



HOUSE BILL No. 5299

October 25, 1995, Introduced by Rep. Gnodtke and referred to the Committee on Conservation, Environment and Great Lakes.

A bill to amend sections 2 and 3 of Act No. 173 of the Public Acts of 1992, entitled "Land reclamation and improvement authority act," being sections 125.2452 and 125.2453 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 2 and 3 of Act No. 173 of the Public
2 Acts of 1992, being sections 125.2452 and 125.2453 of the
3 Michigan Compiled Laws, are amended to read as follows:

4 Sec. 2. (1) "Authority", unless the context clearly implies
5 a different meaning, means a land reclamation and improvement
6 authority established pursuant to sections 4 to 7.

7 (2) "Authority board" means the governing body of an
8 authority provided for in section 8.

1 (3) "Authority district" means the territory within which an
2 authority exercises its jurisdiction.

3 (4) "Blighted area" means land that satisfies all of the
4 following requirements:

5 (a) The land was used for mining, commercial, or industrial
6 purposes.

7 (b) The mining, commercial, or industrial use significantly
8 disturbed the natural qualities of the land.

9 (c) The land is not currently useful for residential, recre-
10 ational, or commercial purposes.

11 (d) The land can be reclaimed and made useful for residen-
12 tial, recreational, or commercial purposes.

13 (e) The land is not a site listed under section ~~6(1)(d) of~~
14 ~~the environmental response act, Act No. 307 of the Public Acts of~~
15 ~~1982, being section 299.606~~ 20105 OF PART 201 (ENVIRONMENTAL
16 REMEDIATION) OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTEC-
17 TION ACT, ACT NO. 451 OF THE PUBLIC ACTS OF 1994, BEING SECTION
18 324.20105 of the Michigan Compiled Laws, or on the national pri-
19 orities list established pursuant to section 105 of title I of
20 the comprehensive environmental response, compensation and
21 liability act of 1980, Public Law 96-510, 42 U.S.C. 9605.

22 Sec. 3. (1) "Department" means the department of treasury,
23 unless a different department is explicitly identified.

24 (2) "Improvement" means 1 or more of the following:

25 (a) The construction, improvement, maintenance, and repair
26 of storm or sanitary sewers or combined storm and sanitary sewer
27 systems.

1 (b) The construction, improvement, maintenance, and repair
2 of potable and nonpotable water systems.

3 (c) The construction, improvement, maintenance, and repair
4 of public roads.

5 (d) The acquisition or construction, improvement, and main-
6 tenance of public parks, public bicycle paths, and other public
7 recreational facilities, excluding golf courses.

8 (e) The construction, improvement, maintenance, and repair
9 of elevated structures for foot travel over roads in the author-
10 ity district.

11 (f) The collection and disposal of garbage and rubbish.

12 (g) The construction, improvement, maintenance, and repair
13 of erosion control structures or dikes.

14 (h) The planting, maintenance, and removal of trees.

15 (i) The installation, improvement, maintenance, and repair
16 of lighting systems.

17 (j) The construction, improvement, maintenance, and repair
18 of sidewalks.

19 (k) The eradication or control of aquatic plants.

20 (l) The construction, improvement, maintenance, and repair
21 of private roads.

22 (m) The construction, improvement, maintenance, and repair
23 of waterways, harbors, marinas, seawalls, and channels.

24 (n) The construction, installation, improvement, mainte-
25 nance, and repair of fences, gates, intercommunication systems,
26 and other structures and devices related to security.

1 (o) The construction, improvement, maintenance, and repair
2 of structures to control or direct surface water runoff.

3 (p) The improvement of land and the construction, improve-
4 ment, maintenance, equipping, or operation of a building to be
5 used by the authority or for other public purposes, and any nec-
6 essary or desirable appurtenances to a building to be used by the
7 authority or for other public purposes.

8 (q) The reclamation of blighted areas, including the
9 replanting, grading, and restoration of land; the removal of min-
10 erals; and the removal of waste that is not hazardous waste as
11 defined in ~~the hazardous waste management act, Act No. 64 of the~~
12 ~~Public Acts of 1979, being sections 299.501 to 299.551~~ PART 111
13 (HAZARDOUS WASTE MANAGEMENT) OF THE NATURAL RESOURCES AND ENVI-
14 RONMENTAL PROTECTION ACT, ACT NO. 451 OF THE PUBLIC ACTS OF 1994,
15 BEING SECTIONS 324.11101 TO 324.11152 of the Michigan Compiled
16 Laws.

17 (r) Easements necessary for an improvement under this
18 subsection.

19 (s) Demolition of structures and site preparation related to
20 an improvement under this subsection.

21 (t) The payment of any operational and administrative costs
22 of the authority including, but not limited to, architectural,
23 engineering, legal, and accounting fees as determined by the
24 authority board and costs under section 37, not otherwise consid-
25 ered to be part of the costs of an improvement under
26 section 18(1).

1 (3) "Person" means an individual, partnership, corporation,
2 association, governmental entity, or other legal entity.

3 (4) "Record owner" means a person possessed of the most
4 recent fee title or a land contract vendee's interest in real
5 property as shown by the records of the county register of
6 deeds.

7 (5) "Statement of approval" means a statement of approval of
8 the establishment of an authority issued by the department pursu-
9 ant to section 6.