

REPRINT

SUBSTITUTE FOR

HOUSE BILL NO. 4011

(As passed the House, March 3, 1999)

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; and to provide the powers and duties of certain local units of government and certain officials,"

by amending section 6 (MCL 41.426), as added by 1989 PA 79.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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1 majority of the ~~electors~~ REGISTERED VOTERS voting on the
2 question vote in favor of establishing a TOWNSHIP park commis-
3 sion, the township board shall appoint ~~a township park commis-~~
4 ~~sion of 6 members.~~ THE FOLLOWING NUMBER OF MEMBERS TO A TOWNSHIP
5 PARK COMMISSION:

6 (A) BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
7 ADDED SUBSECTION (3), 6 MEMBERS.

8 (B) ON AND AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT
9 THAT ADDED SUBSECTION (3), AN ODD NUMBER OF MEMBERS NOT FEWER
10 THAN 5 OR MORE THAN 9 AS DETERMINED BY THE TOWNSHIP BOARD.

11 (2) The members APPOINTED PURSUANT TO SUBSECTION (1) shall
12 serve until the next township election at which township officers
13 are elected. At the next township election at which township
14 officers are elected HELD PURSUANT TO SECTION 358 OF THE MICHIGAN
15 ELECTION LAW, 1954 PA 116, MCL 168.358, ~~6~~ THE NUMBER OF members
16 of the township park commission AS DETERMINED UNDER
17 SUBSECTION (1) shall be elected for terms of 4 years each.

18 (3) ON AND AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT
19 THAT ADDED THIS SUBSECTION, A TOWNSHIP BOARD SHALL INCREASE OR
20 DECREASE THE NUMBER OF MEMBERS OF AN EXISTING TOWNSHIP PARK COM-
21 MISSION IN CONFORMITY WITH SUBSECTION (1)(B). IF THE TOWNSHIP
22 BOARD INCREASES THE NUMBER OF MEMBERS OF THE TOWNSHIP PARK COM-
23 MISSION BOARD, THE TOWNSHIP BOARD SHALL APPOINT THE ADDITIONAL
24 MEMBERS WHO SHALL SERVE FOR THE PERIOD PRESCRIBED IN SECTIONS 370
25 AND 370A OF THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.370
26 AND 168.370A. IF THE TOWNSHIP BOARD DECREASES THE NUMBER OF
27 MEMBERS OF THE TOWNSHIP PARK COMMISSION BOARD, THE MEMBERS OF THE

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1 TOWNSHIP PARK COMMISSION THEN SERVING SHALL REMAIN IN OFFICE
2 UNTIL THE NEXT TOWNSHIP ELECTION AT WHICH TOWNSHIP OFFICERS ARE
3 ELECTED HELD PURSUANT TO SECTION 358 OF THE MICHIGAN ELECTION
4 LAW, 1954 PA 116, MCL 168.358.

5 (4) AFTER A TOWNSHIP BOARD INCREASES OR DECREASES THE NUMBER
6 OF MEMBERS OF AN EXISTING TOWNSHIP PARK COMMISSION IN CONFORMITY
7 WITH SUBSECTION (1)(B), ANY FUTURE INCREASE OR DECREASE IN THE
8 NUMBER OF PARK COMMISSION MEMBERS SHALL ONLY OCCUR AT A TOWNSHIP
9 ELECTION AT WHICH TOWNSHIP OFFICERS ARE ELECTED HELD PURSUANT TO
10 SECTION 358 OF THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL
11 168.358.

12 (5) A VACANCY IN THE TOWNSHIP PARK COMMISSION SHALL BE
13 FILLED BY APPOINTMENT OF THE TOWNSHIP BOARD FOR THE PERIOD PRE-
14 SCRIBED IN SECTIONS 370 AND 370A OF THE MICHIGAN ELECTION LAW,
15 1954 PA 116, MCL 168.370 AND 168.370A.

Enacting section 1. This amendatory act does not take effect
unless Senate Bill No. 336 of the 90th Legislature is enacted into
law.