

# HOUSE BILL No. 4708

May 20, 2003, Introduced by Reps. Robertson, Tobocman, Ehardt, Pappageorge, Brandenburg and Vander Veen and referred to the Committee on Transportation.

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 10 (MCL 224.10), as amended by 1989 PA 251.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 10. (1) The clerk and the members of a board of county  
2 road commissioners are subject to ~~Act No. 317 of the Public Acts~~  
3 ~~of 1968, being sections 15.321 to 15.330 of the Michigan Compiled~~  
4 ~~Laws~~ 1968 PA 317, MCL 15.321 to 15.330.

5       (2) The board of county road commissioners shall employ a  
6 competent county highway engineer who shall make surveys ordered

1 by the board, prepare plans and specifications for roads,  
2 bridges, and culverts, and exercise general supervision over  
3 construction to insure that the plans and specifications are  
4 strictly followed. Two or more adjoining counties may employ the  
5 same engineer, if the work in 1 or more of the counties is not  
6 enough to employ the whole time of the engineer. The engineer  
7 employed by the board shall be known as the county highway  
8 engineer.

9 (3) The board may also engage other professional and  
10 consultant services as it considers necessary to implement this  
11 act and promote efficiency and economy in the operation of the  
12 county road system. The board may also employ other necessary  
13 laborers and may purchase machines, tools, appliances, and  
14 materials which it considers necessary or convenient for the  
15 performance of work by the laborers. In cases involving the  
16 expenditure of an amount greater than \$10,000.00 for the purchase  
17 of machines, tools, appliances, and materials, the board of  
18 county road commissioners shall advertise for sealed proposals  
19 for the machines, tools, appliances, and materials proposed to be  
20 purchased, except under emergency conditions, in which case the  
21 limit shall not exceed \$20,000.00. All purchases made under this  
22 section shall be compiled separately for purposes of board  
23 approval. The board shall advertise for sealed proposals for the  
24 purchase of passenger vehicles and trucks weighing less than  
25 5,000 pounds. The board may purchase surplus properties from the  
26 state and federal governments without advertising for sealed  
27 proposals.

House Bill No. 4708 as amended July 3, 2003

~~<<(4) Notwithstanding the provisions of section 21 of this chapter, the board may enter into a contract or agreement for the purchase of machines, tools, appliances, and materials to be used for public purposes and to be paid for in installments over a period not to exceed 5 8 years or the useful life of the property acquired, whichever is less.>>~~

<<4 (5)>> Each county road commission shall take all reasonable steps to ensure minority business enterprises have the equal opportunity to compete and perform contracts or purchases of services, or both, for the county road commission. The county road commission shall issue a plan for implementing this subsection.

<<(5)>> A county road commission may enter into a contract or agreement for the purchase of real or personal property for public purposes, to be paid for in installments over a period not to exceed 15 years <<or the useful life of the property acquired, whichever is less>>. Real or personal property purchased under this act may serve as collateral in support of the purchase, contract, or agreement. The outstanding balance of all purchases authorized under this act shall not exceed 1-1/4% of the value of the road commission's capital assets and infrastructure as determined by a capitalized asset inventory.