

HOUSE BILL No. 4086

February 5, 1991, Introduced by Rep. Keith and referred to the Committee on Education.

A bill to amend sections 622, 623, 1211, and 1216 of Act No. 451 of the Public Acts of 1976, entitled as amended "The school code of 1976,"

section 622 as amended by Act No. 132 of the Public Acts of 1986 and section 1211 as amended by Act No. 431 of the Public Acts of 1982, being sections 380.622, 380.623, 380.1211, and 380.1216 of the Michigan Compiled Laws; and to add part 7a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 622, 623, 1211, and 1216 of Act No. 451
2 of the Public Acts of 1976, section 622 as amended by Act No. 132
3 of the Public Acts of 1986 and section 1211 as amended by Act
4 No. 431 of the Public Acts of 1982, being sections 380.622,
5 380.623, 380.1211, and 380.1216 of the Michigan Compiled Laws,
6 are amended and part 7a is added to read as follows:

1 Sec. 622. (1) The intermediate school board shall select
2 depositories for its school funds. It shall keep a set of coded
3 accounts to be approved by the state board and shall have its
4 books audited at least annually by a certified public
5 accountant. General operating funds, building and site funds,
6 cooperative education funds, special education funds,
7 vocational-technical education funds, COMMERCIAL AND INDUSTRIAL
8 PROPERTY TAX BASE SHARING FUNDS UNDER SECTIONS 751 TO 758, and
9 debt retirement funds shall be maintained separately and shall
10 not be commingled, except that the board of an intermediate
11 school district, by resolution, may authorize the treasurer to
12 combine money from more than 1 fund for the purpose of making an
13 investment authorized by subsection (2)(g).

14 (2) The treasurer of an intermediate school district, if
15 authorized by resolution of the intermediate school board, may
16 invest general operating funds, special education funds, area
17 vocational-technical education funds, building and site funds,
18 cooperative education funds, and debt retirement funds of the
19 district. Investments shall be made pursuant to subsection (4)
20 and shall be restricted to the following:

21 (a) Bonds, bills, or notes of the United States or obliga-
22 tions of the state.

23 (b) Certificates of deposit issued by a state or national
24 bank, savings accounts of a state or federal savings and loan
25 association, or certificates of deposit or share certificates of
26 a state or federal credit union organized and authorized to
27 operate in this state.

1 (c) Commercial paper rated prime at the time of purchase and
2 maturing not more than 270 days after the date of purchase.

3 (d) Securities issued or guaranteed by agencies or instru-
4 mentalities of the United States government.

5 (e) United States government or federal agency obligation
6 repurchase agreements.

7 (f) Bankers' acceptances issued by a bank that is a member
8 of the federal deposit insurance corporation.

9 (g) Investment pools, as authorized by the surplus funds
10 investment pool act, Act No. 367 of the Public Acts of 1982,
11 being sections 129.111 to 129.118 of the Michigan Compiled Laws,
12 composed entirely of instruments that are legal for direct
13 investment by an intermediate school district.

14 (3) The earnings of an investment shall become a part of the
15 fund from which the investment was made. When money of more than
16 1 fund of a single intermediate school district or money of more
17 than 1 intermediate school district are combined for an invest-
18 ment pool authorized by subsection (2)(g), the money shall be
19 accounted for separately, and the earnings from the investment
20 shall be separately and individually computed, recorded, and
21 credited to the fund or SCHOOL district, as the case may be, for
22 which the investment was acquired.

23 (4) Notwithstanding subsection (2), additional funds of an
24 intermediate school district shall not be deposited or invested
25 in a bank, savings and loan association, or credit union ~~which~~
26 THAT is not eligible to be a depository of surplus funds
27 belonging to this state under section 5 or 6 of Act No. 105 of

1 the Public Acts of 1855, being sections 21.145 and 21.146 of the
2 Michigan Compiled Laws.

3 (5) As used in this section, "deposit" includes purchases of
4 or investment in shares of a credit union.

5 Sec. 623. (1) The intermediate school board shall DO BOTH
6 OF THE FOLLOWING:

7 (a) Perform duties required by law and by the state board,
8 but shall not supersede nor replace the board of a constituent
9 district, nor shall the intermediate school board control or oth-
10 erwise interfere with the rights of constituent districts except
11 as provided in this part. THIS SUBDIVISION DOES NOT RESTRICT THE
12 ABILITY OF THE INTERMEDIATE SCHOOL BOARD TO PERFORM ANY DUTIES
13 REQUIRED BY SECTIONS 751 TO 758.

14 (b) Employ a superintendent, assistants, and other employees
15 the intermediate school board ~~deems~~ CONSIDERS necessary and fix
16 their compensation. The compensation of the intermediate super-
17 intendent, assistants, and other employees shall include sala-
18 ries, travel expenses incurred in the discharge of their official
19 duties, and other benefits the board approves. The necessary
20 contingent expenses of the office of the intermediate school
21 board and the intermediate superintendent shall be paid by the
22 treasurer subject to the authorization of the intermediate school
23 board. A contract with the intermediate superintendent shall be
24 for a term not to exceed 4 years. The intermediate superinten-
25 dent shall have the qualifications prescribed in section 651 and
26 perform the duties provided by law and by the intermediate school
27 board.

1 (2) The business ~~which~~ THAT the intermediate school board
2 is authorized to perform shall be conducted at a public meeting
3 of the board held in compliance with THE OPEN MEETINGS ACT, Act
4 No. 267 of the Public Acts of 1976, being sections 15.261 to
5 15.275 of the Michigan Compiled Laws. An act of the board shall
6 not be valid unless voted at a meeting by a majority vote of the
7 members elected and serving on the board and a record made of the
8 vote. An action of an intermediate school board on matters of
9 personnel, property transfers, bonding, expenditures of money, or
10 other matters designated by the board's bylaws shall be by ye
11 and nay vote entered upon its record. Public notice of the time,
12 date, and place of the meeting shall be given in the manner
13 required by section 5 of Act No. 267 of the Public Acts of 1976,
14 BEING SECTION 15.265 OF THE MICHIGAN COMPILED LAWS.

15 PART 7A

16 INTERMEDIATE SCHOOL DISTRICT COMMERCIAL AND INDUSTRIAL

17 PROPERTY TAX BASE SHARING

18 SEC. 751. AS USED IN SECTIONS 751 TO 758:

19 (A) "COMMERCIAL AND INDUSTRIAL PROPERTY" MEANS PROPERTY
20 CLASSIFIED AS COMMERCIAL REAL OR PERSONAL, INDUSTRIAL REAL OR
21 PERSONAL, OR UTILITY PERSONAL UNDER SECTION 34C OF THE GENERAL
22 PROPERTY TAX ACT, ACT NO. 6 OF THE PUBLIC ACTS OF 1893, BEING
23 SECTION 211.34C OF THE MICHIGAN COMPILED LAWS, BUT DOES NOT
24 INCLUDE PROPERTY FOR WHICH AN INDUSTRIAL FACILITIES EXEMPTION
25 CERTIFICATE ISSUED BEFORE JULY 1, 1991 UNDER ACT NO. 198 OF THE
26 PUBLIC ACTS OF 1974, BEING SECTIONS 207.551 TO 207.571 OF THE
27 MICHIGAN COMPILED LAWS, HAS EXPIRED OR HAS BEEN REVOKED, FOR

1 WHICH A COMMERCIAL FACILITIES EXEMPTION CERTIFICATE ISSUED BEFORE
2 JULY 1, 1991 UNDER THE COMMERCIAL REDEVELOPMENT ACT, ACT NO. 255
3 OF THE PUBLIC ACTS OF 1978, BEING SECTIONS 207.651 TO 207.668 OF
4 THE MICHIGAN COMPILED LAWS, HAS EXPIRED OR HAS BEEN REVOKED, OR
5 FOR WHICH A TECHNOLOGY PARK FACILITIES EXEMPTION CERTIFICATE
6 ISSUED BEFORE JULY 1, 1991 UNDER THE TECHNOLOGY PARK DEVELOPMENT
7 ACT, ACT NO. 385 OF THE PUBLIC ACTS OF 1984, BEING SECTIONS
8 207.701 TO 207.718 OF THE MICHIGAN COMPILED LAWS, HAS EXPIRED OR
9 HAS BEEN REVOKED. HOWEVER, IF AGREED BY RESOLUTION OF THE BOARD
10 OF EACH CONSTITUENT DISTRICT, COMMERCIAL AND INDUSTRIAL PROPERTY
11 FOR A PARTICULAR INTERMEDIATE SCHOOL DISTRICT MAY INCLUDE PROP-
12 ERTY FOR WHICH AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
13 ISSUED BEFORE JULY 1, 1991 UNDER ACT NO. 198 OF THE PUBLIC ACTS
14 OF 1974 HAS EXPIRED OR HAS BEEN REVOKED.

15 (B) "COMMERCIAL AND INDUSTRIAL SEV" MEANS SEV FOR COMMERCIAL
16 AND INDUSTRIAL PROPERTY THAT IS NOT CAPTURED BY A TAX INCREMENT
17 FINANCING PLAN UNDER THE LOCAL DEVELOPMENT FINANCING ACT, ACT
18 NO. 281 OF THE PUBLIC ACTS OF 1986, BEING SECTIONS 125.2151 TO
19 125.2174 OF THE MICHIGAN COMPILED LAWS, THE TAX INCREMENT FINANCE
20 AUTHORITY ACT, ACT NO. 450 OF THE PUBLIC ACTS OF 1980, BEING
21 SECTIONS 125.1801 TO 125.1830 OF THE MICHIGAN COMPILED LAWS, OR
22 ACT NO. 197 OF THE PUBLIC ACTS OF 1975, BEING SECTIONS 125.1651
23 TO 125.1681 OF THE MICHIGAN COMPILED LAWS.

24 (C) "COMMERCIAL AND INDUSTRIAL SEV GROWTH" MEANS, FOR A
25 SCHOOL FISCAL YEAR IN WHICH COMMERCIAL AND INDUSTRIAL PROPERTY
26 TAX BASE SHARING UNDER THIS PART IS IN EFFECT IN THE PARTICULAR
27 INTERMEDIATE SCHOOL DISTRICT OR CONSORTIUM OF INTERMEDIATE SCHOOL

1 DISTRICTS, THE POSITIVE DIFFERENCE BETWEEN A SCHOOL DISTRICT'S
2 COMMERCIAL AND INDUSTRIAL SEV IN THE SCHOOL FISCAL YEAR IN WHICH
3 THE CALCULATION IS MADE AND THE SCHOOL DISTRICT'S COMMERCIAL AND
4 INDUSTRIAL SEV FOR THE SCHOOL FISCAL YEAR IMMEDIATELY PRECEDING
5 THE FIRST SCHOOL FISCAL YEAR IN WHICH THE TAX BASE SHARING IS IN
6 EFFECT IN THE INTERMEDIATE SCHOOL DISTRICT OR CONSORTIUM OF
7 INTERMEDIATE SCHOOL DISTRICTS. FOR A SCHOOL FISCAL YEAR IN WHICH
8 COMMERCIAL AND INDUSTRIAL PROPERTY TAX BASE SHARING UNDER THIS
9 PART IS NOT IN EFFECT IN THE PARTICULAR INTERMEDIATE SCHOOL DIS-
10 TRICT OR CONSORTIUM OF INTERMEDIATE SCHOOL DISTRICTS, COMMERCIAL
11 AND INDUSTRIAL SEV GROWTH MEANS THE POSITIVE DIFFERENCE BETWEEN A
12 SCHOOL DISTRICT'S COMMERCIAL AND INDUSTRIAL SEV IN THE LAST
13 SCHOOL FISCAL YEAR IN WHICH THE TAX BASE SHARING WAS IN EFFECT
14 AND THE SCHOOL DISTRICT'S COMMERCIAL AND INDUSTRIAL SEV FOR THE
15 SCHOOL FISCAL YEAR IMMEDIATELY PRECEDING THE FIRST SCHOOL FISCAL
16 YEAR IN WHICH THE TAX BASE SHARING WAS IN EFFECT IN THE INTERME-
17 DIATE SCHOOL DISTRICT OR CONSORTIUM.

18 (D) "SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT AND A LOCAL
19 ACT SCHOOL DISTRICT OR SPECIAL ACT SCHOOL DISTRICT.

20 (E) "SEV" MEANS STATE EQUALIZED VALUATION AS DETERMINED
21 UNDER THE GENERAL PROPERTY TAX ACT, ACT NO. 206 OF THE PUBLIC
22 ACTS OF 1893, BEING SECTIONS 211.1 TO 211.157 OF THE MICHIGAN
23 COMPILED LAWS.

24 SEC. 753. (1) SUBJECT TO SUBSECTION (2), COMMERCIAL AND
25 INDUSTRIAL PROPERTY TAX BASE SHARING MAY BE ADOPTED WITHIN AN
26 INTERMEDIATE SCHOOL DISTRICT OR A CONSORTIUM OF INTERMEDIATE

1 SCHOOL DISTRICTS UNDER SECTION 755 OR 757. IF TAX BASE SHARING
2 IS ADOPTED, ALL OF THE FOLLOWING APPLY:

3 (A) BEGINNING ON JULY 1 OF THE SCHOOL FISCAL YEAR AFTER COM-
4 MERCIAL AND INDUSTRIAL PROPERTY TAX BASE SHARING IS ADOPTED AND
5 FOR EACH SUCCEEDING SCHOOL FISCAL YEAR, EACH CONSTITUENT DISTRICT
6 SHALL DELIVER TO ITS INTERMEDIATE SCHOOL DISTRICT AN AMOUNT EQUAL
7 TO THE COMMERCIAL AND INDUSTRIAL SEV GROWTH IN THAT CONSTITUENT
8 DISTRICT MULTIPLIED BY THE CONSTITUENT DISTRICT'S SCHOOL OPERAT-
9 ING MILLAGE FOR THE SCHOOL FISCAL YEAR IN WHICH THE CALCULATION
10 IS MADE. UNLESS A CONSTITUENT DISTRICT AND ITS INTERMEDIATE
11 SCHOOL DISTRICT AGREE UPON ANOTHER ARRANGEMENT, A CONSTITUENT
12 DISTRICT SHALL DELIVER THE TOTAL AMOUNT ON HAND OF THE PAYMENTS
13 REQUIRED UNDER THIS SUBDIVISION ON THE SAME SCHEDULE AS SET FORTH
14 IN SECTION 43 OF THE GENERAL PROPERTY TAX ACT, ACT NO. 206 OF THE
15 PUBLIC ACTS OF 1893, BEING SECTION 211.43 OF THE MICHIGAN
16 COMPILED LAWS.

17 (B) NOT LATER THAN 3 DAYS AFTER RECEIVING REVENUE UNDER
18 SUBDIVISION (A), THE INTERMEDIATE SCHOOL DISTRICT OR CONSORTIUM
19 SHALL CALCULATE THE PER PUPIL ALLOCATION BY DIVIDING THE TOTAL
20 AMOUNT OF THE REVENUE RECEIVED UNDER SUBDIVISION (A) BY THE TOTAL
21 MEMBERSHIP IN ALL OF THE CONSTITUENT DISTRICTS WITHIN THE INTER-
22 MEDIATE SCHOOL DISTRICT OR CONSORTIUM AS OF THE LATEST PUPIL MEM-
23 BERSHIP COUNT DAY.

24 (C) NOT LATER THAN 5 DAYS AFTER RECEIVING REVENUE UNDER
25 SUBDIVISION (A), THE INTERMEDIATE SCHOOL DISTRICT OR CONSORTIUM
26 SHALL DISTRIBUTE TO EACH OF ITS CONSTITUENT DISTRICTS AN AMOUNT
27 EQUAL TO THE PER PUPIL ALLOCATION CALCULATED UNDER

1 SUBDIVISION (B) MULTIPLIED BY THE CONSTITUENT DISTRICT'S
2 MEMBERSHIP AS OF THE LATEST PUPIL MEMBERSHIP COUNT DAY, OR AN
3 AMOUNT CALCULATED ON ANOTHER BASIS AS AGREED TO BY THE BOARDS OF
4 THE CONSTITUENT DISTRICTS. HOWEVER, THE DISTRIBUTIONS TO CON-
5 STITUENT DISTRICTS SHALL BE ADJUSTED TO ENSURE THAT EACH CONSTIT-
6 UENT DISTRICT THAT RECEIVES PAYMENTS UNDER SECTION 21(1) OF THE
7 STATE SCHOOL AID ACT OF 1979, ACT NO. 94 OF THE PUBLIC ACTS OF
8 1979, BEING SECTION 388.1621 OF THE MICHIGAN COMPILED LAWS, IS
9 FUNDED TO AT LEAST THE SAME EXTENT THAT IT WOULD BE FUNDED IF
10 COMMERCIAL AND INDUSTRIAL PROPERTY TAX BASE SHARING HAD NOT BEEN
11 ADOPTED IN THE INTERMEDIATE SCHOOL DISTRICT OR CONSORTIUM.

12 (2) COMMERCIAL AND INDUSTRIAL TAX BASE SHARING MAY BE
13 ADOPTED WITHIN AN INTERMEDIATE SCHOOL DISTRICT OR CONSORTIUM OF
14 INTERMEDIATE SCHOOL DISTRICTS UNDER SECTION 755 OR 757 ONLY IF
15 THE COMBINED TOTAL OF AVERAGE AGipp AND AVERAGE SEVpp AMONG THE
16 CONSTITUENT DISTRICTS WITHIN THE INTERMEDIATE SCHOOL DISTRICT OR
17 CONSORTIUM OF INTERMEDIATE SCHOOL DISTRICTS IS LESS THAN 150% OF
18 THE COMBINED TOTAL OF THE STATEWIDE AVERAGE AGipp AND THE STATE-
19 WIDE AVERAGE SEVpp. AS USED IN THIS SUBSECTION, "AGipp" AND
20 "SEVpp" MEAN THOSE TERMS AS DEFINED IN SECTION 21(4) OF THE STATE
21 SCHOOL AID ACT OF 1979, ACT NO. 94 OF THE PUBLIC ACTS OF 1979,
22 BEING SECTION 388.1621 OF THE MICHIGAN COMPILED LAWS.

23 (3) FOR THE 1991-1992 SCHOOL FISCAL YEAR, COMMERCIAL AND
24 INDUSTRIAL TAX BASE SHARING UNDER SECTION 755 OR 757 SHALL NOT BE
25 IN EFFECT IN AN INTERMEDIATE SCHOOL DISTRICT OR CONSORTIUM OF
26 INTERMEDIATE SCHOOL DISTRICTS UNLESS, IN ADDITION TO THE OTHER
27 REQUIREMENTS FOR ADOPTING TAX BASE SHARING, THE INTERMEDIATE

1 SCHOOL DISTRICT OR CONSORTIUM NOTIFIES THE DEPARTMENT NOT LATER
2 THAN APRIL 1, 1991 THAT IT HAS ADOPTED TAX BASE SHARING. FOR ANY
3 SUCCEEDING SCHOOL FISCAL YEAR, COMMERCIAL AND INDUSTRIAL TAX BASE
4 SHARING UNDER SECTION 755 OR 757 SHALL NOT BE IN EFFECT IN AN
5 INTERMEDIATE SCHOOL DISTRICT OR CONSORTIUM UNLESS, IN ADDITION TO
6 THE OTHER REQUIREMENTS FOR ADOPTING TAX BASE SHARING, THE INTER-
7 MEDIATE SCHOOL DISTRICT OR CONSORTIUM NOTIFIES THE DEPARTMENT NOT
8. LATER THAN DECEMBER 31 OF THE CALENDAR YEAR IMMEDIATELY PRECEDING
9 THE SCHOOL FISCAL YEAR IN WHICH TAX BASE SHARING IS TO TAKE
10 EFFECT THAT IT HAS ADOPTED TAX BASE SHARING.

11 SEC. 755. (1) SUBJECT TO SECTION 753(2), THE CONSTITUENT
12 DISTRICTS OF AN INTERMEDIATE SCHOOL DISTRICT OR A CONSORTIUM OF
13 INTERMEDIATE SCHOOL DISTRICTS MAY ADOPT COMMERCIAL AND INDUSTRIAL
14 PROPERTY TAX BASE SHARING UNDER THIS PART BY RESOLUTION OF THE
15 BOARD OF EACH CONSTITUENT DISTRICT. TO BE EFFECTIVE, THE RESOLU-
16 TIONS TO ADOPT TAX BASE SHARING SHALL ALL BE MADE DURING A
17 6-MONTH PERIOD AND PRIOR TO JANUARY 1, 1992.

18 (2) SUBJECT TO SECTION 753(3), COMMERCIAL AND INDUSTRIAL
19 PROPERTY TAX BASE SHARING ADOPTED UNDER THIS SECTION IS IN EFFECT
20 FOR A PERIOD OF 5 SCHOOL FISCAL YEARS, EXCEPT THAT TAX BASE SHAR-
21 ING SHALL NOT BE IN EFFECT FOR A PARTICULAR SCHOOL FISCAL YEAR
22 DURING THAT PERIOD IF THE BOARD OF 1 OR MORE OF THE CONSTITUENT
23 DISTRICTS WITHDRAWS FROM PARTICIPATION BY RESOLUTION OF THE BOARD
24 NOT LATER THAN APRIL 1 BEFORE THE START OF THAT SCHOOL FISCAL
25 YEAR.

26 SEC. 757. (1) SUBJECT TO SECTION 753(2), AN INTERMEDIATE
27 SCHOOL BOARD OR THE BOARDS OF A CONSORTIUM OF INTERMEDIATE SCHOOL

1 DISTRICTS SHALL SUBMIT TO THE SCHOOL ELECTORS OF EACH OF THE
2 CONSTITUENT DISTRICTS THE QUESTION OF ADOPTING COMMERCIAL AND
3 INDUSTRIAL PROPERTY TAX BASE SHARING UNDER THIS PART IF REQUIRED
4 UNDER SUBSECTION (2). THE QUESTION SHALL BE IN SUBSTANTIALLY THE
5 FOLLOWING FORM:

6 "SHALL THE PROPERTY TAX REVENUE FROM THE ANNUAL GROWTH IN
7 THE STATE EQUALIZED VALUATION OF COMMERCIAL AND INDUSTRIAL PROP-
8 ERTY WITHIN THE _____ (NAME OF EACH INTERMEDIATE SCHOOL
9 DISTRICT) INTERMEDIATE SCHOOL DISTRICT(S) BE SHARED AMONG ALL OF
10 THE CONSTITUENT SCHOOL DISTRICTS PURSUANT TO PART 7A OF THE
11 SCHOOL CODE OF 1976, ACT NO. 451 OF THE PUBLIC ACTS OF 1976?

12 YES ()

13 NO ()".

14 (2) THE INTERMEDIATE SCHOOL BOARD OR THE BOARDS OF THE CON-
15 SORTIUM SHALL SUBMIT THE QUESTION SPECIFIED IN SUBSECTION (1) IF
16 1 OR MORE OF THE FOLLOWING OCCUR PRIOR TO JANUARY 1, 1992:

17 (A) ADOPTION OF A RESOLUTION BY THE INTERMEDIATE SCHOOL
18 BOARD OF EACH PARTICIPATING INTERMEDIATE SCHOOL DISTRICT PLACING
19 THE PROPOSAL ON THE BALLOT.

20 (B) UPON RECEIPT OF RESOLUTIONS TO PLACE THE PROPOSAL ON THE
21 BALLOT ADOPTED BY A MAJORITY OF THE BOARDS OF THE CONSTITUENT
22 DISTRICTS AND REPRESENTING MORE THAN 1/2 OF THE COMBINED MEMBER-
23 SHIPS OF THE CONSTITUENT DISTRICTS AS OF THE LATEST PUPIL MEMBER-
24 SHIP COUNT DAY.

25 (3) THE INTERMEDIATE SCHOOL BOARD OR THE BOARDS OF THE CON-
26 SORTIUM SHALL SUBMIT THE PROPOSAL TO THE SCHOOL ELECTORS OF EACH
27 CONSTITUENT DISTRICT IN THE SAME MANNER AS A QUESTION SUBMITTED

1 UNDER SECTIONS 661 AND 662 AT THE NEXT ANNUAL ELECTION AFTER 1 OR
2 MORE OF THE CIRCUMSTANCES SPECIFIED IN SUBSECTION (2) OCCUR, OR
3 THE PROPOSAL MAY BE PRESENTED AT A SPECIAL ELECTION UNDER
4 SECTION 662 CALLED BY THE INTERMEDIATE SCHOOL BOARD OR THE BOARDS
5 OF THE CONSORTIUM FOR THAT PURPOSE NOT EARLIER THAN 90 DAYS OR
6 LATER THAN 120 DAYS AFTER 1 OR MORE OF THE CIRCUMSTANCES SPECI-
7 FIED IN SUBSECTION (2) OCCUR.

8 (4) IF A PROPOSAL FOR COMMERCIAL AND INDUSTRIAL PROPERTY TAX
9 BASE SHARING IS APPROVED BY A MAJORITY OF THE SCHOOL ELECTORS
10 VOTING ON THE PROPOSAL IN EACH OF THE CONSTITUENT DISTRICTS, IT
11 IS ADOPTED. SUBJECT TO SECTIONS 753(3) AND 758, TAX BASE SHARING
12 ADOPTED UNDER THIS SECTION IS IN EFFECT FOR A PERIOD OF 5 SCHOOL
13 FISCAL YEARS, BEGINNING ON THE FIRST DAY OF THE NEXT SCHOOL
14 FISCAL YEAR AFTER THE OFFICIAL DECLARATION OF THE VOTE.

15 (5) COMMERCIAL AND INDUSTRIAL TAX BASE SHARING MAY BE PRO-
16 POSED AND VOTED UPON UNDER THIS SECTION WHETHER OR NOT TAX BASE
17 SHARING ADOPTED UNDER SECTION 755 IS IN EFFECT AT THE TIME OF THE
18 VOTE. IF A PROPOSAL FOR TAX BASE SHARING UNDER THIS SECTION IS
19 ADOPTED, IT SHALL SUPERSEDE TAX BASE SHARING ADOPTED UNDER SEC-
20 TION 755. IF A PROPOSAL FOR TAX BASE SHARING UNDER THIS SECTION
21 IS NOT ADOPTED, THAT RESULT SHALL NOT AFFECT TAX BASE SHARING
22 ADOPTED UNDER SECTION 755.

23 SEC. 758. (1) THE INTERMEDIATE SCHOOL BOARD OR THE BOARDS
24 OF A CONSORTIUM OF INTERMEDIATE SCHOOL DISTRICTS PARTICIPATING IN
25 A COMMERCIAL AND INDUSTRIAL TAX BASE SHARING AGREEMENT ADOPTED
26 UNDER SECTION 757 MAY SUBMIT TO THE SCHOOL ELECTORS OF EACH OF
27 THE CONSTITUENT DISTRICTS THE QUESTION OF TERMINATING THE

1 COMMERCIAL AND INDUSTRIAL PROPERTY TAX BASE SHARING AGREEMENT.

2 THE QUESTION SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:

3 "THE PROPERTY TAX REVENUE FROM THE ANNUAL GROWTH IN THE
4 STATE EQUALIZED VALUATION OF COMMERCIAL AND INDUSTRIAL PROPERTY
5 WITHIN THE _____ (NAME OF EACH INTERMEDIATE SCHOOL DISTRICT)
6 INTERMEDIATE SCHOOL DISTRICT(S) IS CURRENTLY BEING SHARED AMONG
7 ALL OF THE CONSTITUENT SCHOOL DISTRICTS. SHALL THIS ARRANGEMENT
8 BE TERMINATED?

9 YES ()

10 NO ()".

11 (2) THE INTERMEDIATE SCHOOL BOARD OR THE BOARDS OF THE CON-
12 SORTIUM SHALL SUBMIT THE QUESTION SPECIFIED IN SUBSECTION (1) IF
13 1 OR MORE OF THE FOLLOWING OCCUR:

14 (A) ADOPTION OF A RESOLUTION BY THE INTERMEDIATE SCHOOL
15 BOARD OF EACH PARTICIPATING INTERMEDIATE SCHOOL DISTRICT PLACING
16 THE PROPOSAL ON THE BALLOT.

17 (B) UPON RECEIPT OF RESOLUTIONS TO PLACE THE PROPOSAL ON THE
18 BALLOT ADOPTED BY A MAJORITY OF THE BOARDS OF THE CONSTITUENT
19 DISTRICTS AND REPRESENTING MORE THAN 1/2 OF THE COMBINED MEMBER-
20 SHIPS OF THE CONSTITUENT DISTRICTS AS OF THE LATEST PUPIL MEMBER-
21 SHIP COUNT DAY.

22 (3) THE INTERMEDIATE SCHOOL BOARD OR THE BOARDS OF THE CON-
23 SORTIUM SHALL SUBMIT THE PROPOSAL TO THE SCHOOL ELECTORS OF EACH
24 CONSTITUENT DISTRICT IN THE SAME MANNER AS A QUESTION SUBMITTED
25 UNDER SECTION 757 AT THE NEXT ANNUAL ELECTION AFTER 1 OR MORE OF
26 THE CIRCUMSTANCES SPECIFIED IN SUBSECTION (2) OCCUR.

1 (4) IF A PROPOSAL TO TERMINATE COMMERCIAL AND INDUSTRIAL
2 PROPERTY TAX BASE SHARING IS APPROVED BY A MAJORITY OF THE SCHOOL
3 ELECTORS VOTING ON THE PROPOSAL IN EACH OF THE CONSTITUENT DIS-
4 TRICTS, IT IS ADOPTED. TAX BASE SHARING TERMINATED UNDER THIS
5 SECTION SHALL CEASE TO BE IN EFFECT BEGINNING ON THE FIRST DAY OF
6 THE NEXT SCHOOL FISCAL YEAR AFTER THE OFFICIAL DECLARATION OF THE
7 VOTE.

8 Sec. 1211. (1) The board of a school district shall vote
9 to levy taxes necessary for school operating purposes to conduct
10 the educational programs authorized by the board.

11 (2) As used in this section, "school operating purposes"
12 includes expenditures for furniture and equipment, for alter-
13 ations necessary to maintain school facilities in a safe and san-
14 itary condition, for funding the cost of energy conservation
15 improvements in school facilities, and for deficiencies in oper-
16 ating expenses for the preceding year.

17 (3) THIS SECTION DOES NOT RESTRICT THE ABILITY OF A SCHOOL
18 DISTRICT TO PARTICIPATE IN COMMERCIAL AND INDUSTRIAL PROPERTY TAX
19 BASE SHARING UNDER SECTIONS 751 TO 758.

20 Sec. 1216. Except as provided in SECTIONS 751 TO 758 AND
21 IN section 1a of chapter 7 of THE MUNICIPAL FINANCE ACT, Act No.
22 202 of the Public Acts of 1943, being section 137.1a of the
23 Michigan Compiled Laws, money raised by tax shall not be used for
24 a purpose other than that for which it was raised without the
25 consent of a majority of the school electors of the district
26 voting on the question at an annual or special meeting or
27 election.

1 Section 2. This amendatory act shall not take effect unless
2 Senate Bill No. _____ or House Bill No. 4085 (request
3 no. 01317'91) of the 86th Legislature is enacted into law.