

SENATE BILL No. 740

January 21, 2014, Introduced by Senator SMITH and referred to the Committee on Economic Development.

A bill to amend 2005 PA 280, entitled "Corridor improvement authority act," by amending section 8 (MCL 125.2878), as amended by 2012 PA 229.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 8. (1) Except as provided in subsection (7) or as
2 otherwise provided in subsection (8), an authority shall be under
3 the supervision and control of a board consisting of the chief
4 executive officer of the municipality or his or her assignee and
5 not less than 5 or more than 9 members as determined by the
6 governing body of the municipality. Members shall be appointed by
7 the chief executive officer of the municipality, subject to
8 approval by the governing body of the municipality. Not less than a
9 majority of the members shall be persons having an ownership or
10 business interest in property located in the development area. At
11 least 1 of the members shall be a resident of the development area

1 or of an area within 1/2 mile of any part of the development area.
2 Of the members first appointed, an equal number of the members, as
3 near as is practicable, shall be appointed for 1 year, 2 years, 3
4 years, and 4 years. A member shall hold office until the member's
5 successor is appointed. After the initial appointment, each member
6 shall serve for a term of 4 years. An appointment to fill a vacancy
7 shall be made by the chief executive officer of the municipality
8 for the unexpired term only. Members of the board shall serve
9 without compensation, but shall be reimbursed for actual and
10 necessary expenses. The chairperson of the board shall be elected
11 by the board.

12 (2) Before assuming the duties of office, a member shall
13 qualify by taking and subscribing to the constitutional oath of
14 office.

15 (3) The proceedings and rules of the board are subject to the
16 open meetings act, 1976 PA 267, MCL 15.261 to 15.275. The board
17 shall adopt rules governing its procedure and the holding of
18 regular meetings, subject to the approval of the governing body.
19 Special meetings may be held if called in the manner provided in
20 the rules of the board. **THE RULES OF PROCEDURE OF THE AUTHORITY MAY**
21 **PERMIT A PERSON TO BE APPOINTED TO THE BOARD IN HIS OR HER CAPACITY**
22 **AS A PUBLIC OFFICIAL, WHETHER APPOINTED OR ELECTED. THE RULES OF**
23 **PROCEDURE OF THE AUTHORITY MAY ALSO PROVIDE THAT THE MEMBER'S TERM**
24 **ON THE BOARD SHALL EXPIRE UPON EXPIRATION OF THE MEMBER'S SERVICE**
25 **AS A PUBLIC OFFICIAL. THE EXPIRATION OF THE MEMBER'S SERVICE AS A**
26 **PUBLIC OFFICIAL SHALL BE DEFINED TO ALSO INCLUDE THE MEMBER'S**
27 **RESIGNATION OR REMOVAL FROM THE POSITION AS A PUBLIC OFFICIAL.**

1 (4) After having been given notice and an opportunity to be
2 heard, a member of the board may be removed for cause by the
3 governing body.

4 (5) All expense items of the authority shall be publicized
5 monthly and the financial records shall always be open to the
6 public.

7 (6) A writing prepared, owned, used, in the possession of, or
8 retained by the board in the performance of an official function is
9 subject to the freedom of information act, 1976 PA 442, MCL 15.231
10 to 15.246.

11 (7) If the boundaries of the development area are the same as
12 those of a business improvement district established under 1961 PA
13 120, MCL 125.981 to ~~125.990m~~, **125.990N**, the governing body of the
14 municipality may provide that the members of the board of the
15 authority shall be the members of the board of the business
16 improvement district and 1 person shall be a resident of the
17 development area or of an area within 1/2 mile of any part of the
18 development area.

19 (8) If 2 or more cities, villages, or townships create a joint
20 authority under section 4(2), the board shall consist of up to 3
21 individuals appointed by the chief executive officer of each city,
22 village, or township that is a member of the joint authority. Each
23 of those individuals shall be appointed for initial staggered terms
24 of 2 years, 3 years, or 4 years. A member shall hold office until
25 the member's successor is appointed. After the initial appointment,
26 each member shall serve for a term of 4 years. An appointment to
27 fill a vacancy shall be made by the chief executive officer of the

1 city, village, or township for the unexpired term only. Members of
2 the board shall serve without compensation, but shall be reimbursed
3 for actual and necessary expenses. The chairperson of the board
4 shall be elected by the board.