

HOUSE BILL No. 4275

February 16, 1999, Introduced by Rep. Kukuk and referred to the Committee on Tax Policy.

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 lighting — by arti-
4 ficial means, of roads, highways, and bridges under its jurisdic-
5 tion, located outside of the limits of incorporated cities and
6 villages. The township board or boards of a township or
7 townships in which county roads, highways, and bridges are

1 located may also provide for the lighting ~~—~~ by artificial
2 means. Boards of county road commissioners and township boards
3 may also provide for the lighting by joint action, and by divid-
4 ing the expense of the lighting between the county or counties
5 and the township or townships affected as ~~may be~~ determined by
6 A joint meeting of the boards. The board of county road commis-
7 sioners or township board, acting separately or in conjunction
8 with other boards of county road commissioners or with a township
9 board or township boards, may enter into a contract with a person
10 for a period not exceeding 10 years for the lighting ~~upon~~ ON
11 terms and conditions ~~as may be~~ agreed upon, and may also con-
12 tract for the extensions of lines or service to furnish the
13 lighting. The boards of county road commissioners may pay from
14 available highway funds under their control and jurisdiction
15 ~~sums~~ AN AMOUNT required to provide for the extensions and TO
16 furnish the lighting. If funds are not available, the board of
17 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. BEFORE 1999, THE SUM
25 REQUIRED SHALL BE APPORTIONED AMONG THE SEVERAL TOWNSHIPS AND
26 CITIES OF THE COUNTY according to their equalized valuation.
27 AFTER 1998, THE SUM REQUIRED SHALL BE APPORTIONED AMONG THE

1 SEVERAL TOWNSHIPS AND CITIES OF THE COUNTY ACCORDING TO THEIR
2 TAXABLE VALUE. The supervisors or other assessing officers in the
3 townships and cities shall levy and apportion the tax ~~so~~ appor-
4 tioned as provided in this section, to their respective townships
5 and cities. BEFORE 1999, AN AD VALOREM SPECIAL ASSESSMENT LEVIED
6 UNDER THIS ACT SHALL BE LEVIED AND APPORTIONED ACCORDING TO THE
7 STATE EQUALIZED VALUATION OF THE PROPERTY ASSESSED. AFTER 1998,
8 AN AD VALOREM SPECIAL ASSESSMENT LEVIED UNDER THIS ACT SHALL BE
9 LEVIED AND APPORTIONED ACCORDING TO THE TAXABLE VALUE OF THE
10 PROPERTY ASSESSED. The tax shall be collected and paid to the
11 county treasurer and disbursed by him or her ~~upon~~ ON orders of
12 the board of county road commissioners, ~~the orders to be~~ signed
13 by the chairperson and countersigned by the clerk of the board.
14 The county board of commissioners shall raise ~~a sum which~~ AN
15 AMOUNT THAT, together with the other funds available, is suffi-
16 cient to provide the lighting for which the facilities have,
17 under an existing contract, been previously installed and
18 operated.

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

1 (3) AS USED IN THIS SECTION, "TAXABLE VALUE" MEANS THAT
2 VALUE DETERMINED UNDER SECTION 27A OF THE GENERAL PROPERTY TAX
3 ACT, 1893 PA 206, MCL 211.27A.

4 (4) IF THE LEVY OF AN AD VALOREM SPECIAL ASSESSMENT ON THE
5 TAXABLE VALUE OF THE PROPERTY ASSESSED IS FOUND TO BE INVALID BY
6 A COURT OF COMPETENT JURISDICTION, THE LEVY OF THE AD VALOREM
7 SPECIAL ASSESSMENT MAY BE LEVIED ON THE PROPERTY'S STATE EQUAL-
8 IZED VALUATION.