

# SENATE BILL No. 664

December 17, 1991, Introduced by Senators BERRYMAN, HONIGMAN, FAUST, KOIVISTO, DINGELL, BARCIA, MC MANUS and SCHWARZ and referred to the Committee on Local Government and Urban Development.

A bill to permit counties to impose and collect an assessment on persons employed in the county; to prescribe the powers and duties of certain agencies and officials; to create a fund; and to authorize expenditures from the fund.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. This act shall be known and may be cited as the  
2 "jobs retention and creation investment act".

3       Sec. 2. As used in this act:

4       (a) "Economic development agency" means a private or govern-  
5 mental county or multicounty organization which has as its pri-  
6 mary objective the retention, expansion, creation, and attraction  
7 of employment opportunities in the county or counties it serves.

8       (b) "Employee" means that term as defined in section 8 of  
9 the income tax act of 1967, Act No. 281 of the Public Acts of  
10 1967, being section 206.8 of the Michigan Compiled Laws.

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1 (c) "Employer" means as that term as defined in section 8 of  
 2 the income tax act of 1967, Act No. 281 of the Public Acts of  
 3 1967, being section 206.8 of the Michigan Compiled Laws..

4 (d) "Fund" means the jobs retention and creation investment  
 5 fund created in section 7.

6 (e) "Person" means an individual, partnership, corporation,  
 7 association, governmental entity, or other legal entity.

8 (f) "Treasurer" means the county treasurer.

9 Sec. 3. (1) By resolution of the county board of commis-  
 10 sioners or by petition of 500 of more qualified electors of the  
 11 county to the county board of commissioners, there shall be  
 12 placed on the ballot at the next general election to be held not  
 13 less than 70 days after the date of the resolution or of the  
 14 filing of the petition a question whether to assess and collect  
 15 an annual assessment of \$10.00 for a period of 8 years on each  
 16 person employed in the county. Notice of the submission of the  
 17 issue to the electors shall be provided as required by law, and  
 18 the county clerk shall prepare the ballot in substantially the  
 19 following form:

20 "Shall an annual assessment in the amount of  
 21 \$10.00 be assessed for a period of 8 years  
 22 against each person employed in this county and  
 23 collected to provide for jobs retention, jobs  
 24 creation, employment, and economic development?  
 25 Yes (\_\_\_\_\_)   
 26 No (\_\_\_\_\_) "

1       (2) The result of the vote shall be canvassed by the board  
2 of state canvassers.

3       (3) A county may renew the assessment collected under this  
4 act not less than every 8 years in the same manner as provided  
5 for approving the original imposition of the assessment.

6       Sec. 4. (1) If a majority of the qualified electors of a  
7 county voting approve the imposition of an assessment under  
8 section 3, the county board of commissioners shall assess and the  
9 county shall collect each year, beginning with the first calendar  
10 year after the election, an assessment of \$10.00 on every person  
11 employed in that county on June 30 of that year. Except as pro-  
12 vided in section 3(3), the assessment shall expire after 8  
13 years.

14       (2) Employers shall withhold a \$10.00 assessment from the  
15 wages of each employee subject to an assessment under this act  
16 and shall remit the assessment to the treasurer by July 31 of  
17 each year. A person who is self-employed and subject to an  
18 assessment under this act shall remit the assessment directly to  
19 the treasurer by July 31 of each year. A person shall not pay  
20 more than 1 assessment annually under this act in a county in  
21 which that person is employed.

22       (3) It is the intent of this section that the assessment be  
23 paid by the self-employed person or the employee, and not by the  
24 employer of an employee.

25       Sec. 5. If a majority of the qualified electors of a county  
26 voting approve the imposition of an assessment under section 3,

1 the county board of commissioners, by resolution, shall determine  
2 the following:

3 (a) The manner of collection and disbursement of the  
4 assessment.

5 (b) The rate and manner of imposition of interest and pen-  
6 alty for delinquency in payment of the assessment.

7 Sec. 6. The treasurer or his or her agent may examine the  
8 books, papers, and records of any person for the purpose of veri-  
9 fying the accuracy and completeness of a return filed, or, if no  
10 return was filed, to ascertain the assessment, interest, or pen-  
11 alty due under this act.

12 Sec. 7. (1) Upon receiving proceeds of the assessment  
13 authorized by this act, the treasurer shall deposit the proceeds  
14 in a separate job retention and creation investment fund which is  
15 created in the county treasury upon the imposition of the assess-  
16 ment under section 3. The fund shall be maintained by the  
17 treasurer.

18 (2) The county board of commissioners shall designate an  
19 economic development agency for each calendar year during which  
20 the assessment is in effect. Revenue disbursed from the fund in  
21 any calendar year shall be disbursed only to the economic devel-  
22 opment agency designated for that calendar year.

23 (3) If the county board of commissioners fails to designate  
24 an economic development agency within 60 days of the beginning of  
25 a calendar year during which the assessment is in effect, then  
26 the assessment authorized under this act shall expire and any

1 funds left in the fund shall revert to the general fund of each  
2 municipality located in the county on a per capita basis.

3       Sec. 8. By resolution, a county may join with another  
4 county or counties to designate a single economic development  
5 agency. Funds from each of the counties shall be used for the  
6 mutual benefit of all member counties.

7       Sec. 9. An economic development agency may do all of the  
8 following with the revenue generated under this act:

9       (a) Act as the agency for state and local economic develop-  
10 ment activities in a specific county or multicounty area, and  
11 receive and expend federal funds and state funds granted under  
12 this act for the purposes described in this section. Funds  
13 granted to an economic development agency under this act shall  
14 not be expended for partisan political activity.

15       (b) Conduct research on the area's economic base, including  
16 manufacturing, agriculture, tourism, and services; identify key  
17 business and industry sectors in the area economy; and engage in  
18 other activities that contribute to the economic development  
19 strategies and plans for the area served by the economic develop-  
20 ment agency.

21       (c) Design and implement a formal economic development pro-  
22 gram, with well-defined objectives and completion dates, focused  
23 on local economic needs and opportunities in manufacturing, serv-  
24 ices, agriculture, tourism, and related sectors.

25       (d) Assist businesses in site selection, financial packag-  
26 ing, and compliance with state and local laws and regulations.

1 (e) Promote, advertise, and publicize the area and cooperate  
2 as participants in this state's national and international  
3 marketing efforts.

4 (f) Create and maintain a current economic profile and data  
5 base of community information for the economic development pro-  
6 gram, including industrial parks, lands, and buildings.

7 (g) Conduct an area-wide business retention program focusing  
8 on economic-base industries.

9 (h) Establish programs to serve the needs of small business,  
10 including business planning assistance, informational and train-  
11 ing seminars, community information, and marketing assistance for  
12 both new and established businesses.

13 (i) Establish government procurement and export assistance  
14 programs aimed at increasing sales and employment by local sup-  
15 pliers of products and services.

16 (j) Coordinate economic development and job training pro-  
17 grams with related programs provided by other agencies serving  
18 the area.

19 Sec. 10. The county board of commissioners shall not  
20 release any funds to the economic development agency until it  
21 does all of the following:

22 (a) Provides a detailed annual budget, in writing, for the  
23 next fiscal year.

24 (b) Provides a detailed 5-year economic development plan  
25 describing the goals and work plans or an affirmation or modifi-  
26 cation of a previously submitted 5-year plan.

1       (c) Except for the first fiscal year, provides a detailed  
2 evaluation of the use of the funds and the results obtained by  
3 the use of those funds in the previous fiscal year.