



Senate Fiscal Agency  
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## BILL ANALYSIS



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Senate Bill 1117 (Substitute S-1)  
Sponsor: Senator Mike Kowall  
Committee: Government Operations

Date Completed: 10-18-16

**CONTENT**

**The bill would amend provisions of the Drain Code that prescribe the membership of a drainage board for a charter county with an elected county executive, to remove the requirement that such a county have a population of more than 2.0 million.**

Under Chapter 20 of the Code, which governs intracounty drains, two or more public corporations that will be subject to a special assessment may file a petition with the county drain commissioner to locate, establish, and construct a county drain. For each project subject to a petition, a drainage board must be created.

Except as provided for a charter county, a drainage board must consist of the drain commissioner, the chairperson of the county board of commissioners, and the chairperson of the board of county auditors or, if none, the chairperson of the finance committee of the county board of commissioners. If there is neither a board of county auditors nor a finance committee, the chairperson of the county board of commissioners must select a member.

If a county is organized under a charter adopted under Public Act 293 of 1966, and has a population of more than 2.0 million, and the charter prescribes an elected county executive, a drainage board must consist of the following:

- The person designated by the charter to carry out the administrative duties of the drain commissioner or that person's designee.
- The county commissioner whose district will be assessed for the greatest portion of the cost of the project, or that person's designee.
- A person appointed by the county executive with the advice and consent of a majority of the members of the county board of commissioners.

The bill would delete the requirement that a charter county have a population of more than 2.0 million in order for these provisions to apply.

The bill would take effect 90 days after enactment.

MCL 280.464

Legislative Analyst: Suzanne Lowe

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Elizabeth Pratt

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.