



# HOUSE BILL No. 5998

September 27, 2000, Introduced by Reps. Birkholz, Stamas, Jelinek, Jellema, Geiger, Jansen, Rick Johnson, Howell, Caul, Scranton, LaForge, Kelly, Pestka, Byl and Godchaux and referred to the Committee on Appropriations.

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 54, 57, 61, 62, and 63 (MCL 389.54, 389.57, 389.61, 389.62, and 389.63).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 54. (1) ~~The~~ A community college district ~~shall be~~  
2 IS directed and governed by a board of trustees, consisting of  
3 7 members EXCEPT AS PROVIDED IN SUBSECTION (5), elected at large  
4 in the ~~proposed community college area~~ TERRITORY OF THE DIS-  
5 TRICT OR PROPOSED DISTRICT on a nonpartisan basis. At the orga-  
6 nizational election, ~~there shall be elected~~ THE ELECTORS SHALL  
7 ELECT 3 members for 6-year terms, 2 for 4-year terms, and 2 for  
8 2-year terms. ~~Thereafter, their successors shall be elected to~~  
9 ~~serve~~ AFTER THE INITIAL TERMS, THE ELECTORS SHALL ELECT MEMBERS  
10 for 6-year terms.

1           (2) ~~When the~~ IF AN organizational election is held at the  
2 same time as ~~the~~ AN annual school election, the term of office  
3 of each member elected shall commence on July 1 following the  
4 organizational election.

5           (3) When ~~the~~ AN organizational election is held on a date  
6 other than the date of ~~the~~ AN annual school election, each  
7 board member shall take office on the fifteenth day following the  
8 date of the organizational election. Regular terms of office  
9 shall commence on July 1 following the next annual school  
10 election. ~~When~~ IF the organizational election is held on a  
11 date other than the annual election date of the component school  
12 districts, 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 following the date of  
15 the annual election of the component districts held not less than  
16 1 year nor more than 2 years from the date of the organizational  
17 election.

18           ~~(4) The term of office of the members of the board of~~  
19 ~~trustees of a community college district organized in the manner~~  
20 ~~provided in this chapter before April 22, 1965 shall be until~~  
21 ~~July 1 following the first regular community college election at~~  
22 ~~which there shall be elected 2 members for 2 years, 2 for 4 years~~  
23 ~~and 3 for 6 years; thereafter, their successors shall be elected~~  
24 ~~to serve for 6-year terms. In a community college district orga-~~  
25 ~~nized in the manner provided in this chapter before the effective~~  
26 ~~date of this act, and having 6 members on the board of trustees,~~

~~1 an additional member shall be elected at the next regular  
2 community college election for a term of 6 years.~~

3 (4) IF A CONTIGUOUS COUNTY IS ANNEXED TO A COMMUNITY COLLEGE  
4 DISTRICT UNDER THIS CHAPTER, THE ELECTORS OF THE ANNEXED COUNTY  
5 SHALL ELECT 2 ADDITIONAL MEMBERS TO THE BOARD OF TRUSTEES OF THE  
6 COMMUNITY COLLEGE DISTRICT, ELECTED AT LARGE IN THE ANNEXED  
7 COUNTY ON A NONPARTISAN BASIS FOR A TERM OF 6 YEARS. THE TERM OF  
8 OFFICE OF AN ADDITIONAL MEMBER SHALL COMMENCE 15 DAYS AFTER THE  
9 DATE OF HIS OR HER ELECTION, AT EITHER A GENERAL ELECTION OR A  
10 SPECIAL ELECTION OF THE ANNEXED COUNTY HELD WITHIN 6 MONTHS OF  
11 THE ELECTION APPROVING OF THE ANNEXATION. EACH ADDITIONAL  
12 MEMBER, AND HIS OR HER REPLACEMENT IF A VACANCY OCCURS DURING THE  
13 6-YEAR TERM, SHALL BE AN ELECTOR OF THE ANNEXED COUNTY. AFTER  
14 THE INITIAL 6-YEAR TERM, THE 2 ADDITIONAL BOARD POSITIONS ARE  
15 ABOLISHED, AND THE BOARD OF TRUSTEES SHALL CONSIST OF 7 MEMBERS,  
16 ELECTED AS PROVIDED IN SUBSECTION (1).

17 Sec. 57. ~~The results of any election from the several~~  
18 ~~school districts shall be canvassed~~ THE BOARDS OF CANVASSERS OF  
19 THE SCHOOL DISTRICTS WHOSE ELECTORS ARE ELIGIBLE TO VOTE IN AN  
20 ELECTION SHALL CONDUCT A CANVASS OF THE RESULTS OF THE ELECTION  
21 within 3 days of the election. ~~by the boards of canvassers of~~  
22 ~~the districts. The final canvass of the results of the~~ FOR AN  
23 organizational election, ~~shall be made by~~ the board of canvass-  
24 ers of the intermediate school district having the highest valua-  
25 tion within the proposed community college district SHALL CONDUCT  
26 THE FINAL CANVASS. ~~The final canvass of the results of any~~ FOR  
27 A community college district election ~~except the~~ OTHER THAN AN

1 organizational election, ~~shall be made by~~ EXCEPT AS OTHERWISE  
2 PROVIDED IN THIS CHAPTER, the board of canvassers appointed by  
3 the board of trustees of the community college SHALL CONDUCT THE  
4 FINAL CANVASS.

5       Sec. 61. (1) The board of trustees by resolution may annex  
6 to ~~the~~ A community college district any contiguous intermediate  
7 school district, ~~or~~ contiguous local school district, OR CONTI-  
8 GUOUS COUNTY not already included within a community college  
9 district. ~~area.~~

10       (2) The board of trustees shall obtain the approval of the  
11 proposed annexation from the ~~state board of education~~  
12 SUPERINTENDENT OF PUBLIC INSTRUCTION. Upon receipt of the  
13 approval, the secretary of the board of trustees shall file cer-  
14 tified copies of the annexation resolution and the approval with  
15 the secretary of the INTERMEDIATE SCHOOL board ~~of education~~ of  
16 the intermediate school district to be annexed, ~~or~~ with the  
17 secretary of the board of education of the local school district  
18 to be annexed, OR WITH THE COUNTY CLERK OF THE COUNTY TO BE  
19 ANNEXED, AS APPLICABLE.

20       Sec. 62. (1) In the annexation of a local school district,  
21 if the resolution and approval are filed with the secretary more  
22 than 90 days before the date of the annual election of the dis-  
23 trict to be annexed, the board of education of the district shall  
24 call a special election for voting on the propositions of  
25 annexation. If the resolution and approval are filed more than  
26 20 days but less than 90 days prior to the date of the annual  
27 election of the district to be annexed, the BOARD OF EDUCATION OF

1 THE DISTRICT SHALL SUBMIT annexation propositions ~~shall be~~  
2 ~~submitted~~ to the electors at the annual election.

3 (2) In the annexation of an intermediate school district,  
4 the secretary of the INTERMEDIATE SCHOOL board ~~of education~~ of  
5 the INTERMEDIATE SCHOOL district in writing shall direct the  
6 board of education of each component school district to ~~provide~~  
7 ~~for the submission of~~ SUBMIT the annexation propositions to the  
8 electors of the school district. ~~The~~ A SCHOOL DISTRICT SHALL  
9 HOLD THE election ~~shall be held~~ at the time of the annual  
10 school elections if notification is given more than 20 but less  
11 than 90 days ~~prior to~~ BEFORE the annual election date. ~~, oth-~~  
12 ~~erwise, each~~ OTHERWISE, A board of education shall call a spe-  
13 cial election, ~~for this purpose~~ TO CONSIDER THE ANNEXATION  
14 PROPOSITIONS, on a date specified by the secretary of the inter-  
15 mediate SCHOOL board. ~~of education.~~

16 (3) IN THE ANNEXATION OF A COUNTY, IF THE RESOLUTION AND  
17 APPROVAL ARE FILED 90 DAYS OR MORE, OR 20 DAYS OR LESS, BEFORE  
18 THE DATE OF THE NEXT GENERAL ELECTION, THEN THE COUNTY BOARD OF  
19 COMMISSIONERS SHALL CALL A SPECIAL ELECTION WITHIN THE COUNTY TO  
20 CONSIDER THE ANNEXATION PROPOSITIONS. IF THE RESOLUTION AND  
21 APPROVAL ARE FILED LESS THAN 90 DAYS BUT MORE THAN 20 DAYS BEFORE  
22 THE NEXT GENERAL ELECTION, THEN THE ANNEXATION PROPOSITIONS SHALL  
23 BE SUBMITTED TO THE ELECTORS OF THE COUNTY AT THAT ELECTION.

24 Sec. 63. (1) At ~~the~~ AN annexation election, the electors  
25 shall vote on the propositions of annexation to the community  
26 college district and the adoption of the maximum annual tax rate  
27 of the community college district. Annexation is effective on

1 the date of the election if both propositions receive majority  
2 approval of the electors voting ~~thereon~~ ON THE PROPOSITIONS.

3 ~~By virtue of annexation, a school district heretofore or hereaf-~~  
4 ~~ter annexed shall be~~ UNLESS OTHERWISE PROVIDED IN THE APPROVED  
5 ANNEXATION PROPOSITIONS, A SCHOOL DISTRICT, INTERMEDIATE SCHOOL  
6 DISTRICT, OR COUNTY ANNEXED IS subject to taxes levied for prin-  
7 cipal and interest of outstanding bonded indebtedness of the com-  
8 munity college district.

9 (2) If any portion of an intermediate school district, ~~or~~  
10 ~~of a~~ local school district, OR COUNTY to be annexed lies within  
11 a community college district at the time of the annexation elec-  
12 tion, the electors residing in ~~such~~ THAT territory ~~shall be~~  
13 ARE excluded from voting on the propositions and ~~such~~ THE ter-  
14 ritory ~~shall~~ DOES not become a part of the community college  
15 district.

16 (3) ~~Final~~ IN AN ANNEXATION OF A SCHOOL DISTRICT OR INTER-  
17 MEDIATE SCHOOL DISTRICT, THE results of the annexation election  
18 shall be canvassed as provided in section 57. IN AN ANNEXATION  
19 OF A COUNTY, THE FINAL RESULTS OF THE ANNEXATION ELECTION SHALL  
20 BE CANVASSED BY THE COUNTY BOARD OF CANVASSERS FOR THAT COUNTY.