

Legislative Analysis



INCREASE COUNTY ROAD COMMISSION MEMBERSHIP

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House Bill 4315 (Substitute H-2)
Sponsor: Rep. Jacob Hoogendyk

House Bill 4316 (Substitute H-2)
Sponsor: Rep. Edward Gaffney

House Bill 4317 as introduced
Sponsor: Rep. Alexander C. Lipsey

Committee: Transportation

Complete to 6-22-05

A SUMMARY OF HOUSE BILLS 4315-4317 AS REPORTED FROM COMMITTEE

Each of the bills would amend a separate act so as to allow county road commissions to have not less than three members or more than five. Each amended section of law currently refers to a three-member commission.

House Bill 4315 would amend the County Road Law, Public Act 283 of 1909 (MCL 224.6). House Bill 4316 would amend Public Act 293 of 1966, dealing with charter counties (MCL 45.514). House Bill 4317 would amend Public Act 139 of 1973, which deals with optional unified county governments (MCL 45.562).

Under House Bills 4315 and 4316, a county board of commissioners could increase or decrease the number of county road commissioners if the county road commission approves the increase or decrease by resolution.

FISCAL IMPACT:

With the exception of Wayne County, every county in the state has a road commission established under the authority of PA 283 of 1909. [In Wayne County, a charter county, the functions of the road commission were assumed by the Wayne County Board of Commissioners by charter amendment in 1984.] Public Act 283 currently provides for three-member road commission boards. House Bill 4315 would allow, but not require, the expansion of road commission boards to up to five members.

If House Bill 4315 were enacted, there could be additional costs for a county which elected to increase the size of its county road commission by one or two board members. The amount of additional cost would depend on the compensation paid to road commission board members, which varies among road commissions. According to information provided by the County Road Association of Michigan (August 2004), 80 county road commissions have part-time board members paid an average of \$4,100 per year. In most counties, road commission board members also participate in the road commission benefit program.

House Bill 4317 merely provides a cross reference to PA 283 of 1909 in PA 139 of 1973 and has no direct fiscal impact.

House Bill 4316 would amend language in PA 293 of 1966, which provides for the creation of road commissions in charter counties. However, Section 14(2) of PA 293 of 1966 currently indicates that the language regarding the creation of a road commission in a charter county does not apply to a county in which the charter is amended to provide for an alternative method of carrying out the powers and duties of the board of county road commissioners. Wayne County, the only charter county in the state, did amend its charter in 1984 to abolish the road commission and to provide for an alternative method of carrying out the powers and duties of the road commission. As a result, House Bill 4316 has no impact on any Michigan county as currently organized, only a potential impact on counties seeking organization as a charter county under PA 293 of 1966.

POSITIONS:

A representative of the County Road Association of Michigan indicated that CRAM prefers the bills as reported from committee over the bills as introduced. (6-21-05)

A representative of the Michigan Association of Counties has indicated that MAC prefers the bills as introduced to the bills as reported from committee. (6-21-05)

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Fiscal Analyst: William Hamilton

■ 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.