

SENATE BILL No. 444

May 1, 2001, Introduced by Senators BENNETT, HAMMERSTROM, STEIL, MC MANUS, SHUGARS and SIKKEMA and referred to the Committee on Government Operations.

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 2, 17, 21, 32, 34, 34a, 36, 37, 38, 39, 42, 51, 52, 54, 55, 56, 57, 58, 59, 62, 83, 84, 86, 105, 107, 122, 144, and 152 (MCL 389.2, 389.17, 389.21, 389.32, 389.34, 389.34a, 389.36, 389.37, 389.38, 389.39, 389.42, 389.51, 389.52, 389.54, 389.55, 389.56, 389.57, 389.58, 389.59, 389.62, 389.83, 389.84, 389.86, 389.105, 389.107, 389.122, 389.144, and 389.152), section 2 as added by 1998 PA 153, sections 17, 21, 34, 37, 42, 54, 57, and 62 as amended and section 86 as added by 2000 PA 488, section 34a as amended by 1982 PA 381, section 83 as amended by 1992 PA 20, section 122 as amended by 1984 PA 148, section 144 as amended by 1990 PA 287, and section 152 as amended by 1990 PA 11; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. A petition under section 83 or 152, including the
2 circulation and signing of the petition, is subject to ~~section~~
3 ~~488 of the Michigan election law. , 1954 PA 116, MCL 168.488.~~

4 A person who violates a provision of the Michigan election law ,
5 ~~1954 PA 116, MCL 168.1 to 168.992,~~ applicable to a petition
6 described in this section is subject to the penalties prescribed
7 for that violation in the Michigan election law. , ~~1954 PA 116,~~
8 ~~MCL 168.1 to 168.992.~~

9 Sec. 17. ~~Except as otherwise provided in this chapter,~~
10 ~~the~~ A county board of canvassers shall conduct ~~a~~ THE canvass
11 of the results of any organizational election or other election
12 of ~~the~~ A community college district ORGANIZED UNDER THIS CHAP-
13 TER AS PRESCRIBED IN SECTION 24A OF THE MICHIGAN ELECTION LAW,
14 MCL 168.24A. ~~If the election area involves more than 1 county,~~
15 ~~the county board of canvassers of the county containing the high-~~
16 ~~est valuation of the community college district or proposed com-~~
17 ~~munity college district shall conduct the canvass.~~

18 Sec. 21. (1) The board of trustees of a community college
19 district ~~comprised of a county or counties~~ ORGANIZED UNDER THIS
20 CHAPTER by resolution may annex to the community college district
21 in the manner provided in this act any contiguous county, conti-
22 guous township, contiguous intermediate school district, or con-
23 tiguous local school district not already included within the
24 area of a community college district, subject to the following:

1 (a) A community college district located in the Upper
2 Peninsula may annex a county, township, intermediate school
3 district, or local school district that is not contiguous.

4 (b) A community college district that has been offering
5 classes at a federal military installation located in a noncon-
6 tiguous county for a period of at least 20 years may annex that
7 noncontiguous county or that portion of the noncontiguous county
8 that is not within another community college district.

9 (2) Prior to the annexation election, the board of trustees
10 shall obtain approval of the proposed annexation from the super-
11 intendent of public instruction. Upon receipt of the approval,
12 the secretary of the board of trustees shall file certified
13 copies of the annexation resolution and the approval with the
14 clerk of the county or township to be annexed, or the secretary
15 of the board of the intermediate school district or local school
16 district to be annexed, as applicable.

17 (3) If the resolution and approval are filed more than 90
18 days OR 20 DAYS OR FEWER before the date of the next general
19 state election, then the county board of commissioners ~~, the~~ OR
20 township board SHALL CALL, or the board of the intermediate or
21 local school district SHALL REQUEST THAT THE APPROPRIATE LOCAL
22 CLERK CALL UNDER SECTION 315 OF THE MICHIGAN ELECTION LAW,
23 MCL 168.315, as applicable, ~~shall call~~ a special election for
24 the purpose of voting on the question of annexation to the commu-
25 nity college district and of approving the maximum tax rate
26 existing in the community college district. If the resolution
27 and approval are filed less than 90 days but more than 20 days

1 prior to the next general state election, then the propositions
2 shall be presented at that election.

3 (4) ~~Annexation becomes~~ AN ANNEXATION IS effective on the
4 date of the election if both propositions receive majority
5 approval of the electors voting on the propositions. The final
6 results of the annexation election shall be canvassed ~~as~~
7 follows:

8 (a) ~~If a county is the subject of annexation, the county~~
9 ~~board of canvassers shall conduct the canvass as provided in sec-~~
10 ~~tion 17.~~

11 (b) ~~If a township is the subject of annexation, the township~~
12 ~~board of canvassers shall conduct the canvass.~~

13 (c) ~~If a local or intermediate school district is the~~
14 ~~subject of annexation, the board of canvassers of the local or~~
15 ~~intermediate school district shall conduct the canvass~~ BY THE
16 APPROPRIATE BOARD OF CANVASSERS PRESCRIBED IN SECTION 24A OR 30A
17 OF THE MICHIGAN ELECTION LAW, MCL 168.24A AND 168.30A.

18 (5) By virtue of annexation, unless otherwise provided in
19 the approved annexation propositions, any territory annexed to a
20 community college district is subject to taxes levied for princi-
21 pal and interest of outstanding bonded indebtedness of the commu-
22 nity college district.

23 (6) If any portion of a county, township, or intermediate or
24 local school district to be annexed lies within a community col-
25 lege district at the time of the annexation election, then the
26 electors residing in that territory are not eligible to vote on

1 the propositions and that territory does not become a part of the
2 community college district.

3 Sec. 32. (1) In the case of 2 or more CONTIGUOUS LOCAL
4 school districts FORMING A COMMUNITY COLLEGE UNDER THIS CHAPTER,
5 IF THE STATE BOARD OF EDUCATION APPROVES, the secretary of the
6 ~~board of education of the~~ intermediate school ~~district~~ BOARD
7 shall file a copy of the approval ~~specified in section 31~~
8 NOTICE FROM THE STATE BOARD OF EDUCATION DESCRIBED IN SECTION 31
9 with the secretary of the SCHOOL board ~~of education~~ of each
10 component school district. ~~When the filing or receipt of~~
11 ~~approval from the state board of education by the secretary of~~
12 ~~the board of education of a single school district occurs~~

13 (2) IF THE SECRETARY OF A LOCAL SCHOOL BOARD RECEIVES NOTICE
14 OF APPROVAL OF FORMATION OF A COMMUNITY COLLEGE DISTRICT, EITHER
15 FROM THE STATE BOARD OF EDUCATION UNDER SECTION 31 OR THE INTER-
16 MEDIATE SCHOOL DISTRICT UNDER SUBSECTION (1), at least 60 days
17 but not more than 6 months ~~prior to~~ BEFORE the next ~~annual~~
18 NOVEMBER school election, ~~the secretaries~~ THAT LOCAL SCHOOL
19 BOARD shall ~~include~~ REQUEST THE APPROPRIATE LOCAL CLERK TO
20 SUBMIT the necessary ~~community college~~ propositions ~~in the~~
21 ~~proceedings for~~ FOR FORMING THE COMMUNITY COLLEGE DISTRICT TO
22 THE ELECTORS AT the ~~annual~~ NOVEMBER SCHOOL election AS PROVIDED
23 IN SECTION 315 OF THE MICHIGAN ELECTION LAW, MCL 168.315.

24 ~~(2) When the approval is filed with the secretaries of the~~
25 ~~component school districts or approval is received by the secre-~~
26 ~~tary of the board of education of a single school district~~

1 (3) IF THE SECRETARY RECEIVES THE NOTICE OF APPROVAL more
2 than 6 months ~~prior to~~ OR FEWER THAN 60 DAYS BEFORE the date of
3 the ~~annual~~ NOVEMBER school election, ~~each~~ THE SCHOOL board of
4 ~~education~~ THE LOCAL SCHOOL DISTRICT shall REQUEST THAT THE
5 APPROPRIATE LOCAL CLERK call a special SCHOOL election ~~to be~~
6 ~~held on a date designated by the secretary of the intermediate~~
7 ~~board of education of the school district having the highest val-~~
8 ~~uation within the proposed community college district, for the~~
9 ~~purpose of submitting the propositions relating to the establish-~~
10 ~~ment of a community college district, or in the case of a single~~
11 ~~school district the board of education shall call a special elec-~~
12 ~~tion on a date it determines~~ AS PROVIDED IN SECTION 315 OF THE
13 MICHIGAN ELECTION LAW, MCL 168.315. ~~A majority of the electors~~
14 ~~of the school district voting thereon shall approve the organiza-~~
15 ~~tion of the community college district~~ AT THE SPECIAL ELECTION,
16 THE NECESSARY PROPOSITIONS FOR FORMING THE COMMUNITY COLLEGE DIS-
17 TRICT SHALL BE SUBMITTED TO THE ELECTORS.

18 Sec. 34. (1) If ~~the~~ A community college district consists
19 of a single school district, the community college district is
20 directed and governed by a board of trustees consisting of 7 mem-
21 bers, elected at large in the territory of the district or pro-
22 posed district on a nonpartisan basis. At the organizational
23 election, the electors shall elect 3 members for 6-year terms, 2
24 for 4-year terms, and 2 for 2-year terms. After the initial
25 terms, at the next regular community college election immediately
26 preceding the expiration of a member's term of office, the

1 electors shall elect the member's successor for a term of 6
2 years.

3 (2) If an organizational election is held at the same time
4 as ~~an annual~~ A NOVEMBER school election, ~~the term of office of~~
5 ~~each member elected shall commence on July 1 following the orga=~~
6 ~~nizational election. However, if the annual school election is~~
7 ~~held in November,~~ the term OF OFFICE of each member elected
8 shall commence on the January 1 following the organizational
9 election.

10 (3) ~~When~~ IF an organizational election is held on a date
11 other than the date of ~~an annual~~ A NOVEMBER school election,
12 each board member shall take office on the fifteenth day follow-
13 ing the date of the organizational election AND SERVE UNTIL THE
14 COMMENCEMENT OF THE MEMBER'S REGULAR TERM. ~~Regular terms~~ THE
15 MEMBER'S REGULAR TERM of office shall commence on ~~July 1 follow=~~
16 ~~ing the next annual school election. However, if the next annual~~
17 ~~school election is held in November, the regular terms of office~~
18 ~~shall commence on~~ the January 1 following the ~~annual~~ NEXT
19 NOVEMBER school election. ~~If the organizational election is~~
20 ~~held on a date other than the annual election date of the compo=~~
21 ~~nent school district, the first year of the term of office of~~
22 ~~each of the members elected to the first board of trustees shall~~
23 ~~extend for the period of time remaining until July 1 or January~~
24 ~~1, whichever is applicable under this subsection, following the~~
25 ~~date of the annual election of the component district held not~~
26 ~~less than 1 year nor more than 2 years after the date of the~~
27 ~~organizational election.~~

1 Sec. 34a. (1) ~~the~~ A community college district
2 consists of 2 or more school districts, the community college
3 district shall be directed and governed by a board of trustees
4 consisting of 7 members, elected at large in the proposed commu-
5 nity college district on a nonpartisan basis. At the organiza-
6 tional election, there shall be elected 3 members for 6-year
7 terms, 2 members for 4-year terms, and 2 members for 2-year
8 terms. Thereafter, at the next regular community college elec-
9 tion immediately preceding the expiration of their terms of
10 office, their successors shall be elected for terms of 6 years.

11 (2) ~~When the~~ IF AN organizational election is held at the
12 same time as the ~~annual~~ NOVEMBER school election, the term of
13 office of each member elected shall commence on ~~July 1~~ following
14 ~~the organizational election. However, if the annual school elec-~~
15 ~~tion is held in November, the term of each member elected shall~~
16 ~~commence on~~ the January 1 following the organizational
17 election.

18 (3) ~~When the~~ IF AN organizational election is held on a
19 date other than the date of ~~the annual~~ A NOVEMBER school elec-
20 tion, each board member shall take office on the fifteenth day
21 following the date of the organizational election AND SERVE UNTIL
22 THE COMMENCEMENT OF THE MEMBER'S REGULAR TERM. ~~Regular terms~~
23 THE MEMBER'S REGULAR TERM of office shall commence on ~~July 1~~
24 ~~following the next annual school election. However, if the next~~
25 ~~annual school election is held in November, the regular terms of~~
26 ~~office shall commence on~~ the January 1 following the ~~annual~~
27 NEXT NOVEMBER school election. ~~When the organizational election~~

~~1 is held on a date other than the annual school election, the
2 first year of the term of office of each of the members elected
3 to the first board of trustees shall extend for the period of
4 time remaining until July 1 or January 1, whichever is applicable
5 under this subsection, following the date of the annual school
6 election.~~

~~7 (4) In the case of an existing community college district
8 consisting of 2 or more school districts, the board of trustees
9 as presently constituted shall continue to serve until the next
10 regular community college election which occurs after April 5,
11 1978. At that time, additional members shall be elected in num=
12 bers and for terms so that, together with existing board members
13 whose terms are not expiring, there will be 2 members whose terms
14 expire 2 years after the election, 3 members whose terms expire 4
15 years after the election, and 2 members whose terms expire 6
16 years after the election.~~

~~17 (5) The term of any member serving on the effective date of
18 this subsection, in a district which elects members in November,
19 shall terminate on January 1 of the calendar year in which the
20 member's term otherwise would have expired, but for this
21 subsection.~~

~~22 Sec. 36. (1) The provisions of sections 531 to 540 of Act
23 No. 269 of the Public Acts of 1955, as amended, being sections
24 340.531 to 340.540 of the Compiled Laws of 1948, shall govern the
25 conduct and procedures of the community college election con=
26 ducted by local school boards under this chapter. (2) Where IF
27 part of a local school district is in another community college~~

1 district, only those electors residing in ~~the remainder~~ THAT
 2 PART of the school district ~~shall be~~ NOT IN THE OTHER COMMUNITY
 3 COLLEGE DISTRICT ARE eligible to vote in the organizational elec-
 4 tion or in subsequent community college elections.

5 Sec. 37. The APPROPRIATE board of canvassers ~~of the local~~
 6 ~~or intermediate school districts whose electors are eligible to~~
 7 ~~vote in an election~~ UNDER SECTION 24A OR 30A OF THE MICHIGAN
 8 ELECTION LAW, MCL 168.24A AND 168.30A, shall conduct a canvass of
 9 the results of ~~the~~ AN election UNDER THIS CHAPTER. THE BOARD
 10 OF CANVASSERS SHALL CONDUCT THE CANVASS within 3 days of the
 11 election. ~~For an organizational election, the board of canvass-~~
 12 ~~ers appointed by the secretaries of the boards of the component~~
 13 ~~school districts meeting jointly shall conduct the final~~
 14 ~~canvass. For a community college district election, other than~~
 15 ~~an organizational election, except as otherwise provided in this~~
 16 ~~chapter, the board of canvassers appointed by the board of trust-~~
 17 ~~ees of the community college district shall conduct the final~~
 18 ~~canvass. In the case of a community college district consisting~~
 19 ~~entirely of 1 school district, the board of canvassers for elec-~~
 20 ~~tions in that school district shall conduct the final canvass.~~

21 Sec. 38. (1) ~~The~~ A regular community college election
 22 ~~shall be~~ IS held at the same time as the ~~annual~~ NOVEMBER
 23 school ~~elections of the constituent school districts held in the~~
 24 ~~odd numbered years on the date prescribed for annual school elec-~~
 25 ~~tions in sections 34, 72 and 108 of Act No. 269 of the Public~~
 26 ~~Acts of 1955, as amended~~ ELECTION. If any ~~component~~
 27 CONSTITUENT LOCAL OR INTERMEDIATE school district holds its

1 ~~annual~~ school election on a different date, the board of ~~such~~
 2 THAT district shall REQUEST THAT THE APPROPRIATE LOCAL CLERK
 3 UNDER SECTION 315 OF THE MICHIGAN ELECTION LAW, MCL 168.315, call
 4 a special election to be held on the ~~same day as that above~~
 5 prescribed. ~~The election shall be conducted in the same manner~~
 6 ~~provided by sections 531 to 540 of Act No. 269 of the Public Acts~~
 7 ~~of 1955, as amended~~ DATE OF THE NOVEMBER SCHOOL ELECTION. A
 8 CONSTITUENT COUNTY SHALL CALL A SPECIAL ELECTION TO BE HELD ON
 9 THE DATE OF THE NOVEMBER SCHOOL ELECTION.

10 (2) At ~~the regular elections separate~~ A REGULAR ELECTION,
 11 IN ADDITION TO THE ELECTION OF TRUSTEES, SPECIAL propositions may
 12 be submitted to the electors ~~in addition to the election of~~
 13 ~~trustees~~ of the community college district when authorized by
 14 the board of trustees.

15 Sec. 39. (1) ~~Special elections of the community college~~
 16 ~~district may be called by the~~ THE board of trustees OF A COMMU-
 17 NITY COLLEGE DISTRICT ORGANIZED UNDER THIS CHAPTER MAY REQUEST
 18 THAT THE APPROPRIATE LOCAL CLERK UNDER SECTION 315 OF THE
 19 MICHIGAN ELECTION LAW, MCL 168.315, CALL A SPECIAL ELECTION. The
 20 secretary of the board shall file a copy of the resolution of the
 21 board ~~calling the~~ REQUESTING THE CALL OF A SPECIAL election
 22 with the secretaries of ~~the~~ EACH component LOCAL AND
 23 INTERMEDIATE school ~~districts~~ DISTRICT AND THE CLERK OF EACH
 24 COMPONENT COUNTY, AS APPLICABLE, at least 60 days ~~prior to~~
 25 BEFORE the date of the election. The REQUEST TO THE APPROPRIATE
 26 LOCAL CLERK AND THE resolution of the board shall contain a
 27 statement of the propositions to be submitted to the electors.

1 (2) The board of education of each component LOCAL AND
2 INTERMEDIATE school district AND THE CLERK OF EACH COMPONENT
3 COUNTY, AS APPLICABLE, shall REQUEST THAT THE APPROPRIATE LOCAL
4 CLERK UNDER SECTION 315 OF THE MICHIGAN ELECTION LAW,
5 MCL 168.315, call the special election on the date specified in
6 the resolution of the board of trustees.

7 Sec. 42. (1) In the annexation of a local school district,
8 if the resolution and approval are filed with the secretary more
9 than 90 OR 20 OR FEWER days before the date of ~~the annual~~ A
10 NOVEMBER SCHOOL election, ~~of the district to be annexed,~~ the
11 board of education of the district shall REQUEST THAT THE APPRO-
12 PRIATE LOCAL CLERK UNDER SECTION 315 OF THE MICHIGAN ELECTION
13 LAW, MCL 168.315, call a special SCHOOL election for voting on
14 the annexation on a date specified by the secretary of the board
15 of trustees of the community college district. If the resolution
16 and approval are filed more than 20 days but less than 90 days
17 prior to the date of the ~~annual~~ NOVEMBER SCHOOL election, ~~of~~
18 ~~the district to be annexed,~~ the board of education of the LOCAL
19 SCHOOL district shall REQUEST THAT THE APPROPRIATE LOCAL CLERK
20 UNDER SECTION 315 OF THE MICHIGAN ELECTION LAW, MCL 168.315,
21 submit the annexation proposition to the electors at the ~~annual~~
22 NOVEMBER SCHOOL election.

23 (2) In the annexation of an intermediate school district,
24 the secretary of the intermediate school board of the intermedi-
25 ate school district in writing shall direct the board of educa-
26 tion of each component LOCAL school district to submit the
27 annexation propositions to the electors of the school district.

1 Each school district shall CALL AND hold the election at the time
 2 of the ~~annual school elections~~ NOVEMBER SCHOOL ELECTION if
 3 notification is given more than 20 but ~~less~~ FEWER than 90 days
 4 before the ~~annual~~ DATE OF THE NOVEMBER SCHOOL election. ~~date.~~
 5 Otherwise, each board of education shall REQUEST THAT THE APPRO-
 6 PRIATE LOCAL CLERK UNDER SECTION 315 OF THE MICHIGAN ELECTION
 7 LAW, MCL 168.315, call a special election ~~,~~ to consider the
 8 annexation propositions. ~~, on a date specified by the secretary~~
 9 ~~of the intermediate school board.~~

10 (3) In the annexation of a county, if the resolution and
 11 approval are filed 90 days or more, or 20 days or ~~less~~ FEWER,
 12 before the date of the next general election, ~~then~~ the county
 13 ~~board of commissioners~~ CLERK shall call a special election
 14 within the county to consider the annexation propositions. If
 15 the resolution and approval are filed ~~less~~ FEWER than 90 days
 16 but more than 20 days before the next general election, then the
 17 annexation propositions shall be submitted to the electors of the
 18 county at that election.

19 Sec. 51. ~~(1) The board of education of an intermediate~~
 20 ~~school district or the boards of 2 or more adjoining intermediate~~
 21 ~~school districts acting as a single board may direct that the~~
 22 ~~question of coming under the provisions of this act be submitted~~
 23 ~~to the school electors of the territory affected at the annual~~
 24 ~~school elections or at special school elections held in the local~~
 25 ~~school districts of such territory. If any school district holds~~
 26 ~~its annual election on a different date, it shall call a special~~
 27 ~~election to be held on the same day of the annual elections.~~

1 ~~(2) The board of education of the intermediate school~~
2 ~~district or the joint board of 2 or more intermediate school dis-~~
3 ~~tricts shall designate the territory to be included in the pro-~~
4 ~~posed community college district and a uniform property tax ques-~~
5 ~~tion for the support of the community college, both propositions~~
6 ~~being subject to the approval of the state board of education.~~
7 THE BOARD OF AN INTERMEDIATE SCHOOL DISTRICT OR THE BOARDS OF 2
8 OR MORE CONTIGUOUS INTERMEDIATE SCHOOL DISTRICTS ACTING AS A
9 SINGLE BOARD MAY FORM A COMMUNITY COLLEGE DISTRICT UNDER THIS
10 CHAPTER. THE BOARD OF THE INTERMEDIATE SCHOOL DISTRICT OR JOINT
11 BOARD OF THE CONTIGUOUS INTERMEDIATE SCHOOL DISTRICTS SHALL DES-
12 IGNATE THE TERRITORY OF THE PROPOSED COMMUNITY COLLEGE DISTRICT
13 AND REFER THE QUESTIONS OF ORGANIZING THE COMMUNITY COLLEGE DIS-
14 TRICT AND THE PROPOSED ANNUAL TAX RATE TO THE SUPERINTENDENT OF
15 PUBLIC INSTRUCTION FOR APPROVAL. IF THE SUPERINTENDENT OF PUBLIC
16 INSTRUCTION APPROVES, HE OR SHE SHALL NOTIFY THE BOARD OF THE
17 INTERMEDIATE SCHOOL DISTRICT OR JOINT BOARD, WHICH SHALL REQUEST
18 THAT THE APPROPRIATE LOCAL CLERK UNDER SECTION 315 OF THE
19 MICHIGAN ELECTION LAW, MCL 168.315, INCLUDE THE NECESSARY PROPO-
20 SITIONS FOR FORMING THE COMMUNITY COLLEGE DISTRICT TO THE ELEC-
21 TIONS IN THE DESIGNATED TERRITORY AT THE NOVEMBER SCHOOL ELECTION
22 OR AT A SPECIAL ELECTION CALLED FOR THAT PURPOSE.

23 Sec. 52. (1) The secretary of the board of ~~education of~~
24 the intermediate school district, OR THE SECRETARY OF THE BOARD
25 OF THE INTERMEDIATE SCHOOL DISTRICT having the highest valuation
26 in the proposed community college district FOR A COMMUNITY
27 COLLEGE FORMED BY 2 OR MORE CONTIGUOUS INTERMEDIATE SCHOOL

1 DISTRICTS, shall file a copy of the approval OF THE
2 SUPERINTENDENT OF PUBLIC INSTRUCTION, specified in section 51
3 together with the propositions to be submitted TO THE ELECTORS,
4 with the secretary of the board of education of each component
5 LOCAL school district. ~~When~~

6 (2) IF THE SECRETARY OF A LOCAL SCHOOL BOARD RECEIVES the
7 filing ~~is made~~ DESCRIBED IN SUBSECTION (1) at least 60 days but
8 not more than 6 months prior to the next ~~annual~~ NOVEMBER school
9 election, ~~each~~ THAT secretary shall REQUEST THAT THE APPROPRI-
10 ATE LOCAL CLERK UNDER SECTION 315 OF THE MICHIGAN ELECTION LAW,
11 MCL 168.315, include the necessary community college propositions
12 FOR FORMING THE COMMUNITY COLLEGE DISTRICT with the proceedings
13 for the ~~annual~~ NOVEMBER school election.

14 (3) ~~(2) When the approval is filed with~~ IF the secretary
15 of ~~each~~ A component ~~district~~ LOCAL SCHOOL DISTRICT RECEIVES
16 THE FILING DESCRIBED IN SUBSECTION (1) more than 6 months OR
17 FEWER THAN 60 DAYS prior to the date of the ~~annual~~ NOVEMBER
18 school election, ~~each board of education~~ THE BOARD OF THAT
19 DISTRICT shall REQUEST THAT THE APPROPRIATE LOCAL CLERK UNDER
20 SECTION 315 OF THE MICHIGAN ELECTION LAW, MCL 168.315, call a
21 special election. ~~, to be held on a date designated by the sec-~~
22 ~~retary of the intermediate board of education of the school dis-~~
23 ~~trict having the highest valuation within the proposed community~~
24 ~~college district for the purpose of submitting~~ AT THE ELECTION,
25 the propositions relating to the establishment of the community
26 college district SHALL BE SUBMITTED TO THE ELECTORS.

1 Sec. 54. (1) A community college district is directed and
2 governed by a board of trustees, consisting of 7 members except
3 as provided in subsection (4), elected at large in the territory
4 of the district or proposed district on a nonpartisan basis. At
5 the organizational election, the electors shall elect 3 members
6 for 6-year terms, 2 for 4-year terms, and 2 for 2-year terms.
7 after the initial terms, the electors shall elect members for
8 6-year terms.

9 (2) If an organizational election is held at the same time
10 as ~~an annual~~ A NOVEMBER school election, the term of office of
11 each member elected shall commence on ~~July~~ JANUARY 1 following
12 the organizational election.

13 (3) ~~When~~ IF an organizational election is held on a date
14 other than the date of ~~an annual~~ A NOVEMBER school election,
15 each board member shall take office on the fifteenth day follow-
16 ing the date of the organizational election AND SERVE UNTIL THE
17 COMMENCEMENT OF THE MEMBER'S REGULAR TERM. ~~Regular terms~~ THE
18 MEMBER'S REGULAR TERM of office shall commence on ~~July~~ JANUARY
19 1 following the next ~~annual~~ NOVEMBER school election. ~~If the~~
20 ~~organizational election is held on a date other than the annual~~
21 ~~election date of the component school districts, the first year~~
22 ~~of the term of office of each of the members elected to the first~~
23 ~~board of trustees shall extend for the period of time remaining~~
24 ~~until July 1 following the date of the annual election of the~~
25 ~~component districts held not less than 1 year nor more than 2~~
26 ~~years from the date of the organizational election.~~

1 (4) If a contiguous county is annexed to a community college
 2 district under this chapter, the electors of the annexed county
 3 shall elect 2 additional members to the board of trustees of the
 4 community college district, elected at large in the annexed
 5 county on a nonpartisan basis for a term of 6 years. The term of
 6 office of an additional member shall commence 15 days after the
 7 date of certification of his or her election, at either a general
 8 election or a special election of the annexed county held within
 9 6 months of the election approving of the annexation. Each addi-
 10 tional member, and his or her replacement if a vacancy occurs
 11 during the 6-year term, shall be an elector of the annexed
 12 county. After the initial 6-year term, the 2 additional board
 13 positions are abolished, and the board of trustees shall consist
 14 of 7 members, elected as provided in subsection (1).

15 Sec. 55. (1) A community college district ~~shall be estab-~~
 16 ~~lished if a~~ IS ESTABLISHED UNDER THIS CHAPTER ONLY IF BOTH OF
 17 THE FOLLOWING OCCUR:

18 (A) A majority of the electors voting in the proposed commu-
 19 nity college district area approve the organization of the
 20 district. ~~and elect a~~

21 (B) A board of trustees in the proper number IS ELECTED BY A
 22 MAJORITY OF THE VOTING ELECTORS.

23 (2) A majority of the electors ~~of~~ VOTING IN the community
 24 college district shall approve ~~the establishment~~ of THE PROPO-
 25 SITION ESTABLISHING the maximum annual tax rate FOR THE COMMUNITY
 26 COLLEGE DISTRICT. If the proposition to establish the maximum
 27 annual tax rate ~~fails to~~ DOES NOT receive ~~approval of a proper~~

1 ~~majority of the electors voting in the proposed community college~~
 2 ~~district area and a community college district is established~~
 3 ~~under the provisions of this section~~ THE REQUIRED VOTE OF THE
 4 ELECTORS, the proposition to establish the maximum annual tax
 5 rate may be resubmitted at a regular election or at a special
 6 election called by THE APPROPRIATE LOCAL CLERK UNDER SECTION 315
 7 OF THE MICHIGAN ELECTION LAW, MCL 168.315, AT THE REQUEST OF the
 8 board of trustees. ~~for that purpose.~~ If the proposition to
 9 establish the maximum annual tax rate fails after being submitted
 10 3 times, the community college district is dissolved.

11 Sec. 56. ~~(1) The provisions of sections 531 to 540 of Act~~
 12 ~~No. 269 of the Public Acts of 1955, as amended, shall govern the~~
 13 ~~conduct and procedures of the community college election con-~~
 14 ~~ducted by local school boards under this chapter.~~ (2) In those
 15 instances where IF part of a local school district is in another
 16 community college district, only those electors residing in ~~the~~
 17 remainder THAT PART of the school district shall be NOT IN THE
 18 OTHER COMMUNITY COLLEGE DISTRICT ARE eligible to vote in the
 19 organizational election and in subsequent elections of the commu-
 20 nity college district.

21 Sec. 57. The ~~boards of canvassers of the school districts~~
 22 ~~whose electors are eligible to vote in an election~~ APPROPRIATE
 23 BOARD OF CANVASSERS PRESCRIBED IN SECTION 24A OR 30A OF THE
 24 MICHIGAN ELECTION LAW, MCL 168.24A AND 168.30A, shall conduct a
 25 canvass of the results of the election within 3 days of ~~the~~ AN
 26 election UNDER THIS CHAPTER. ~~For an organizational election,~~
 27 ~~the board of canvassers of the intermediate school district~~

1 ~~having the highest valuation within the proposed community~~
2 ~~college district shall conduct the final canvass. For a commu-~~
3 ~~nity college district election other than an organizational elec-~~
4 ~~tion, except as otherwise provided in this chapter, the board of~~
5 ~~canvassers appointed by the board of trustees of the community~~
6 ~~college shall conduct the final canvass.~~

7 Sec. 58. (1) ~~The first regular election of a community~~
8 ~~college district shall be held at the time of the annual elec-~~
9 ~~tions of the component school districts held not less than 2~~
10 ~~years nor more than 3 years from the date of the organizational~~
11 ~~election. The date of the annual school elections referred to in~~
12 ~~this chapter is the date prescribed for annual school elections~~
13 ~~in sections 34, 72 and 108 of Act No. 269 of the Public Acts of~~
14 ~~1955, as amended. If any school district holds its annual elec-~~
15 ~~tion on a different date, the board of this district shall call a~~
16 ~~special election for the community college district to be held on~~
17 ~~the same day as prescribed in this chapter. The period of time~~
18 ~~between the annual election dates shall be construed as being 1~~
19 ~~year. EXCEPT AS PROVIDED IN SUBSECTION (2), A REGULAR COMMUNITY~~
20 ~~COLLEGE ELECTION IS HELD AT THE SAME TIME AS THE NOVEMBER SCHOOL~~
21 ~~ELECTION. A CONSTITUENT COUNTY SHALL CALL A SPECIAL ELECTION TO~~
22 ~~BE HELD ON THE DATE OF THE NOVEMBER SCHOOL ELECTION.~~

23 (2) ~~Subsequent regular elections of the community college~~
24 ~~district shall be held biennially thereafter on the annual school~~
25 ~~election dates, unless the THE board of trustees determines to~~
26 ~~OF A COMMUNITY COLLEGE DISTRICT MAY hold its election at the same~~
27 ~~time and in conjunction with a city election as provided in~~

1 section 644k of ~~Act No. 116 of the Public Acts of 1954, as~~
2 ~~added, being section 168.644k of the Compiled Laws of 1948~~ THE
3 MICHIGAN ELECTION LAW, MCL 168.644K.

4 (3) At ~~the regular elections~~ A REGULAR ELECTION, IN ADDI-
5 TION TO THE ELECTION OF TRUSTEES, special propositions may be
6 submitted to the electors ~~in addition to the election of~~
7 ~~trustees~~ when authorized by the board of trustees.

8 Sec. 59. ~~(1) Special elections of the community college~~
9 ~~district may be called by the~~ THE board of trustees OF A COMMU-
10 NITY COLLEGE DISTRICT ORGANIZED UNDER THIS CHAPTER MAY REQUEST
11 THAT THE APPROPRIATE LOCAL CLERK UNDER SECTION 315 OF THE
12 MICHIGAN ELECTION LAW, MCL 168.315, CALL A SPECIAL ELECTION. The
13 secretary of the board shall file a copy of the resolution of the
14 board calling ~~the~~ A SPECIAL election with the secretary of each
15 ~~of the~~ component LOCAL AND INTERMEDIATE school ~~districts~~
16 DISTRICT AND THE CLERK OF EACH COMPONENT COUNTY, AS APPLICABLE,
17 at least 60 days prior to the date of the election. The resolu-
18 tion shall contain a statement of the proposition to be submitted
19 to the electors. ~~(2)~~ The board of education of each component
20 LOCAL AND INTERMEDIATE school district AND THE CLERK OF EACH COM-
21 PONENT COUNTY, AS APPLICABLE, shall REQUEST THAT THE APPROPRIATE
22 LOCAL CLERK UNDER SECTION 315 OF THE MICHIGAN ELECTION LAW,
23 MCL 168.315, call the special election. ~~on the date specified in~~
24 ~~the resolution.~~

25 Sec. 62. (1) In an annexation of 1 or more local school
26 districts, if the resolution and approval are filed with each
27 secretary more than 90 OR 20 OR FEWER days before the date of the

1 ~~annual~~ NOVEMBER SCHOOL election, ~~of the districts to be~~
2 ~~annexed,~~ the board of education of each district shall REQUEST
3 THAT THE APPROPRIATE LOCAL CLERK UNDER SECTION 315 OF THE
4 MICHIGAN ELECTION LAW, MCL 168.315, call a special election for
5 voting on the propositions of annexation. If the resolution and
6 approval are filed more than 20 days but less than 90 days prior
7 to the date of the ~~annual~~ NOVEMBER SCHOOL election, ~~of each~~
8 ~~district to be annexed,~~ the board of education of each district
9 shall REQUEST THAT THE APPROPRIATE LOCAL CLERK UNDER SECTION 315
10 OF THE MICHIGAN ELECTION LAW, MCL 168.315, submit annexation
11 propositions to ~~its~~ THE electors at the ~~annual~~ NOVEMBER
12 SCHOOL election.

13 (2) In an annexation of an intermediate school district, the
14 secretary of the intermediate school board of the intermediate
15 school district in writing shall direct the board of education of
16 each component LOCAL school district to submit the annexation
17 propositions to the electors of that component school district.
18 Each school district shall REQUEST THAT THE APPROPRIATE LOCAL
19 CLERK UNDER SECTION 315 OF THE MICHIGAN ELECTION LAW,
20 MCL 168.315, CALL AND hold the election at the time of ~~its~~
21 ~~annual school elections~~ THE NOVEMBER SCHOOL ELECTION if notifi-
22 cation is given to each school district more than 20 but ~~less~~
23 FEWER than 90 days before the ~~annual election~~ date OF THE
24 NOVEMBER SCHOOL ELECTION. Otherwise, each board of education
25 shall REQUEST THAT THE APPROPRIATE LOCAL CLERK UNDER SECTION 315
26 OF THE MICHIGAN ELECTION LAW, MCL 168.315, call a special
27 election ~~,~~ to consider the annexation propositions. ~~, on a~~

1 ~~date specified by the secretary of the intermediate school~~
2 ~~board.~~

3 (3) In an annexation of a county, if the resolution and
4 approval are filed 90 days or more, or 20 days or ~~less~~ FEWER,
5 before the date of the next general election, ~~then~~ the county
6 ~~board of commissioners~~ CLERK shall call a special election
7 within the county to consider the annexation propositions. If
8 the resolution and approval are filed ~~less~~ FEWER than 90 days
9 but more than 20 days before the next general election, then the
10 annexation propositions shall be submitted to the electors of the
11 county at that election.

12 Sec. 83. (1) ~~In the November, 1984 general election and~~
13 ~~every 4 years after that election until the November, 1992 gen-~~
14 ~~eral election, 9 members of the board of trustees of a community~~
15 ~~college district established under this chapter shall be elected~~
16 ~~for a term of 4 years. Each member shall represent a trustee~~
17 ~~district described in section 82. (2) For the members~~ A MEMBER
18 of the board of trustees of a community college established under
19 this chapter ~~elected in the November, 1992 general election, the~~
20 ~~members receiving the 3 highest number of votes in the election~~
21 ~~each shall be elected for a term of 6 years, the members receiv-~~
22 ~~ing the 3 next highest number of votes in the election each shall~~
23 ~~be elected for a term of 4 years, and the members receiving the 3~~
24 ~~lowest number of votes each shall be elected for a 2-year term.~~
25 A member elected after the November, 1992 term shall be elected
26 for a term of 6 years unless he or she is elected to fill a
27 vacancy for the unexpired term under subsection ~~(6)~~ (5).

1 (2) ~~(3) Each~~ A candidate for trustee shall be nominated at
2 a nonpartisan primary election conducted pursuant to the Michigan
3 election law. ~~, Act No. 116 of the Public Acts of 1954, being~~
4 ~~sections 168.1 to 168.992 of the Michigan Compiled Laws.~~ The
5 nominating petitions shall contain not less than 250, or more
6 than 500 signatures of registered school electors of the appro-
7 priate trustee district ~~; shall meet the requirements of section~~
8 ~~544c of Act No. 116 of the Public Acts of 1954, being section~~
9 ~~168.544c of the Michigan Compiled Laws;~~ and shall be filed with
10 the clerk of the county in which the community college district
11 is located on or before 4 p.m. of the twelfth Tuesday before the
12 primary election. A signature on a nominating petition shall not
13 be valid unless the petitioner is a registered school elector of
14 the trustee district in which the candidate is running for
15 election. The county clerk may compare the signatures on the
16 petitions with the signatures appearing on the registration
17 records or in some other proper manner determine whether the sig-
18 natures appearing on the petition are genuine and comply with the
19 requirements of this section. Not more than 2 candidates shall
20 be nominated at the primary election for each trustee district.

21 (3) ~~(4)~~ Each of the 9 trustees shall commence his or her
22 term of office on January 1 following his or her election.

23 (4) ~~(5)~~ A candidate for the office of board member repre-
24 senting a trustee district or a person appointed to fill a
25 vacancy pursuant to subsection ~~(6)~~ (5) shall be 18 years of age
26 or older at the time of his or her election or appointment and
27 shall be ~~a registered school~~ AN elector residing in the trustee

1 district in which the person becomes a candidate or which the
 2 person is appointed to represent. If a member representing a
 3 trustee district ceases to reside in the trustee district during
 4 the trustee's term of office, it ~~shall constitute~~ IS a vacating
 5 of office.

6 (5) ~~(6)~~ If a vacancy occurs on the board of trustees, the
 7 vacancy shall be filled from among ~~registered school~~ electors
 8 of the trustee district by majority vote of the remaining board
 9 members. If a person is appointed to fill a vacancy in a trustee
 10 district for which the unexpired term is more than 1 year and 8
 11 months, that person shall serve until January 1 following the
 12 next general election. At that next general election the vacancy
 13 shall be filled for the unexpired term. A vacancy shall not be
 14 filled later than 60 days before a primary election at which
 15 voting district board members are to be nominated.

16 (6) ~~(7)~~ Special elections may be called ~~by the board of~~
 17 ~~trustees pursuant to~~ IN THE SAME MANNER AS IN chapters 1 and 2.
 18 ~~, except that the county or the constituent school districts~~
 19 ~~shall pay for the cost of those elections until such time as the~~
 20 ~~authorization to levy a tax is established.~~

21 Sec. 84. The board of trustees OF A COMMUNITY COLLEGE DIS-
 22 TRICT FORMED UNDER THIS CHAPTER shall submit to the electors of
 23 the COMMUNITY COLLEGE district the proposition to establish the
 24 maximum annual tax rate. If the proposition to establish the
 25 maximum annual tax rate fails to receive a proper majority of the
 26 electors voting in the community college district at the first
 27 election held for that purpose, the proposition to establish the

1 maximum annual tax rate may be resubmitted at a regular election
2 or at a special election called by AN APPROPRIATE LOCAL CLERK
3 UNDER SECTION 315 OF THE MICHIGAN ELECTION LAW, MCL 168.315, AT
4 THE REQUEST OF the board of trustees for that purpose. ~~In no~~
5 ~~event shall such an election be called by the~~ THE board of
6 trustees SHALL NOT REQUEST THAT THE APPROPRIATE LOCAL CLERK UNDER
7 SECTION 315 OF THE MICHIGAN ELECTION LAW, MCL 168.315, CALL AN
8 ELECTION FOR THAT PURPOSE more often than once in any 9-month
9 period.

10 Sec. 86. (1) In the annexation of a local school district,
11 if the resolution and approval are filed with the secretary more
12 than 90 OR 20 OR FEWER days before the date of the ~~annual~~
13 NOVEMBER SCHOOL election, ~~of the district to be annexed,~~ the
14 board of education of the district shall REQUEST THAT THE APPRO-
15 PRIATE LOCAL CLERK UNDER SECTION 315 OF THE MICHIGAN ELECTION
16 LAW, MCL 168.315, call a special election for voting on the prop-
17 ositions of annexation. If the resolution and approval are filed
18 more than 20 days but less than 90 days prior to the date of the
19 ~~annual~~ NOVEMBER SCHOOL election, ~~of the district to be~~
20 ~~annexed,~~ the board of education of the district shall REQUEST
21 THAT THE APPROPRIATE LOCAL CLERK UNDER SECTION 315 OF THE
22 MICHIGAN ELECTION LAW, MCL 168.315, submit the annexation propo-
23 sitions to the electors at the ~~annual~~ NOVEMBER SCHOOL
24 election.

25 (2) In the annexation of an intermediate school district,
26 the secretary of the intermediate school board of the
27 intermediate school district in writing shall direct the board of

1 education of each component LOCAL school district to submit the
2 annexation propositions to the electors of ~~the~~ THAT COMPONENT
3 school district. Each school district shall REQUEST THAT THE
4 APPROPRIATE LOCAL CLERK UNDER SECTION 315 OF THE MICHIGAN ELEC-
5 TION LAW, MCL 168.315, CALL AND hold the election at the time of
6 the ~~annual school elections~~ NOVEMBER SCHOOL ELECTION if notifi-
7 cation is given more than 20 but ~~less~~ FEWER than 90 days before
8 the ~~annual election~~ date OF THE NOVEMBER SCHOOL ELECTION.

9 Otherwise, each board of education shall REQUEST THAT THE APPRO-
10 PRIATE LOCAL CLERK UNDER SECTION 315 OF THE MICHIGAN ELECTION
11 LAW, MCL 168.315, call a special election ~~,~~ to consider the
12 annexation propositions. ~~,~~ on a date specified by the secretary
13 of the intermediate school board.

14 Sec. 105. ~~(1) A community college means an educational~~
15 ~~institution providing, primarily for all persons above the~~
16 ~~twelfth grade age level and primarily for those within commuting~~
17 ~~distance, collegiate and noncollegiate level education including~~
18 ~~area vocational-technical education programs which may result in~~
19 ~~the granting of diplomas and certificates including those known~~
20 ~~as associate degrees but not including baccalaureate or higher~~
21 ~~degrees.~~

22 ~~(2) An area vocational-education program means a program of~~
23 ~~organized systematic instruction designed to prepare the follow-~~
24 ~~ing individuals for useful employment in recognized occupations:~~

25 ~~(a) Persons who have completed or left high school and who~~
26 ~~are available for full-time study in preparation for entering the~~
27 ~~labor market.~~

1 ~~(b) Persons who have already entered the labor market and~~
2 ~~who need training to achieve stability or advancement in~~
3 ~~employment.~~

4 ~~(c) Persons enrolled in high school.~~

5 ~~(3) When programs or courses are provided for persons~~
6 ~~enrolled in high school, the provision of the programs or courses~~
7 ~~shall be requested for each of the individuals by the superinten=~~
8 ~~dent or his designated representative of the school district in~~
9 ~~which the person is enrolled.~~

10 ~~(4) The word "area" AS USED IN THIS ACT:~~

11 (A) "AREA", in the ~~phrase~~ TERM "area vocational-technical
12 education program", ~~refers to~~ MEANS the geographical territory
13 of the district, and ~~whatever~~ ANY territory ~~without~~ OUTSIDE
14 OF the district ~~as~~ THAT is designated as the service area of
15 the district by the ~~state board of education~~ SUPERINTENDENT OF
16 PUBLIC INSTRUCTION. A community college is eligible to receive
17 ~~such~~ ANY state aid and assistance ~~as may be~~ appropriated by
18 the legislature for the aid and support of junior colleges or
19 community colleges.

20 (B) "AREA VOCATIONAL-EDUCATION PROGRAM" MEANS A PROGRAM OF
21 ORGANIZED SYSTEMATIC INSTRUCTION DESIGNED TO PREPARE THE FOLLOW-
22 ING INDIVIDUALS FOR USEFUL EMPLOYMENT IN RECOGNIZED OCCUPATIONS:

23 (i) A PERSON WHO HAS COMPLETED OR LEFT HIGH SCHOOL AND WHO
24 IS AVAILABLE FOR FULL-TIME STUDY IN PREPARATION FOR ENTERING THE
25 LABOR MARKET.

1 (ii) A PERSON WHO HAS ALREADY ENTERED THE LABOR MARKET AND
2 WHO NEEDS TRAINING TO ACHIEVE STABILITY OR ADVANCEMENT IN
3 EMPLOYMENT.

4 (iii) A PERSON ENROLLED IN HIGH SCHOOL. WHEN A PROGRAM OR
5 COURSE IS PROVIDED FOR A PERSON ENROLLED IN HIGH SCHOOL, THE
6 SUPERINTENDENT OF THE SCHOOL DISTRICT IN WHICH THE PERSON IS
7 ENROLLED OR HIS OR HER DESIGNATED REPRESENTATIVE SHALL REQUEST
8 THAT THE PROGRAM OR COURSE BE PROVIDED TO THE PERSON.

9 (C) "COMMUNITY COLLEGE" MEANS AN EDUCATIONAL INSTITUTION
10 PROVIDING COLLEGIATE AND NONCOLLEGIATE LEVEL EDUCATION PRIMARILY
11 TO INDIVIDUALS ABOVE THE TWELFTH GRADE AGE LEVEL WITHIN COMMUTING
12 DISTANCE. THE TERM INCLUDES AN AREA VOCATIONAL-TECHNICAL EDUCA-
13 TION PROGRAM THAT MAY RESULT IN THE GRANTING OF AN ASSOCIATE
14 DEGREE OR OTHER DIPLOMA OR CERTIFICATE, BUT NOT AN EDUCATIONAL
15 INSTITUTION OR PROGRAM GRANTING BACCALAUREATE OR HIGHER DEGREES.

16 (D) "GENERAL ELECTION" OR "GENERAL STATE ELECTION" MEANS THE
17 TERM GENERAL NOVEMBER ELECTION AS DEFINED IN SECTION 3 OF THE
18 MICHIGAN ELECTION LAW, MCL 168.3.

19 (E) "MICHIGAN ELECTION LAW" MEANS THE MICHIGAN ELECTION LAW,
20 1954 PA 116, MCL 168.1 TO 168.992.

21 (F) "NOVEMBER SCHOOL ELECTION" MEANS THAT TERM AS DEFINED IN
22 SECTION 17 OF THE MICHIGAN ELECTION LAW, MCL 168.17.

23 (G) "SPECIAL ELECTION" MEANS THAT TERM AS DEFINED IN
24 SECTION 6 OF THE MICHIGAN ELECTION LAW, MCL 168.6.

25 Sec. 107. (1) An ~~elector of a community college district~~
26 ~~shall possess the qualifications provided for in article 2 of the~~
27 ~~state constitution~~ ELECTION UNDER THIS ACT SHALL BE CALLED,

1 ADMINISTERED, CONDUCTED, AND CANVASSED AS PROVIDED IN THIS ACT
2 AND THE MICHIGAN ELECTION LAW.

3 (2) A SPECIAL ELECTION UNDER THIS ACT SHALL BE HELD ON AN
4 ELECTION DATE ESTABLISHED UNDER SECTION 644 OF THE MICHIGAN ELEC-
5 TION LAW, MCL 168.644.

6 Sec. 122. The board of trustees OF A COMMUNITY COLLEGE
7 DISTRICT may DO 1 OR MORE OF THE FOLLOWING:

8 (a) Borrow, subject to the provisions of the municipal
9 finance act, ~~Act No. 202 of the Public Acts of 1943, as amended,~~
10 ~~being sections 131.1 to 139.3 of the Michigan Compiled Laws 1943~~
11 PA 202, MCL 131.1 TO 139.3, for community college purposes
12 including capital expenditures, ~~such sums~~ ANY SUM of money
13 ~~and~~ on ~~such~~ ANY terms ~~as~~ it deems desirable, and give notes
14 of the district ~~therefor~~ IN CONNECTION WITH THE BORROWING.
15 ~~When the~~ IF A borrowing by a newly organized community college
16 district is in anticipation of the collection of the first tax
17 levy of ~~such~~ THAT district, the loan shall not exceed 50% of
18 the estimated amount of the first tax levy.

19 (b) Borrow, subject to the provisions of the municipal
20 finance act, ~~Act No. 202 of the Public Acts of 1943, as amended,~~
21 ~~such sums~~ 1943 PA 202, MCL 131.1 TO 139.3, ANY SUM of money as
22 it deems necessary and issue bonds of the community college dis-
23 trict ~~therefor~~ IN CONNECTION WITH THE BORROWING, to purchase
24 sites for buildings, playgrounds, athletic fields, or agricul-
25 tural farms; to purchase or erect and equip any building or
26 buildings ~~which~~ THAT it is authorized to purchase and erect;
27 to make any permanent improvement ~~which~~ THAT it is authorized

1 to make; or in part FOR ANY OF THESE PURCHASES OR IMPROVEMENTS
2 AND IN PART to refund existing bonded indebtedness. ~~and in~~
3 ~~part for any of the aforesaid purposes.~~ A loan shall not be made
4 and bonds shall not be issued for any sum ~~which~~ THAT, together
5 with the total outstanding bonded indebtedness of the district,
6 including bonds voted but not issued, exceeds the total of 1- $\frac{1}{2}$ %
7 of the first \$250,000,000.00 plus 1% of the excess over
8 \$250,000,000.00 of the last confirmed state equalized valuation
9 of all taxable property in the district unless the proposition of
10 making the loan or of issuing bonds has been ~~submitted first to~~
11 ~~a vote~~ APPROVED BY A MAJORITY of the qualified electors of the
12 district ~~,~~ at a ~~general~~ REGULAR or special election ~~,~~ and
13 ~~approved by the majority of the electors voting thereon~~ OF THE
14 DISTRICT, in which event loans may be made or bonds may be issued
15 in an amount not to exceed 15% of the total state equalized valu-
16 ation of the district. The refunding part of any bond issue
17 ~~shall not be~~ IS NOT included within ~~the~~ THESE limitations
18 ~~but shall be deemed to be~~ AND IS authorized in addition
19 ~~thereto~~ TO THESE LIMITATIONS. The bonded indebtedness of the
20 district shall not extend beyond a period of 30 years for money
21 borrowed. Bonds or obligations issued under this act shall not
22 be purchased by ~~the~~ THIS state.

23 (c) Provide for energy conservation improvements to be made
24 to community college facilities. ~~and~~ THE DISTRICT may pay for
25 the improvements from operating funds of the district or from the
26 savings which result from the energy conservation improvements.
27 Energy conservation improvements may include, but are not limited

1 to, heating system improvements, fenestration improvements, roof
2 improvements, the installation of any insulation, the installa-
3 tion or repair of heating or air conditioning controls, and
4 entrance or exit way closures. The board of trustees may acquire
5 1 or more energy conservation improvements by installment con-
6 tract or may borrow money and issue notes for the purpose of
7 securing funds for the improvements or may enter into contracts
8 in which the cost of the energy conservation improvements is paid
9 from a portion of the savings which result from the energy con-
10 servation improvements. These contractual agreements may provide
11 that the cost of the energy conservation improvements are paid
12 only if the energy savings are sufficient to cover their cost.
13 An installment contract or notes issued pursuant to this subdivi-
14 sion shall extend for a period of time not to exceed 10 years.
15 Notes issued pursuant to this subdivision shall be full faith and
16 credit, tax limited obligations of the community college dis-
17 trict, payable from tax levies and the general fund as pledged by
18 the board of trustees. The notes shall be subject to the municipi-
19 pal finance act, ~~Act No. 202 of the Public Acts of 1943~~ 1943
20 PA 202, MCL 131.1 TO 139.3. The notes shall bear interest at a
21 rate determined by the board of trustees, not to exceed the rate
22 provided in section 1a of chapter III of the municipal finance
23 act, ~~Act No. 202 of the Public Acts of 1943, being section~~
24 ~~133.1a of the Michigan Compiled Laws~~ 1943 PA 202, MCL 133.1A.
25 This subdivision does not limit in any manner the borrowing or
26 bonding authority of a community college as provided by law.

1 Sec. 144. (1) The board of trustees of ~~each~~ A community
2 college district may levy for the purposes specified as within
3 the power of the board a tax that does not exceed the rate previ-
4 ously or subsequently authorized by the qualified electors of the
5 district or the rate derived through the previous adoption by the
6 electors of the district of former ~~Act No. 188 of the Public~~
7 ~~Acts of 1955, as amended~~ 1955 PA 188, or the rate that is allo-
8 cated to the community college district in accordance with the
9 property tax limitation act, ~~Act No. 62 of the Public Acts of~~
10 ~~1933, as amended, being sections 211.201 to 211.217a of the~~
11 ~~Michigan Compiled Laws~~ 1933 PA 62, MCL 211.201 TO 211.217A. The
12 funds may be used for all purposes authorized, except that to the
13 extent permitted under the municipal finance act, ~~Act No. 202 of~~
14 ~~the Public Acts of 1943, as amended, being sections 131.1 to~~
15 ~~139.3 of the Michigan Compiled Laws~~ 1943 PA 202, MCL 131.1 TO
16 139.3, taxes imposed for the payment of principal and interest on
17 bonds or other evidences of indebtedness or for the payment of
18 assessments or contract obligations in anticipation of ~~which~~
19 THOSE bonds are issued may be imposed without limitation as to
20 rate or amount. This limitation may be increased to not more
21 than 5 mills if approved by a majority of the qualified electors
22 voting on the question at any ~~general~~ REGULAR or special elec-
23 tion of the community college district.

24 (2) Except as provided in subsection (3), the board of
25 trustees shall determine the total taxes required for any year
26 and shall certify the approved tax rate to be levied and the
27 amount of taxes to be raised to the proper assessing officer of

1 each city and township in which the territory of the community
2 college district is situated on or before September 1 of each
3 year, except that the board of trustees may provide by resolution
4 that taxes to be raised against property within any city or town-
5 ship, any portion of which lies within the community college dis-
6 trict boundaries, may be levied and collected in the same manner
7 and at the same time as the city or township taxes or in the same
8 manner and at the same time as school district or intermediate
9 school district taxes are being collected by the city or township
10 pursuant to part 26 of the REVISED school code, ~~of 1976, Act~~
11 ~~No. 451 of the Public Acts of 1976, as amended, being sections~~
12 ~~380.1611 to 380.1615 of the Michigan Compiled Laws 1976 PA 451,~~
13 ~~MCL 380.1611 TO 380.1615.~~

14 ~~(3) By resolution of its board on or before May 15 of the~~
15 ~~year in which it is established, a community college district~~
16 ~~established under this act between January 1 and May 1 of any~~
17 ~~calendar year may impose a summer property tax levy of either the~~
18 ~~total or 1/2 of the community college district property taxes for~~
19 ~~that tax year. The board resolution shall also determine the~~
20 ~~total taxes required for that tax year and certify the approved~~
21 ~~tax rate to be levied and the amount of taxes to be raised to the~~
22 ~~proper assessing officer of each city or township in which the~~
23 ~~territory of the community college district is situated. Upon~~
24 ~~receipt of that board resolution, each city and township in which~~
25 ~~the community college district is situated that collects a summer~~
26 ~~property tax levy pursuant to section 1613 of Act No. 451 of the~~
27 ~~Public Acts of 1976, being section 380.1613 of the Michigan~~

1 ~~Compiled Laws, shall collect the summer levy for that year. The~~
2 ~~reasonable and actual expenses incurred by a city or township in~~
3 ~~collecting the community college district property taxes under~~
4 ~~this subsection, to the extent these expenses are in addition to~~
5 ~~the expense of collecting and assessing any other taxes at the~~
6 ~~same time and exceed the amount of any fees imposed for the col-~~
7 ~~lection of the community college property taxes, shall be billed~~
8 ~~to and paid by the community college district. For the purposes~~
9 ~~of this subsection, reasonable and actual expenses shall not~~
10 ~~exceed the current collection agreements negotiated with the~~
11 ~~largest intermediate school district within the community college~~
12 ~~district. This subsection applies until December 31, 1992.~~

13 (3) ~~(4)~~ All money collected by any tax collecting officer
14 from the tax levied pursuant to this section shall be returned to
15 the community college district pursuant to section 43 of the gen-
16 eral property tax act, ~~Act No. 206 of the Public Acts of 1893,~~
17 ~~being section 211.43 of the Michigan Compiled Laws 1893 PA 206,~~
18 ~~MCL 211.43, or to the county treasurer who shall pay the taxes so~~
19 ~~returned immediately to the community college district.~~

20 (4) ~~(5)~~ The subjects of taxation for the community college
21 district purposes shall be the same as for state, county, and
22 other school purposes as provided under the general property tax
23 act, ~~Act No. 206 of the Public Acts of 1893, being sections~~
24 ~~211.1 to 211.157 of the Michigan Compiled Laws 1893 PA 206,~~
25 ~~MCL 211.1 TO 211.157.~~

26 Sec. 152. (1) Candidates for members of the first and
27 succeeding boards shall be nominated by petition signed by not

1 less than 50 or more than 200 qualified and registered electors
2 residing within the geographic area of the community college
3 district. All nominating petitions in community college dis-
4 tricts organized under chapter 1 shall be filed not later than 4
5 p.m. on the one hundred-tenth day ~~prior to~~ BEFORE the date of
6 any election. All nominating petitions in community college dis-
7 tricts organized under chapters 2 and 3 shall be filed not later
8 than 4 p.m. on the ninth Monday ~~prior to~~ BEFORE the date of any
9 election. If the last day for filing nominating petitions falls
10 on a Saturday, Sunday, or legal holiday, the nominating petitions
11 shall be filed not later than 4 p.m. on the next day that is not
12 a Saturday, Sunday, or legal holiday.

13 (2) Nominating petitions for the first ~~board~~ AND SUCCEED-
14 ING BOARDS of trustees of a community college district organized
15 under chapter 1 shall be filed with the county clerk or clerks.
16 Nominating petitions for the first ~~board~~ AND SUCCEEDING BOARDS
17 of trustees organized under chapters 2 and 3 shall be filed with
18 the ~~secretary of the board of education of the intermediate~~
19 ~~school district of the county having the highest valuation within~~
20 ~~the community college district~~ APPROPRIATE LOCAL CLERK UNDER
21 SECTION 315 OF THE MICHIGAN ELECTION LAW, MCL 168.152.
22 ~~Nominating petitions for succeeding boards of trustees shall be~~
23 ~~filed with the secretary of the board of trustees of the commu-~~
24 ~~nity college district, except that when candidates are elected~~
25 ~~from separate school districts within the college district as~~
26 ~~provided in chapter 2, nominees from school district areas shall~~
27 ~~file nominating petitions with the secretaries of school~~

~~1 districts for the first and succeeding boards of trustees. In a
2 community college district organized under chapter 1, the names
3 of all candidates and the terms of office shall be certified to
4 the county clerk or clerks by the secretary of the board of
5 trustees of the community college district within 5 days after
6 the last day for filing petitions.~~

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

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

23 Enacting section 1. Sections 20, 40, and 60 of the commu-
24 nity college act of 1966, 1966 PA 331, MCL 389.20, 389.40, and
25 389.60, are repealed effective January 1, 2002.

26 Enacting section 2. This amendatory act takes effect
27 January 1, 2003.

1 Enacting section 3. This amendatory act does not take
2 effect unless all of the following bills of the 91st Legislature
3 are enacted into law:

4 (a) Senate Bill No. 438

5

6 (b) Senate Bill No. 439

7

8 (c) Senate Bill No. 440

9

10 (d) Senate Bill No. _____ or House Bill No. _____ (request
11 no. 00635'01 a *).