



**House
Legislative
Analysis
Section**

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COUNTY RD. COMM'N. BOARDS

House Bills 4777 and 4778
Sponsor: Rep. Candace Curtis
Committee: Local Government

Complete to 5-21-93

A SUMMARY OF HOUSE BILLS 4777 AND 4778 AS INTRODUCED 5-12-93

The bills would amend the Michigan Election Law and Chapter IV of Public Act 283 of 1909, which governs the powers and duties of local highway officials, to allow a county road commission board to consist of five members (rather than three, as is currently the case) if a resolution by a county board of commissioners was in effect in the county. In addition, a county road commissioner elected after the 1992 November general election would serve a term of four years, rather than six as now provided by law. Neither bill could take effect unless both were enacted.

Chapter IV of Public Act 283 of 1909 now provides that a county road commission board shall consist of three members, either elected by the county's electors or appointed by the county board of commissioners. Those elected begin their terms on January 1 in the year following their elections, whereas those appointed to serve do so only until January 1 of the first odd-numbered year following the date of appointment. Road commissioners currently serve staggered six-year terms. House Bill 4778 would amend the act (MCL 224.6 and 224.7) to specify that a county road commission board would have to consist of three members, except that if a resolution of the county's board of commissioners providing for a five-member road commission board was in effect in that county, the road commission board would have to consist of five members as of the first January 1 of an odd-numbered year following the resolution's effective date. Road commissioners elected or appointed for terms beginning after December 31, 1994, would serve four-year terms. If, however, a county board resolution (in a county that appointed road commissioners) that provided for a two-year term for road commissioners was in effect, members of that road commission board would serve for two years.

Under the bill, a county road commissioner's term would commence on January 1 of an odd-numbered year. Unless road commissioners were appointed for two-year terms, their terms would have to be staggered so that the number of terms commencing on January 1 of each odd-numbered year did not vary by more than one. The bill, however, would not permit the term of a road commissioner, whether elected or appointed, to be shortened. If a road commission board was to be enlarged from three to five members or reduced from five to three members beginning on January 1 of an odd-numbered year, the county board of commissioners could provide that one or two terms commencing on that January 1 or on the January 1 of the next odd-numbered year would be two-year terms if it was necessary to stagger the road commissioners' terms (in those counties where road commissioners were to serve four-year terms).

HOUSE BILLS 4777 AND 4778 (3-21-93)

The bill also would permit the county board of commissioners in a county where road commissioners were appointed to determine that road commissioners would be elected in that county, beginning with the next general election, by resolution adopted no later than the December 1 immediately preceding the general election at which road commissioners were to be elected.

House Bill 4777 would amend the election law (MCL 168.255, et al) to provide that the term of office for a county road commissioner elected after the 1992 November general election would be four years. (County road commissioners currently serve six-year terms.) Commissioners elected before the 1994 general election, however, would serve six-year terms.