

SENATE BILL No. 344

May 29, 1991, Introduced by Senator FAXON and referred to the Committee on Education.

A bill to establish the Michigan school reorganization commission; to prescribe its powers and duties; to prescribe the powers and duties of certain state officials, departments, and agencies; to provide for an appropriation; and to repeal certain parts of the act on specific dates.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Commission" means the Michigan school reorganization
3 commission created in section 2.

4 (b) "School district" means a school district or a local act
5 school district, as defined in the school code of 1976, Act
6 No. 451 of the Public Acts of 1976, being sections 380.1 to
7 380.1852, of the Michigan Compiled Laws.

8 Sec. 2. (1) Not later than 30 days after the effective date
9 of this act, the governor shall appoint with the advice and

1 consent of the senate the Michigan school reorganization
2 commission for the purpose of developing a plan to reduce the
3 number of school districts in this state.

4 (2) The commission shall consist of the following 9
5 members:

6 (a) One member representing school districts in the Upper
7 Peninsula.

8 (b) One member representing school districts in the area of
9 the Lower Peninsula north of the Bay City-Muskegon line.

10 (c) Three members fairly representing school districts in
11 the remainder of the state.

12 (d) Four members representing the general public.

13 (3) A vacancy on the commission shall be filled in the same
14 manner as the original appointment.

15 (4) Not later than 10 days after all appointments have been
16 made and confirmed under this section, the commission shall hold
17 its first meeting. At the meeting, the commission shall elect a
18 chairperson and other officers as it considers necessary from
19 among its members. Following this initial meeting, the commis-
20 sion shall hold meetings as considered necessary by the
21 chairperson.

22 (5) A majority of the members of the commission constitute a
23 quorum for the transaction of business at a meeting of the
24 commission. Action by the commission shall be by a majority of
25 the votes cast.

1 (6) A member of the commission shall be reimbursed for
2 actual and necessary expenses incurred in the performance of
3 official duties.

4 Sec. 3. The commission shall do all of the following:

5 (a) Develop a school reorganization plan in compliance with
6 section 5 to reduce the number of school districts in this
7 state.

8 (b) Not later than 6 months after the date of the first
9 meeting of the commission, publish a report on its findings and
10 recommendations on school reorganization. The report shall
11 include a schedule for implementation, with consideration given
12 to the duration of existing collective bargaining agreements and
13 the need for holding new elections for board members.

14 (c) After the publication of the report described in
15 subdivision (b), hold public hearings across the state to provide
16 information as appropriate to citizens, to answer questions, and
17 to hear testimony on school reorganization.

18 (d) After the completion of the public hearings required by
19 subdivision (c) but not later than 1 year after the date of the
20 first meeting of the commission, publish a revised and final
21 report on its findings and recommendations on school reorganiza-
22 tion and submit a copy of the report to the legislature.

23 Sec. 4. Not later than 30 days after receiving the
24 commission's final report submitted under section 3, the legisla-
25 ture shall convert the recommendations on school reorganization
26 contained in the final report into the form of a bill and shall
27 introduce the bill. After introduction, the bill containing the

1 commission's recommendations shall be acted upon by the
2 legislature in the same manner as other bills except that it
3 shall not be subject to amendment in either house of the
4 legislature. If the legislature passes the bill containing the
5 commission's recommendations, it shall do so by not later than
6 the sine die adjournment of the 86th Legislature.

7 Sec. 5. In developing the school reorganization plan
8 required by section 3(a), the commission shall take into account
9 all of the following criteria:

10 (a) A new school district shall operate a school program of
11 kindergarten through twelfth grade.

12 (b) The total number of school districts in this state shall
13 not exceed 250.

14 (c) Except as provided in this subdivision, a new school
15 district shall have at least 2,000 pupils according to the latest
16 pupil membership count day. This 2,000 pupil requirement may be
17 waived if either of the following conditions applies:

18 (i) Due to a low population density, the 2,000 pupil
19 requirement would place an undue hardship upon pupils within the
20 new school district by requiring more than 1 hour of travel time
21 to the nearest school for pupils attending that school.

22 (ii) The pupil population trends indicate that a new school
23 district with less than 2,000 pupils will have at least 2,000
24 pupils within 1 year after the formation of the new school
25 district.

26 (d) A new school district shall not be required to be larger
27 in territory than 1 county.

1 (e) A new school district shall not be so large in territory
2 as to require more than 1 hour of travel time to the nearest
3 school for a pupil attending that school.

4 (f) A new school district shall be compact and reflect some
5 continuity of a former district.

6 (g) A new school district, to the extent possible in keeping
7 with the other criteria, shall be formed along municipal boundary
8 lines.

9 (h) A new school district shall be comprised of residents of
10 different economic levels and racial backgrounds.

11 (i) A new school district shall efficiently use existing
12 school buildings and facilities.

13 (j) Other relevant data, material, and concepts that will
14 increase the efficiency and effectiveness of the operation of the
15 educational system conducted by school districts formed or reor-
16 ganized pursuant to this act.

17 Sec. 6. The commission may do 1 or both of the following:

18 (a) Accept assistance from state departments, agencies, and
19 individuals.

20 (b) Form committees or working groups as appropriate for the
21 performance of its responsibilities.

22 Sec. 7. The department of education and any other depart-
23 ment or agency as requested by the commission shall assist the
24 commission and shall provide staff and services as required by
25 the commission.

26 Sec. 8. The commission shall comply with the open meetings
27 act, Act No. 267 of the Public Acts of 1976, being sections

1 15.261 to 15.275 of the Michigan Compiled Laws, and the freedom
2 of information act, Act No. 442 of the Public Acts of 1976, being
3 sections 15.231 to 15.246 of the Michigan Compiled Laws.

4 Sec. 9. The legislature shall appropriate annually to the
5 commission a sum sufficient to implement this act.

6 Sec. 10. This act is repealed effective on the sine die
7 adjournment of the 86th Legislature.