



# SENATE BILL No. 763

July 20, 1993, Introduced by Senators KOIVISTO and MC MANUS  
and referred to the Committee on Commerce.

A bill to provide for the establishment of a base conversion authority; to prescribe the powers and duties of the base conversion authority; and to provide for conversion of certain bases to civilian uses.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1     Sec. 1. As used in this act:

2     (a) "Authority" means a base conversion authority as pro-  
3 vided for in this act.

4     (b) "Base" means a federal military installation on the  
5 final list of base or facility closures submitted by the base  
6 realignment and closure commission to the president of the United  
7 States and subsequently approved by congress.

8     (c) "Department" means the department of commerce.

9     Sec. 2. Upon notification by the United States government  
10 that a base in this state is to be closed, the governor may

1 create by executive order such an authority pursuant to this act,  
2 within the department.

3       Sec. 3. (1) The authority shall consist of 9 voting members  
4 who shall be appointed by the governor, with the advice and con-  
5 sent of the senate. The governor shall designate 1 of the mem-  
6 bers to serve as chairperson. The directors of the department of  
7 commerce, labor, natural resources, and transportation; the  
8 Michigan jobs commission or its successor; and the northern eco-  
9 nomic initiatives center shall serve as ex officio members with-  
10 out vote. The members shall be as follows:

11       (a) One member who is chairperson of the county board of  
12 commissioners of the county in which the base is located, or the  
13 chairperson's designee.

14       (b) The township supervisor, or that person's designee, from  
15 each township in which the land area of the base is located.

16       (c) One member who is a representative of a business, com-  
17 merce, or economic development association operating in Alger,  
18 Delta, Dickinson, Marquette, or Menominee county.

19       (d) One member who is a representative of a public utility  
20 operating in Alger, Delta, Dickinson, Marquette, or Menominee  
21 county.

22       (e) One member who is a representative of an employer with  
23 more than 500 employees working in Alger, Delta, Dickinson,  
24 Marquette, or Menominee county.

25       (f) One member who is a representative of an employer with  
26 less than 500 employees working in Alger, Delta, Dickinson,  
27 Marquette, or Menominee county.

1 (g) One member at large who is a resident of Alger, Delta,  
2 Dickinson, Marquette, or Menominee county.

3 (2) The authority shall exist for 5 years, with 1 additional  
4 5-year extension if authorized by concurrent resolution of the  
5 state legislature.

6 (3) A member of the authority described in subsection (1)(a)  
7 and (b) shall serve while the member holds the respective office  
8 specified in that subsection. All other members shall serve at  
9 the pleasure of the governor. A vacancy shall be filled in the  
10 same manner as the original appointment.

11 (4) The authority shall hold an annual meeting each  
12 January. Additional meetings may be conducted as are necessary.  
13 At least 1 meeting a year shall be held on the base. At a meet-  
14 ing of the authority a majority vote of all members appointed and  
15 serving is necessary for a decision. Voting may be conducted by  
16 telephonic communication. A quorum consists of a majority of the  
17 members.

18 (5) The per diem compensation of the authority and the  
19 schedule for reimbursement of expenses shall be established by  
20 the legislature.

21 (6) The authority shall elect annually from its membership a  
22 vice-chairperson, a secretary, and a treasurer. The authority  
23 may employ experts, consultants, administrative staff, and other  
24 personnel the authority considers necessary in the performance of  
25 its responsibilities under this act. The authority may also  
26 appoint subcommittees and task forces consisting of its own

1 members and other individuals appointed by the chairperson of the  
2 authority.

3       Sec. 4. The members of the authority shall enter upon their  
4 duties after their appointment and shall qualify by taking and  
5 filing the oath of office and supplying the bond required by the  
6 state administrative board.

7       Sec. 5. (1) The business which the authority may perform  
8 shall be conducted at a public meeting of the authority held in  
9 compliance with the open meetings act, Act No. 267 of the Public  
10 Acts of 1976, being sections 15.261 to 15.275 of the Michigan  
11 Compiled Laws. Public notice of the time, date, and place of the  
12 meeting shall be given in the manner required by Act No. 267 of  
13 the Public Acts of 1976.

14       (2) All writings prepared, owned, used, in the possession  
15 of, or retained by the authority in the performance of an offi-  
16 cial function shall be made available to the public in compliance  
17 with the freedom of information act, Act No. 442 of the Public  
18 Acts of 1976, being sections 15.231 to 15.246 of the Michigan  
19 Compiled Laws.

20       Sec. 6. (1) The authority is a body corporate which may sue  
21 and be sued, plead and be impleaded, contract and be contracted  
22 with, and carry out all powers granted it. The authority shall  
23 be considered a governmental unit of this state for purposes of  
24 Act No. 223 of the Public Acts of 1909, being sections 211.461  
25 to 211.462 of the Michigan Compiled Laws, and a public entity for  
26 purposes of Act No. 317 of the Public Acts of 1968, being  
27 sections 15.321 to 15.330 of the Michigan Compiled Laws. The

1 authority shall be considered a public agency for purposes of Act  
2 No. 7 of the Public Acts of the Extra Session of 1967, being  
3 sections 124.501 to 124.512 of the Michigan Compiled Laws.

4 (2) A contract, deed of conveyance, and any other official  
5 paper of the authority shall be signed by the chairperson or  
6 vice-chairperson in the absence of the chairperson and attested  
7 by the secretary.

8 (3) An authority shall be considered a public body and have  
9 those powers necessary to effectuate the purposes of this act. A  
10 grant of power to an authority shall not be construed as a limi-  
11 tation but rather as an extension of the power of the authority.

12 Sec. 7. (1) The authority shall do all of the following:

13 (a) Serve as a holding and maintenance agency to receive  
14 property and assets from the United States department of defense,  
15 this state, and any other public or private entities.

16 (b) Consider and evaluate alternative proposals for conver-  
17 sion of the base from military to civilian uses.

18 (c) Enter into an intergovernmental agreement with 1 or more  
19 public agencies pursuant to Act No. 7 of the Public Acts of the  
20 Extra Session of 1967, being sections 124.501 to 124.512 of the  
21 Michigan Compiled Laws, concerning land use and zoning matters.

22 (2) In order to carry out these functions, the authority may  
23 exercise the powers relative to that property as described in  
24 section 8.

25 Sec. 8. The authority may do all of the following:

26 (a) Employ law enforcement officers, fire protection  
27 personnel, maintenance personnel, and other employees as

1 necessary to protect and maintain real and personal property  
2 located on the base or contract for the procurement of any of  
3 these services.

4 (b) Enter into contracts with the United States department  
5 of defense for the maintenance and security of buildings,  
6 grounds, water and sewage systems, heating and cooling systems,  
7 and other systems or property at the base until final disposition  
8 of the systems or property.

9 (c) Sell, lease, convey, exchange, transfer, assign, subdi-  
10 vide, pledge by mortgage or deed of trust, or otherwise dispose  
11 of any real or personal property under its control or an interest  
12 in the property.

13 (d) Rent, maintain, manage, operate, improve, demolish, and  
14 repair property under its control.

15 (e) Plan, propose, and implement plans of development neces-  
16 sary to achieve the purposes of this act.

17 (f) Receive funds from a local governmental unit, other  
18 state agencies, the federal government or an agency of the fed-  
19 eral government, or a private individual or group, foundations or  
20 other private entities and spend those funds to the extent per-  
21 mitted under the powers granted to it pursuant to this section.

22 (g) Issue notes or bonds of the authority if necessary to  
23 implement plans of development necessary to achieve the purposes  
24 of this act.

25 Sec. 9. Before February 1 in each year, the authority shall  
26 file an annual report with the governor, the legislature, and the  
27 county board of commissioners of the county in which the base is

1 located, setting forth its activities, receipts, expenditures,  
2 business considered, meetings, and progress during the immedi-  
3 ately preceding year ending December 31.

4       Sec. 10. When the authority has completed the purpose for  
5 which it was organized, the authority may request the legislature  
6 to dissolve the authority by concurrent resolution. Upon disso-  
7 lution of the authority, either by concurrent resolution or upon  
8 completion of the time period prescribed by this act, the proper-  
9 ty, books, records, files, and funds of the authority shall  
10 become property of the county in which the base is located and  
11 shall be held or disposed of by the county in a manner prescribed  
12 by law.