

Act No. 16
Public Acts of 2006
Approved by the Governor
February 9, 2006
Filed with the Secretary of State
February 9, 2006
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**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

Introduced by Reps. Gaffney, Hune, Farrah, McConico, Brandenburg, Amos, LaJoy, Drolet, Marleau and Lemmons, III

ENROLLED HOUSE BILL No. 5281

AN ACT to amend 1956 PA 40, entitled "An act to codify the laws relating to the laying out of drainage districts, the consolidation of drainage districts, the construction and maintenance of drains, sewers, pumping equipment, bridges, culverts, fords, and the structures and mechanical devices to properly purify the flow of drains; to provide for flood control projects; to provide for water management, water management districts, and subdistricts, and for flood control and drainage projects within drainage districts; to provide for the assessment and collection of taxes; to provide for the investment of funds; to provide for the deposit of funds for future maintenance of drains; to authorize public corporations to impose taxes for the payment of assessments in anticipation of which bonds are issued; to provide for the issuance of bonds by drainage districts and for the pledge of the full faith and credit of counties for payment of the bonds; to authorize counties to impose taxes when necessary to pay principal and interest on bonds for which full faith and credit is pledged; to validate certain acts and bonds; and to prescribe penalties," by amending section 514 (MCL 280.514).

The People of the State of Michigan enact:

Sec. 514. (1) A drainage board is created for each project petitioned for under this chapter. Except as otherwise provided in subsection (3), the drainage board shall consist of the director of the department of agriculture and the drain commissioner of each county involved in the project.

(2) The director of the department of agriculture shall be the chairperson of the drainage board. The drainage board shall select 1 of its members as secretary.

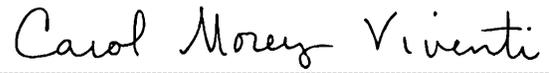
(3) If a project involves a county with an appointed rather than an elected drain commissioner and a population of more than 1,000,000, the drainage board shall consist of the director of the department of agriculture, the drain commissioner of each county involved in the project, and an individual appointed by each drain commissioner of each county involved in the project, including a county with an elected drain commissioner. The appointee shall be an elected official, or his or her designee, of a city, village, or township subject to assessment for the project. The appointee shall serve for a 2-year term and shall not be appointed for successive terms unless the city, village, or township that he or she represents is the only municipality in the county subject to assessment. Following the completion of the 2-year term, the drain commissioner shall, if possible, appoint an elected official, or his or her designee, from a different city, village, or township subject to assessment for the project. If an appointee fails or refuses to serve or is disqualified, the drain commissioner shall appoint a successor to complete the remainder of his or her term.

(4) Subsection (3) does not apply to a project that involves a county with a population of more than 1,000,000 which was organized pursuant to 1973 PA 139, MCL 45.551 to 45.573.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor