

SENATE BILL No. 1173

April 28, 2004, Introduced by Senators BISHOP, GOSCHKA and BIRKHOLZ and referred to the Committee on Government Operations.

A bill to amend 1905 PA 157, entitled

"An act to provide for the acquisition, maintenance, management, and control of township parks, resorts, bathing beaches, and places of recreation; to provide for the creation of a township park commission; to provide for a board of commissioners to provide for the issuance of bonds and the levy of taxes; to provide for the transfer of certain real property for parks; to authorize cities and villages to appropriate money for park purposes; to provide for the acquisition, construction, and use of wharves, piers, docks, and landing places in townships; to provide the powers and duties of certain local units of government and certain officials; and to prescribe penalties and provide remedies,"

by amending section 6 (MCL 41.426), as amended by 1999 PA 15.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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1 Sec. 6. (1) On receipt of a written petition signed by not
2 less than 8% of the registered voters of a township, the township
3 board of that township, at its first meeting after the receipt of
4 the petition, shall submit the question of establishing a
5 township park commission to the registered voters of the township
6 at the next regular election to be held in the township. If a

1 majority of the registered voters voting on the question vote in
 2 favor of establishing a township park commission, the township
 3 board shall appoint ~~the following number of members~~ to a
 4 township park commission →

5 ~~—— (a) Before the effective date of the amendatory act that~~
 6 ~~added subsection (3), 6 members.~~

7 ~~—— (b) On and after the effective date of the amendatory act~~
 8 ~~that added subsection (3),~~ an odd number of members not fewer
 9 than 5 or more than 9 as determined by the township board.

10 (2) The members appointed ~~pursuant to~~ **under** subsection (1)
 11 shall serve until the next township election at which township
 12 officers are elected. At the next township election at which
 13 township officers are elected held ~~pursuant to~~ **under** section
 14 358 of the Michigan election law, 1954 PA 116, MCL 168.358, the
 15 number of members of the township park commission as determined
 16 under subsection (1) shall be elected for terms of 4 years each.
 17 **If designated as nonpartisan by the township board, candidates**
 18 **for the township park commission shall be elected on nonpartisan**
 19 **ballots as provided under section 358 of the Michigan election**
 20 **law, 1954 PA 116, MCL 168.358.**

21 (3) ~~On and after the effective date of the amendatory act~~
 22 ~~that added this subsection, a~~ **A** township board ~~shall~~ **may**
 23 increase or decrease the number of members of an existing
 24 township park commission. ~~in conformity with subsection (1)(b).~~
 25 If the township board increases the number of members of the
 26 township park commission board, the township board shall appoint
 27 the additional members who shall serve for the period prescribed

1 in sections 370 and 370a of the Michigan election law, 1954 PA
2 116, MCL 168.370 and 168.370a. If the township board decreases
3 the number of members of the township park commission board, the
4 members of the township park commission then serving shall remain
5 in office until the next township election at which township
6 officers are elected held ~~pursuant to~~ **under** section 358 of the
7 Michigan election law, 1954 PA 116, MCL 168.358.

8 ~~(4) After a township board increases or decreases the number~~
9 ~~of members of an existing township park commission in conformity~~
10 ~~with subsection (1)(b), any future increase or decrease in the~~
11 ~~number of park commission members shall only occur at a township~~
12 ~~election at which township officers are elected held pursuant to~~
13 ~~section 358 of the Michigan election law, 1954 PA 116, MCL~~
14 ~~168.358.~~

15 ~~(4) —(5)—~~ A vacancy in the township park commission shall be
16 filled by appointment of the township board for the period
17 prescribed in sections 370 and 370a of the Michigan election law,
18 1954 PA 116, MCL 168.370 and 168.370a.