

A SUMMARY OF HOUSE BILL 4027 AS INTRODUCED 1-25-01

The Commission on State Land Use Policy. The bill would create a new act to establish the Commission on State Land Use Policy. The commission would consist of the following members:

- a) Two members of the Senate, one from each party.
- b) Two members of the House, one from each party.
- c) The director of the Department of Natural Resources (DNR), or a designee.
- d) The director of the Department of Environmental Quality (DEQ), or a designee.
- e) One member of a city council.
- f) One mayor.
- g) A representative of the Michigan Association of Counties.
- h) A representative of the Michigan Townships Association.
- i) A representative of the Michigan Farm Bureau.
- j) A representative of the Michigan Association of Home Builders.
- k) A representative of the Michigan Association of Realtors.
- l) A representative of the Michigan Society of Planning Officials.
- m) A representative of a nongovernmental environmental protection organization.
- n) A representative of the Michigan Association of Regions.

Except for the directors of DNR and DEQ, the governor would appoint all members. The bill would require that they be appointed within 60 days after the bill's effective date; that members serve for the life of the commission; and that the governor make an appointment to fill a vacancy in the same manner as the original appointment. The bill would also specify that the governor could remove a member for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

Under the bill, the commission's first meeting would be called by the director of the DNR, or a designee serving on the commission, within 30 days after completion of appointment of members. The commission would elect a chairperson, secretary, and other officers from among its members at this meeting, and would meet thereafter at the call of the chairperson. A majority of the members would constitute a quorum for the transaction of commission business, and a majority would be required for official action. Commission meetings and writings would be subject to the provisions of the Open Meetings Act, and of the Freedom of Information Act (FOIA). Members of the commission would serve without compensation. However, they could be reimbursed for the actual and necessary expenses incurred in their official duties.

Commission Responsibilities. Under the bill, the commission would be required to do all of the following:

- 1) Conduct at least six meetings to solicit public comment and recommendations on land use policy. The commission would have to conduct the meetings in urban and rural areas, and in various regions of the state, including at least one meeting in the Upper Peninsula.
- 2) Propose land use policies to be implemented by state and local government including, but not limited to, recommendations for statutes and ordinances to implement those policies.
- 3) Within one year after commission members had been appointed, submit to each member of the legislature a report on its findings and recommendations on the information gleaned from these public meetings, including public comment and recommendations on land use policy, proposals that would be implemented by state and local governments, and on recommended statutes and ordinances to implement the policies.

Other. The commission could cooperate and contract with individuals, organizations, and departments or agencies of the state, the federal government, or a local unit of government in carrying out its duties. State departments and agencies would be required to cooperate with and assist the commission. The bill states that the legislature would be required to appropriate funds for the commission's operation.

Sunset. The bill would be repealed effective October 1, 2003.

Analyst: R. Young.

■ 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.