Legislative Analysis

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SCHOOL REPRESENTATIVE ON COUNTY PLANNING COMMISSION

House Bill 5446 as enrolled
Public Act 307 of 2004
Sponsor: Rep. Chris Ward
House Committee: Local Government and Urban Policy
Senate Committee: Local, Urban and State Affairs

Second Analysis (12-21-04)

BRIEF SUMMARY: The bill would require that one member of a county planning board be a school board member or a school administrative employee from a district within the county.

FISCAL IMPACT: In its current form, the bill does not have any significant fiscal implications to the state or to local government.

THE APPARENT PROBLEM:

A recent report by the Michigan Land Use Institute, issued jointly with the Michigan Chamber of Commerce, notes that "business and government leaders have begun to recognize that spread-out growth patterns are increasing taxes and fees that pay for expanding infrastructure, hurting the cities left behind, and diminishing the quality of life as open space and farmland are paved over." The report, entitled *Hard Lessons: Causes and Consequences of Michigan's School Construction Boom*, indicates that Michigan is building ever-bigger schools ever farther out-of-town at a faster rate than most other states. A 2002 construction report by *School Planning and Management*, a national trade magazine, found that annual expenditures in the United States for school construction doubled since 1992. In Michigan they tripled.

The report *Hard Lessons* asks whether building bigger, newer schools is always best for students and communities. It notes that new school construction is likely to destabilize communities with long-term tax, economic, and community consequences. The study concludes that since 1996, school districts built at least 500 new schools in Michigan and closed 278 older ones while the school age population grew by just 4.5 percent. Even though southeast Michigan will lose 1.5 percent of its school age population within 30 years, according to the Southeast Michigan Council of Governments, that region of the state recently spent $6.2 billion on expanding or building new schools in the last eight years.

Frequently new schools are placed in farmland areas that could be preserved, and the undeveloped site generates many new expenses for infrastructure and government services that eventually raise taxes for business and property owners. School districts use the spacious new schools to attract families with students. Since the passage of Proposal

A, which puts a set amount of funding behind each student, building spectacular new schools can be profitable endeavors for districts that can afford them. The report warns that these extravagant projects create severe challenges for both small rural and large urban districts with older buildings and small or badly eroded property tax bases.

In every case the investigators studied, building a new school cost more than renovating an older one. Further, the group's preliminary research demonstrates that keeping an existing school open increases home values in surrounding neighborhoods, and helps stabilize the area and its business activity. In contrast, closing a neighborhood school slows the rise of home values. At the same time, building shiny new facilities can accelerate housing and development, but price young families out of the market, leading, in turn, to declining enrollment. For example, Okemos Public Schools in Ingham County completed a $47 million high school ten years ago, and property values in the area accelerated, while homes increased in value. In that community homes now cost $300,000—unaffordable for young families. Today, according to the report, local planners fear the school may be overbuilt, because the 2003 graduating class had 401 seniors, while the number of children in kindergarten was just 224.

Under state law, school officials do not have to abide by local land use plans. Neither must they participate in land use planning efforts in their communities. Consequently, when school officials undertake school building programs, they often make their decisions unilaterally, without taking into consideration their local governments' plans for managed growth and development.

Because the construction decisions of school officials have a significant impact throughout the region, legislation has been proposed that would require a school official to serve on a county's planning commission.

THE CONTENT OF THE BILL:

House Bill 5446 would amend Public Act 282 of 1945, which allows for the creation of county planning commissions, to require that one member of the commission be a member of a public school board or a school administrative employee from a public school that is located—in whole or in part—within the county's boundaries. The appointment of the school official would be made when the first vacancy occurred on the county planning commission, following the effective date of this enacted bill.

The bill also would retain the minimum and maximum number of people who can serve on the county planning commission, the minimum being five and the maximum eleven, and would leave unchanged the number of county commissioners who can serve on the planning commission.

MCL 125.102

BACKGROUND INFORMATION:

The 20-page report from the Michigan Land Use Institute cited earlier can be found on the institute's web site at www.mlui.org. An executive summary is also available there.

ARGUMENTS:

For:

The broader the public's involvement in school construction decisions, the greater the likelihood that school officials will develop long-term solutions that enhance educational quality *and* manage community growth. This bill will put school officials on county planning commissions where they can become knowledgeable about county land use plans, and see the systemic effects of their school construction decisions within the region. It is more likely, too, that school officials who become knowledgeable about land planning will investigate lower cost renovation and historic preservation projects when they refurbish schools, resisting the trend toward greenfield development and sprawl. As the report *Hard Lessons* concludes, "the more extensively a school district engaged its citizens, and the more intensively it studied existing facilities, the more frequently the district decided to either renovate existing buildings or construct new facilities near town centers. The planning commissions will also get the benefit of input from representatives of local educational institutions.

Against:

Some people believe that land-use planning is not a legitimate government function to begin with, and school officials should not be required to participate in it. Central land-use planning that seeks to manage growth and development is less cost-effective and less fair than simply allowing the market to determine the highest and best uses of land. For example, what some people call sprawl can more accurately be described as individual American citizens making the decisions that are best for them and their families. It is often said that the government that governs best, governs least. Nowhere is that more true than when land planning is the issue.

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