

Legislative Analysis



DRAIN COMMISSIONER DESIGNEE

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House Bill 6325 as enrolled

Public Act 588 of 2006

Sponsor: Rep. Shelley Goodman Taub

House Committee: Local Government and Urban Policy

Senate Committee: Local, Urban and State Affairs

Second Analysis (2-6-07)

BRIEF SUMMARY: The bill would allow a county drain commissioner to designate in writing an employee 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 appoint a designee. At the request of the Oakland County Drain Commissioner, legislation has been offered to allow a drain commissioner to appoint a designee as a member of a county parks and recreation commission in his or her place.

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. Currently, the county drain commissioner is required to be one of the members of that commission. House Bill 6325 would amend the act to instead require either the drain commissioner or an employee of the drain commissioner's office designated in writing by the drain commissioner to be a member of a county parks and recreation commission

MCL 46.351

ARGUMENTS:

For:

Many statutes require specific persons to be appointed to serve on boards, commissions, and task forces. Typically, such persons are authorized to designate a replacement if, for any reason, they are unable to attend a meeting or meetings. 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 an employee of his or her office to serve as a member 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.

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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.