

## TOWNSHIP PARK COMMISSION

### House Bill 4011 (Substitute H-1) First Analysis (3-2-99)

**Sponsor: Rep. Marc Shulman**  
**Committee: Local Government and Urban  
Policy**

#### ***THE APPARENT PROBLEM:***

Public Act 157 of 1905 provides for the creation of an elected township park commission of six members serving four-year terms. In at least one community -- West Bloomfield -- the commission reportedly has been evenly split and deadlocked. According to press accounts, commission members have sometimes not even been able to agree on an agenda. Legislation has been introduced that would provide for an odd number of members on township park commissions.

#### ***THE CONTENT OF THE BILL:***

The bill would amend Public Act 157 of 1905 so that an elected township park commission would have an odd number of members as determined by the township board, but not fewer than five or more than nine.

In a township affected by the bill, a township board, on or after the effective date of the bill, would increase or decrease the number of members on the commission. If the number was increased, the township board would appoint the additional member or members, who would serve for the period prescribed in Sections 370 and 370a of the Michigan Election Law. (Those sections address filling vacancies in township offices.) If the number was decreased, the commission members then serving would remain in office until the next township election at which township officers were elected held pursuant to Section 358 of the election law. (That section requires that there be a general November election in every township in each even-numbered year.)

After a township board increased or decreased the number of members on an existing township park commission, any future increase or decrease in the number of members could only occur at an election at which township officers are elected under Section 358.

A vacancy in the township park commission would filled by appointment of the township board for the period prescribed in Sections 370 and 370a of the election law.

MCL 41.426

#### ***BACKGROUND INFORMATION:***

A similar bill, House Bill 5466, passed the House in the 1997-1998 session. It required an odd number of members, but not fewer than five.

#### ***FISCAL IMPLICATIONS:***

The House Fiscal Agency reports that the bill would have no fiscal impact on state or local government. (HFA fiscal note dated 2-9-99)

#### ***ARGUMENTS:***

##### ***For:***

A township park commission with an odd number of members is less likely to become deadlocked or stalemated, and thus more likely to be able to carry out its responsibilities, than an even-numbered commission. Currently such boards have six elected members and in at least one case, deadlock has repeatedly occurred. The bill would allow a township board to decide how many members, from five to nine, could serve on an elected park commission.

##### ***POSITIONS:***

The Michigan Townships Association supports the bill. (2-23-99)

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.