



# HOUSE BILL No. 5692

September 13, 1994, Introduced by Rep Hill and referred to the Committee on Local Government

A bill to amend sections 6, 7, 8, and 9 of chapter IV of Act No 283 of the Public Acts of 1909, entitled as amended

"An act to revise, consolidate and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance and use of the public highways and private roads, the condemnation of property and gravel therefor the building, repairing and preservation of bridges, setting and protecting shade trees, drainage, cutting weeds and brush within this state, and providing for the election or appointment and defining the powers, duties and compensation of state, county, township and district highway officials, '

section 6 of chapter IV as amended by Act No 299 of the Public Acts of 1982, being sections 224 6, 224 7, 224 8, and 224 9 of the Michigan Compiled Laws and to add sections 8a, 8b, and 8c to chapter IV

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Sections 6, 7, 8, and 9 of chapter IV of Act  
2 No 283 of the Public Acts of 1909, section 6 of chapter IV as

1 amended by Act No 299 of the Public Acts of 1982 being sections  
2 224 6, 224 7, 224 8, and 224 9 of the Michigan Compiled Laws, are  
3 amended and sections 8a, 8b, and 8c are added to chapter IV to  
4 read as follows

5 CHAPTER IV

6 Sec 6 (1) ~~In any~~ EXCEPT AS PROVIDED IN SUBSECTION (5),  
7 IN A county where the county road system is adopted ~~—~~ THERE  
8 SHALL BE a board of county road commissioners ~~—consisting—~~  
9 BEFORE JANUARY 1, 1997, THE COUNTY ROAD COMMISSION SHALL CONSIST  
10 of 3 members ~~shall be elected by the people of the county,~~  
11 ~~except as provided in subsection (2) — In the first instance, the~~  
12 ~~commissioners shall be appointed by the county board of commis-~~  
13 ~~sioners or elected at a general or special election called for~~  
14 ~~that purpose, as shall be ordered by the county board of~~  
15 ~~commissioners — If the road commissioners are appointed, they~~  
16 ~~shall hold office only until January 1 of the first odd numbered~~  
17 ~~year following the date of appointment — If the road commission-~~  
18 ~~ers are to be elected at a general election, notice of the elec-~~  
19 ~~tion, embodying a copy of the resolutions of the county board of~~  
20 ~~commissioners, giving the number and terms of the office of the~~  
21 ~~road commissioners to be elected, shall be published by the clerk~~  
22 ~~in the newspaper or newspapers selected by the county board of~~  
23 ~~commissioners as required by section 3 of this chapter — If a~~  
24 ~~special election is called for the election of the road commis-~~  
25 ~~sioners, an identical notice shall be given by the clerk, which~~  
26 ~~notice shall be posted and published in those newspapers as~~  
27 ~~required by section 3 of this chapter —~~ AFTER DECEMBER 31, 1996,

1 THE COUNTY ROAD COMMISSION SHALL CONSIST OF 5 MEMBERS UNLESS  
 2 COUNTY ROAD COMMISSIONERS ARE APPOINTED IN A COUNTY PURSUANT TO  
 3 SUBSECTION (3), COUNTY ROAD COMMISSIONERS SHALL BE ELECTED  
 4 EXCEPT AS PROVIDED IN THIS SUBSECTION AND SUBSECTION (4), COUNTY  
 5 ROAD COMMISSIONERS ELECTED OR APPOINTED FOR TERMS BEGINNING AFTER  
 6 DECEMBER 31, 1996 SHALL BE ELECTED OR APPOINTED FOR 4-YEAR TERMS  
 7 COMMENCING ON JANUARY 1 OF AN ODD NUMBERED YEAR AND CONTINUING  
 8 UNTIL A SUCCESSOR IS ELECTED OR APPOINTED AND QUALIFIED IF IN  
 9 1996 THE BOARD OF COUNTY ROAD COMMISSIONERS IN A COUNTY IS AN  
 10 APPOINTED BOARD, AND THE BOARD WILL BE AN APPOINTED BOARD IN  
 11 1997, 2 COUNTY ROAD COMMISSIONERS SHALL BE APPOINTED FOR 4-YEAR  
 12 TERMS COMMENCING JANUARY 1, 1997, AND 1 COUNTY ROAD COMMISSIONER  
 13 SHALL BE APPOINTED FOR A 2-YEAR TERM COMMENCING JANUARY 1, 1997

14 (2) The regular election of county road commissioners shall  
 15 be held at the NOVEMBER general election ~~on the first Tuesday~~  
 16 ~~after the first Monday in November~~ ~~The term of office of an~~  
 17 ~~elected county road commissioner shall commence on January 1 in~~  
 18 ~~the year following his or her election~~ The notice of the elec-  
 19 tion shall be given at the time notice is given of the general  
 20 election of county officers ~~However, the election of county~~  
 21 ~~road commissioners shall not be mandatory in any~~

22 (3) IN A county ~~which~~ THAT HAS A POPULATION OF 400,000 OR  
 23 LESS AND THAT contains 12 surveyed townships or more, either  
 24 entire or fractional as determined by the government survey of  
 25 the county, ~~in such county or counties~~ the county board of  
 26 commissioners may, by a majority of its members elect, appoint  
 27 the county road commissioners ~~, except as provided in~~

1 ~~subsection (2)~~— A county road commissioner appointed in that  
 2 county shall not be removed from office before the expiration of  
 3 his or her term of office without being given ~~due~~ written  
 4 notice of the charges made against him or her and an opportunity  
 5 to appear before the county board of commissioners for a hearing  
 6 on the charges ~~—In any county in which the board of road com-~~  
 7 ~~missioners consists on August 28, 1929, of less than 3 members,~~  
 8 ~~the county board of commissioners, at the first regular meeting~~  
 9 ~~of the board after August 28, 1929, or at a special meeting~~  
 10 ~~called for that purpose, shall appoint additional members as may~~  
 11 ~~be necessary —At the time of the appointment, the county board~~  
 12 ~~of commissioners shall designate the date of expiration of the~~  
 13 ~~initial term of each commissioner appointed in that county, so~~  
 14 ~~that the term of a commissioner shall expire on December 31 of~~  
 15 ~~each even year~~— THE COUNTY BOARD OF COMMISSIONERS IN A COUNTY IN  
 16 WHICH COUNTY ROAD COMMISSIONERS ARE APPOINTED MAY DETERMINE THAT  
 17 COUNTY ROAD COMMISSIONERS SHALL BE ELECTED IN THAT COUNTY, BEGIN-  
 18 NING WITH THE NEXT NOVEMBER GENERAL ELECTION A RESOLUTION  
 19 REQUIRING THE ELECTION OF COUNTY ROAD COMMISSIONERS SHALL BE  
 20 ADOPTED NOT LATER THAN THE APRIL 1 IMMEDIATELY PRECEDING THE  
 21 NOVEMBER GENERAL ELECTION AT WHICH COUNTY ROAD COMMISSIONERS ARE  
 22 TO BE ELECTED

23 (4) THE TERMS OF ALL COUNTY ROAD COMMISSIONERS IN A COUNTY  
 24 EXPIRE ON JANUARY 1 OF AN ODD NUMBERED YEAR IF ANY OF THE FOLLOW-  
 25 ING APPLY

26 (A) THE YEAR IS 1997 AND THE BOARD OF COUNTY ROAD  
 27 COMMISSIONERS IN THAT COUNTY IN 1997 WILL BE AN ELECTED BOARD

1 TWO COUNTY ROAD COMMISSIONERS SHALL BE ELECTED FOR 2-YEAR TERMS  
2 COMMENCING JANUARY 1, 1997 AND 3 COUNTY ROAD COMMISSIONERS SHALL  
3 BE ELECTED FOR 4-YEAR TERMS COMMENCING JANUARY 1, 1997

4 (B) THE BOARD OF COUNTY ROAD COMMISSIONERS IN THAT COUNTY  
5 WILL CHANGE FROM AN APPOINTED BOARD TO AN ELECTED BOARD AS OF  
6 JANUARY 1 OF THAT ODD NUMBERED YEAR TWO COUNTY ROAD COMMISSION-  
7 ERS SHALL BE ELECTED FOR 2-YEAR TERMS COMMENCING JANUARY 1 OF  
8 THAT ODD NUMBERED YEAR AND 3 COUNTY ROAD COMMISSIONERS SHALL BE  
9 ELECTED FOR 4-YEAR TERMS COMMENCING JANUARY 1 OF THAT ODD NUM-  
10 BERED YEAR

11 (C) THE BOARD OF COUNTY ROAD COMMISSIONERS IN THAT COUNTY  
12 WILL CHANGE FROM AN ELECTED BOARD TO AN APPOINTED BOARD AS OF  
13 JANUARY 1 OF THAT ODD NUMBERED YEAR TWO COUNTY ROAD COMMISSION-  
14 ERS SHALL BE APPOINTED FOR 2-YEAR TERMS COMMENCING JANUARY 1 OF  
15 THAT ODD NUMBERED YEAR AND 3 COUNTY ROAD COMMISSIONERS SHALL BE  
16 APPOINTED FOR 4-YEAR TERMS COMMENCING JANUARY 1 OF THAT ODD NUM-  
17 BERED YEAR

18 (5) ~~(2)~~ In a county having a population of 1,500,000 or  
19 more ~~which~~ THAT has adopted a charter under Act No 293 of the  
20 Public Acts of 1966, being sections 45 501 to 45 521 of the  
21 Michigan Compiled Laws, the powers and duties ~~which~~ THAT are  
22 otherwise provided by law for a board of county road commission-  
23 ers may be reorganized by amendment to the charter Funds pro-  
24 vided to the county pursuant to Act No 51 of the Public Acts of  
25 1951, being sections 247 651 to ~~247-674~~ 247 675 of the Michigan  
26 Compiled Laws, shall only be expended for the purposes provided  
27 for in Act No 51 of the Public Acts of 1951

1        Sec 7    ~~Any~~ A person elected or appointed county road  
2 commissioner shall, within 10 days after being notified in writ-  
3 ing by the clerk of ~~such~~ THE county of his OR HER election or  
4 appointment, take and subscribe the constitutional oath of office  
5 and file the ~~same~~ OATH with ~~said~~ THE clerk    Each ~~and every~~  
6 county road commissioner shall ~~be required to~~ execute and give  
7 official bond in ~~such~~ AN amount ~~as~~ DETERMINED BY the board of  
8 ~~supervisors of such county may determine, the~~ COMMISSIONERS OF  
9 THE COUNTY    THE expense of securing ~~such~~ THE bond, if any,  
10 ~~to~~ SHALL be paid from the county road fund    ~~The term of~~  
11 ~~office of the first commissioners elected or appointed in any~~  
12 ~~county under this act, shall commence immediately upon filing~~  
13 ~~such oath of office and bond, and shall continue as herein~~  
14 ~~provided~~ ~~The successor to each such commissioner shall be~~  
15 ~~elected at the general election on the first Tuesday after the~~  
16 ~~first Monday in November preceding the expiration of his term~~  
17 ~~They shall hold office for 2, 4 and 6 years respectively, from~~  
18 ~~the said first day of January and thereafter 1 commissioner~~  
19 ~~shall be elected or appointed biennially for the full term of 6~~  
20 ~~years~~ No A member of the COUNTY board of ~~supervisors shall~~  
21 ~~be~~ COMMISSIONERS IS NOT eligible ~~to~~ FOR the office of county  
22 road commissioner, and ~~such~~ THE offices shall not be held by  
23 the same person at the same time

24        Sec 8    (1) THE BOARD OF COUNTY-ROAD COMMISSIONERS SHALL  
25 ADOPT A POLICY DESCRIBING THE CIRCUMSTANCES UNDER WHICH THE  
26 ABSENCE OF A COUNTY ROAD COMMISSIONER FROM A MEETING OF THE BOARD  
27 OF COUNTY ROAD COMMISSIONERS SHALL BE EXCUSED    THE ILLNESS OF A

1 MEMBER OF THE BOARD OR THE SERIOUS ILLNESS OF AN INDIVIDUAL IN  
2 THE IMMEDIATE FAMILY OF A MEMBER OF THE BOARD SHALL BE AMONG THE  
3 CIRCUMSTANCES EXCUSING THE ABSENCE OF THAT MEMBER ANY ABSENCE  
4 NOT EXCUSED UNDER THE POLICY ADOPTED PURSUANT TO THIS SUBSECTION  
5 SHALL BE UNEXCUSED

6 (2) A VACANCY IN THE OFFICE OF COUNTY ROAD COMMISSIONER  
7 OCCURS AS FOLLOWS

8 (A) UNDER THE CIRCUMSTANCES PROVIDED IN SECTION 3 OF CHAPTER  
9 15 OF THE REVISED STATUTES OF 1846, BEING SECTION 201 3 OF THE  
10 MICHIGAN COMPILED LAWS

11 (B) UPON UNEXCUSED ABSENCES FROM 3 CONSECUTIVE MEETINGS OF  
12 THE BOARD OF COUNTY ROAD COMMISSIONERS

13 (3) ~~IN CASE~~ IF a vacancy ~~shall occur~~ OCCURS in the  
14 office of county road commissioner IN A COUNTY IN WHICH THE  
15 COUNTY ROAD COMMISSIONERS ARE APPOINTED, OR IF A VACANCY OCCURS  
16 BEFORE JANUARY 1, 1997 IN A COUNTY IN WHICH THE COUNTY ROAD COM-  
17 MISSIONERS ARE ELECTED, the COUNTY board of ~~supervisors~~  
18 COMMISSIONERS shall appoint a COUNTY ROAD commissioner to fill  
19 ~~such~~ THE vacancy ~~, who shall hold office for the unexpired~~  
20 ~~portion of the term in which the vacancy occurs~~ Each commis-  
21 ~~sioner shall hold his office until his successor is elected or~~  
22 ~~appointed and qualified~~ The board of supervisors shall fix the  
23 ~~compensation of such commissioners~~ IF A VACANCY OCCURS IN THE  
24 OFFICE OF COUNTY ROAD COMMISSIONER AFTER DECEMBER 31, 1996 IN A  
25 COUNTY IN WHICH THE COUNTY ROAD COMMISSIONERS ARE ELECTED, A COM-  
26 MITTEE CONSISTING OF THE MAYOR OF EACH CITY AND THE TOWNSHIP  
27 SUPERVISOR OF EACH TOWNSHIP ALL OR PART OF WHICH IS LOCATED

1 WITHIN THE COUNTY ROAD COMMISSIONER ELECTION DISTRICT WHERE THE  
2 VACANCY OCCURRED SHALL APPOINT A COUNTY ROAD COMMISSIONER TO FILL  
3 THE VACANCY BY VOTE OF A MAJORITY OF THE MEMBERS PRESENT AT A  
4 MEETING OF THE COMMITTEE THE COUNTY CLERK OF THE COUNTY SHALL  
5 CONVENE THE FIRST MEETING OF THE COMMITTEE BY WRITTEN NOTICE TO  
6 EACH MEMBER OF THE COMMITTEE NOT LESS THAN 1 WEEK BEFORE THAT  
7 MEETING AND SHALL ACT AS SECRETARY OF THE COMMITTEE A MAJORITY  
8 OF THE MEMBERS OF THE COMMITTEE CONSTITUTES A QUORUM

9 (4) A PERSON APPOINTED TO FILL A VACANCY IN THE OFFICE OF  
10 COUNTY ROAD COMMISSIONER SHALL TAKE THE CONSTITUTIONAL OATH OF  
11 OFFICE AND SERVE FOR THE REMAINDER OF THE UNEXPIRED TERM

12 SEC 8A IN EACH COUNTY OF THIS STATE IN WHICH A COUNTY  
13 ROAD COMMISSIONER WILL BE ELECTED AT THE NEXT GENERAL NOVEMBER  
14 ELECTION, THE COUNTY BOARD OF COMMISSIONERS SHALL APPORTION THE  
15 COUNTY INTO 5 COUNTY ROAD COMMISSIONER DISTRICTS AS NEARLY OF  
16 EQUAL POPULATION AS IS PRACTICABLE ACCORDING TO THE FOLLOWING  
17 SCHEDULE

18 (A) NOT LATER THAN 60 DAYS AFTER THE PUBLICATION OF THE  
19 LATEST UNITED STATES OFFICIAL DECENNIAL CENSUS FIGURES, UNLESS A  
20 LATER DATE APPLIES UNDER SUBDIVISION (B)

21 (B) IF THE NEXT GENERAL NOVEMBER ELECTION IS THE 1996 GEN-  
22 ERAL NOVEMBER ELECTION, OR IF THE COUNTY WILL BE ELECTING COUNTY  
23 ROAD COMMISSIONERS AT THE NEXT GENERAL NOVEMBER ELECTION BUT CUR-  
24 RENTLY APPOINTS COUNTY ROAD COMMISSIONERS, NOT LATER THAN  
25 FEBRUARY 1 OF THE YEAR OF THE NEXT GENERAL NOVEMBER ELECTION

26 SEC 8B IN APPORTIONING THE COUNTY INTO COUNTY ROAD  
27 COMMISSIONER DISTRICTS, THE COUNTY BOARD OF COMMISSIONERS SHALL



1 BE GOVERNED BY THE FOLLOWING GUIDELINES IN THE STATED ORDER OF  
2 IMPORTANCE

3 (A) DISTRICTS SHALL BE SINGLE-MEMBER DISTRICTS AND AS NEARLY  
4 OF EQUAL POPULATION AS IS PRACTICABLE THE LATEST OFFICIAL PUB-  
5 LISHED FIGURES OF THE UNITED STATES OFFICIAL CENSUS SHALL BE USED  
6 IN THIS DETERMINATION, EXCEPT THAT IN CASES REQUIRING DIVISION OF  
7 OFFICIAL CENSUS UNITS TO MEET THE POPULATION STANDARD, AN ACTUAL  
8 POPULATION COUNT MAY BE USED TO MAKE THE DIVISION OTHER GOVERN-  
9 MENTAL CENSUS FIGURES OF TOTAL POPULATION TAKEN SUBSEQUENT TO THE  
10 LAST DECENNIAL UNITED STATES CENSUS MAY BE USED IF THE UNITED  
11 STATES CENSUS FIGURES ARE NOT ADEQUATE FOR THE PURPOSES OF THIS  
12 ACT THE SECRETARY OF STATE SHALL FURNISH THE LATEST OFFICIAL  
13 PUBLISHED FIGURES TO THE COUNTY BOARD OF COMMISSIONERS NOT MORE  
14 THAN 15 DAYS AFTER PUBLICATION OF THE UNITED STATES OFFICIAL  
15 CENSUS FIGURES A CONTRACT MAY BE ENTERED INTO WITH THE UNITED  
16 STATES CENSUS BUREAU TO MAKE ANY SPECIAL CENSUS IF THE LATEST  
17 UNITED STATES DECENNIAL CENSUS FIGURES ARE NOT ADEQUATE

18 (B) DISTRICTS SHALL BE CONTIGUOUS

19 (C) DISTRICTS SHALL BE AS COMPACT AND OF AS NEARLY SQUARE  
20 SHAPE AS IS PRACTICABLE, DEPENDING ON THE GEOGRAPHY OF THE COUNTY  
21 AREA INVOLVED

22 (D) A TOWNSHIP OR PART OF A TOWNSHIP SHALL NOT BE COMBINED  
23 WITH A CITY OR PART OF A CITY FOR A SINGLE DISTRICT, UNLESS THE  
24 COMBINATION IS NEEDED TO MEET THE POPULATION STANDARD

25 (E) TOWNSHIPS, VILLAGES, AND CITIES SHALL BE DIVIDED ONLY IF  
26 NECESSARY TO MEET THE POPULATION STANDARD

1 (F) PRECINCTS SHALL BE DIVIDED ONLY IF NECESSARY TO MEET THE  
2 POPULATION STANDARD

3 (G) RESIDENTS OF STATE INSTITUTIONS WHO CANNOT BY LAW REGIS-  
4 TER IN THE COUNTY AS ELECTORS SHALL BE EXCLUDED FROM ANY CONSID-  
5 ERATION OF REPRESENTATION

6 (H) DISTRICTS SHALL NOT BE DRAWN TO EFFECT PARTISAN POLITI-  
7 CAL ADVANTAGE

8 SEC 8C (1) IF THE COUNTY BOARD OF COMMISSIONERS FAILS TO  
9 SUBMIT A PLAN TO APPORTION THE BOARD OF COUNTY ROAD COMMISSIONERS  
10 WITHIN THE TIME REQUIRED BY SECTION 8A OR WITHIN SUCH ADDITIONAL  
11 TIME AS MAY BE GRANTED BY THE COURT OF APPEALS FOR GOOD CAUSE  
12 SHOWN ON PETITION FROM THE COUNTY BOARD OF COMMISSIONERS, A REG-  
13 ISTERED VOTER OF THE COUNTY MAY SUBMIT A PLAN TO THE COUNTY BOARD  
14 OF COMMISSIONERS FOR APPROVAL THE COUNTY BOARD OF COMMISSIONERS  
15 SHALL CHOOSE, FROM AMONG THE PLANS SUBMITTED TO IT, A PLAN MEET-  
16 ING THE REQUIREMENTS OF THE LAWS OF THIS STATE NOT MORE THAN 30  
17 DAYS AFTER THE DEADLINE FOR THE FILING OF THE COUNTY BOARD OF  
18 COMMISSIONERS' OWN PLAN OR ANY EXTENSION GRANTED ON THAT  
19 DEADLINE

20 (2) THE APPORTIONMENT PLAN TAKES EFFECT UPON APPROVAL BY THE  
21 COUNTY BOARD OF COMMISSIONERS THE COUNTY CLERK SHALL PROVIDE  
22 COPIES OF THE APPORTIONMENT PLAN TO THE PUBLIC AT COST AND SHALL  
23 FILE A COPY WITH THE SECRETARY OF STATE

24 Sec 9 (1) The board of county road commissioners ~~shall~~  
25 ~~constitute and be~~ IS a body corporate with the right of making  
26 and using a common seal and altering the ~~same~~ SEAL A majority  
27 of the members of the board ~~shall constitute~~ CONSTITUTES a

1 quorum for the transaction of business    The business ~~which~~  
2 THAT the board of county road commissioners performs shall be  
3 conducted at a public meeting of the board held in compliance  
4 with THE OPEN MEETINGS ACT, Act No 267 of the Public Acts of  
5 1976, being sections 15 261 to 15 275 of the Michigan Compiled  
6 Laws    Public notice of the time, date, and place of the meeting  
7 of the board shall be given in the manner required by Act No 267  
8 of the Public Acts of 1976    THE BOARD SHALL MEET AT LEAST ONCE  
9 EACH MONTH

10        (2) The board shall annually appoint 1 member as chairperson  
11 to serve during the pleasure of the board

12        (3) The board of county road commissioners shall act as an  
13 administrative board only and the function of the board shall be  
14 limited to the formulation of policy and the performance of offi-  
15 cial duties imposed by law and delegated by the county board of  
16 commissioners ~~and a~~

17        (4) A member of the board of county road commissioners shall  
18 not be employed individually in any other capacity by, or for  
19 other duties with, the board of county road commissioners

20        (5) ~~(3)~~ Nothing in this act shall interfere with the work  
21 of a commissioner during the commissioner s present term of  
22 office

23        (6) The board OF COUNTY ROAD COMMISSIONERS shall appoint a  
24 competent superintendent, skilled in road building, who may be an  
25 engineer and who shall supervise road building operations in the  
26 county under the direction of the board

1 (7) The board shall be known as 'the board of county road  
 2 commissioners of the county of \_\_\_\_\_" and by that name may sue  
 3 and be sued, and ~~may hold in that name~~ the title to land or  
 4 an interest in land, acquired in the manner authorized by law  
 5 Process may be served on the chairperson or clerk of the board  
 6 The board may also sell and convey land or an interest in land  
 7 held in the name of the board, or improvements located on the  
 8 land, ~~when~~ IF the land, interest in land, or improvements ~~—~~  
 9 are not a part of a public street, highway, or park, or are not  
 10 required to be used for a public street, highway, or park A  
 11 conveyance shall be signed by the chairperson and countersigned  
 12 by the clerk, or deputy clerk, of the board The seal of the  
 13 board shall be attached and the conveyance shall be acknowledged  
 14 by the signers ~~—~~ as authorized by the board ~~—~~ and as the free  
 15 act ~~and deed~~ of the board

16 (8) The clerk of the county shall be clerk of the board of  
 17 county road commissioners, and shall keep the records and  
 18 accounts of the board When the record keeping is of sufficient  
 19 volume, the board OF COUNTY ROAD COMMISSIONERS may appoint a sec-  
 20 retary, with the consent of the county board of commissioners,  
 21 who shall act as clerk of the board OF COUNTY ROAD COMMISSIONERS  
 22 ~~—, and whose salary, together with the salaries of the members of~~  
 23 ~~the board of county road commissioners,~~ THE SECRETARY'S SALARY  
 24 shall be paid by the board of county road commissioners from  
 25 county road funds

26 (9) THE COUNTY BOARD OF COMMISSIONERS SHALL FIX A PER DIEM  
 27 COMPENSATION FOR COUNTY ROAD COMMISSIONERS A COUNTY ROAD

1 COMMISSIONER SHALL RECEIVE ONLY 1 PER DIEM FOR MEETINGS ATTENDED  
2 ON A SINGLE DAY IN HIS OR HER CAPACITY AS COUNTY ROAD  
3 COMMISSIONER A COUNTY ROAD COMMISSIONER SHALL BE REIMBURSED FOR  
4 REASONABLE TRANSPORTATION AND OTHER EXPENSES INCURRED IN HIS OR  
5 HER CAPACITY AS A COUNTY ROAD COMMISSIONER IF THE COUNTY BOARD OF  
6 COMMISSIONERS HAS ADOPTED A POLICY AUTHORIZING REIMBURSEMENT FOR  
7 SUCH EXPENSES PER DIEM COMPENSATION AND EXPENSE REIMBURSEMENTS  
8 FOR COUNTY ROAD COMMISSIONERS SHALL BE PAID FROM COUNTY ROAD  
9 FUNDS A COUNTY ROAD COMMISSIONER SHALL NOT PARTICIPATE IN A  
10 PUBLIC PENSION OR RETIREMENT PLAN IN HIS OR HER CAPACITY AS A  
11 COUNTY ROAD COMMISSIONER

12 Section 2 This amendatory act shall not take effect unless  
13 Senate Bill No \_\_\_\_\_ or House Bill No 5691 (request  
14 no 04251'93 a \*) of the 87th Legislature is enacted into law