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PLANNING COMMISSION VOTES

House Bill 5981 as introduced First Analysis (12-2-98)

Sponsor: Rep. James M. Middaugh
Committee: Local Government

THE APPARENT PROBLEM:

Public Act 18 of 1997 (House Bill 4034) amended Public Act 235 of 1931, which deals with municipal planning, to permit a planning commission of five, seven, or nine members in a municipality (city, village, or township) with a population of less than 5,000, with the number to be determined by the local legislative body. This was done because some communities had difficulty recruiting and retaining the nine members that previously were required on planning commissions. Overlooked at the time, however, was a requirement that the adopting and amending of a municipal master plan be approved by at least six members of the planning commission. Obviously, this requirement assumes a nine-member board. Legislation has been introduced to address this inconsistency.

THE CONTENT OF THE BILL:

The bill would amend Public Act 285 of 1931 to require at least a two-thirds vote by a planning commission for the adopting and amending of a municipal master plan.

MCL 125.38

FISCAL IMPLICATIONS:

There is no information at present.

ARGUMENTS:

For:

The bill would address a technical inconsistency in the act providing for municipal planning commissions. Recent legislation allows a municipal planning commission to have five, seven, or nine members rather than requiring nine members. The bill would require at least a two-thirds vote to adopt or amend the master plan rather than at least six votes (which would be impossible for a five-member board).

POSITIONS:

The Michigan Municipal League has indicated support for the bill. (12-1-98)

The Michigan Association of Realtors has indicated support for the bill. (12-1-98)

Analyst: C. Couch

■ 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.