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House Bill 5885 (Substitute H-1 as passed by the House)
House Bill 5886 (Substitute H-1 as passed by the House)
Sponsor: Representative John Stakoe
House Committee: Local Government and Urban Policy
Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 11-20-06

CONTENT

House Bills 5885 (H-1) and 5886 (H-1) would amend Public Act 285 of 1931 (which governs city, village, and municipal planning) and Public Act 168 of 1959 (which governs township planning), respectively, to allow, rather than require, a county planning commission or board of commissioners to submit comments on a proposed plan; and to shorten the time period during which comments on a proposed plan may be submitted.

Under Public Act 285, after preparing a proposed plan, the municipal planning commission must submit it to the legislative body of the municipality for review and comment. Under Public Act 168, a township planning commission must submit a proposed plan to the township board for review and comment. If the applicable legislative body approves the distribution of the proposed plan, it must notify the secretary of the municipal or township planning commission, who must submit a copy of the plan, for review and comment, to all of the following:

- The planning commission, or, if there is no planning commission, the legislative body, of each city, village, or township located within or contiguous to the municipality or township, as applicable.
- If there is no county planning commission for the county in which the municipality or township is located, the regional planning commission, if any.
- The county planning commission, or, if there is no county planning commission, the county board of commissioners, for the county in which the municipality or township is located.
- Each company owning or operating a public utility or railroad within the municipality or township, and any government entity, that registers its name and address for this purpose with the secretary of the municipal or township planning commission.

The secretary also must submit to the county planning commission or board of commissioners a statement that the proposed plan has been submitted to the regional planning commission and the planning commission or legislative body of each city, village, or township located within or contiguous to the municipality or township. Under the bills, the secretary would have to submit to the county planning commission a statement that the plan had been submitted to the planning commission or legislative body of each city, village, or township located within or contiguous to the municipality or township. If there were no county planning commission, the secretary would have to submit to the county board of

commissioners a statement that the proposed plan had been submitted to the planning commission or legislative body, and to the regional planning commission, if any.

Currently, comments on the proposed plan may be submitted to the municipal or township planning commission by the planning commission or legislative body of a city, village, or township located within or contiguous to the municipality or township; the regional planning commission; or a public utility or railroad company, or a government entity, registered to receive a copy of the plan. The comments must be submitted within 65 days after the proposed plan was submitted to the entity. The bill would reduce the time period from 65 to 63 days. Under the Acts, a local or regional planning commission concurrently must send a copy of the comments to the county planning commission, or, if there is no county planning commission, to the county board of commissioners, for the county in which the municipality or township proposing the plan is located. Between 75 and 95 days after the proposed plan is submitted to the county planning commission or board of commissioners, the commission or board must submit to the township or municipality its comments on the proposed plan. The bill would delete these requirements, and would include the county planning commission and board of commissioners among the entities permitted to submit comments under the 63-day period.

An extension, addition, revision, or other amendment to a basic plan must be adopted under the same procedures as a plan or a successive part of a plan under the respective Acts. For an amendment other than a revision of the plan, however, the 65-day period is reduced to 40 days, and the 75- to 95-day period is reduced to 55 to 75 days. The bills would refer to the 63-day period, rather than the 65-day period, and eliminate the reference to the 75- to 95-day period.

MCL 125.37b et al. (H.B. 5885)
125.327b et al. (H.B. 5886)

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

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

Fiscal Analyst: David Zin

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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.