
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 4034 (Substitute H-1 as passed by the House)
Sponsor: Representative James M. Middaugh
House Committee: Local Government
Senate Committee: Local, Urban and State Affairs

Date Completed: 5-14-97

CONTENT

The bill would amend Public Act 285 of 1931, which provides for the creation and organization of city, village, and municipal planning commissions, to permit a planning commission of five, seven, or nine members in a municipality (city, village, or township) with a population of less than 5,000. The size of the commission would be determined by the local legislative body. One member of the commission would have to be a member of the legislative body, and would serve as an ex officio member.

Currently, a planning commission is required to consist of nine members. Under the bill, the planning commission of a municipality with a population of less than 5,000 could consist of five, seven, or nine members, as determined by the municipality's legislative body. One of the members would have to be a member of the legislative body to be selected by resolution of that body to serve as an ex officio member. The remainder of the members would have to be appointed by the mayor, subject to the approval of the legislative body by majority vote. The bill specifies that all ex officio members appointed under the bill would have full voting rights. All appointed members of the commission could be compensated at a rate to be determined by the appointing or legislative body.

An appointed member could not hold another municipal office, except that one appointed member could be a member of a zoning board of adjustment or appeals. The term of office for the ex officio member would have to be determined by the legislative body and stated in the resolution that selected this member. The term, however, could not exceed the member's term of office as a member of the legislative body. Except as otherwise provided, the term of each appointed member would be three years, or until his or her successor took office, except that the respective terms of two of the members first appointed would be one year, and two years for three of the appointed members.

After a public hearing, a member other than the member selected by the legislative body could be removed by the mayor for inefficiency, neglect of duty, or malfeasance in office. The legislative body's ex officio member could be removed by the legislative body for the same reasons.

For a five-member planning commission, the term of office of one of the members first appointed would be one year and two years for two of the members. For a seven-member planning commission, the terms of two of the members first appointed would be one year and two years for two of the members.

MCL 125.31 & 125.33

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would reduce local unit costs associated with a planning commission to the degree that local units with a population less than 5,000 reduced the number of planning commission members. The bill would have no State fiscal impact.

Fiscal Analyst: R. Ross

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.