to THE approval of the  
3 enterprise zone authority, that authority shall establish the  
4 geographic boundaries of the zone, which shall include an airport  
5 facility and surrounding area, the total area of which is greater  
6 than 5,000 acres. The geographic boundaries of the zone shall be  
7 contiguous. In addition, the board shall determine which of the  
8 following are included in the geographic boundary of the zone:
- 9       (a) Multimodal facilities or planned multimodal facilities.  
10       (b) Pertinent access roads and truck facilities.

(c) Industrial parks or warehousing facilities.

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

(e) Infrastructure services.

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

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

(2) After the board makes a determination establishing the geographic boundaries of the ~~authority~~ ZONE, the board shall submit ~~those determinations~~ ITS DETERMINATION to the enterprise zone authority for approval. If the enterprise zone authority approves the geographic boundaries, then the geographic boundaries of the zone shall be so fixed. If the enterprise zone authority rejects the determinations of the geographic boundaries, then the board shall redetermine the geographic boundaries under this section and resubmit them to the enterprise zone authority for approval.

(3) After the geographic boundaries of the zone are determined under subsections (1) and (2), the geographic boundaries of the zone may be altered only on approval by a majority of the board and the approval of the enterprise zone authority.

(4) Within 12 months after the establishment of an authority and subject to approval by the enterprise zone authority, the authority shall approve a development plan. The authority shall approve the development plan for the zone ~~of~~ BY a 2/3 vote of the board. Criteria for approval of a development plan shall include, but ~~are not~~ NEED NOT BE limited to, the following:

1 (a) The development plan shall encompass the entire  
2 geographic area of the zone.

3 (b) The development plan shall identify site uses and phases  
4 for development.

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

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

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

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

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

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

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

19       (9) ~~—(8)—~~ The authority is subject to local ordinances and  
20 regulatory codes.

21       (10) ~~—(9)—~~ Approval of the geographic boundaries of the zone  
22 and the development plan by the board and the enterprise zone  
23 authority conclusively establishes that the requirements of this  
24 section have been met.