



HOUSE BILL No. 5372

November 7, 1995, Introduced by Rep. Bullard and referred to the Committee on Tax Policy.

A bill to amend section 20 of Act No. 246 of the Public Acts of 1931, entitled as amended

"An act to provide for the construction, repair, and maintenance of pavements, sidewalks, and elevated structures on or along public roads and highways; to provide for the levying of taxes and of special assessments; to authorize the borrowing of money and the issuance of bonds; to prescribe the powers and duties of certain state and local agencies and officers; to validate actions taken, special assessments levied, and bonds issued; and to provide for the lighting of certain roads, highways, and bridges,"

as added by Act No. 80 of the Public Acts of 1989, being section 41.290 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 20 of Act No. 246 of the Public Acts of
2 1931, as added by Act No. 80 of the Public Acts of 1989, being
3 section 41.290 of the Michigan Compiled Laws, is amended to read
4 as follows:

1 Sec. 20. (1) Notwithstanding sections 19 through 19d, the
2 board of county road commissioners of a county operating under
3 the county road system may provide for the lighting ~~—~~ by arti-
4 ficial means, of roads, highways, and bridges under its jurisdic-
5 tion, located outside of the limits of incorporated cities and
6 villages. The township board or boards of a township or town-
7 ships in which county roads, highways, and bridges are located
8 may also provide for the lighting ~~—~~ by artificial means.
9 Boards of county road commissioners and township boards may also
10 provide for the lighting by joint action, and by dividing the
11 expense of the lighting between the county or counties and the
12 township or townships affected as ~~may be~~ determined by A joint
13 meeting of the boards. The board of county road commissioners or
14 township board, acting separately or in conjunction with other
15 boards of county road commissioners or with a township board or
16 township boards, may enter into a contract with a person for a
17 period not exceeding 10 years for the lighting ~~upon~~ ON terms
18 and conditions ~~as may be~~ agreed upon, and may also contract for
19 the extensions of lines or service to furnish the lighting. The
20 boards of county road commissioners may pay from available high-
21 way funds under their control and jurisdiction ~~—sums—~~ AN AMOUNT
22 required to provide for the extensions and TO furnish the
23 lighting. If funds are not available, the board of county road
24 commissioners shall submit to the county board of commissioners a
25 statement and budget designating the roads, highways, and bridges
26 to be lighted, and the estimated cost of the lighting. At the
27 next October session of the county board of commissioners, the

1 board shall pass ~~upon~~ ON the statement and budget, and, if a
2 majority of the county board of commissioners agree, the ~~sum~~
3 AMOUNT required shall be apportioned among the several townships
4 and cities of the county. BEFORE 1996, THE SUM REQUIRED SHALL BE
5 APPORTIONED AMONG THE SEVERAL TOWNSHIPS AND CITIES OF THE COUNTY
6 according to their equalized valuation. AFTER 1995, THE SUM
7 REQUIRED SHALL BE APPORTIONED AMONG THE SEVERAL TOWNSHIPS AND
8 CITIES OF THE COUNTY ACCORDING TO THEIR TAXABLE VALUE AS DETER-
9 MINED UNDER SECTION 27A OF THE GENERAL PROPERTY TAX ACT, ACT
10 NO. 206 OF THE PUBLIC ACTS OF 1893, BEING SECTION 211.27A OF THE
11 MICHIGAN COMPILED LAWS. The supervisors or other assessing offi-
12 cers in the townships and cities shall levy and apportion the tax
13 ~~so~~ apportioned as provided in this section, to their respective
14 townships and cities. The tax shall be collected and paid to the
15 county treasurer and disbursed by him or her ~~upon~~ ON orders of
16 the board of county road commissioners, ~~the orders to be~~ signed
17 by the chairperson and countersigned by the clerk of the board.
18 The county board of commissioners shall raise ~~a sum which~~ AN
19 AMOUNT THAT, together with the other funds available, is suffi-
20 cient to provide the lighting for which the facilities have,
21 under an existing contract, been previously installed and
22 operated.

23 (2) With the approval of the director of the state transpor-
24 tation department, boards of county road commissioners and town-
25 ship boards, acting together or separately, may, with respect to
26 state trunk line highways and bridges located in whole or in part
27 within their respective counties and townships, provide for the

1 lighting of these highways and bridges by artificial means and
2 may contract in the same manner as for county roads. In ~~such~~
3 THAT case, the entire expense shall be borne by the boards of
4 county road commissioners or township boards, or by both.