

Legislative Analysis



BOARD OF REVIEW HEARINGS

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House Bill 6090 as reported from committee
Sponsor: Rep. Joseph N. Bellino, Jr.
Committee: Local Government
Complete to 10-2-18

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Act 569 of 2018)

SUMMARY:

House Bill 6090 would amend the County Public Improvement Act of 1939 to provide that board of review meetings for the purpose of reviewing rates, charges, or assessments would be held as needed rather than on designated dates twice a year.

Currently, a county board of review reviews and issues final determinations on actions of county agencies in fixing or adjusting charges, upon the request of any unit of government, person, firm, or corporation charged for services rendered by a county acting under the Act (as long as the requesting party shows sufficient cause or the board receives sufficient supporting information). The board's main goal is to adjust and correct rates, charges, or assessments to ensure that they are just and equitable.

Now, the board must meet from 3:00 p.m. to 5:00 p.m. on the second Monday and the two days following in May and September of each year (with the possibility of additional time granted).

Instead, the bill would require the board to meet within 60 days of a written request to review rates, charges, or assessments, with sufficient time allowed for the hearing.

Currently and under the bill, notice of the hearings must be posted at two public places in the municipality where rates, charges, or assessments are charged under the Act at least seven days before a hearing.

MCL 46.176

BRIEF DISCUSSION:

According to committee testimony, the number of requests received by a county board of review does not require mandatory twice yearly meetings. Indeed, one drain commissioner testified that in his 20 years as a drain commissioner, the board had received 2.5 petitions. Regardless, current law requires the county board and staff to meet for three days twice a year, even though there are no petitions to consider. The bill would instead propose a meeting within 60 days each time a petition is received. Supporters promoted the bill as a way to increase efficiency in the approximately six counties that currently have boards of review.

FISCAL IMPACT:

The provisions of the bill would have no fiscal impact on state or local government.

POSITIONS:

Representatives of the Genesee County Drain Commissioner testified in support of the bill. (6-6-18)

The Michigan Association of County Drain Commissioners supports the bill. (9-26-18)

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