

SENATE BILL No. 1015

December 10, 2009, Introduced by Senators VAN WOERKOM, GEORGE, PATTERSON, HUNTER, JANSEN, BIRKHOLZ, RICHARDVILLE and ALLEN and referred to the Committee on Commerce and Tourism.

A bill to amend 2003 PA 258, entitled
"Land bank fast track act,"
by amending sections 2 and 4 (MCL 124.752 and 124.754).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. The legislature finds that there exists in this state
2 a continuing need to strengthen and revitalize the economy of this
3 state and local units of government in this state and that it is in
4 the best interests of this state and local units of government in
5 this state to assemble or dispose of public property, including tax
6 reverted property, in a coordinated manner to foster the
7 development of that property, ~~and~~ to promote economic growth in
8 this state and local units of government in this state, **AND TO**
9 **PROMOTE URBAN AGRICULTURE**. It is declared to be a valid public

1 purpose for a land bank fast track authority created under this act
2 to acquire, assemble, dispose of, and quiet title to property under
3 this act. It is further declared to be a valid public purpose for a
4 land bank fast track authority created under this act to provide
5 for the financing of the acquisition, assembly, disposition, and
6 quieting of title to property, and for a land bank fast track
7 authority to exercise other powers granted to a land bank fast
8 track authority under this act. The legislature finds that a land
9 bank fast track authority created under this act and powers
10 conferred by this act constitute a necessary program and serve a
11 necessary public purpose.

12 Sec. 4. (1) Except as otherwise provided in this act, an
13 authority may do all things necessary or convenient to implement
14 the purposes, objectives, and provisions of this act, and the
15 purposes, objectives, and powers delegated to the board of
16 directors of an authority by other laws or executive orders,
17 including, but not limited to, all of the following:

18 (a) Adopt, amend, and repeal bylaws for the regulation of its
19 affairs and the conduct of its business.

20 (b) Sue and be sued in its own name and plead and be
21 impleaded, including, but not limited to, defending the authority
22 in an action to clear title to property conveyed by the authority.

23 (c) Borrow money and issue bonds and notes according to the
24 provisions of this act.

25 (d) Enter into contracts and other instruments necessary,
26 incidental, or convenient to the performance of its duties and the
27 exercise of its powers, including, but not limited to, interlocal

1 agreements under the urban cooperation act of 1967, 1967 (Ex Sess)
2 PA 7, MCL 124.501 to 124.512, for the joint exercise of powers
3 under this act.

4 (e) Solicit and accept gifts, grants, labor, loans, and other
5 aid from any person, or the federal government, this state, or a
6 political subdivision of this state or any agency of the federal
7 government, this state, a political subdivision of this state, or
8 an intergovernmental entity created under the laws of this state or
9 participate in any other way in a program of the federal
10 government, this state, a political subdivision of this state, or
11 an intergovernmental entity created under the laws of this state.

12 (f) Procure insurance against loss in connection with the
13 property, assets, or activities of the authority.

14 (g) Invest money of the authority, at the discretion of the
15 board of directors of the authority, in instruments, obligations,
16 securities, or property determined proper by the board of directors
17 of the authority, and name and use depositories for its money.

18 (h) Employ legal and technical experts, other officers,
19 agents, or employees, permanent or temporary, paid from the funds
20 of the authority. The authority shall determine the qualifications,
21 duties, and compensation of those it employs. The board of
22 directors of an authority may delegate to 1 or more members,
23 officers, agents, or employees any powers or duties it considers
24 proper. Members of the board of directors of an authority shall
25 serve without compensation but shall be reimbursed for actual and
26 necessary expenses subject to available appropriations.

27 (i) Contract for goods and services and engage personnel as

1 necessary and engage the services of private consultants, managers,
2 legal counsel, engineers, accountants, and auditors for rendering
3 professional financial assistance and advice payable out of any
4 money of the authority.

5 (j) Study, develop, and prepare the reports or plans the
6 authority considers necessary to assist it in the exercise of its
7 powers under this act and to monitor and evaluate progress under
8 this act.

9 (k) Enter into contracts for the management of, the collection
10 of rent from, or the sale of real property held by an authority.

11 (l) Do all other things necessary or convenient to achieve the
12 objectives and purposes of the authority or other laws that relate
13 to the purposes and responsibility of the authority.

14 (2) The enumeration of a power in this act shall not be
15 construed as a limitation upon the general powers of an authority.
16 The powers granted under this act are in addition to those powers
17 granted by any other statute or charter.

18 (3) An authority, in its discretion, may contract with others,
19 public or private, for the provision of all or a portion of the
20 services necessary for the management and operation of the
21 authority.

22 (4) If an authority holds a tax deed to abandoned property,
23 the authority may quiet title to the property under section 79a of
24 the general property tax act, 1893 PA 206, MCL 211.79a.

25 (5) The property of an authority and its income and operations
26 are exempt from all taxation by this state or any of its political
27 subdivisions.

1 (6) An authority shall not assist or expend any funds for, or
2 related to, the development of a casino.

3 **(7) AN AUTHORITY SHALL NOT ASSIST OR EXPEND ANY FUNDS FOR, OR**
4 **RELATED TO, AN AGRICULTURAL OPERATION THAT INVOLVES RAISING**
5 **LIVESTOCK, POULTRY, OR OTHER ANIMALS FOR PROFIT.**

6 (8) ~~(7)~~—An authority shall not levy any tax or special
7 assessment.

8 (9) ~~(8)~~—An authority shall not exercise the power of eminent
9 domain or condemn property.

10 (10) ~~(9)~~—An authority shall adopt a code of ethics for its
11 directors, officers, and employees.

12 (11) ~~(10)~~—An authority shall establish policies and procedures
13 requiring the disclosure of relationships that may give rise to a
14 conflict of interest. The governing body of an authority shall
15 require that any member of the governing body with a direct or
16 indirect interest in any matter before the authority disclose the
17 member's interest to the governing body before the board takes any
18 action on the matter.