



MEMORANDUM

TO: Rep. James Lower, Chair and Local Government Committee Members

FROM: Michigan Association of County Drain Commissioners

DATE: September 26, 2018

RE: Days of Review for Drain Assessments
HB 6151 (Support)

CURRENT LAW:

- Requirement to mail/publish the notice of letting for contractors and the description of the drainage district and project specifications.
- No requirement to include the estimated benefit percentage, total assessment amounts and duration of years the assessments in the notice of the day of review.
- Day of review/bid letting notices must be personally served to the clerks of cities, townships, villages and counties.
- Provides for 10 days to appeal an apportionment of benefit percentage to the probate court.

PROPOSED CHANGES:

- Removes requirement to mail/publish the notice of letting for contractors and the description of the drainage district and project specifications, but requires information on county website
- Requires drain commissioners to include the estimated benefit percentage, total assessment amounts and duration of years the assessments will be spread for petitioned projects.
- Allows notice to governmental units by certified mail.
- Clarifies the drain commissioners can make revisions to the estimates as a result of the Day of Review without notices or additional meetings.
- HB 6152 changes the notice requirement from a 10 day notice of the hearing to 30 days (20 day notice to MDOT remains unchanged).

REASON FOR SUPPORT OF HB 6151:

Listing an estimated assessment amount provides increased information and greater transparency to property owners and municipalities subject to assessment. Removing drainage district descriptions and project bid information will also make the notice shorter and easier to read, and will reduce the cost of publication and mailing.