

Legislative Analysis



EXTEND DEADLINE TO TRANSFER POWERS OF ROAD COMMISSION TO BOARD OF COMMISSIONERS

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House Bills 5117 (Substitute H-2) and 5118 (Substitute H-2)

Sponsor: Rep. Roger Victory

Committee: Transportation and Infrastructure

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A SUMMARY OF HOUSE BILLS 5117 AND 5118 AS REPORTED FROM COMMITTEE

Public Acts 14 and 15 of 2012 allowed the functions of county road commissioners to be transferred to the county board of commissioners. The transfer must be made by a resolution passed before January 1, 2015. House Bills 5117 & 5118 would extend this deadline to January 1, 2018.

If the road commission is an elected commission, the transfer also requires voter approval. After a transfer, a county board of commissioners is authorized to receive and spend funds as allowed under 1951 PA 51, the statute that governs the distribution of Michigan Transportation Fund revenue.

House Bill 5117 would amend Public Act 293 of 1909 (MCL 224.6), which deals with road commissions, and House Bill 5118 would amend Public Act 156 of 1851 (MCL 46.11), which deals with county boards of commissioners. The bills are tie-barred to each other, meaning that neither can take effect unless both are enacted.

BACKGROUND INFORMATION:

At the time the 2012 legislation was enacted, 81 counties had road commissions organized under Public Act 283 of 1909. In Wayne and Macomb counties, both of which are charter counties organized under Public Act 293 of 1966, the functions of a road commission were assumed by the county commissioners either after adoption of the original county charter or an amendment to the charter – Wayne County in 1984 and Macomb County in January 2011. Since the 2012 legislation was enacted, the counties of Ingham, Jackson, and Calhoun, at least, no longer have separate road commissions.

FISCAL IMPACT:

The bills would have no apparent state fiscal impact and minimal local impact. Those counties in which the county board of commissioners did absorb the powers, duties, and functions of the county road commission could experience some reduction in administrative costs, although the amounts cannot be readily estimated.

POSITIONS:

Michigan Association of Counties supports the bills. (9-30-14)

Michigan Township Association supports the bills. (9-30-14)

County Road Association of Michigan is neutral on the bills. (9-30-14)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.