

Legislative Analysis



DRAIN COMMISSIONER DESIGNEE

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House Bill 6325 as introduced

Sponsor: Rep. Shelley Goodman Taub

Committee: Local Government and Urban Policy

First Analysis (9-8-06)

BRIEF SUMMARY: The bill would allow a county drain commissioner to designate a person to take his or her place at a meeting of the county parks and recreation commission.

FISCAL IMPACT: This bill would not have a fiscal impact on the State or on local governmental units.

THE APPARENT PROBLEM:

The office of county drain commissioner can be quite busy, with myriad responsibilities and meetings to attend; scheduling conflicts often ensue. Generally speaking, if a drain commissioner cannot personally attend a meeting, he or she will send a staff person instead. However, statute requires a county drain commissioner to be a member of a county parks and recreation commission and attend all meetings; it does not allow the commissioner to send a surrogate. At the request of the Oakland County Drain Commissioner, legislation has been offered to allow a drain commissioner to send a designee to attend a county parks and recreation commission meeting in his or her place if he or she is not able to attend.

THE CONTENT OF THE BILL:

Under Public Act 261 of 1965, a county board of commissioners may, by resolution, create a county parks and recreation commission. The county drain commissioner is required to be one of the members of that commission. House Bill 6325 would amend the act to allow, if the drain commissioner were unavailable, a designee of the drain commissioner to take his or her place.

MCL 46.351

ARGUMENTS:

For:

Many statutes require specific persons to be appointed to serve on boards, commissions, and task forces. Generally speaking, such persons are authorized to designate a replacement if, for any reason, they are unable to attend a meeting. The provision pertaining to the appointment of county drain commissioners to a county parks and recreation commission is an exception. The bill would simply allow a drain commissioner to designate a person to attend a meeting of the parks and recreation

commission if he or she is unable to do so. Currently, if another person filled in for the drain commissioner at these meetings, the person is not able to vote on matters before the commission.

POSITIONS:

The Oakland County Drain Commission supports the bill. (9-7-06)

The Michigan Association of Counties (MAC) supports the concept of the bill. (9-7-06)

The Department of Natural Resources indicated a position of neutrality on the bill. (9-7-06)

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■ 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.