

SUBSTITUTE FOR  
HOUSE BILL NO. 4456  
(As amended May 13, 2003)

A bill to amend 1965 PA 261, entitled

"An act to authorize the creation and to prescribe the powers and duties of county and regional parks and recreation commissions; and to prescribe the powers and duties of county boards of commissioners with respect to county and regional parks and recreation commissions,"

by amending section 1 (MCL 46.351), as amended by 2000 PA 496.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1. (1) The county board of commissioners of a county,  
2 by resolution adopted by a 2/3 vote of all its members, may  
3 create a county parks and recreation commission, which shall be  
4 under the general control of the board of commissioners.

5       (2) The county parks and recreation commission shall consist  
6 of the following ~~[10]~~ members:

7       (a) The chairperson of the county road commission or another  
8 road commissioner designated by the board of county road  
9 commissioners.

1 (b) The county drain commissioner.

2 (c) One of the following:

3 (i) In a county that elects a county executive under section  
4 9 of 1973 PA 139, MCL 45.559, the county executive or a designee  
5 of the county executive.

6 (ii) In a county with a population of 1,000,000 or less, the  
7 chairperson of the county planning commission or another member  
8 of the county planning commission designated by the county  
9 planning commission. In a county that does not have a county  
10 planning commission, the chairperson of the regional planning  
11 commission shall serve on the county parks and recreation  
12 commission if that person is a resident of that county. If the  
13 chairperson of the regional planning commission is not a resident  
14 of that county, then the board shall, by a 2/3 vote, appoint a  
15 member of the regional planning commission who is a resident of  
16 that county to serve on the county parks and recreation  
17 commission.

18 (d) Seven members appointed by the county board of  
19 commissioners, not less than 1 and not more than 3 of whom shall  
20 be members of the board of commissioners.

21 (e) For counties with a population greater than 750,000 but  
22 less than 1,000,000, [the county board of commissioners shall appoint a  
23 neighborhood representative. The appointee under this subdivision]  
shall be an officer of the homeowners or property  
24 owners association that represents the largest area  
25 geographically that is located [totally or partially within 500 feet of]  
the property  
26 boundary of the most frequently used county park who is willing  
27 to serve on the county parks and recreation commission. If a

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1 homeowners or property owners association is not located within  
2 [500 feet ] or no officer is willing to serve, then [the  
3 appointee ] shall be a resident within  
4 that 1/2-mile area who is willing to serve on the county parks  
5 and recreation commission. If no resident lives within that  
6 1/2-mile area or no resident is willing to serve, then [the appointee  
7 ] shall be a resident of the city,  
8 village, or township in which the park is located who is willing  
9 to serve on the county parks and recreation commission. [The first  
10 appointment under this subdivision shall be made not less than 30 days  
11 from the effective date of the amendatory act that added this  
12 subdivision.

13  
14 ]  
15 (3) Of the members first appointed by the county board of  
16 commissioners, 2 shall be appointed for a term ending 1 year from  
17 the following January 1, 2 for a term ending 2 years from the  
18 following January 1, and 3 for a term ending 3 years from the  
19 following January 1. [The first member appointed under subdivision (e)  
shall be appointed for a term ending 2 years from the following January  
1.] From then on, each appointed member shall

20 be appointed for a term of 3 years and until his or her successor  
21 is appointed and qualified. Each term shall expire at noon on  
22 January 1. A vacancy shall be filled by the county board of  
23 commissioners for the unexpired term.

24 (4) The county parks and recreation commission is an agency  
25 of the county. The county board of commissioners may make rules  
26 and regulations with respect to the county parks and recreation  
27 commission as the board of commissioners considers advisable.

1 The members of the county parks and recreation commission are not  
2 full-time officers. ~~—, and the~~ **The county** board of commissioners  
3 shall fix the compensation of the members.