

# HOUSE BILL No. 5330

January 31, 2012, Introduced by Reps. Bumstead and Hughes and referred to the Committee on Education.

A bill to amend 2008 PA 549, entitled "Michigan promise zone authority act," by amending sections 11 and 15 (MCL 390.1671 and 390.1675).

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

1           Sec. 11. (1) The board may employ ~~and fix the~~ **A DIRECTOR. ALL**  
2 **OF THE FOLLOWING APPLY TO A DIRECTOR EMPLOYED BY A BOARD UNDER THIS**  
3 **SUBSECTION:**

4           **(A) THE BOARD SHALL ESTABLISH THE DIRECTOR'S** compensation. ~~of~~  
5 ~~a director.~~

6           **(B)** The director ~~shall serve~~ **SERVES** at the pleasure of the  
7 board.

8           **(C)** A member of the board is not eligible to hold the position  
9 of director.

10           **(D)** Before beginning his or her duties, the director shall

1 take and subscribe to the constitutional oath and furnish **A** bond ~~by~~  
2 ~~posting a bond in the sum~~ **IN AN AMOUNT** determined in the resolution  
3 establishing the authority, payable to the authority for use and  
4 benefit of the authority, approved by the board, and filed with the  
5 clerk of the eligible entity. The premium on the bond shall be  
6 considered an operating expense of the authority, payable from  
7 ~~funds~~ **MONEY** available to the authority for expenses of operation.

8 **(E)** The director ~~shall be~~ **IS** the chief executive officer of  
9 the authority.

10 (2) Subject to the approval of the board, the director shall  
11 supervise and ~~be~~ **IS** responsible for implementing the promise zone  
12 development plan and the performance of the functions of the  
13 authority in the manner authorized ~~by~~ **UNDER** this act. The director  
14 shall attend the meetings of the board and shall provide to the  
15 board, the governing body, and the chief executive officer of the  
16 eligible entity a regular report covering the activities and  
17 financial condition of the authority. If the director is absent or  
18 disabled, the board may designate a qualified person as acting  
19 director to perform the duties of the office. Before beginning his  
20 or her duties, the acting director shall take and subscribe to the  
21 oath, and furnish **A** bond, as required of the director **UNDER**  
22 **SUBSECTION (1) (D)**. The director shall furnish the board with **ANY**  
23 information or reports governing the operation of the authority ~~as~~  
24 **THAT** the board requires.

25 (3) The board may employ and fix the compensation of a  
26 treasurer, who shall keep the financial records of the authority  
27 and who, together with the director, shall approve all vouchers for

1 the expenditure of ~~funds~~ **MONEY** of the authority. The treasurer  
2 shall perform all duties delegated to him or her by the board and  
3 shall furnish a bond in an amount prescribed by the board.

4 (4) The board may employ and fix the compensation of a  
5 secretary, who shall maintain custody of the official seal and of  
6 records, books, documents, or other papers **THE TREASURER IS** not  
7 required to ~~be maintained by the treasurer.~~ **MAINTAIN.** The secretary  
8 shall attend meetings of the board and keep a record of its  
9 proceedings and shall perform other duties delegated by the board.

10 (5) The board may retain legal counsel to advise the board in  
11 the proper performance of its duties.

12 (6) The board may employ **ANY** other personnel ~~considered~~ **THAT**  
13 **THE BOARD CONSIDERS** necessary. ~~by the board.~~

14 (7) ~~Money received by the~~ **THE** authority shall immediately ~~be~~  
15 ~~deposited~~ **DEPOSIT ANY MONEY IT RECEIVES** to the credit of the  
16 authority, subject to disbursement under this act.

17 (8) ~~The authority shall not expend more than 15% of the~~  
18 ~~proposed annual budget~~ **BEGINNING IN THE FIRST FISCAL YEAR IN WHICH**  
19 **IT RECEIVES REVENUE FROM THE STATE FROM THE CAPTURE OF STATE**  
20 **EDUCATION TAX REVENUE UNDER SECTION 17, THE AUTHORITY MAY USE NOT**  
21 **MORE THAN 15% OF THE AMOUNT OF THAT REVENUE TO PAY** for  
22 administrative costs.

23 Sec. 15. (1) The director of the authority shall submit a  
24 budget to the board for the operation of the authority for each  
25 fiscal year before the beginning of the fiscal year. The budget  
26 shall be prepared in the manner and contain the information  
27 required of municipal departments. ~~After review by the board, the~~

1 ~~budget shall be submitted~~ **THE BOARD SHALL REVIEW A BUDGET SUBMITTED**  
2 **TO IT UNDER THIS SUBSECTION.**

3 (2) **UNLESS SUBSECTION (3) APPLIES, A BOARD MAY NOT ADOPT A**  
4 **BUDGET DESCRIBED IN SUBSECTION (1) UNLESS IT SUBMITS THAT BUDGET to**  
5 **the governing body .~~The~~ **AND THE** governing body ~~must approve~~**  
6 **APPROVES the budget. ~~before the board may adopt the budget.~~**

7 (3) **IF THE ELIGIBLE ENTITY WHOSE GOVERNING BODY CREATED AN**  
8 **AUTHORITY IS A LOCAL SCHOOL DISTRICT THAT HAS FEWER THAN 1,000**  
9 **PUPILS, THE BOARD OF THE AUTHORITY MAY ADOPT A BUDGET DESCRIBED IN**  
10 **SUBSECTION (1) WITHOUT SUBMITTING THE BUDGET TO THE GOVERNING BODY**  
11 **AND OBTAINING THE GOVERNING BODY'S APPROVAL OF THE BUDGET UNDER**  
12 **SUBSECTION (2).**

13 (4) **Unless authorized by the governing body, ~~funds~~ **THE BUDGET****  
14 **OF AN AUTHORITY SHALL NOT INCLUDE ANY MONEY of the eligible entity.**  
15 **~~shall not be included in the budget of the authority.~~**