

REPRINT

SUBSTITUTE FOR

HOUSE BILL NO. 5180

(As passed the House, May 5, 1998)

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; and providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials,"

by amending the title and section 1 of chapter IV (MCL 224.1), the title as amended by 1996 PA 218.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE

2 An act to revise, consolidate, and add to the laws relating  
3 to the establishment, opening, discontinuing, vacating, closing,  
4 altering, improvement, maintenance, and use of the public  
5 highways and private roads; the condemnation of property and

1 gravel therefor; the building, repairing and preservation of  
2 bridges; maintaining public access to waterways under certain  
3 conditions; setting and protecting shade trees, drainage, and  
4 cutting weeds and brush within this state; ~~and~~ providing for  
5 the election or appointment and defining the powers, duties, and  
6 compensation of state, county, township, and district highway  
7 officials; AND TO PRESCRIBE PENALTIES AND PROVIDE REMEDIES.

8 CHAPTER IV

9 Sec. 1. (1) On petition ~~of~~ SIGNED BY REGISTERED ELECTORS  
10 OF A COUNTY EQUAL TO not less than ~~10 per centum~~ 10% of the  
11 ~~resident freeholders~~ REGISTERED ELECTORS residing in each of  
12 the several organized townships, incorporated villages and  
13 cities, of ~~any~~ THE county, ~~as shown by the tax roll of the~~  
14 ~~preceding year,~~ or upon a majority vote of the members of the  
15 board of supervisors, the board of supervisors of ~~such~~ THE  
16 county may submit the question of adopting the county road system  
17 to a vote of the electors of ~~such~~ THE county. The ~~said~~ board  
18 of supervisors may submit the question at a general or special  
19 election called for that purpose. The ~~following~~ form of reso-  
20 lution ~~shall be sufficient~~ for submitting the question ~~, viz.~~  
21 IS AS FOLLOWS: "Resolved, That the question of adopting the  
22 county road system be submitted to a vote of the electors of the  
23 county of ..... at (the general or special  
24 election) to be held on the ..... day of ..... nineteen  
25 hundred .....".

26 (2) If a special election is to be called, a clause SHALL BE  
27 added to the resolution ~~in form following shall be sufficient~~

**HB 5180, As Passed Senate, June 9, 1998**

House Bill No. 5180

3

1 ~~for that purpose, viz.~~ UNDER SUBSECTION (1), AS FOLLOWS: "And a  
2 special election is ~~hereby~~ called to be held in the ~~several~~  
3 townships and wards of ~~said~~ THE county on ~~the~~ THAT day, ~~last~~  
4 ~~aforsaid,~~ for the purpose of taking ~~such~~ THE vote.".

5 (3) In ~~any~~ A county of ~~the~~ THIS state in which the ques-  
6 tion of adopting the county road system, whether under this act  
7 or under any previous law providing ~~therefor~~ FOR A COUNTY ROAD  
8 SYSTEM, has PREVIOUSLY been ~~heretofore~~ submitted to a vote of  
9 the electors and has been ~~determined affirmatively~~ APPROVED,  
10 and in which the county road system for any reason has not been  
11 put into actual operation and effect, the question of the adop-  
12 tion of the provisions of this chapter may be submitted as  
13 ~~herein~~ provided IN THIS CHAPTER, notwithstanding ~~such~~ THE  
14 previous submission and adoption.

15 (4) A PETITION UNDER SUBSECTION (1), INCLUDING THE CIRCULA-  
16 TION AND SIGNING OF THE PETITION, IS SUBJECT TO SECTION 488 OF  
17 THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.488. A PERSON  
18 WHO VIOLATES A PROVISION OF THE MICHIGAN ELECTION LAW, 1954 PA  
19 116, MCL 168.1 TO 168.992, APPLICABLE TO A PETITION DESCRIBED IN  
20 SUBSECTION (1) IS SUBJECT TO THE PENALTIES PRESCRIBED FOR THAT  
21 VIOLATION IN THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.1 TO  
22 168.992.

23 Enacting section 1. This amendatory act does not take  
24 effect unless House Bill No. 5138 of the 89th Legislature is  
25 enacted into law.