

SENATE BILL No. 367

April 12, 2005, Introduced by Senators SWITALSKI and OLSHOVE and referred to the Committee on Transportation.

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

by amending section 10 (MCL 224.10), as amended by 2004 PA 516.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. (1) The clerk and the members of a board of county
2 road commissioners are subject to 1968 PA 317, MCL 15.321 to
3 15.330.

4 (2) The board of county road commissioners shall employ a

1 competent county highway engineer who shall make surveys ordered by
2 the board, prepare plans and specifications for roads, bridges, and
3 culverts, and exercise general supervision over construction to
4 insure that the plans and specifications are strictly followed. Two
5 or more adjoining counties may employ the same engineer, if the
6 work in 1 or more of the counties is not enough to employ the whole
7 time of the engineer. The engineer employed by the board shall be
8 known as the county highway engineer.

9 (3) The board may also engage other professional and
10 consultant services as it considers necessary to implement this act
11 and promote efficiency and economy in the operation of the county
12 road system. The board may also employ other necessary laborers and
13 may purchase machines, tools, appliances, and materials which it
14 considers necessary or convenient for the performance of work by
15 the laborers. In cases involving the expenditure of an amount
16 greater than \$15,000.00 for the purchase of machines, tools,
17 appliances, and materials, the board of county road commissioners
18 shall advertise for sealed proposals for the machines, tools,
19 appliances, and materials proposed to be purchased, except under
20 emergency conditions, in which case the limit shall not exceed
21 \$50,000.00. All purchases made under this section shall be compiled
22 separately for purposes of board approval. The board shall
23 advertise for sealed proposals for the purchase of passenger
24 vehicles and trucks weighing less than 5,000 pounds. The board may
25 purchase surplus properties from the state and federal governments
26 without advertising for sealed proposals.

27 (4) Each county road commission shall take all reasonable

1 steps to ensure minority business enterprises have the equal
2 opportunity to compete and perform contracts or purchases of
3 services, or both, for the county road commission. The county road
4 commission shall issue a plan for implementing this subsection.

5 (5) ~~A~~ **SUBJECT TO ANY REQUIREMENTS OF LAW, A** county road
6 commission may enter into a contract or agreement ~~for the purchase~~
7 ~~of real or personal property for public purposes, to be paid for in~~
8 ~~installments over a period not to exceed 15 years or the useful~~
9 ~~life of the property acquired, whichever is less~~ **TO PURCHASE, SELL,**
10 **CONVEY, OR OTHERWISE TRANSFER THE INTEREST IN REAL OR PERSONAL**
11 **PROPERTY, INCLUDING ROAD RIGHTS-OF-WAY VESTED IN FEE.** Real or
12 personal property purchased under this act may serve as collateral
13 in support of the purchase, contract, or agreement.