

Act No. 173
Public Acts of 1998
Approved by the Governor
June 25, 1998
Filed with the Secretary of State
June 26, 1998

EFFECTIVE DATE: 91st day after final adjournment of 1998 Regular Session

**STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998**

Introduced by Reps. Birkholz, Brackenridge and Hammerstrom

ENROLLED HOUSE BILL No. 5180

AN ACT to amend 1909 PA 283, entitled "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; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and 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," by amending the title and section 1 of chapter IV (MCL 224.1), the title as amended by 1996 PA 218.

The People of the State of Michigan enact:

TITLE

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; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies.

CHAPTER IV

Sec. 1. (1) On petition signed by registered electors of a county equal to not less than 10% of the registered electors residing in each of the several organized townships, incorporated villages and cities, of the county, or upon a majority vote of the members of the board of supervisors, the board of supervisors of the county may submit the question of adopting the county road system to a vote of the electors of the county. The board of supervisors may submit the question at a general or special election called for that purpose. The form of resolution for submitting the question is as follows: "Resolved, That the question of adopting the county road system be submitted to a vote of the electors of the county of at (the general or special election) to be held on the day of nineteen hundred".

(2) If a special election is to be called, a clause shall be added to the resolution under subsection (1), as follows: "And a special election is called to be held in the townships and wards of the county on that day, for the purpose of taking the vote.".

(3) In a county of this state in which the question of adopting the county road system, whether under this act or under any previous law providing for a county road system, has previously been submitted to a vote of the electors and

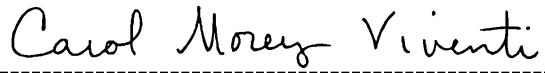
has been approved, and in which the county road system for any reason has not been put into actual operation and effect, the question of the adoption of the provisions of this chapter may be submitted as provided in this chapter, notwithstanding the previous submission and adoption.

(4) A petition under subsection (1), including the circulation and signing of the petition, is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488. A person who violates a provision of the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, applicable to a petition described in subsection (1) is subject to the penalties prescribed for that violation in the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 5138 of the 89th Legislature is enacted into law.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved -----

Governor.