



HOUSE BILL No. 5122

October 12, 1993, Introduced by Reps. Stille, Munsell, Profit, Horton, Bender, London, Jaye, Bullard, DeLange, Bandstra, Dalman, Llewellyn, Dobb, Brackenridge, Bobier, Dolan and Yokich and referred to the Committee on Education.

A bill to create the Michigan regional education and service district boundary commission; to prescribe its powers and duties; and to prescribe certain powers and duties of certain state officials, departments, and agencies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Commission" means the Michigan regional education and
3 service district boundary commission created in section 2.

4 (b) "Community college district" means a community college
5 district created under the community college act of 1966, Act
6 No. 331 of the Public Acts of 1966, being sections 389.1 to
7 389.195 of the Michigan Compiled Laws.

8 (c) "Intermediate school district" means that term as
9 defined in the school code of 1976, Act No. 451 of the Public

1 Acts of 1976, being sections 380.1 to 380.1852 of the Michigan
2 Compiled Laws.

3 (d) "Regional service district" means a district or region
4 established by state law or by a state department or agency to
5 provide services, but does not include a school district.

6 (e) "School district" means a school district or a local act
7 school district as defined in Act No. 451 of the Public Acts of
8 1976.

9 Sec. 2. (1) The Michigan regional education and service
10 district boundary commission is created for the purpose of devel-
11 oping a plan to reorganize the various regional service dis-
12 tricts, intermediate school districts, and community college dis-
13 tricts that are responsible for the delivery of regional educa-
14 tional services and other services provided on a regional basis
15 in this state. The purpose of this plan is to ensure the most
16 cost-effective delivery of services to the citizens of this
17 state.

18 (2) The commission shall consist of the following 7
19 members:

20 (a) Three members appointed by the governor.

21 (b) One member appointed by the senate majority leader.

22 (c) One member appointed by the senate minority leader.

23 (d) Subject to subdivision (f), 1 member appointed by the
24 speaker of the house of representatives.

25 (e) Subject to subdivision (f), 1 member appointed by the
26 minority leader of the house of representatives.

1 (f) If there are co-speakers of the house of
2 representatives, instead of the members appointed under
3 subdivisions (d) and (e), each co-speaker shall appoint
4 member.

5 (3) The governor and the legislative leadership shall com-
6 plete the appointments to the commission under subsection (2) not
7 later than 30 days after the effective date of this act and shall
8 ensure that the appointments reflect a representative geograph-
9 ical distribution of members throughout the state.

10 (4) A vacancy on the commission shall be filled in the same
11 manner as the original appointment.

12 (5) Not later than 10 days after all appointments under
13 subsection (2) have been made and confirmed, the commission shall
14 hold its first meeting. At the meeting, the commission shall
15 elect a chairperson and other officers as it considers necessary
16 from among its members. Following this initial meeting, the com-
17 mission shall hold meetings as considered necessary by the
18 chairperson.

19 (6) A majority of the members of the commission constitute a
20 quorum for the transaction of business at a meeting of the
21 commission. Action by the commission shall be by a majority of
22 the votes cast.

23 (7) A member of the commission shall be reimbursed for
24 actual and necessary expenses incurred in the performance of
25 official duties.

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

1 (a) Not later than 3 months after the date of the first
2 meeting of the commission, develop and submit to the governor and
3 the legislature a report with its findings and recommendations on
4 reorganizing intermediate school districts, community college
5 districts, and regional service districts. This report shall
6 include a reorganization plan in compliance with section 5 and a
7 schedule for implementation of the reorganization plan, with con-
8 sideration given to the duration of existing collective bargain-
9 ing agreements and the need for holding new elections for elected
10 officials impacted by the plan.

11 (b) After the submission of the report described in
12 subdivision (a), hold public hearings across the state to provide
13 appropriate information to citizens, to answer questions, and to
14 hear testimony on reorganization.

15 (c) After the completion of the public hearings required by
16 subdivision (b) but not later than 6 months after the date of the
17 first meeting of the commission, revise its findings and recom-
18 mendations as necessary and publish a final report with its find-
19 ings and recommendations on reorganization, including the final
20 version of the reorganization plan, and submit a copy of the
21 report to the governor and the legislature.

22 Sec. 4. Not later than 30 days after receiving the
23 commission's final report submitted under section 3, the legisla-
24 ture may vote to reject the reorganization plan included in the
25 report. If the legislature does not vote to reject the reorgani-
26 zation plan, the reorganization plan shall be implemented not
27 later than October 1, 1995. Rejection of the reorganization plan

1 must be by a majority of those elected and serving in each
2 house.

3 Sec. 5. In developing the reorganization plan required by
4 section 3, the commission shall take into account all of the fol-
5 lowing criteria:

6 (a) The most cost-effective manner in which to deliver equi-
7 table regional educational services and other services provided
8 on a regional basis to all citizens of this state.

9 (b) The clear identification of the specific functions each
10 of the entities included in the reorganization plan shall perform
11 in an integrated delivery system of those services.

12 (c) The identification of the geographical boundaries of
13 regional service districts, intermediate school districts, and
14 community college districts.

15 (d) The identification of functions that should not be per-
16 formed by the various entities, but should be performed by the
17 private sector.

18 Sec. 6. The commission may do either or both of the
19 following:

20 (a) Accept assistance from state departments, agencies, and
21 individuals.

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

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

1 Sec. 8. The commission shall comply with the open meetings
2 act, Act No. 267 of the Public Acts of 1976, being
3 sections 15.261 to 15.275 of the Michigan Compiled Laws, and the
4 freedom of information act, Act No. 442 of the Public Acts of
5 1976, being sections 15.231 to 15.246 of the Michigan Compiled
6 Laws.