House
Legislative
Analysis
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TOWNSHIP TRANSPORTATION FUNDS

House Bill 4168 (Substitute H-3)
First Analysis (4-13-99)

Sponsor: Rep. Jud Gilbert II
Committee: Transportation

THE APPARENT PROBLEM:

Michigan has a county system of roads, a system designed early in this century in order to facilitate motor vehicle transportation that spurs commerce and promotes the public welfare. Beginning in the middle of the century, a federal interstate network of highways was super-imposed over the county road system, and since that time the officials responsible for the two systems have worked together to ensure traffic movement and safety.

Michigan's county system of roads has been the responsibility of local county road commissions, some of whom are elected officials, and others of whom are appointed by county commissioners. In contrast, the interstate system has been the responsibility of the state transportation department. Under current law, before May 2 of each year, all county road commissions must file a report showing the disposition of funds appropriated, apportioned, or allocated in a county. The report must be filed with the director of the state transportation department, and the county clerk.

As the influence of township government has grown during the past decade, an evolution in local government that corresponds to the increase of population in the 'edge cities', built-out townships, and suburbs throughout the state, elected township officials (customarily called trustees), have sought more information and control over the construction and maintenance of the county roads that traverse the townships they are elected to represent. Often, the elected township officials need the information in order to plan for growth in their area. County road commissions do not share the information that township officials need in any systematic way, and there are reports that a few commissions are slow to respond to requests for information from township trustees.

Some have argued that a change in the law is needed, to require county road commissions to share information about the construction and maintenance of the county road system with the township jurisdictions in their region.

THE CONTENT OF THE BILL:

House Bill 4168 (H-3) would amend the Michigan Transportation Fund act to require a county road commission or the county executive or other agency acting as the county road commission to file with each township in the county a report showing the disposition of all funds from any source that are appropriated, apportioned, or allocated to the county road commission, including the funds expended in each township in the county other than funds expended for snow and ice removal, pothole patching, and mowing. Currently, the county road commission must file this report, before May 2 of each year, only with the director of the state transportation department and the clerk of the county, and the report need not delineate appropriations by township.

House Bill 4168 also would require that the report filed by the county road commission include a) the number of miles of local roads outside the incorporated municipalities in each township in the county and the amount of funds received for each of those miles from all funding sources, b) the number of miles of primary roads outside incorporated municipalities in each township and the amount of funds received for each from all funding sources, c) the total population outside of incorporated municipalities in each township in the county and the per capita amount of funds received for each person, and d) the amount of funds received by the county from each township in the county for the purposes of the act.

MCL 247.665

FISCAL IMPLICATIONS:

The House Fiscal Agency notes that House Bill 4168 would have no impact on state costs or revenues. To the extent that the bill would cause county road commissions to perform additional accounting and reporting it would increase local costs by an indeterminate amount. (3-23-99)

ARGUMENTS:

For:

According to the Michigan Townships Association, 42 percent of the state's population growth as measured in the 1990 census occurred in townships. By the year 2000, that is expected to rise to 50 percent. This growth pattern requires that township officials take an active part in transportation decision-making in their regions. In order to ensure sensible land use planning and economic growth and development in townships throughout Michigan, township officials need current and accurate information about the construction and maintenance of roads and highways in their districts. Currently the responsibility for the roads and highways rests with county road commissions, the members of whom should be required to share information about state-shared funds and road projects. This legislation would require road commissions to share more funding information with township officials, and thereby allow a closer working relationship between township trustees and county road commissioners.

Against:

This reporting requirement should be voluntary--the financial report made available to a township government only when it requests the report from a county road commission. Not all townships need or want this information. This new reporting requirement for county road commissions is yet another example of an unfunded mandate imposed by the state on local governments. Although this single report seems a small requirement when considered by itself, these kinds of small requirements taken together soon become onerous and costly to those whose primary function is to provide services for citizens at the local level.

POSITIONS:

The Michigan Townships Association supports the bill. (3-24-99)

The County Road Association of Michigan supports the bill. (3-24-99)

Analyst: J. Hunault

■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.