

HOUSE BILL No. 5885

April 11, 2002, Introduced by Rep. Rocca 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 2000 PA 496.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

5 (2) The county parks and recreation commission shall consist
6 of the following 10 members:

7 (a) The chairperson of the county road commission or another
8 road commissioner designated by the board of county road
9 commissioners.

1 (b) The county drain commissioner.

2 (c) One of the following:

3 (i) In a county that elects a county executive under section
4 9 of 1973 PA 139, MCL 45.559, the county executive or a designee
5 of the county executive.

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

17 (d) Seven members appointed by the county board of commis-
18 sioners, not less than 1 and not more than 3 of whom shall be
19 members of the board of commissioners. AT LEAST 1 OF THE 7 MEM-
20 BERS APPOINTED SHALL BE AN OFFICER OF A HOMEOWNERS OR PROPERTY
21 OWNERS ASSOCIATION THAT IS LOCATED WITHIN 1/2 MILE FROM THE PROP-
22 ERTY BOUNDARY OF THE MOST FREQUENTLY USED COUNTY PARK WHO IS
23 WILLING TO SERVE ON THE COUNTY PARKS AND RECREATION COMMISSION.
24 IF A HOMEOWNERS OR PROPERTY OWNERS ASSOCIATION IS NOT LOCATED
25 WITHIN THAT 1/2-MILE AREA OR NO OFFICER IS WILLING TO SERVE, THEN
26 AT LEAST 1 OF THE 7 MEMBERS APPOINTED SHALL BE A RESIDENT WITHIN
27 THAT 1/2-MILE AREA WHO IS WILLING TO SERVE ON THE COUNTY PARKS

1 AND RECREATION COMMISSION. IF NO RESIDENT LIVES WITHIN THAT
2 1/2-MILE AREA OR NO RESIDENT IS WILLING TO SERVE, THEN AT LEAST 1
3 OF THE 7 MEMBERS APPOINTED SHALL BE A RESIDENT OF THE CITY, VIL-
4 LAGE, OR TOWNSHIP IN WHICH THE PARK IS LOCATED WHO IS WILLING TO
5 SERVE ON THE COUNTY PARKS AND RECREATION COMMISSION.

6 (3) Of the members first appointed by the county board of
7 commissioners, 2 shall be appointed for a term ending 1 year from
8 the following January 1, 2 for a term ending 2 years from the
9 following January 1, and 3 for a term ending 3 years from the
10 following January 1. From then on, each appointed member shall
11 be appointed for a term of 3 years and until his or her successor
12 is appointed and qualified. Each term shall expire at noon on
13 January 1. A vacancy shall be filled by the county board of com-
14 missioners for the unexpired term.

15 (4) The county parks and recreation commission is an agency
16 of the county. The county board of commissioners may make rules
17 and regulations with respect to the county parks and recreation
18 commission as the board of commissioners considers advisable.
19 The members of the county parks and recreation commission are not
20 full-time officers. ~~—, and the~~ THE COUNTY board of commissioners
21 shall fix the compensation of the members.