

HOUSE BILL No. 4975

July 13, 1989, Introduced by Reps. Bender, Emmons, Van Regenmorter, Bartnik, Randall, Allen, Johnson, Miller, Ciaramitaro, Weeks, Crandall and Sparks and referred to the Committee on Elections.

A bill to amend sections 83 and 152 of Act No. 331 of the Public Acts of 1966, entitled "Community college act of 1966," as amended by Act No. 96 of the Public Acts of 1984, being sections 389.83 and 389.152 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 83 and 152 of Act No. 331 of the Public
2 Acts of 1966, as amended by Act No. 96 of the Public Acts of
3 1984, being sections 389.83 and 389.152 of the Michigan Compiled
4 Laws, are amended to read as follows:

5 Sec. 83. (1) In the November, 1984 general election and
6 every 4 years ~~thereafter~~ AFTER THAT ELECTION, 9 members of the
7 board of trustees of a community college district established
8 under this chapter shall be elected for a term of 4 years. Each

1 member shall represent a trustee district described in
2 section 82a.

3 (2) Each candidate for trustee shall be nominated at a non-
4 partisan primary election conducted pursuant to the Michigan
5 election law, Act No. 116 of the Public Acts of 1954, being sec-
6 tions 168.1 to 168.992 of the Michigan Compiled Laws. The nomi-
7 nating petitions shall contain not less than 250, nor more than
8 500 signatures of registered school electors of the appropriate
9 trustee district; shall meet the requirements of section 544c of
10 ~~the Michigan election law,~~ Act No. 116 of the Public Acts of
11 1954, being section 168.544c of the Michigan Compiled Laws; and
12 shall be filed with the clerk of the county in which the commu-
13 nity college district is located on or before 4 p.m. of the
14 ~~ninth~~ TWELFTH Tuesday before the primary election. A signature
15 on a nominating petition shall not be valid unless the petitioner
16 is a registered school elector of the trustee district in which
17 the candidate is running for election. The county clerk may com-
18 pare the signatures on the petitions with the signatures appear-
19 ing on the registration records ~~—~~ or in some other proper
20 manner determine whether the signatures appearing on the petition
21 are genuine and comply with the requirements of this section.
22 Not more than 2 candidates shall be nominated at the primary
23 election for each trustee district.

24 (3) Each of the 9 trustees shall commence his or her term of
25 office on January 1 following his or her election.

26 (4) A candidate for the office of board member representing
27 a trustee district or a person appointed to fill a vacancy

1 pursuant to subsection (5) shall be 18 years of age or older at
2 the time of his or her election or appointment and shall be a
3 registered school elector residing in the trustee district in
4 which the person becomes a candidate or which the person is
5 appointed to represent. If a trustee district member's residence
6 is moved from the trustee district during the trustee's term of
7 office, it shall constitute a vacating of office.

8 (5) If a vacancy occurs on the board of trustees, the
9 vacancy shall be filled from among registered school electors of
10 the trustee district by majority vote of the remaining board
11 members. If a person is appointed to fill a vacancy in a trustee
12 district for which the unexpired term is more than 1 year and 8
13 months, that person shall serve until January 1 following the
14 next general election. At that next general election the vacancy
15 shall be filled for the unexpired term. A vacancy shall not be
16 filled later than 60 days before a primary election at which
17 voting district board members are to be nominated.

18 (6) Special elections may be called by the board of trustees
19 pursuant to chapters 1 and 2, except that the county or the con-
20 stituent school districts shall pay for the cost of those elec-
21 tions until such time as the authorization to levy a tax is
22 established.

23 Sec. 152. (1) Candidates for members of the first and suc-
24 ceeding boards shall be nominated by petition signed by not less
25 than 50 ~~nor~~ OR more than 200 qualified and registered electors
26 residing within the geographic area of the community college
27 district. All nominating petitions in community college

1 districts organized under chapter 1 shall be filed not later than
2 4 p.m. on the ~~sixtieth~~ ONE HUNDRED-TENTH day prior to the date
3 of any election. All nominating petitions in community college
4 districts organized under chapters 2 and 3 shall be filed not
5 later than 4 p.m. on the ~~seventh Tuesday~~ NINTH MONDAY prior to
6 the date of any election. If the last day for filing nominating
7 petitions falls on a Saturday, Sunday, or legal holiday, the nom-
8 inating petitions shall be filed not later than 4 p.m. on the
9 next ~~secular~~ day THAT IS NOT A SATURDAY, SUNDAY, OR LEGAL
10 HOLIDAY.

11 (2) Nominating petitions for the first board of trustees of
12 a community college district organized under chapter 1 shall be
13 filed with the county clerk or clerks. Nominating petitions for
14 the first board of trustees organized under chapters 2 and 3
15 shall be filed with the secretary of the board of education of
16 the intermediate school district of the county having the highest
17 valuation within the community college district. Nominating
18 petitions for succeeding boards of trustees shall be filed with
19 the secretary of the board of trustees of the community college
20 district, except that when candidates are elected from separate
21 school districts within the college district as provided in chap-
22 ter 2, nominees from school district areas shall file nominating
23 petitions with the secretaries of school districts for the first
24 and succeeding boards of trustees. In a community college dis-
25 trict organized under chapter 1, the names of all candidates and
26 the terms of office shall be certified to the county clerk or
27 clerks by the secretary of the board of trustees of the community

1 college district within 5 days after the last day for filing
2 petitions.

3 (3) Upon the filing of nominating petitions with the appro-
4 priate official, he or she shall canvass them to ascertain if
5 they have been signed by the requisite number of qualified and
6 registered electors and for the purpose of determining the valid-
7 ity thereof may cause any doubtful signatures to be checked
8 against the registration records of the clerk of any political
9 subdivision in which the petitions were circulated, or may use
10 any other method he or she deems proper for determining the
11 validity of the doubtful signatures. If he or she determines
12 that the nominating petitions of any candidate do not comply with
13 the requirements or if the candidate does not possess the quali-
14 fications as required by the provisions of this act for member-
15 ship on the board of trustees, the official shall notify the can-
16 didate of that fact ~~together with a statement~~ AND of the
17 reasons.

18 (4) This section does not apply to nominating petitions for
19 a candidate for a board of trustees organized under chapter 5.

20 Section 2. This amendatory act shall not take effect unless
21 Senate Bill No. _____ or House Bill No. 4974 (request
22 no. 00777'89) of the 85th Legislature is enacted into law.