

# HOUSE BILL No. 6116

June 6, 2018, Introduced by Reps. Kosowski and Camilleri and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1951 PA 51, entitled

"An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to promote safe and efficient travel for motor vehicle drivers, bicyclists, pedestrians, and other legal users of roads, streets, and highways; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and

security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,"

(MCL 247.651 to 247.675) by adding section 11j.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           **SEC. 11J. (1) THE MI-TRAIN ACCOUNT ADVISORY BOARD IS CREATED**  
2 **WITHIN THE DEPARTMENT.**

3           **(2) THE BOARD SHALL CONSIST OF THE FOLLOWING MEMBERS,**  
4 **APPOINTED BY THE GOVERNOR:**

5           **(A) TWO MEMBERS REPRESENTING THE DEPARTMENT.**

6           **(B) TWO MEMBERS REPRESENTING THE STATE TRANSPORTATION**  
7 **COMMISSION.**

8           **(C) TWO MEMBERS REPRESENTING THE MICHIGAN RAILROAD COMMISSION.**

9           **(D) TWO MEMBERS REPRESENTING THE MICHIGAN MUNICIPAL LEAGUE.**

10          **(E) TWO MEMBERS REPRESENTING THE COUNTY ROAD ASSOCIATION OF**  
11 **MICHIGAN.**

12          **(F) TWO MEMBERS REPRESENTING THE MICHIGAN ASSOCIATION OF**  
13 **COUNTIES.**

14          **(3) THE MEMBERS FIRST APPOINTED TO THE BOARD SHALL BE**

1 APPOINTED WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY  
2 ACT THAT ADDED THIS SECTION.

3 (4) MEMBERS OF THE BOARD SHALL SERVE FOR TERMS OF 3 YEARS OR  
4 UNTIL A SUCCESSOR IS APPOINTED, WHICHEVER IS LATER, EXCEPT THAT OF  
5 THE MEMBERS FIRST APPOINTED 4 SHALL SERVE FOR 1 YEAR, 4 SHALL SERVE  
6 FOR 2 YEARS, AND 4 SHALL SERVE FOR 3 YEARS.

7 (5) IF A VACANCY OCCURS ON THE BOARD, THE BOARD SHALL MAKE AN  
8 APPOINTMENT FOR THE UNEXPIRED TERM IN THE SAME MANNER AS THE  
9 ORIGINAL APPOINTMENT.

10 (6) THE BOARD MAY REMOVE A MEMBER OF THE BOARD FOR  
11 INCOMPETENCE, DERELICTION OF DUTY, MALFEASANCE, MISFEASANCE, OR  
12 NONFEASANCE IN OFFICE, OR ANY OTHER GOOD CAUSE.

13 (7) THE FIRST MEETING OF THE BOARD SHALL BE CALLED BY THE  
14 BOARD. AT THE FIRST MEETING, THE BOARD SHALL ELECT FROM AMONG ITS  
15 MEMBERS A CHAIRPERSON AND OTHER OFFICERS AS IT CONSIDERS NECESSARY  
16 OR APPROPRIATE. AFTER THE FIRST MEETING, THE BOARD SHALL MEET WHEN  
17 THE BOARD CONSIDERS A MEETING NECESSARY.

18 (8) A MAJORITY OF THE MEMBERS OF THE BOARD CONSTITUTE A QUORUM  
19 FOR THE TRANSACTION OF BUSINESS AT A MEETING OF THE BOARD. A  
20 MAJORITY OF THE MEMBERS PRESENT AND SERVING ARE REQUIRED FOR  
21 OFFICIAL ACTION OF THE BOARD.

22 (9) THE BUSINESS THAT THE BOARD MAY PERFORM SHALL BE CONDUCTED  
23 AT A PUBLIC MEETING OF THE BOARD HELD IN COMPLIANCE WITH THE OPEN  
24 MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275.

25 (10) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR  
26 RETAINED BY THE BOARD IN THE PERFORMANCE OF AN OFFICIAL FUNCTION IS  
27 SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231

1 TO 15.246.

2 (11) MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION.  
3 HOWEVER, MEMBERS OF THE BOARD MAY BE REIMBURSED FOR THEIR ACTUAL  
4 AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR  
5 OFFICIAL DUTIES AS MEMBERS OF THE BOARD.

6 (12) AS USED IN THIS SECTION, "BOARD" MEANS THE MI-TRAIN  
7 ACCOUNT ADVISORY BOARD.

8 Enacting section 1. This amendatory act takes effect 90 days  
9 after the date it is enacted into law.