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SFA



BILL ANALYSIS

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Senate Bill 1086 (as passed by the Senate)
Sponsor: Senator Valde Garcia
Committee: Finance

Date Completed: 7-29-02

RATIONALE

Public Act 188 of 1954 allows townships to levy special assessments and issue bonds to pay for certain public improvements. The Act prescribes the public improvements that may be made, such as the construction, improvement, and maintenance of sewers, water systems, roads, elevated structures for foot travel over roads, bicycle paths, and sidewalks. Reportedly, some townships have expressed an interest in building structures that help to reduce sound from industrial facilities; however, since the Act does not specify that such structures are considered public improvements, the townships have questioned their ability to levy special assessments and issue bonds to pay for the structures. It has been suggested that townships be allowed to finance sound reduction structures under the Act.

expensive, and if not paid for by the governmental unit with jurisdiction over the highway (or by the industrial facility), nearby residents may need to find another way to finance a sound reduction project. For township residents who need sound reduction walls, a viable method to pay for the structures would be the collection of a special assessment. If property owners within an area feel that their quality of life would be enhanced by such an improvement, and if they are willing to pay for it, their township should be allowed to finance the improvement through a special assessment. By including sound reduction walls as a public improvement under Public Act 188, the bill would allow townships to use special assessments to build the structures, and help make their neighborhoods more livable.

CONTENT

The bill would amend Public Act 188 of 1954 to permit a township to construct, improve, and maintain sound attenuation (reduction) walls as improvements under the Act.

MCL 41.722

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Sound reduction walls, generally, are constructed beside highways and industrial facilities in order to protect nearby residential areas from intrusive, continuous noise created by traffic or industrial production. The construction of these structures can be

Legislative Analyst: George Towne

FISCAL IMPACT

The bill would have no fiscal impact on the State. It is unknown how many townships would construct sound attenuation walls under the bill, but the number is expected to be minimal. As a result, while the bill would allow increased spending by townships and thus could result in higher township taxes, the impact is expected to be minimal.

Fiscal Analyst: David Zin

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.