



HOUSE BILL No. 5476

March 7, 2000, Introduced by Reps. Martinez, Kelly, LaForge, Scranton, Godchaux, Rivet, Brater, Schauer, Mans, Hansen, Hale, Baird, Scott and Gielegem and referred to the Committee on Local Government and Urban Policy.

A bill to create a commission on state land use policy; to provide for its powers and duties; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act, "commission" means the commis-
2 sion on state land use policy created in section 2.

3 Sec. 2. (1) The commission on state land use policy is
4 created.

5 (2) The commission shall consist of the following members,
6 who, except for the members described in subdivisions (c) and
7 (d), shall be appointed by the governor:

8 (a) Two members of the senate, 1 of whom is a member of the
9 majority party and 1 of whom is a member of the minority party.

1 (b) Two members of the house of representatives, 1 of whom
2 is a member of the majority party and 1 of whom is a member of
3 the minority party.

4 (c) The director of the department of natural resources or
5 his or her designee.

6 (d) The director of the department of environmental quality
7 or his or her designee.

8 (e) One city council member.

9 (f) One mayor.

10 (g) One member representing the Michigan association of
11 counties.

12 (h) One member representing the Michigan townships
13 association.

14 (i) One member representing the Michigan farm bureau.

15 (j) One member representing the Michigan association of home
16 builders.

17 (k) One member representing the Michigan association of
18 realtors.

19 (l) One member representing the Michigan society of planning
20 officials.

21 (m) One member representing a nongovernmental environmental
22 protection organization.

23 (n) One member representing the Michigan association of
24 regions.

25 (3) The governor shall appoint members to the commission
26 within 60 days after the effective date of this act.

1 (4) Members of the commission shall serve for the life of
2 the commission.

3 (5) If a vacancy occurs on the commission, the governor
4 shall make an appointment to fill the vacancy in the same manner
5 as the original appointment.

6 (6) The governor may remove a member of the commission for
7 incompetency, dereliction of duty, malfeasance, misfeasance, or
8 nonfeasance in office, or any other good cause.

9 Sec. 3. (1) The first meeting of the commission shall be
10 called by the director of the department of natural resources or
11 his or her designee serving on the commission within 30 days
12 after completion of appointment of members of the commission
13 under section 2. At the first meeting, the commission shall
14 elect from among its members a chairperson, a secretary, and
15 other officers as it considers necessary or appropriate. The
16 commission shall meet at the call of the chairperson.

17 (2) A majority of the members of the commission constitute a
18 quorum for the transaction of business at a meeting of the
19 commission. A majority of the members present and serving are
20 required for official action of the commission.

21 (3) The business that the commission may perform shall be
22 conducted at a public meeting of the commission held in compli-
23 ance with the open meetings act, 1976 PA 267, MCL 15.261 to
24 15.275.

25 (4) A writing prepared, owned, used, in the possession of,
26 or retained by the commission in the performance of an official

1 function is subject to the freedom of information act, 1976
2 PA 442, MCL 15.231 to 15.246.

3 (5) Members of the commission shall serve without
4 compensation. However, members of the commission may be reim-
5 bursed for their actual and necessary expenses incurred in the
6 performance of their official duties as members of the
7 commission.

8 Sec. 4. The commission shall do all of the following:

9 (a) Conduct at least 6 meetings, in urban and rural areas
10 and in various regions of the state, including at least 1 meeting
11 in the Upper Peninsula, to solicit public comment and recommenda-
12 tions on land use policy in this state.

13 (b) Propose land use policies to be implemented by state and
14 local government including, but not limited to, recommendations
15 for statutes and ordinances to implement those policies.

16 (c) Within 1 year after the completion of appointment of
17 members of the commission, submit to each member of the legisla-
18 ture a report on the commission's findings and recommendations
19 under subdivisions (a) and (b).

20 Sec. 5. (1) The commission may cooperate and contract with
21 individuals, organizations, and departments or agencies of this
22 state, the federal government, or a local unit of government in
23 carrying out its duties.

24 (2) Departments and agencies of this state shall cooperate
25 with and assist the commission in carrying out its duties.

1 (3) The commission may employ or contract for staff and
2 administrative support for the commission.

3 (4) The legislature shall appropriate funds for staff,
4 administrative support, and other expenses of the commission in
5 carrying out its powers and duties under this act.

6 Sec. 6. This act is repealed effective October 1, 2002.