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BILL ANALYSIS

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House Bill 4623 (Substitute H-1 as reported without amendment)

Sponsor: Representative Neil Nitz

House Committee: Agriculture

Senate Committee: Agriculture, Forestry and Tourism

CONTENT

The bill would amend Public Act 29 of 1970, which provides for the State Potato Industry Commission, to authorize the Commission to reapportion the number of Commission members and/or the member districts, with the advice and consent of the Agriculture Commission and the Director of the Michigan Department of Agriculture (MDA). Reapportionment of the districts would have to be on the basis production or industry representation.

Presently, the membership of the Potato Industry Commission includes 10 growers, two processors, two shippers, and one retailer appointed by the Governor with the advice and consent of the Senate. (The Commission also includes the MDA Director, or his or her designee, and a staff member of Michigan State University appointed by the Dean of Agriculture, who serve as nonvoting, ex officio members.) Eight of the growers must be appointed to represent seven districts throughout the State. District 1, which consists of the Upper Peninsula, is represented by two growers. The remaining six districts are represented by one grower each. The ninth and 10th growers serve at large.

The bill would allow reapportionment to begin 30 days after its effective date. Reapportionment of either members or districts could not occur more than twice in any five-year period, and could not occur within six months before a referendum.

After reapportionment, if a member's residence fell outside the district he or she was representing, and fell within another member's district, both members would continue to serve on the Commission for a term equal to the remaining term of the member who served for the longer period of time. If reapportionment created a district within which no member serving on the Commission resided, then a member would have to be selected as prescribed in the Act (which includes provisions for filling a vacancy). After a reapportionment or redistricting, the Commission temporarily could have more members than prescribed by the Act until the term of the longest-serving member from a district expired.

MCL 290.442

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 6-9-05

Fiscal Analyst: Craig Thiel

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Analysis available @ <http://www.michiganlegislature.org>

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