

HOUSE BILL No. 4828

June 10, 2003, Introduced by Reps. Drolet, Hummel, Farhat, Brandenburg, Garfield, Hoogendyk, Amos, Casperson, Emmons, Wenke, Tabor, Palsrok, Sheen, Stahl, Vander Veen, Acciavatti, LaJoy, Steil, Walker, Pastor, Stakoe, Meyer, Voorhees, Taub, Ward, Ruth Johnson, Rocca, Kooiman, Robertson, Moolenaar and Richardville and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 2, 12, 16, 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, 389.12, 389.16, 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 2002 PA 72, section 144 as amended by 2002 PA 73, 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. 12. (1) ~~When~~ **If** approval of a proposed community
 10 college district is filed with the appropriate county clerks at
 11 least ~~75~~ **77** days but not more than 6 months ~~prior to~~ **before**
 12 the next general state election, the clerks shall include the
 13 necessary community college propositions with the proceedings for
 14 the general election.

15 (2) ~~When~~ **If** approval of a proposed community college
 16 district is filed with the appropriate county clerks more than 6
 17 months ~~prior to the holding of~~ **before** the next general state
 18 election, each county clerk shall call a special election for the
 19 purpose of submitting to the electors the propositions relating
 20 to the establishment of the community college district **to be held**
 21 **on the next regular election day that is not less than 77 days**
 22 **after the approval is filed.**

23 Sec. 16. The general election laws, including the voting of
 24 absent voters, ~~and all laws of the state relating to~~ **the days**
 25 **on which elections are held,** the hours for the opening and
 26 closing of the polls at elections, and provisions for preserving

1 the purity of elections and for preventing fraud and corruption,
 2 ~~shall~~ govern all elections under this act so far as the same
 3 are applicable and not inconsistent with ~~the provisions of~~ this
 4 act. ~~All county~~ **County** and local election officials shall
 5 perform their election duties for ~~all~~ regular and special
 6 elections held in accordance with ~~the provisions of~~ this
 7 chapter, including the proper giving of notices of registration
 8 and election.

9 Sec. 17. ~~Except as otherwise provided in this chapter~~
 10 **Subject to section 24a of the Michigan election law, MCL 168.24a,**
 11 the county board of canvassers shall conduct ~~a~~ **the** canvass of
 12 the results of ~~any~~ **an** organizational election or other election
 13 of ~~the~~ **a** community college district **organized under this**
 14 **chapter.** ~~If the election area involves more than 1 county, the~~
 15 ~~county board of canvassers of the county containing the highest~~
 16 ~~valuation of the community college district or proposed community~~
 17 ~~college district shall conduct the canvass.~~

18 Sec. 21. (1) ~~The~~ **By adoption of a resolution, the** board
 19 of trustees of a community college district ~~comprised of a~~
 20 ~~county or counties by resolution may annex~~ **organized under this**
 21 **chapter may initiate annexation** to the community college
 22 district, in the manner provided in this act, ~~any~~ **of a**
 23 contiguous county, contiguous township, contiguous intermediate
 24 school district, or contiguous local school district not already
 25 included within the area of a community college district, subject
 26 to the following:

27 (a) A community college district located in the Upper

1 Peninsula may annex a county, township, intermediate school
2 district, or local school district that is not contiguous.

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

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

16 (3) ~~If~~ **After** the resolution and approval are filed ~~more~~
17 ~~than 90 days before the date of the next general state election,~~
18 ~~then~~ **under subsection (2)**, the county board of commissioners,
19 the township board, or the board of the intermediate or local
20 school district, as applicable, shall call a special election for
21 the purpose of voting on the question of annexation to the
22 community college district and of approving the maximum tax rate
23 existing in the community college district. ~~If the resolution~~
24 ~~and approval are filed less than 90 days but more than 20 days~~
25 ~~prior to the next general state election, then the propositions~~
26 ~~shall be presented at that election.~~ **A special election called**
27 **under this subsection shall be held on a regular election day**

1 that is not less than 49 days after the special election is
2 requested.

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:~~ **by the appropriate board of canvassers as provided in**
8 **section 24a or 30a of the Michigan election law, MCL 168.24a and**
9 **168.30a.**

10 ~~(a) If a county is the subject of annexation, the county~~
11 ~~board of canvassers shall conduct the canvass as provided in~~
12 ~~section 17.~~

13 ~~—— (b) If a township is the subject of annexation, the township~~
14 ~~board of canvassers shall conduct the canvass.~~

15 ~~—— (c) If a local or intermediate school district is the subject~~
16 ~~of annexation, the board of canvassers of the local or~~
17 ~~intermediate school district shall conduct the canvass.~~

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

23 (6) If ~~any~~ a portion of a county, township, or intermediate
24 or local school district to be annexed lies within a community
25 college district at the time of the annexation election, then the
26 electors residing in that territory are not eligible to vote on
27 the propositions and that territory does not become a part of the

1 community college district.

2 Sec. 32. (1) ~~In the case of~~ **If** 2 or more school districts
 3 **file resolutions to organize a community college district,** the
 4 secretary of the board of education of the intermediate school
 5 district shall file a copy of the approval specified in section
 6 31 with the secretary of the board of education of each component
 7 school district. ~~When~~ **If** the filing **with each component school**
 8 **district,** or receipt of approval from the state board of
 9 education by the secretary of the board of education of a single
 10 school district, occurs at least 60 days but not more than 6
 11 months ~~prior to~~ **before** the next annual school election, the
 12 secretaries shall include the necessary community college
 13 propositions in the proceedings for the annual election.

14 (2) ~~When~~ **If** the approval is filed with the secretaries of
 15 the component school districts or approval is received by the
 16 secretary of the board of education of a single school district
 17 more than 6 months ~~prior to~~ **before** the date of the annual
 18 school election, each board of education shall call a special
 19 election to be held ~~on a date~~ **in not less than 60 days on a**
 20 **regular election day as** designated by the secretary of the
 21 intermediate board of education of the school district having the
 22 highest valuation within the proposed community college district,
 23 for the purpose of submitting the propositions relating to the
 24 establishment of a community college district, or ~~in the case~~
 25 ~~of~~ **for** a single school district, the board of education shall
 26 call a special election **to be held in not less than 60 days** on a
 27 ~~date it determines~~ **regular election day.** A majority of the

1 electors of the school district voting ~~thereon~~ **on the**
2 **propositions** shall approve the organization of the community
3 college district.

4 Sec. 34. (1) If the community college district consists of
5 a single school district, the community college district is
6 directed and governed by a board of trustees consisting of 7
7 members, elected at large in the territory of the district or
8 proposed district on a nonpartisan basis. At the organizational
9 election, the electors shall elect 3 members for 6-year terms, 2
10 for 4-year terms, and 2 for 2-year terms. After the initial
11 terms, at the next regular community college election immediately
12 preceding the expiration of a member's term of office, the
13 electors shall elect the member's successor for a term of 6
14 years.

15 (2) If an organizational election is held at the same time as
16 ~~an annual~~ **a regular** school election **in May**, the term of office
17 of each member elected shall commence on July 1 following the
18 organizational election. ~~However, if~~ **If** the ~~annual~~ **regular**
19 school election is held in November, the term of each member
20 elected shall commence on the January 1 following the
21 organizational election.

22 (3) ~~When~~ **If** an organizational election is held on a date
23 other than the date of ~~an annual~~ **a regular** school election,
24 each board member shall take office on the fifteenth day
25 following the date of the organizational election. Regular terms
26 of office shall commence on July 1 following the next ~~annual~~
27 **regular** school election **in May**. ~~However, if~~ **If** the next

1 ~~annual~~ **regular** school election is held in November, the regular
2 terms of office shall commence on the January 1 following the
3 annual school election. If the organizational election is held
4 on a date other than the ~~annual~~ **regular** election date of the
5 component school district, the first year of the term of office
6 of each of the members elected to the first board of trustees
7 shall extend for the period of time remaining until July 1 or
8 January 1, whichever is applicable under this subsection,
9 following the date of the ~~annual~~ **regular** election of the
10 component district held not less than 1 year nor more than 2
11 years after the date of the organizational election.

12 Sec. 34a. (1) If the community college district consists of
13 2 or more school districts, the community college district shall
14 be directed and governed by a board of trustees consisting of 7
15 members, elected at large in the proposed community college
16 district on a nonpartisan basis. At the organizational election,
17 there shall be elected 3 members for 6-year terms, 2 members for
18 4-year terms, and 2 members for 2-year terms. Thereafter, at the
19 next regular community college election immediately preceding the
20 expiration of their terms of office, their successors shall be
21 elected for terms of 6 years.

22 (2) ~~When~~ **If** the organizational election is held at the same
23 time as the ~~annual~~ **regular** school election **in May**, the term of
24 office of each member elected shall commence on July 1 following
25 the organizational election. ~~However, if~~ **If** the ~~annual~~
26 **regular** school election is held in November, the term of each
27 member elected shall commence on the January 1 following the

1 organizational election.

2 (3) ~~When~~ **If** the organizational election is held on a date
 3 other than the date of the ~~annual~~ **regular** school election, each
 4 board member shall take office on the fifteenth day following the
 5 date of the organizational election. Regular terms of office
 6 shall commence on July 1 following the next ~~annual~~ **regular**
 7 school election **in May**. ~~However, if~~ **If** the next ~~annual~~
 8 **regular** school election is held in November, the regular terms of
 9 office shall commence on the January 1 following the ~~annual~~
 10 **regular** school election. ~~When~~ **If** the organizational election
 11 is held on a date other than the ~~annual~~ **regular** school
 12 election, the first year of the term of office of each of the
 13 members elected to the first board of trustees shall extend for
 14 the period of time remaining until July 1 or January 1, whichever
 15 is applicable under this subsection, following the date of the
 16 ~~annual~~ **regular** school election.

17 ~~(4) In the case of an existing community college district~~
 18 ~~consisting of 2 or more school districts, the board of trustees~~
 19 ~~as presently constituted shall continue to serve until the next~~
 20 ~~regular community college election which occurs after April 5,~~
 21 ~~1978. At that time, additional members shall be elected in~~
 22 ~~numbers and for terms so that, together with existing board~~
 23 ~~members whose terms are not expiring, there will be 2 members~~
 24 ~~whose terms expire 2 years after the election, 3 members whose~~
 25 ~~terms expire 4 years after the election, and 2 members whose~~
 26 ~~terms expire 6 years after the election.~~

27 ~~(5) The term of any member serving on the effective date of~~

1 ~~this subsection, in a district which elects members in November,~~
 2 ~~shall terminate on January 1 of the calendar year in which the~~
 3 ~~member's term otherwise would have expired, but for this~~
 4 ~~subsection.~~

5 Sec. 36. ~~(1) The provisions of sections 531 to 540 of Act~~
 6 ~~No. 269 of the Public Acts of 1955, as amended, being sections~~
 7 ~~340.531 to 340.540 of the Compiled Laws of 1948, shall govern the~~
 8 ~~conduct and procedures of the community college election~~
 9 ~~conducted by local school boards under this chapter. (2) Where~~
 10 **If** part of a local school district is in another community
 11 college district, only those electors residing in ~~the remainder~~
 12 **that part** of the school district ~~shall be~~ **not in the other**
 13 **community college district are** eligible to vote in the
 14 organizational election or in subsequent community college
 15 elections.

16 Sec. 37. The **appropriate** board of canvassers ~~of the local~~
 17 ~~or intermediate school districts whose electors are eligible to~~
 18 ~~vote in an election~~ **under section 24a or 30a of the Michigan**
 19 **election law, MCL 168.24a and 168.30a,** shall conduct a canvass of
 20 the results of ~~the~~ **an election under this chapter. The board**
 21 **of canvassers shall conduct the canvass** within 3 days of the
 22 election. ~~For an organizational election, the board of~~
 23 ~~canvassers appointed by the secretaries of the boards of the~~
 24 ~~component school districts meeting jointly shall conduct the~~
 25 ~~final canvass. For a community college district election, other~~
 26 ~~than an organizational election, except as otherwise provided in~~
 27 ~~this chapter, the board of canvassers appointed by the board of~~

1 ~~trustees of the community college district shall conduct the~~
2 ~~final canvass. In the case of a community college district~~
3 ~~consisting entirely of 1 school district, the board of canvassers~~
4 ~~for elections in that school district shall conduct the final~~
5 ~~canvass.~~

6 Sec. 38. (1) The regular community college election shall
7 be held at the same time as the ~~annual~~ **regular** school elections
8 of the constituent school districts held ~~in the odd numbered~~
9 ~~years on the date prescribed for annual school elections in~~
10 ~~sections 34, 72 and 108 of Act No. 269 of the Public Acts of~~
11 ~~1955, as amended~~ **on the day determined under section 642b of the**
12 **Michigan election law, MCL 168.642b.** If any component school
13 district holds its annual school election on a different date,
14 the board of such district shall call a special election to be
15 held on the same day as that ~~above prescribed. The election~~
16 ~~shall be conducted in the same manner provided by sections 531 to~~
17 ~~540 of Act No. 269 of the Public Acts of 1955, as amended.~~
18 **prescribed by this subsection.**

19 (2) At the regular elections separate propositions may be
20 submitted to the electors in addition to the election of trustees
21 of the community college district when authorized by the board of
22 trustees.

23 Sec. 39. (1) ~~Special elections of the community college~~
24 ~~district may be called by the~~ **The board of trustees of a**
25 **community college district organized under this chapter may**
26 **request that the appropriate clerk under the Michigan election**
27 **law call a special election.** The secretary of the board shall

1 file a copy of the resolution of the board ~~calling the~~
 2 **requesting the call of a special** election with the secretaries of
 3 ~~the~~ **each** component **local and intermediate** school ~~districts~~
 4 **district and the clerk of each component county, as applicable,**
 5 at least 60 days ~~prior to~~ **before** the date of the election. The
 6 **request to the appropriate local clerk and the** resolution of the
 7 board shall contain a statement of the propositions to be
 8 submitted to the electors.

9 (2) The board of education of each component **local and**
 10 **intermediate** school district **and the clerk of each component**
 11 **county, as applicable,** shall **request that the appropriate clerk**
 12 **under the Michigan election law** call the special election on the
 13 ~~date~~ **regular election day** specified in the resolution of the
 14 board of trustees.

15 Sec. 42. (1) In the annexation of a local school district,
 16 if the resolution and approval are filed with the secretary more
 17 than 90 **or less than 21** days before the date of ~~the annual~~ **a**
 18 **regular school** election, ~~of the district to be annexed,~~ the
 19 board of education of the district shall **request that the**
 20 **appropriate clerk under the Michigan election law** call a special
 21 **school** election for voting on the annexation on ~~a date~~ **the**
 22 **regular election day** specified by the secretary of the board of
 23 trustees of the community college district. If the resolution
 24 and approval are filed more than 20 days but less than ~~90~~ **91**
 25 days ~~prior to~~ **before** the date of the ~~annual~~ **regular school**
 26 election, ~~of the district to be annexed,~~ the board of education
 27 of the **local school** district shall **request that the appropriate**

1 **clerk under the Michigan election law** submit the annexation
 2 proposition to the electors at the ~~annual~~ **regular school**
 3 election.

4 (2) In the annexation of an intermediate school district, the
 5 secretary of the intermediate school board of the intermediate
 6 school district in writing shall direct the board of education of
 7 each component **local** school district to submit the annexation
 8 propositions to the electors of the school district. Each school
 9 district shall **call and** hold the election at the time of the
 10 ~~annual school elections~~ **regular school election** if notification
 11 is given more than 20 but less than ~~90~~ **91** days before the
 12 ~~annual~~ **date of the regular school** election. ~~date.~~ Otherwise,
 13 each board of education shall **request that the appropriate local**
 14 **clerk under the Michigan election law** call a special election ~~,~~
 15 to consider the annexation propositions. ~~, on a date specified~~
 16 ~~by the secretary of the intermediate school board.~~

17 (3) In the annexation of a county, if the resolution and
 18 approval are filed **more than** 90 days ~~or more, or 20 days~~ or
 19 less ~~,~~ **than 21 days** before the date of the next general
 20 election, ~~then~~ the county ~~board of commissioners~~ **clerk** shall
 21 call a special election within the county to consider the
 22 annexation propositions. If the resolution and approval are
 23 filed less than ~~90~~ **91** days but more than 20 days before the
 24 next general election, then the annexation propositions shall be
 25 submitted to the electors of the county at that election.

26 Sec. 51. ~~(1) The board of education of an intermediate~~
 27 ~~school district or the boards of 2 or more adjoining intermediate~~

~~1 school districts acting as a single board may direct that the
2 question of coming under the provisions of this act be submitted
3 to the school electors of the territory affected at the annual
4 school elections or at special school elections held in the local
5 school districts of such territory. If any school district holds
6 its annual election on a different date, it shall call a special
7 election to be held on the same day of the annual elections.~~

~~8 (2) The board of education of the intermediate school
9 district or the joint board of 2 or more intermediate school
10 districts shall designate the territory to be included in the
11 proposed community college district and a uniform property tax
12 question for the support of the community college, both
13 propositions being subject to the approval of the state board of
14 education. The board of an intermediate school district or the
15 boards of 2 or more contiguous intermediate school districts
16 acting as a single board may form a community college district
17 under this chapter. The board of the intermediate school
18 district or joint board of the contiguous intermediate school
19 districts shall designate the territory of the proposed community
20 college district and refer the questions of organizing the
21 community college district and the proposed annual tax rate to
22 the superintendent of public instruction for approval. If the
23 superintendent of public instruction approves, he or she shall
24 notify the board of the intermediate school district or joint
25 board, which shall request that the appropriate clerk under the
26 Michigan election law include the necessary propositions for
27 forming the community college district to the electors in the~~

1 **designated territory at the regular school election or at a**
 2 **special election called for that purpose.**

3 Sec. 52. (1) The secretary of the board of ~~education of~~
 4 the intermediate school district, **or the secretary of the board**
 5 **of the intermediate school district** having the highest valuation
 6 in the proposed community college district **for a community**
 7 **college formed by 2 or more contiguous intermediate school**
 8 **districts**, shall file a copy of the approval **of the**
 9 **superintendent of public instruction**, specified in section 51
 10 together with the propositions to be submitted **to the electors**,
 11 with the secretary of the board of education of each component
 12 **local school district.** ~~When~~

13 (2) **If the secretary of a local school board receives the**
 14 **filing** ~~is made~~ **described in subsection (1)** at least 60 days but
 15 not more than 6 months ~~prior to~~ **before** the next ~~annual~~
 16 **regular school election**, ~~each~~ **that secretary shall request that**
 17 **the appropriate clerk under the Michigan election law** include the
 18 necessary community college propositions **for forming the**
 19 **community college district** with the proceedings for the ~~annual~~
 20 **November school election.**

21 (3) ~~(2) When the approval is filed with~~ **If the secretary of**
 22 ~~each~~ **a component** ~~district~~ **local school district receives the**
 23 **filing described in subsection (1)** more than 6 months ~~prior to~~
 24 **or less than 60 days before** the date of the ~~annual~~ **regular**
 25 **school election**, ~~each board of education~~ **the board of that**
 26 **district shall request that the appropriate clerk under the**
 27 **Michigan election law call a special election.** ~~, to be held on a~~

1 ~~date designated by the secretary of the intermediate board of~~
2 ~~education of the school district having the highest valuation~~
3 ~~within the proposed community college district for the purpose of~~
4 ~~submitting~~ **At the special election**, the propositions relating to
5 the establishment of the community college district **shall be**
6 **submitted to the electors.**

7 Sec. 54. (1) A community college district is directed and
8 governed by a board of trustees, consisting of 7 members except
9 as provided in subsection (4), elected at large in the territory
10 of the district or proposed district on a nonpartisan basis. At
11 the organizational election, the electors shall elect 3 members
12 for 6-year terms, 2 for 4-year terms, and 2 for 2-year terms.
13 after the initial terms, the electors shall elect members for
14 6-year terms.

15 (2) If an organizational election is held at the same time as
16 ~~an annual~~ **a regular** school election **in May**, the term of office
17 of each member elected shall commence on July 1 following the
18 organizational election.

19 (3) When an organizational election is held on a date other
20 than the date of ~~an annual~~ **a regular** school election, each
21 board member shall take office on the fifteenth day following the
22 date of the organizational election. Regular terms of office
23 shall commence on July 1 following the next ~~annual~~ **regular**
24 school election. If the organizational election is held on a
25 date other than the ~~annual~~ **regular** election date of the
26 component school districts, the first year of the term of office
27 of each of the members elected to the first board of trustees

1 shall extend for the period of time remaining until July 1
2 following the date of the ~~annual~~ **regular** election of the
3 component districts held not less than 1 year nor more than 2
4 years from the date of the organizational election.

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

19 Sec. 55. (1) A community college district ~~shall be~~
20 ~~established if a~~ **is established under this chapter only if both**
21 **of the following occur:**

22 (a) A majority of the electors voting in the proposed
23 community college district area approve the organization of the
24 district. ~~and elect a~~

25 (b) A board of trustees in the proper number **is elected by a**
26 **majority of the voting electors.**

27 (2) A majority of the electors ~~of~~ **voting in** the community

1 college district shall approve ~~the establishment~~ of **the**
 2 **proposition establishing** the maximum annual tax rate **for the**
 3 **community college district**. If the proposition to establish the
 4 maximum annual tax rate ~~fails to~~ **does not** receive ~~approval of~~
 5 ~~a proper majority of the electors voting in the proposed~~
 6 ~~community college district area and a community college district~~
 7 ~~is established under the provisions of this section~~ **the required**
 8 **vote of the electors**, the proposition to establish the maximum
 9 annual tax rate may be resubmitted at a regular election or at a
 10 special election called by **the appropriate clerk under the**
 11 **Michigan election law at the request of** the board of trustees.
 12 ~~for that purpose.~~ If the proposition to establish the maximum
 13 annual tax rate fails after being submitted 3 times, the
 14 community college district is dissolved.

15 Sec. 56. ~~(1) The provisions of sections 531 to 540 of Act~~
 16 ~~No. 269 of the Public Acts of 1955, as amended, shall govern the~~
 17 ~~conduct and procedures of the community college election~~
 18 ~~conducted by local school boards under this chapter.~~ (2) In
 19 ~~those instances where~~ **If** part of a local school district is in
 20 another community college district, only those electors residing
 21 in ~~the remainder~~ **that part** of the school district ~~shall be~~
 22 **not in the other community college district are** eligible to vote
 23 in the organizational election and in subsequent elections of the
 24 community college district.

25 Sec. 57. The ~~boards of canvassers of the school districts~~
 26 ~~whose electors are eligible to vote in an election~~ **appropriate**
 27 **board of canvassers prescribed in section 24a or 30a of the**

1 **Michigan election law, MCL 168.24a and 168.30a,** shall conduct a
2 canvass of the results of the election within 3 days ~~of the~~
3 **after an election under this chapter.** ~~For an organizational~~
4 ~~election, the board of canvassers of the intermediate school~~
5 ~~district having the highest valuation within the proposed~~
6 ~~community college district shall conduct the final canvass. For~~
7 ~~a community college district election other than an~~
8 ~~organizational election, except as otherwise provided in this~~
9 ~~chapter, the board of canvassers appointed by the board of~~
10 ~~trustees of the community college shall conduct the final~~
11 ~~canvass.~~

12 Sec. 58. (1) ~~The first regular election of a community~~
13 ~~college district shall be held at the time of the annual~~
14 ~~elections of the component school districts held not less than 2~~
15 ~~years nor more than 3 years from the date of the organizational~~
16 ~~election. The date of the annual school elections referred to in~~
17 ~~this chapter is the date prescribed for annual school elections~~
18 ~~in sections 34, 72 and 108 of Act No. 269 of the Public Acts of~~
19 ~~1955, as amended. If any school district holds its annual~~
20 ~~election on a different date, the board of this district shall~~
21 ~~call a special election for the community college district to be~~
22 ~~held on the same day as prescribed in this chapter. The period~~
23 ~~of time between the annual election dates shall be construed as~~
24 ~~being 1 year. A regular community college election is held at~~
25 **the same time as the regular school election. A constituent**
26 **county shall call a special election to be held on the date of**
27 **the regular school election.**

1 ~~(2) Subsequent regular elections of the community college~~
 2 ~~district shall be held biennially thereafter on the annual school~~
 3 ~~election dates, unless the board of trustees determines to hold~~
 4 ~~its election at the same time and in conjunction with a city~~
 5 ~~election as provided in section 644k of Act No. 116 of the Public~~
 6 ~~Acts of 1954, as added, being section 168.644k of the Compiled~~
 7 ~~Laws of 1948.~~

8 (2) ~~(3)~~ At ~~the regular elections~~ **a regular election, in**
 9 **addition to the election of trustees**, special propositions may be
 10 submitted to the electors ~~in addition to the election of~~
 11 ~~trustees~~ when authorized by the board of trustees.

12 Sec. 59. ~~(1) Special elections of the community college~~
 13 ~~district may be called by the~~ **The board of trustees of a**
 14 **community college district organized under this chapter may**
 15 **request that the appropriate clerk under the Michigan election**
 16 **law call a special election.** The secretary of the board shall
 17 file a copy of the resolution of the board calling ~~the~~ **a**
 18 **special** election with the secretary of each ~~of the~~ component
 19 **local and intermediate school districts** **district and the clerk**
 20 **of each component county, as applicable,** at least 60 days ~~prior~~
 21 ~~to~~ **before** the date of the election. The resolution shall
 22 contain a statement of the proposition to be submitted to the
 23 electors. ~~(2)~~ The board of education of each component **local**
 24 **and intermediate** school district **and the clerk of each component**
 25 **county, as applicable,** shall **request that the appropriate clerk**
 26 **under the Michigan election law** call the special election. ~~on~~
 27 ~~the date specified in the resolution.~~

1 Sec. 62. (1) In an annexation of 1 or more local school
 2 districts, if the resolution and approval are filed with each
 3 secretary more than 90 **or less than 21** days before the date of
 4 the ~~annual~~ **regular school** election, ~~of the districts to be~~
 5 ~~annexed,~~ the board of education of each district shall **request**
 6 **that the appropriate clerk under the Michigan election law** call a
 7 special election for voting on the propositions of annexation.
 8 If the resolution and approval are filed more than 20 days but
 9 less than ~~90~~ **91** days ~~prior to~~ **before** the date of the ~~annual~~
 10 **regular school** election, ~~of each district to be annexed,~~ the
 11 board of education of each district shall **request that the**
 12 **appropriate clerk under the Michigan election law** submit
 13 annexation propositions to ~~its~~ **the** electors at the ~~annual~~
 14 **regular school** election.

15 (2) In an annexation of an intermediate school district, the
 16 secretary of the intermediate school board of the intermediate
 17 school district in writing shall direct the board of education of
 18 each component **local** school district to submit the annexation
 19 propositions to the electors of that component school district.
 20 Each school district shall **request that the appropriate clerk**
 21 **under the Michigan election law call and** hold the election at the
 22 time of ~~its annual school elections~~ **the regular school election**
 23 if notification is given to each school district more than 20 but
 24 less than ~~90~~ **91** days before the ~~annual election~~ **date of the**
 25 **November school election.** Otherwise, each board of education
 26 shall **request that the appropriate clerk under the Michigan**
 27 **election law** call a special election ~~—~~ to consider the

1 annexation propositions. ~~—, on a date specified by the secretary~~
 2 ~~of the intermediate school board.~~

3 (3) In an annexation of a county, if the resolution and
 4 approval are filed **more than** 90 ~~days or more, or 20 days~~ or
 5 less ~~—, than 21 days~~ before the date of the next general
 6 election, ~~then~~ the county ~~board of commissioners~~ **clerk** shall
 7 call a special election within the county to consider the
 8 annexation propositions. If the resolution and approval are
 9 filed less than ~~90~~ **91** days but more than 20 days before the
 10 next general election, then the annexation propositions shall be
 11 submitted to the electors of the 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~~
 14 ~~general election, 9 members of the board of trustees of a~~
 15 ~~community college district established under this chapter shall~~
 16 ~~be elected for a term of 4 years. Each member shall represent a~~
 17 ~~trustee district described in section 82. (2) For the members~~ **A**
 18 **member** of the board of trustees of a community college
 19 established under this chapter ~~elected in the November, 1992~~
 20 ~~general election, the members receiving the 3 highest number of~~
 21 ~~votes in the election each shall be elected for a term of 6~~
 22 ~~years, the members receiving the 3 next highest number of votes~~
 23 ~~in the election each shall be elected for a term of 4 years, and~~
 24 ~~the members receiving the 3 lowest number of votes each shall be~~
 25 ~~elected for a 2 year term. A member elected after the November,~~
 26 ~~1992 term~~ shall be elected for a term of 6 years unless he or
 27 she is elected to fill a vacancy for the unexpired term under

1 subsection ~~-(6)-~~ (5).

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

23 (3) ~~-(4)-~~ Each of the 9 trustees shall commence his or her
 24 term of office on January 1 following his or her election.

25 (4) ~~-(5)-~~ A candidate for the office of board member
 26 representing a trustee district or a person **elected or** appointed
 27 to fill a vacancy pursuant to subsection ~~-(6)-~~ (5) shall be 18

1 years of age or older at the time of his or her election or
 2 appointment and shall be ~~a registered school~~ **an** elector
 3 residing in the trustee district in which the person becomes a
 4 candidate or which the person is appointed to represent. If a
 5 member representing a trustee district ceases to reside in the
 6 trustee district during the trustee's term of office, it ~~shall~~
 7 ~~constitute~~ **is** a vacating of office.

8 **(5)** ~~-(6)-~~ If a vacancy occurs on the board of trustees, the
 9 vacancy shall be filled from among ~~registered school~~ electors
 10 of 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)** ~~-(7)-~~ Special elections may be called ~~by the board of~~
 19 ~~trustees pursuant to~~ **in the same manner as in** chapters 1 and 2.
 20 ~~, except that the county or the constituent school districts~~
 21 ~~shall pay for the cost of those elections until such time as the~~
 22 ~~authorization to levy a tax is established.~~

23 Sec. 84. The board of trustees **of a community college**
 24 **district formed under this chapter** shall submit to the electors
 25 of the **community college** district the proposition to establish
 26 the maximum annual tax rate. If the proposition to establish the
 27 maximum annual tax rate fails to receive a proper majority of the

1 electors voting in the community college district at the first
 2 election held for that purpose, the proposition to establish the
 3 maximum annual tax rate may be resubmitted at a regular election
 4 or at a special election called by **the appropriate clerk under**
 5 **the Michigan election law at the request of** the board of trustees
 6 for that purpose. ~~In no event shall such an election be called~~
 7 ~~by the~~ **The board of trustees shall not request that the**
 8 **appropriate clerk under the Michigan election law call an**
 9 **election for that purpose** more often than once in any 9-month
 10 period.

11 Sec. 86. (1) In the annexation of a local school district,
 12 if the resolution and approval are filed with the secretary more
 13 than 90 **or less than 21** days before the date of the ~~annual~~
 14 **regular school** election, ~~of the district to be annexed,~~ the
 15 board of education of the district shall **request that the**
 16 **appropriate clerk under the Michigan election law** call a special
 17 election for voting on the propositions of annexation. If the
 18 resolution and approval are filed more than 20 days but less than
 19 ~~90~~ **91** days ~~prior to~~ **before** the date of the ~~annual~~ **regular**
 20 **school** election, ~~of the district to be annexed,~~ the board of
 21 education of the district shall **request that the appropriate**
 22 **clerk under the Michigan election law** submit the annexation
 23 propositions to the electors at the ~~annual~~ **regular school**
 24 election.

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

1 each component **local** school district to submit the annexation
 2 propositions to the electors of ~~the~~ **that component** school
 3 district. Each school district shall **request that the**
 4 **appropriate clerk under the Michigan election law call and hold**
 5 the election at the time of the ~~annual school elections~~ **regular**
 6 **school election** if notification is given more than 20 but less
 7 than ~~90~~ **91** days before the ~~annual election~~ date **of the**
 8 **regular school election**. Otherwise, each board of education
 9 shall **request that the appropriate clerk under the Michigan**
 10 **election law** call a special election ~~—~~ to consider the
 11 annexation propositions. ~~—, on a date specified by the secretary~~
 12 ~~of the intermediate school board.~~

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

21 ~~—— (2) An area vocational education program means a program of~~
 22 ~~organized systematic instruction designed to prepare the~~
 23 ~~following individuals for useful employment in recognized~~
 24 ~~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~~
 8 ~~superintendent or his designated representative of the school~~
 9 ~~district in 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~~ state aid and assistance ~~as may be~~ appropriated by the~~
 18 ~~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~~
 22 ~~following individuals for useful employment in recognized~~
 23 ~~occupations:~~

24 ~~(i) An individual who has completed or left high school and~~
 25 ~~who is available for full-time study in preparation for entering~~
 26 ~~the labor market.~~

27 ~~(ii) An individual who has already entered the labor market~~

1 and who needs training to achieve stability or advancement in
2 employment.

3 (iii) An individual enrolled in high school. If a program or
4 course is provided for an individual enrolled in high school, the
5 superintendent of the school district in which the individual is
6 enrolled or his or her designated representative shall request
7 that the program or course be provided to the individual.

8 (c) "Community college" means an educational institution
9 providing collegiate and noncollegiate level education primarily
10 to individuals above the twelfth grade age level within commuting
11 distance. The term includes an area vocational-technical
12 education program that may result in the granting of an associate
13 degree or other diploma or certificate, but not an educational
14 institution or program granting baccalaureate or higher degrees.

15 (d) "General election" or "general state election" means the
16 term general election as defined in section 2 of the Michigan
17 election law, MCL 168.2.

18 (e) "Michigan election law" means the Michigan election law,
19 1954 PA 116, MCL 168.1 to 168.992.

20 (f) "Regular election" means that term as defined in section
21 3 of the Michigan election law, MCL 168.3.

22 (g) "Special election" means that term as defined in section
23 4 of the Michigan election law, MCL 168.4.

24 Sec. 107. (1) An ~~elector of a community college district~~
25 ~~shall possess the qualifications provided for in article 2 of the~~
26 ~~state constitution~~ election under this act shall be called,
27 administered, conducted, and canvassed as provided in this act

1 and the Michigan election law.

2 (2) A special election under this act shall be held on a
3 regular election day established under section 641 of the
4 Michigan election law, MCL 168.641.

5 Sec. 122. The board of trustees may do all of the
6 following:

7 (a) Borrow, subject to the provisions of the revised
8 municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, for
9 community college purposes, including capital expenditures, money
10 on the terms it considers desirable and give notes of the
11 district for those purposes. If a newly organized community
12 college district borrows in anticipation of the collection of the
13 first tax levy of the district, the loan shall not exceed 50% of
14 the estimated amount of the first tax levy.

15 (b) Borrow, subject to the revised municipal finance act,
16 2001 PA 34, MCL 141.2101 to 141.2821, money as it considers
17 necessary and issue bonds of the community college district, to
18 purchase sites for buildings, playgrounds, athletic fields, or
19 agricultural farms; to purchase or erect and equip any building
20 or buildings that it is authorized to purchase and erect; or to
21 make any permanent improvement that it is authorized to make. A
22 loan shall not be made and bonds shall not be issued for any sum
23 that, together with the total outstanding bonded indebtedness of
24 the district, including bonds voted but not issued, exceeds the
25 total of 1-1/2% of the first \$250,000,000.00 plus 1% of the
26 excess over \$250,000,000.00 of the last confirmed state equalized
27 valuation of all taxable property in the district unless the

1 proposition of making the loan or of issuing bonds has been
2 submitted first to a vote of the qualified electors of the
3 district, at a ~~general~~ **regular** or special election, and
4 approved by the majority of the electors voting at the election,
5 in which event loans may be made or bonds may be issued in an
6 amount not to exceed 15% of the total state equalized valuation
7 of the district.

8 (c) Provide for energy conservation improvements to be made
9 to community college facilities and ~~may~~ pay for the
10 improvements from operating funds of the district or from the
11 savings that result from the energy conservation improvements.
12 Energy conservation improvements may include, but are not limited
13 to, heating system improvements, fenestration improvements, roof
14 improvements, the installation of any insulation, the
15 installation or repair of heating or air conditioning controls,
16 and entrance or exit way closures. The board of trustees may
17 acquire 1 or more energy conservation improvements by installment
18 contract or may borrow money and issue notes for the purpose of
19 securing funds for the improvements or may enter into contracts
20 in which the cost of the energy conservation improvements is paid
21 from a portion of the savings that result from the energy
22 conservation improvements. These contractual agreements may
23 provide that the cost of the energy conservation improvements are
24 paid only if the energy savings are sufficient to cover their
25 cost. An installment contract or notes issued pursuant to this
26 subdivision shall extend for a period of time not to exceed 10
27 years. Notes issued pursuant to this subdivision shall be full

1 faith and credit, tax limited obligations of the community
2 college district, payable from tax levies and the general fund as
3 pledged by the board of trustees. The notes are subject to the
4 revised municipal finance act, 2001 PA 34, MCL 141.2101 to
5 141.2821. This subdivision does not limit in any manner the
6 borrowing or bonding authority of a community college as provided
7 by law.

8 Sec. 144. (1) The board of trustees of each community
9 college district may levy for the purposes specified as within
10 the power of the board a tax that does not exceed the rate
11 previously or subsequently authorized by the qualified electors
12 of the district or the rate derived through the previous adoption
13 by the electors of the district of former 1955 PA 188, or the
14 rate that is allocated to the community college district in
15 accordance with the property tax limitation act, 1933 PA 62,
16 MCL 211.201 to 211.217a. The funds may be used for all purposes
17 authorized, except that to the extent permitted under the revised
18 municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821,
19 taxes imposed for the payment of principal and interest on bonds
20 or other evidences of indebtedness or for the payment of
21 assessments or contract obligations in anticipation of which
22 bonds are issued may be imposed without limitation as to rate or
23 amount. This limitation may be increased to not more than 5
24 mills if approved by a majority of the qualified electors voting
25 on the question at ~~any general~~ **a regular** or special election of
26 the community college district.

27 (2) Except as provided in subsection (3), the board of

1 trustees shall determine the total taxes required for any year
2 and shall certify the approved tax rate to be levied and the
3 amount of taxes to be raised to the proper assessing officer of
4 each city and township in which the territory of the community
5 college district is situated on or before September 1 of each
6 year, except that the board of trustees may provide by resolution
7 that taxes to be raised against property within any city or
8 township, any portion of which lies within the community college
9 district boundaries, may be levied and collected in the same
10 manner and at the same time as the city or township taxes or in
11 the same manner and at the same time as school district or
12 intermediate school district taxes are being collected by the
13 city or township under part 26 of the revised school code, 1976
14 PA 451, MCL 380.1611 to 380.1615.

15 (3) By resolution of its board on or before May 15 of the
16 year in which it is established, a community college district
17 established under this act between January 1 and May 1 of any
18 calendar year may impose a summer property tax levy of either the
19 total or 1/2 of the community college district property taxes for
20 that tax year. The board resolution shall also determine the
21 total taxes required for that tax year and certify the approved
22 tax rate to be levied and the amount of taxes to be raised to the
23 proper assessing officer of each city or township in which the
24 territory of the community college district is situated. Upon
25 receipt of that board resolution, each city and township in which
26 the community college district is situated that collects a summer
27 property tax levy ~~pursuant to~~ **under** section 1613 of the revised

1 school code, 1976 PA 451, MCL 380.1613, shall collect the summer
2 levy for that year. The reasonable and actual expenses incurred
3 by a city or township in collecting the community college
4 district property taxes under this subsection, to the extent
5 these expenses are in addition to the expense of collecting and
6 assessing any other taxes at the same time and exceed the amount
7 of any fees imposed for the collection of the community college
8 property taxes, shall be billed to and paid by the community
9 college district. For the purposes of this subsection,
10 reasonable and actual expenses shall not exceed the current
11 collection agreements negotiated with the largest intermediate
12 school district within the community college district. This
13 subsection applies until December 31, 1992.

14 (4) All money collected by ~~any~~ a tax collecting officer
15 from the tax levied ~~pursuant to~~ **under** this section shall be
16 returned to the community college district ~~pursuant to~~ **as**
17 **provided by** section 43 of the general property tax act, 1893
18 PA 206, MCL 211.43, or to the county treasurer who shall pay the
19 taxes so returned immediately to the community college district.

20 (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, 1893 PA 206, MCL 211.1 to 211.157.

24 Sec. 152. (1) Candidates for members of the first and
25 succeeding boards shall be nominated by petition signed by not
26 less than 50 or more than 200 qualified and registered electors
27 residing within the geographic area of the community college

1 district. All nominating petitions in community college
 2 districts organized under chapter 1 shall be filed not later than
 3 4 p.m. on the one hundred-tenth day ~~prior to~~ **before** the date of
 4 any election. All nominating petitions in community college
 5 districts organized under chapters 2 and 3 shall be filed not
 6 later than 4 p.m. on the ninth Monday ~~prior to~~ **before** the date
 7 of any election. If the last day for filing nominating petitions
 8 falls on a Saturday, Sunday, or legal holiday, the nominating
 9 petitions shall be filed not later than 4 p.m. on the next day
 10 that is not a Saturday, Sunday, or legal holiday.

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

1 ~~office shall be certified to the county clerk or clerks by the~~
2 ~~secretary of the board of trustees of the community college~~
3 ~~district within 5 days after the last day for filing petitions.~~

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

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

20 Enacting section 1. Sections 20, 40, and 60 of the
21 community college act of 1966, 1966 PA 331, MCL 389.20, 389.40,
22 and 389.60, are repealed.

23 Enacting section 2. This amendatory act takes effect
24 January 1, 2005.

25 Enacting section 3. This amendatory act does not take
26 effect unless all of the following bills of the 92nd Legislature
27 are enacted into law:

1 (a) Senate Bill No. ____ or House Bill No. 4820 (request
2 no. 01918'03 *).

3 (b) Senate Bill No. ____ or House Bill No. 4821 (request
4 no. 01919'03 *).

5 (c) Senate Bill No. ____ or House Bill No. 4824 (request
6 no. 01920'03 *).