

SENATE BILL NO. 504

April 14, 1999, Introduced by Senators HAMMERSTROM, GAST,
DUNASKISS and JOHNSON and referred to the Committee on
Local, Urban and State Affairs.

A bill 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; 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,"

by amending section 6 (MCL 224.6), as amended by 1982 PA 299.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) In ~~any~~ A county ~~where~~ IN WHICH the county
2 road system is adopted, a board of county road commissioners con-
3 sisting of 3 members shall be elected by the people of the
4 county, except as provided in ~~subsection (2)~~ SUBSECTIONS (4)
5 AND (5).

1 (2) In the first instance, the commissioners shall be
2 appointed by the county board of commissioners or elected at a
3 general or special election called for that purpose ~~—, as shall~~
4 ~~be ordered~~ by the county board of ~~commissioners~~
5 COMMISSIONERS. If the road commissioners are appointed, they
6 shall hold office only until January 1 of the first odd numbered
7 year following the date of appointment. If the road commission-
8 ers are to be elected at a general election, notice of the elec-
9 tion, embodying a copy of the resolutions of the county board of
10 commissioners, giving the number and terms of the office of the
11 road commissioners to be elected, shall be published by the clerk
12 in the newspaper or newspapers selected by the county board of
13 commissioners as required by section 3 of this chapter. If THE
14 ROAD COMMISSIONERS ARE TO BE ELECTED AT a special election, ~~is~~
15 ~~called for the election of the road commissioners,~~ an identical
16 notice shall be given by the clerk, which notice shall be posted
17 and published in those newspapers as required by section 3 of
18 this chapter.

19 (3) The regular election of county road commissioners shall
20 be held at the general election on the first Tuesday after the
21 first Monday in November. The term of office of an elected
22 county road commissioner shall commence on January 1 in the year
23 following his or her election. The notice of the election shall
24 be given at the time notice is given of the general election of
25 county officers. ~~However, the~~

26 (4) THE election of county road commissioners ~~shall~~ IS not
27 ~~be~~ mandatory in ~~any~~ A county ~~which~~ THAT contains 12

1 surveyed townships or more, either entire or fractional as
2 determined by the government survey of the county. In such A
3 county, ~~or counties~~ the county board of commissioners may, by a
4 majority of its members elect, appoint ~~the~~ A BOARD OF county
5 road commissioners CONSISTING OF 5 MEMBERS, except as provided in
6 subsection ~~(2)~~ (5). OF THE 5 COUNTY ROAD COMMISSIONERS
7 APPOINTED BY THE COUNTY BOARD OF COMMISSIONERS UNDER THIS SUBSEC-
8 TION, NOT LESS THAN 2 SHALL BE APPOINTED FROM A LIST OF COUNTY
9 RESIDENTS WHOSE NAMES WERE SUBMITTED BY THE TOWNSHIP BOARDS OF
10 THE TOWNSHIPS IN THAT COUNTY. A TOWNSHIP BOARD MAY SUBMIT THE
11 NAME OF 1 RESIDENT OF THAT TOWNSHIP, WHO IS NOT AN ELECTED TOWN-
12 SHIP OFFICIAL, TO THE COUNTY BOARD OF COMMISSIONERS FOR INCLUSION
13 IN THE LIST OF COUNTY RESIDENTS. A county road commissioner
14 appointed in that county shall not be removed from office before
15 the expiration of his or her term of office without being given
16 ~~due~~ written notice of the charges made against him or her and
17 an opportunity to appear before the county board of commissioners
18 for a hearing on the charges. ~~In any county in which the board~~
19 ~~of road commissioners consists on August 28, 1929, of less than 3~~
20 ~~members, the county board of commissioners, at the first regular~~
21 ~~meeting of the board after August 28, 1929, or at a special meet-~~
22 ~~ing called for that purpose, shall appoint additional members as~~
23 ~~may be necessary. At the time of the appointment, the county~~
24 ~~board of commissioners shall designate the date of expiration of~~
25 ~~the initial term of each commissioner appointed in that county,~~
26 ~~so that the term of a commissioner shall expire on December 31 of~~
27 ~~each even year.~~

1 (5) ~~(2)~~ In a county ~~having~~ WITH a population of
2 1,500,000 or more ~~which~~ THAT has adopted a charter under ~~Act~~
3 ~~No. 293 of the Public Acts of 1966, being sections 45.501 to~~
4 ~~45.521 of the Michigan Compiled Laws 1966 PA 293, MCL 45.501 TO~~
5 ~~45.521, the powers and duties which~~ THAT are otherwise provided
6 by law for a board of county road commissioners may be reorga-
7 nized by amendment to the charter. Funds provided to the county
8 pursuant to ~~Act No. 51 of the Public Acts of 1951, being sec-~~
9 ~~tions 247.651 to 247.674 of the Michigan Compiled Laws 1951~~
10 PA 51, MCL 247.651 TO 247.675, shall only be expended for the
11 purposes provided for in ~~Act No. 51 of the Public Acts of 1951-~~
12 THAT ACT.