



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 1108 (Substitute S-3)
Senate Bill 1109 (Substitute S-1)
Senate Bill 1110 (Substitute S-1)
Senate Bills 1476, 1477, and 1478 (as introduced 9-7-10)
Sponsor: Senator Jud Gilbert, II (S.B. 1108)
 Senator John J. Gleason (S.B. 1109 & 1476)
 Senator Jason E. Allen (S.B. 1110)
 Senator Alan Sanborn (S.B. 1477)
 Senator Gerald VanWoerkom (S.B. 1478)

Committee: Transportation

Date Completed: 9-3-10

CONTENT

The bills would amend various laws to provide for single-member county road commission districts.

Senate Bill 1108 (S-3) would amend the county road law to permit the county board of commissioners, in a county where county road commissioners are elected, to pass a resolution providing for single-member districts for road commissioners.

Senate Bill 1109 (S-1) would amend Public Act 261 of 1966 (which deals with the apportionment of county boards of commissioners) to specify that the duties of a county apportionment commission would include establishing single-member county road commission districts, as provided in the county road law.

Senate Bill 1110 (S-1) would amend the Michigan Election Law to require a person representing a single-member county road commission district to be a resident of the district.

Senate Bill 1476 would amend the Michigan Election Law to require that nominating petitions be signed by electors living in a single-member road commission district for a candidate's name to be printed on the primary election ballot.

Senate Bill 1477 would amend the Michigan Election Law to provide that a vacancy in a single-member road commission district would occur if the road commissioner moved out of the district.

Senate Bill 1478 would amend the Michigan Election Law to require a county board of commissioners to appoint a qualified person from the district if a vacancy occurred in a single-member road commission district.

The six bills are tie-barred to one another. Senate Bills 1108 (S-3), 1476, and 1477 are described in detail below.

Senate Bill 1108 (S-3)

The county road law requires that a board of county road commissioners be elected by the people of the county, with certain exceptions.

Under the bill, beginning April 1, 2011, in a county where county road commissioners are elected, the county board of commissioners could provide by resolution that road commissioners be elected to single-member districts. If the terms of office for the elected road commissioners were staggered, the resolution would have to include a transition plan for the orderly election of road commissioners to single-member districts.

Within 60 days after such a resolution was adopted, the county apportionment commission would have to establish single-member county road commission districts equal to the number of commissioners to be elected. The apportionment commission would have to use the latest official figures of the Federal decennial census to establish boundary lines for the districts, which would have to be compact, contiguous, and as equal as possible in population. The apportionment commission could not use any census figures from before the 2010 census.

In a county where county road commissioners are appointed, the county apportionment commission could establish for future use single-member county road commission districts that complied with the requirements described above.

If single-member county road commission districts were established as provided for counties with elected road commissioners, after each decennial census the county apportionment commission would have to apportion the territory of the county to determine the boundary lines for the districts.

If a vacancy occurred in a single-member district, the county board of commissioners would have to appoint a person from that district to fill the vacancy. The appointed person would have to hold office as provided under Section 269 of the Michigan Election Law. As used in this provision, a vacancy would occur when a county road commissioner moved his or her residence outside of the single-member district that he or she represented or as otherwise provided under the Election Law.

(Under Section 269, a person appointed to fill a vacancy must hold office for the remainder of the unexpired term and until a successor is elected and qualified, unless the next general November election is more than 182 days after the vacancy occurs, and is not an election at which a successor would ordinarily be elected. In that case, the appointed person holds office only until a successor is elected at the next November election and qualifies for office.)

Senate Bill 1476

Under the Election Law, for a candidate's name to be printed on the official primary ballots as a candidate for nomination by a political party for the office of county road commissioner, a certain number of nominating petitions, signed by qualified and registered electors residing within the county, must be filed with the county clerk.

Under the bill, in a county with single-member districts for county road commissioners, the nominating petitions would have to be signed by qualified and registered electors residing in the single-member district.

Senate Bill 1477

The Election Law lists the events that cause a vacancy in the office of county road commissioner. Under the bill, the office also would become vacant if a commissioner representing a single-member district moved his or her residence outside of the district.

MCL 224.6 & 224.8 (S.B. 1108)
46.403 (S.B. 1109)
168.252 (S.B. 1110)
168.254 (S.B. 1476)
168.267 (S.B. 1477)
168.269 (S.B. 1478)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

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

Fiscal Analyst: David Zin

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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.