

Legislative Analysis



ALLOW COUNTY TO FORM A ZOO AUTHORITY TO CONTRACT WITH AN ESTABLISHED ZOO

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Senate Bill 1135

Sponsor: Sen. Gilda Z. Jacobs

House Committee: Commerce

Senate Committee: Finance

Complete to 3-17-08

A SUMMARY OF SENATE BILL 1135 AS PASSED BY THE SENATE 3-13-08

The bill would create a new act, the Zoological Authorities Act, under which a county could form a zoological authority that would contract for zoological services with an accredited zoological institution. The authority could, with voter approval, levy a tax of up to 0.1 mill for up to 20 years on all taxable property within a county to provide revenue for a zoological institution that was an existing accredited institution on the date of the vote. An authority, however, could not participate in the governance of the zoological institution.

Creation of Authority. A zoological authority would be created by the adoption of articles of incorporation by a majority vote of the board of county commissioners. The authority would be operated by a board of directors composed of up to 15 members (but an odd number would be required). The size of the board, the number, qualifications, and length of terms of members, and the manner of appointing members would be included in the articles of incorporation.

Powers of Authority Board. The board of the authority could: (1) contract for zoological services with an accredited zoological institution; (2) levy a tax to provide revenues for that institution; (3) enter into contracts incidental or necessary for the accomplishment of the new act; (4) contract for or retain professional services. An authority could not obtain an interest in real property or participate in the governance of an accredited zoological institution. A zoological authority would be considered an authority under Section 6 of Article IX of the State Constitution. The authority board would be subject to the Open Meetings Act and the Freedom of Information Act. The provisions of the state's Uniform Budgeting and Accounting Act would apply to budgets and auditing and the State Revenue Sharing Act would govern financial plans needed to correct any fiscal year deficit.

Millage Election. The board of an authority could by resolution place a proposal on the ballot to levy up to 0.1 mill for zoo support. The proposal could be submitted to county voters only at a statewide general or primary election. No more than two elections on a tax proposal could be held in one calendar year. The County Election Commission would provide ballots for such an election; the election would be conducted by the city and township clerks (and other municipal election officials) within the county. The

results would be canvassed by the Board of County Canvassers. If the tax levy is approved, the authority would reimburse county and local election officials for the costs of the election.

Preferences for County Residents. If the tax levy is approved by county voters, the contract for zoo services between the authority and the zoo would have to include preferences for county residents, which could include discounted admission fees, discounted membership fees, discounts for schoolchildren, and access to educational programs.

FISCAL IMPACT:

The bill would allow a new kind of authority to levy a countywide property tax, with voter approval, to support a zoo, which would result in an increase in local revenue. This revenue could result in additional expenditures or could offset existing funding sources. The bill would have no direct fiscal impact on state government.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.