

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 4013 (as reported without amendment)
Sponsor: Representative Mary Ann Middaugh
House Committee: Local Government and Urban Policy
Senate Committee: Local, Urban and State Affairs

Date Completed: 3-23-99

RATIONALE

Public Act 285 of 1931, which provides for the creation and organization of city, village, and municipal planning commissions, previously had required a planning commission to consist of nine members. Evidently, however, recruiting people to serve on commissions became a frequent problem in smaller communities. In response, Public Act 18 of 1997 amended Public Act 285 to permit a planning commission to consist of five, seven, or nine members in a city, village, or township with a population of less than 5,000, with the size of the commission to be determined by the local legislative body. Public Act 285, however, still requires that six members of a planning commission vote in favor of adopting a master plan for a municipality or an amendment, extension, or addition to the plan. Consequently, five-member commissions cannot meet this requirement, and seven-member commissions still must produce six affirmative votes. It has been suggested that the number of affirmative votes needed to adopt or amend a municipal master plan should be consistent with the size of a municipality's planning commission.

CONTENT

The bill would amend Public Act 285 of 1931 to require at least two-thirds, instead of six, of the members of a city, village, or municipal planning commission to vote in favor of the adoption of a master plan for the municipality or an amendment, extension, or addition to a plan.

MCL 125.38

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

The bill would address a technical inconsistency in Public Act 285, which requires at least six votes in favor of adopting or amending a municipal master plan, but permits a municipality to have as few as five members on a commission. Instead of specifying the number of votes required to adopt or amend a master plan, the bill would require that two-thirds of a commission, regardless of its size, vote in favor of approving or changing a plan.

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: R. Ross

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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.