

HOUSE BILL No. 4967

July 16, 2003, Introduced by Reps. Rocca, Accavitti, Bieda, Palmer and Gielegthem.

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
23 appoint a neighborhood representative. The appointee under this
24 subdivision shall be an officer of the homeowners or property
25 owners association that represents the largest area
26 geographically that is located totally or partially within 1,000
27 feet of the property boundary of the most frequently used county

1 park who is willing to serve on the county parks and recreation
2 commission. If a homeowners or property owners association is
3 not located within 1,000 feet of that park or no officer is
4 willing to serve, then the appointee shall be a resident who
5 lives within 1/2 mile of that park and who is willing to serve on
6 the county parks and recreation commission. If no resident lives
7 within 1/2 mile of that park or no resident is willing to serve,
8 then the appointee shall be a resident of the city, village, or
9 township in which that park is located who is willing to serve on
10 the county parks and recreation commission. The first
11 appointment under this subdivision shall be made not less than 30
12 days from the effective date of the amendatory act that added
13 this subdivision or not less than 30 days from the date a county
14 qualifies for an appointment under this subdivision.

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 by a qualifying**
20 **county under subdivision (e) shall be appointed for a term ending**
21 **2 years from the following January 1.** From then on, each
22 appointed member shall be appointed for a term of 3 years and
23 until his or her successor is appointed and qualified. Each term
24 shall expire at noon on January 1. A vacancy shall be filled by
25 the county board of commissioners for the unexpired term.

26 (4) The county parks and recreation commission is an agency
27 of the county. The county board of commissioners may make rules

1 and regulations with respect to the county parks and recreation
2 commission as the board of commissioners considers advisable.
3 The members of the county parks and recreation commission are not
4 full-time officers. ~~—, and the~~ **The county** board of commissioners
5 shall fix the compensation of the members.