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LAND USE COMMISSION

House Bill 5476

Sponsor: Rep. Lynne Martinez

**Committee: Local Government and Urban
Policy**

Complete to 3-8-00

A SUMMARY OF HOUSE BILL 5476 AS INTRODUCED 3-7-00

House Bill 5476 would create a new act to establish a commission on state land use policy. The new act would be repealed October 1, 2002.

Members. Under the bill, the land use commission would have 16 members appointed by the governor within 60 days after the effective date of the act. The members would serve for the life of the commission, but if a vacancy occurred, the governor would make an appointment to fill it. The governor could also remove a member for incompetency, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or for any other good cause.

The governor's appointees to the land use commission would include the director of the Departments of Natural Resources and Environmental Quality (or their designees), two members each from the Senate and House of Representatives (one from each party in both chambers), one city council member, one mayor, and one member representing each of the following organizations: the Michigan Association of Counties, the Michigan Townships Association, the Michigan Farm Bureau, the Michigan Association of Home Builders, the Michigan Association of Realtors, the Michigan Society of Planning Officials, a nongovernmental environmental protection organization, and the Michigan Association of Regions.

Members of the commission would serve without compensation, but they could be reimbursed for their actual and necessary expenses incurred while performing their official duties.

Meetings and leadership. The first meeting of the land use commission would be called by the director of the Department of Natural Resources (or his or her designee), within 30 days after the members had been appointed by the governor. At the first meeting the commission members would elect a chairperson, a secretary, and other officers it considered necessary or appropriate. The commission would then meet at the call of its chairperson.

A majority of the commission's members would constitute a quorum for the transaction of business, and a majority of the members present and serving would be required for official action. The commission would be required to conduct its business in public in compliance with the Open Meetings Act, and any writing prepared, owned, used, in the possession of, or retained by the commission in the performance of an official function would be subject to the Freedom of Information Act.

House Bill 5476 (3-8-00)

Purpose. The commission would be required to conduct at least six meetings in urban and rural areas and in various regions of the state, including at least one meeting in the Upper Peninsula, to solicit public comment and recommendations on land use policy in Michigan. It also would be required to propose land use policies to be implemented by state and local government including, but not limited to, recommendations for statutes and ordinances to implement those policies. Within one year after the members of the commission had been appointed, the commission also would be required to submit to each member of the legislature a report on the commission's findings and recommendations.

Professional expertise. The commission could contract with individuals, organizations, and departments or agencies of the state and federal government, or with a local unit of government to carry out its duties. The bill specifies that departments and agencies of the state would be required to cooperate with and to assist the commission as it carried out its duties. Under the bill the commission also could employ, or contract for, staff and administrative support.

Funding. House Bill 5476 would require the legislature to appropriate funds for staff, administrative support, and other commission expenses as it carried out its powers and duties.

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.