

SENATE BILL NO. 662

July 3, 1997, Introduced by Senator BULLARD and referred to the Committee on Finance.

A bill to amend 1931 PA 246, entitled

"An act to provide for the construction, repair, and maintenance of pavements, sidewalks, and elevated structures on or along public roads and highways; to provide for the levying of taxes and of special assessments; to authorize the borrowing of money and the issuance of bonds; to prescribe the powers and duties of certain state and local agencies and officers; to validate actions taken, special assessments levied, and bonds issued; and to provide for the lighting of certain roads, highways, and bridges,"

by amending section 20 (MCL 41.290), as added by 1989 PA 80.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 20. (1) Notwithstanding sections 19 through 19d, the
2 board of county road commissioners of a county operating under
3 the county road system may provide for the ARTIFICIAL lighting —
4 ~~by artificial means,~~ of roads, highways, and bridges under its
5 jurisdiction, located outside of the limits of incorporated
6 cities and villages. The township board or boards of a township
7 or townships in which county roads, highways, and bridges are

1 located may also provide for the ARTIFICIAL lighting. ~~by~~
2 ~~artificial means.~~ Boards of county road commissioners and town-
3 ship boards may also provide for the lighting by joint action,
4 and by dividing the expense of the lighting between the county or
5 counties and the township or townships affected as ~~may be~~
6 determined ~~by~~ AT A joint meeting of the boards. The board of
7 county road commissioners or township board, acting separately or
8 in conjunction with other boards of county road commissioners or
9 with a township board or township boards, may enter into a con-
10 tract with a person for a period not exceeding 10 years for the
11 lighting, ~~upon terms and conditions as may be agreed upon,~~ and
12 may also contract for the extensions of lines or service to fur-
13 nish the lighting. The boards of county road commissioners may
14 pay from available highway funds under their control and juris-
15 diction ~~sums~~ AN AMOUNT required to provide for the extensions
16 and furnish the lighting. If funds are not available, the board
17 of county road commissioners shall submit to the county board of
18 commissioners a statement and budget designating the roads, high-
19 ways, and bridges to be lighted, and the estimated cost of the
20 lighting. At the next October session of the county board of
21 commissioners, the board shall pass ~~upon~~ ON the statement and
22 budget, and, if a majority of the county board of commissioners
23 agree, the ~~sum~~ AMOUNT required shall be apportioned among the
24 several townships and cities of the county according to their
25 equalized valuation. ~~The~~ SUBJECT TO SUBSECTIONS (3) AND (4),
26 THE supervisors or other assessing officers in the townships and
27 cities shall levy and apportion the tax ~~so apportioned~~ as

1 provided in this section ~~—~~ to their respective townships and
2 cities. The tax shall be collected and paid to the county trea-
3 surer and disbursed by him or her ~~upon~~ ON orders of the board
4 of county road commissioners ~~—, the orders to be~~ signed by the
5 chairperson and countersigned by the clerk of the board. The
6 county board of commissioners shall raise ~~a sum which~~ AN AMOUNT
7 THAT, together with the other funds available, is sufficient to
8 provide the lighting for which the facilities have ~~—, under an~~
9 ~~existing contract,~~ been previously installed and operated UNDER
10 AN EXISTING CONTRACT.

11 (2) With the approval of the director of the state transpor-
12 tation department, boards of county road commissioners and town-
13 ship boards acting together or separately, may, with respect to
14 state trunk line highways and bridges located in whole or in part
15 within their respective counties and townships, provide for the
16 ARTIFICIAL lighting of these highways and bridges ~~by artificial~~
17 ~~means~~ and may contract in the same manner as for county roads.
18 In ~~such~~ THAT case, the entire expense shall be borne by the
19 boards of county road commissioners or township boards, or by
20 both.

21 (3) AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
22 ADDED THIS SUBSECTION, A PROPOSED TAX SHALL NOT BE LEVIED UNDER
23 THIS ACT UNLESS IT IS FIRST SUBMITTED TO THE ELECTORS OF THE
24 COUNTY AT A GENERAL ELECTION OR A SPECIAL ELECTION CALLED FOR
25 THAT PURPOSE BY THE COUNTY BOARD OF COMMISSIONERS.

26 (4) A PROPOSED TAX THAT EXCEEDS THE AMOUNT AUTHORIZED BY A
27 VOTE OF THE ELECTORS OF THE COUNTY UNDER SUBSECTION (3) SHALL NOT

1 BE LEVIED UNLESS IT IS FIRST SUBMITTED TO THE ELECTORS OF THE
2 COUNTY AT A GENERAL ELECTION OR A SPECIAL ELECTION CALLED FOR
3 THAT PURPOSE BY THE COUNTY BOARD OF COMMISSIONERS.