

# SENATE BILL No. 599

November 12, 1991, Introduced by Senators VAUGHN, GAST, ARTHURHULTZ and FAUST and referred to the Committee on Government Operations.

A bill to amend sections 82 and 83 of Act No. 331 of the Public Acts of 1966, entitled "Community college act of 1966," section 82 as added by Act No. 96 of the Public Acts of 1984 and section 83 as amended by Act No. 11 of the Public Acts of 1990, being sections 389.82 and 389.83 of the Michigan Compiled Laws; and to repeal certain parts of the act.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 82 and 83 of Act No. 331 of the Public  
2 Acts of 1966, section 82 as added by Act No. 96 of the Public  
3 Acts of 1984 and section 83 as amended by Act No. 11 of the  
4 Public Acts of 1990, being sections 389.82 and 389.83 of the  
5 Michigan Compiled Laws, are amended to read as follows:

6 Sec. 82. ~~—(1) Until January 1, 1985, a community college~~  
7 ~~district established under this chapter shall have a board of~~

~~1 trustees composed of 7 members representing 7 trustee districts.~~  
~~2 Each trustee serving on the day preceding the enactment of the~~  
~~3 amendatory act that adds this section shall continue to serve as~~  
~~4 a trustee of the community college until January 1, 1985. If a~~  
~~5 vacancy occurs on the board for any reason, the remaining members~~  
~~6 of the board by majority vote shall fill the vacancy with a qual-~~  
~~7 ified elector of the community college district pursuant to~~  
~~8 section 158.~~

9       ~~(2) Effective January 1, 1985, a~~ (1) A community college  
10 district established under this chapter shall have a board of  
11 trustees composed of 9 members determined and elected or  
12 appointed to fill a vacancy as provided in section 83. UNTIL  
13 JANUARY 1, 1993, EACH MEMBER SHALL REPRESENT A TRUSTEE DISTRICT  
14 ESTABLISHED UNDER FORMER SECTION 82A. BEGINNING JANUARY 1, 1993,  
15 EACH MEMBER SHALL REPRESENT A TRUSTEE DISTRICT ESTABLISHED UNDER  
16 SUBSECTION (2) OR (3).

17       (2) BEFORE MAY 1, 1992, THE BOARD OF TRUSTEES OF A COMMUNITY  
18 COLLEGE ESTABLISHED UNDER THIS CHAPTER SHALL REAPPORTION THE TER-  
19 RITORY OF THE COMMUNITY COLLEGE DISTRICT TO DETERMINE THE BOUND-  
20 ARY LINES OF THE 9 TRUSTEE DISTRICTS, USING THE 1990 FEDERAL  
21 DECENNIAL CENSUS. THE TRUSTEE DISTRICTS SHALL BE COMPACT, CONTI-  
22 GUOUS, AND AS EQUAL AS POSSIBLE IN POPULATION. THE TRUSTEE DIS-  
23 TRICTS ESTABLISHED UNDER THIS SUBSECTION SHALL BE IN EFFECT UNTIL  
24 REAPPORTIONMENT OF THE TRUSTEE DISTRICTS UNDER SUBSECTION (3).  
25 ALL COSTS FOR THE REAPPORTIONMENT UNDER THIS SUBSECTION SHALL BE  
26 PAID BY THE STATE UNTIL A TAX LEVY IS AUTHORIZED UNDER  
27 SECTION 84.

1           (3) BEGINNING WITH THE 2000 FEDERAL DECENNIAL CENSUS, AFTER  
2 EACH FEDERAL DECENNIAL CENSUS THE BOARD OF TRUSTEES OF A COMMU-  
3 NITY COLLEGE ESTABLISHED UNDER THIS CHAPTER SHALL REAPPORTION THE  
4 TERRITORY OF THE COMMUNITY COLLEGE DISTRICT TO DETERMINE THE  
5 BOUNDARY LINES OF THE 9 TRUSTEE DISTRICTS. THE TRUSTEE DISTRICTS  
6 SHALL BE COMPACT, CONTIGUOUS, AND AS EQUAL AS POSSIBLE IN  
7 POPULATION.

8           Sec. 83. (1) In the November, 1984 general election and  
9 every 4 years after that election UNTIL THE NOVEMBER, 1992 GEN-  
10 ERAL ELECTION, 9 members of the board of trustees of a community  
11 college district established under this chapter shall be elected  
12 for a term of 4 years. Each member shall represent a trustee  
13 district described in section ~~82a~~ 82.

14           (2) FOR THE MEMBERS OF THE BOARD OF TRUSTEES OF A COMMUNITY  
15 COLLEGE ESTABLISHED UNDER THIS CHAPTER ELECTED IN THE NOVEMBER,  
16 1992 GENERAL ELECTION, THE MEMBERS RECEIVING THE 3 HIGHEST NUMBER  
17 OF VOTES IN THE ELECTION EACH SHALL BE ELECTED FOR A TERM OF 6  
18 YEARS, THE MEMBERS RECEIVING THE 3 NEXT HIGHEST NUMBER OF VOTES  
19 IN THE ELECTION EACH SHALL BE ELECTED FOR A TERM OF 4 YEARS, AND  
20 THE MEMBERS RECEIVING THE 3 LOWEST NUMBER OF VOTES EACH SHALL BE  
21 ELECTED FOR A 2-YEAR TERM. A MEMBER ELECTED AFTER THE NOVEMBER,  
22 1992 TERM SHALL BE ELECTED FOR A TERM OF 6 YEARS UNLESS HE OR SHE  
23 IS ELECTED TO FILL A VACANCY FOR THE UNEXPIRED TERM UNDER  
24 SUBSECTION (6).

25           (3) ~~-(2)-~~ Each candidate for trustee shall be nominated at a  
26 nonpartisan primary election conducted pursuant to the Michigan  
27 election law, Act No. 116 of the Public Acts of 1954, being

1 sections 168.1 to 168.992 of the Michigan Compiled Laws. The  
2 nominating petitions shall contain not less than 250, ~~nor~~ OR  
3 more than 500 signatures of registered school electors of the  
4 appropriate trustee district; shall meet the requirements of sec-  
5 tion 544c of Act No. 116 of the Public Acts of 1954, being sec-  
6 tion 168.544c of the Michigan Compiled Laws; and shall be filed  
7 with the clerk of the county in which the community college dis-  
8 trict is located on or before 4 p.m. of the twelfth Tuesday  
9 before the primary election. A signature on a nominating peti-  
10 tion shall not be valid unless the petitioner is a registered  
11 school elector of the trustee district in which the candidate is  
12 running for election. The county clerk may compare the signa-  
13 tures on the petitions with the signatures appearing on the reg-  
14 istration records or in some other proper manner determine  
15 whether the signatures appearing on the petition are genuine and  
16 comply with the requirements of this section. Not more than 2  
17 candidates shall be nominated at the primary election for each  
18 trustee district.

19 (4) ~~-(3)-~~ Each of the 9 trustees shall commence his or her  
20 term of office on January 1 following his or her election.

21 (5) ~~-(4)-~~ A candidate for the office of board member repre-  
22 senting a trustee district or a person appointed to fill a  
23 vacancy pursuant to subsection ~~-(5)-~~ (6) shall be 18 years of age  
24 or older at the time of his or her election or appointment and  
25 shall be a registered school elector residing in the trustee dis-  
26 trict in which the person becomes a candidate or which the person  
27 is appointed to represent. If a MEMBER REPRESENTING A trustee

1 district ~~member's residence is moved from~~ CEASES TO RESIDE IN  
2 the trustee district during the trustee's term of office, it  
3 shall constitute a vacating of office.

4       (6) ~~—(5)—~~ If a vacancy occurs on the board of trustees, the  
5 vacancy shall be filled from among registered school electors of  
6 the trustee district by majority vote of the remaining board  
7 members. If a person is appointed to fill a vacancy in a trustee  
8 district for which the unexpired term is more than 1 year and 8  
9 months, that person shall serve until January 1 following the  
10 next general election. At that next general election the vacancy  
11 shall be filled for the unexpired term. A vacancy shall not be  
12 filled later than 60 days before a primary election at which  
13 voting district board members are to be nominated.

14       (7) ~~—(6)—~~ Special elections may be called by the board of  
15 trustees pursuant to chapters 1 and 2, except that the county or  
16 the constituent school districts shall pay for the cost of those  
17 elections until such time as the authorization to levy a tax is  
18 established.

19       Section 2. Section 82a of Act No. 331 of the Public Acts of  
20 1966, being section 389.82a of the Michigan Compiled Laws, is  
21 repealed.