

HOUSE BILL No. 4147

February 5, 2003, Introduced by Rep. Kolb and referred to the Committee on Land Use and Environment.

A bill to create a commission on state land use policy; to provide for its powers and duties; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act, "commission" means the
2 commission on state land use policy created in section 2.

3 Sec. 2. (1) The commission on state land use policy is
4 created.

5 (2) The commission shall consist of the following members,
6 who, except for the members described in subdivisions (c) and
7 (d), shall be appointed by the governor:

8 (a) Two members of the senate, 1 of whom is a member of the
9 majority party and 1 of whom is a member of the minority party.

10 (b) Two members of the house of representatives, 1 of whom is
11 a member of the majority party and 1 of whom is a member of the

1 minority party.

2 (c) The director of the department of natural resources or
3 his or her designee.

4 (d) The director of the department of environmental quality
5 or his or her designee.

6 (e) One city council member.

7 (f) One mayor.

8 (g) One member representing the Michigan association of
9 counties.

10 (h) One member representing the Michigan townships
11 association.

12 (i) One member representing the Michigan farm bureau.

13 (j) One member representing the Michigan association of home
14 builders.

15 (k) One member representing the Michigan association of
16 realtors.

17 (l) One member representing the Michigan society of planning
18 officials.

19 (m) One member representing a nongovernmental environmental
20 protection organization.

21 (n) One member representing the Michigan association of
22 regions.

23 (3) The governor shall appoint members to the commission
24 within 60 days after the effective date of this act.

25 (4) Members of the commission shall serve for the life of the
26 commission.

27 (5) If a vacancy occurs on the commission, the governor shall

1 make an appointment to fill the vacancy in the same manner as the
2 original appointment.

3 (6) The governor may remove a member of the commission for
4 incompetency, dereliction of duty, malfeasance, misfeasance, or
5 nonfeasance in office, or any other good cause.

6 Sec. 3. (1) The first meeting of the commission shall be
7 called by the director of the department of natural resources or
8 his or her designee serving on the commission within 30 days
9 after completion of appointment of members of the commission
10 under section 2. At the first meeting, the commission shall
11 elect from among its members a chairperson, a secretary, and
12 other officers as it considers necessary or appropriate. The
13 commission shall meet at the call of the chairperson.

14 (2) A majority of the members of the commission constitute a
15 quorum for the transaction of business at a meeting of the
16 commission. A majority of the members present and serving are
17 required for official action of the commission.

18 (3) The business that the commission may perform shall be
19 conducted at a public meeting of the commission held in
20 compliance with the open meetings act, 1976 PA 267, MCL 15.261 to
21 15.275.

22 (4) A writing prepared, owned, used, in the possession of, or
23 retained by the commission in the performance of an official
24 function is subject to the freedom of information act, 1976
25 PA 442, MCL 15.231 to 15.246.

26 (5) Members of the commission shall serve without
27 compensation. However, members of the commission may be

1 reimbursed for their actual and necessary expenses incurred in
2 the performance of their official duties as members of the
3 commission.

4 Sec. 4. The commission shall do all of the following:

5 (a) Conduct at least 6 meetings to solicit public comment and
6 recommendations on land use policy in this state. The commission
7 shall conduct the meetings in urban and rural areas and in
8 various regions of the state, including at least 1 meeting in the
9 Upper Peninsula.

10 (b) Propose land use policies to be implemented by state and
11 local government including, but not limited to, recommendations
12 for statutes and ordinances to implement those policies.

13 (c) Within 1 year after the completion of appointment of
14 members of the commission, submit to each member of the
15 legislature a report on the commission's findings and
16 recommendations under subdivisions (a) and (b).

17 Sec. 5. (1) The commission may cooperate and contract with
18 individuals, organizations, and departments or agencies of this
19 state, the federal government, or a local unit of government in
20 carrying out its duties.

21 (2) Departments and agencies of this state shall cooperate
22 with and assist the commission in carrying out its duties.

23 (3) The commission may employ or contract for staff and
24 administrative support for the commission.

25 (4) The legislature shall appropriate funds for staff,
26 administrative support, and other expenses of the commission in
27 carrying out its powers and duties under this act.

1 Sec. 6. This act is repealed effective October 1, 2005.