

HOUSE BILL No. 6055

December 2, 2014, Introduced by Rep. Price and referred to the Committee on Local Government.

A bill to amend 1986 PA 59, entitled
"Resort district rehabilitation act,"
by amending sections 4, 5, 7, and 16 (MCL 125.2204, 125.2205,
125.2207, and 125.2216).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) If a township board determines that it is in the
2 best interests of the public to halt or prevent property
3 deterioration or increase property valuation where possible in a
4 resort district, or to eliminate the causes of that deterioration,
5 the township board may declare by resolution the intention to
6 create and provide for the operation of an authority. In the
7 resolution of intent, the township board shall set a date for
8 holding a public hearing on adopting an ordinance or resolution

1 creating the authority and establishing the board.

2 (2) ~~Notice~~**THROUGH DECEMBER 2014, NOTICE** of the public hearing
3 shall be published twice in a newspaper of general circulation in
4 the township, not less than 20 nor more than 40 days before the
5 date of the hearing. **BEGINNING JANUARY 1, 2015, THE TOWNSHIP BOARD**
6 **SHALL PROVIDE TIER A PUBLIC NOTICE AS PROVIDED IN THE LOCAL**
7 **GOVERNMENT PUBLIC NOTICE ACT NOT LESS THAN 20 NOR MORE THAN 40 DAYS**
8 **BEFORE THE DATE OF THE HEARING.**

9 (3) A resident, taxpayer, or property owner of the township
10 has the right to be heard in regard to the establishment of the
11 authority.

12 Sec. 5. After the public hearing, if the township board
13 intends to proceed with the establishment of the authority, it
14 shall adopt, by majority vote of its members, an ordinance or
15 resolution establishing the authority. The ordinance or resolution
16 shall promptly be filed with the secretary of state after its
17 adoption and **THROUGH DECEMBER 31, 2014** shall be published at least
18 once in a newspaper of general circulation in the township.
19 **BEGINNING JANUARY 1, 2015, THE TOWNSHIP SHALL PROVIDE TIER B PUBLIC**
20 **NOTICE WITH A LINK AS PROVIDED IN THE LOCAL GOVERNMENT PUBLIC**
21 **NOTICE ACT OF THE ORDINANCE OR RESOLUTION ESTABLISHING THE**
22 **AUTHORITY.**

23 Sec. 7. (1) The board shall determine the boundaries of the
24 proposed resort district. Subject to the limitations of section 8,
25 the board shall determine the millage necessary for rehabilitation
26 of the resort district. The board shall submit the proposed
27 boundaries and millage to the township board. If the township board

1 approves the boundaries and millage by resolution, ordinance, or
2 otherwise, the boundaries and millage shall be submitted to a vote
3 of the electors who reside in the proposed resort district. An
4 election shall not be held under this section after December 31,
5 1987.

6 (2) ~~Notice~~**THROUGH DECEMBER 31, 2014, NOTICE** of the election
7 shall be published twice in a newspaper of general circulation in
8 the township, not less than 5 and not more than 10 days before the
9 date of the election. ~~Notice~~**BEGINNING JANUARY 1, 2015, THE**
10 **TOWNSHIP BOARD SHALL PROVIDE TIER A PUBLIC NOTICE AS PROVIDED IN**
11 **THE LOCAL GOVERNMENT PUBLIC NOTICE ACT OF THE ELECTION NOT LESS**
12 **THAN 5 AND NOT MORE THAN 10 DAYS BEFORE THE DATE OF THE ELECTION.**
13 **THROUGH DECEMBER 31, 2014, NOTICE** of the election shall be posted
14 in not less than 20 conspicuous and public places in the proposed
15 resort district not less than 20 days before the election. The
16 notice shall state the date of the election and shall describe the
17 boundaries of the proposed resort district.

18 (3) If a majority of the electors voting on the question
19 approve the proposition, then the resort district is established
20 and the authority is authorized to levy the millage up to the
21 amount and duration specified in the proposition.

22 Sec. 16. (1) Before adopting a resolution approving a
23 rehabilitation plan, the township board shall hold a public hearing
24 on the rehabilitation plan. In addition to the notice requirements
25 of the open meetings act, ~~Act No. 267 of the Public Acts of 1976,~~
26 ~~being sections 15.261 to 15.275 of the Michigan Compiled Laws, 1976~~
27 **PA 267, MCL 15.261 TO 15.275, THROUGH DECEMBER 31, 2014,** notice of

1 the time and place of the hearing shall be given by publication 3
2 times in a newspaper of general circulation designated by the
3 township, the first of which shall be not less than 20 days before
4 the date set for the hearing. ~~Notice~~**BEGINNING JANUARY 1, 2015, THE**
5 **TOWNSHIP BOARD SHALL PROVIDE TIER A PUBLIC NOTICE WITH A LINK AS**
6 **PROVIDED IN THE LOCAL GOVERNMENT PUBLIC NOTICE ACT OF THE HEARING**
7 **ON THE REHABILITATION PLAN NOT LESS THAN 20 DAYS BEFORE THE DATE**
8 **SET FOR THE HEARING. THROUGH DECEMBER 31, 2014, NOTICE** of the
9 hearing shall be posted in at least 20 conspicuous and public
10 places in the resort district not less than 20 days before the
11 hearing.

12 (2) Notice of the time and place of hearing on a
13 rehabilitation plan shall contain a description of the resort
14 district in relation to highways, streets, streams, or otherwise; a
15 statement that maps, plats, and a description of the rehabilitation
16 plan are available for public inspection at a place designated in
17 the notice; and a statement that all aspects of the rehabilitation
18 plan are open for discussion at the public hearing. The notice may
19 include other information that the township board considers
20 appropriate.

21 (3) At the time set for the hearing, the township board shall
22 provide an opportunity for interested persons to be heard and shall
23 receive and consider written communications with reference to the
24 testimony. The hearing shall provide the fullest opportunity for
25 expression of opinion, for argument on the merits, and for
26 introduction of documentary evidence pertinent to the
27 rehabilitation plan. The township board shall make and preserve a

1 record of the public hearing, including all data presented at the
2 hearing.

3 Enacting section 1. This amendatory act does not take effect
4 unless House Bill No. 5560 of the 97th Legislature is enacted into
5 law.