

HOUSE BILL No. 6013

May 16, 2018, Introduced by Reps. Hernandez, Sheppard, Wentworth, Noble, Webber, Bizon, Runestad and Reilly 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 10q.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 10Q. (1) THE MICHIGAN INNOVATIVE TRANSPORTATION BOARD IS**
 2 **CREATED AND SHALL CONSIST OF THE FOLLOWING 11 MEMBERS:**

3 **(A) ONE VOTING MEMBER APPOINTED BY THE DEPARTMENT.**

4 **(B) ONE VOTING MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF**
 5 **REPRESENTATIVES.**

6 **(C) ONE VOTING MEMBER APPOINTED BY THE SENATE MAJORITY LEADER.**

7 **(D) ONE VOTING MEMBER APPOINTED BY THE ASPHALT PAVEMENT**
 8 **ASSOCIATION OF MICHIGAN.**

9 **(E) ONE VOTING MEMBER APPOINTED BY THE MICHIGAN CONCRETE**
 10 **ASSOCIATION.**

11 **(F) ONE VOTING MEMBER APPOINTED BY THE AMERICAN COUNCIL OF**
 12 **ENGINEERING COMPANIES OF MICHIGAN.**

13 **(G) ONE VOTING MEMBER APPOINTED BY THE MICHIGAN INFRASTRUCTURE**
 14 **AND TRANSPORTATION ASSOCIATION.**

15 **(H) ONE VOTING MEMBER APPOINTED BY THE COUNTY ROAD ASSOCIATION**
 16 **OF MICHIGAN.**

1 (I) ONE VOTING MEMBER APPOINTED BY THE MICHIGAN MUNICIPAL
2 LEAGUE.

3 (J) ONE VOTING MEMBER APPOINTED BY THE MICHIGAN ASSOCIATION OF
4 DRAIN COMMISSIONERS.

5 (K) ONE VOTING MEMBER APPOINTED BY THE MICHIGAN AGGREGATES
6 ASSOCIATION.

7 (2) THE MEMBERS FIRST APPOINTED TO THE BOARD SHALL BE
8 APPOINTED WITHIN 60 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY
9 ACT THAT ADDED THIS SECTION.

10 (3) MEMBERS OF THE BOARD SHALL SERVE FOR TERMS OF 2 YEARS OR
11 UNTIL A SUCCESSOR IS APPOINTED, WHICHEVER IS LATER.

12 (4) IF A VACANCY OCCURS ON THE BOARD, THE PERSON WHO APPOINTED
13 THE VACATING MEMBER SHALL MAKE AN APPOINTMENT FOR THE UNEXPIRED
14 TERM IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT.

15 (5) A MEMBER OF THE BOARD MAY BE REMOVED FOR INCOMPETENCE,
16 DERELICTION OF DUTY, MALFEASANCE, MISFEASANCE, OR NONFEASANCE IN
17 OFFICE, OR ANY OTHER GOOD CAUSE.

18 (6) THE FIRST MEETING OF THE BOARD SHALL BE CALLED BY THE
19 MEMBER APPOINTED BY THE DEPARTMENT UNDER SUBSECTION (1) (A). AT THE
20 FIRST MEETING, THE BOARD SHALL ELECT FROM AMONG ITS VOTING MEMBERS
21 A CHAIRPERSON AND OTHER OFFICERS AS IT CONSIDERS NECESSARY OR
22 APPROPRIATE. AFTER THE FIRST MEETING, THE BOARD SHALL MEET AT LEAST
23 QUARTERLY.

24 (7) A MAJORITY OF THE VOTING MEMBERS OF THE BOARD CONSTITUTE A
25 QUORUM FOR THE TRANSACTION OF BUSINESS AT A MEETING OF THE BOARD. A
26 MAJORITY OF THE MEMBERS PRESENT AND SERVING ARE REQUIRED FOR
27 OFFICIAL ACTION OF THE BOARD.

1 (8) A BOARD MEMBER SHALL SERVE WITHOUT COMPENSATION BUT MAY
2 RECEIVE REIMBURSEMENT FOR NECESSARY TRAVEL AND EXPENSES CONSISTENT
3 WITH APPLICABLE LAW AND RULES AND PROCEDURES OF THE CIVIL SERVICE
4 COMMISSION AND DEPARTMENT OF TECHNOLOGY, MANAGEMENT, AND BUDGET OR
5 LOCAL ROAD AGENCY POLICIES, SUBJECT TO AVAILABLE FUNDING.

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

9 (10) A WRITING PREPARED, OWNED, USED, IN THE POSSESSION OF, OR
10 RETAINED BY THE BOARD IN THE PERFORMANCE OF AN OFFICIAL FUNCTION IS
11 SUBJECT TO THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231
12 TO 15.246.

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

15 Enacting section 2. This amendatory act does not take effect
16 unless all of the following bills of the 99th Legislature are
17 enacted into law:

18 (a) Senate Bill No. _____ or House Bill No. 6014 (request no.
19 05970'18).

20 (b) Senate Bill No. _____ or House Bill No. 6015 (request no.
21 05971'18).