

HOUSE BILL No. 6325

August 9, 2006, Introduced by Reps. Taub, Stakoe and Garfield and referred to the Committee on Local Government and Urban Policy.

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 2003 PA 187.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) The county board of commissioners of a county, by
2 resolution adopted by a 2/3 vote of all its members, may create a
3 county parks and recreation commission, which shall be under the
4 general control of the board of commissioners.

5 (2) The county parks and recreation commission shall consist
6 of the following members:

7 (a) The chairperson of the county road commission or another

1 road commissioner designated by the board of county road
2 commissioners.

3 (b) The county drain commissioner **OR, IF THE DRAIN**
4 **COMMISSIONER IS UNAVAILABLE, A DESIGNEE OF THE DRAIN COMMISSIONER.**

5 (c) One of the following:

6 (i) In a county that elects a county executive under section 9
7 of 1973 PA 139, MCL 45.559, the county executive or a designee of
8 the county executive.

9 (ii) In a county with a population of 1,000,000 or less, the
10 chairperson of the county planning commission or another member of
11 the county planning commission designated by the county planning
12 commission. In a county that does not have a county planning
13 commission, the chairperson of the regional planning commission
14 shall serve on the county parks and recreation commission if that
15 person is a resident of that county. If the chairperson of the
16 regional planning commission is not a resident of that county, then
17 the board shall, by a 2/3 vote, appoint a member of the regional
18 planning commission who is a resident of that county to serve on
19 the county parks and recreation commission.

20 (d) Seven members appointed by the county board of
21 commissioners, not less than 1 and not more than 3 of whom shall be
22 members of the board of commissioners.

23 (e) For counties with a population greater than 750,000 but
24 less than 1,000,000, the county board of commissioners shall
25 appoint a neighborhood representative. The appointee under this
26 subdivision shall be an officer of the homeowners or property
27 owners association that represents the largest area geographically

1 that is located totally or partially within 1,000 feet of the
2 property boundary of the most frequently used county park who is
3 willing to serve on the county parks and recreation commission. If
4 a homeowners or property owners association is not located within
5 1,000 feet of that park or no officer is willing to serve, then the
6 appointee shall be a resident who lives within 1/2 mile of that
7 park and who is willing to serve on the county parks and recreation
8 commission. If no resident lives within 1/2 mile of that park or no
9 resident is willing to serve, then the appointee shall be a
10 resident of the city, village, or township in which that park is
11 located who is willing to serve on the county parks and recreation
12 commission. The first appointment under this subdivision shall be
13 made not more than 60 days from ~~the effective date of the~~
14 ~~amendatory act that added this subdivision~~ **OCTOBER 17, 2003** or not
15 more than 60 days from the date a county qualifies for an
16 appointment under this subdivision.

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

1 (4) The county parks and recreation commission is an agency of
2 the county. The county board of commissioners may make rules and
3 regulations with respect to the county parks and recreation
4 commission as the board of commissioners considers advisable. The
5 members of the county parks and recreation commission are not full-
6 time officers. The county board of commissioners shall fix the
7 compensation of the members.