

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 4828

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 2, 12, 16, 17, 21, 32, 34, 34a, 36, 37, 38, 39, 42, 51, 52, 54, 55, 56, 57, 58, 59, 62, 83, 84, 86, 105, 107, 122, 144, and 152 (MCL 389.2, 389.12, 389.16, 389.17, 389.21, 389.32, 389.34, 389.34a, 389.36, 389.37, 389.38, 389.39, 389.42, 389.51, 389.52, 389.54, 389.55, 389.56, 389.57, 389.58, 389.59, 389.62, 389.83, 389.84, 389.86, 389.105, 389.107, 389.122, 389.144, and 389.152), section 2 as added by 1998 PA 153, sections 17, 21, 34, 37, 42, 54, 57, and 62 as amended and section 86 as added by 2000 PA 488, section 34a as amended by 1982 PA 381, section 83 as amended by 1992 PA 20, section 122 as amended by 2002 PA 72, section 144 as amended by 2002 PA 73, and section 152 as amended by 1990 PA 11; and to repeal acts and parts of acts.

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

1           Sec. 2. A petition under section 83 or 152, including the  
2 circulation and signing of the petition, is subject to ~~section~~  
3 ~~488 of~~ the Michigan election law. ~~, 1954 PA 116, MCL 168.488.~~  
4 A person who violates a provision of the Michigan election law ~~,~~  
5 ~~1954 PA 116, MCL 168.1 to 168.992,~~ applicable to a petition  
6 described in this section is subject to the penalties prescribed  
7 for that violation in the Michigan election law. ~~, 1954 PA 116,~~  
8 ~~MCL 168.1 to 168.992.~~

9           Sec. 12. (1) ~~When~~ **If** approval of a proposed community  
10 college district is filed with the ~~appropriate county clerks~~  
11 **school district filing official** at least ~~75~~ **77** days but not  
12 more than 6 months ~~prior to~~ **before** the next general state  
13 election, the ~~clerks~~ **school district filing official** shall  
14 include the necessary community college propositions with the  
15 proceedings for the general election.

16           (2) ~~When~~ **If** approval of a proposed community college  
17 district is filed with the ~~appropriate county clerks~~ **school**  
18 **district filing official** more than 6 months ~~prior to the holding~~  
19 ~~of~~ **before** the next general state election, ~~each county clerk~~  
20 **the school district filing official** shall call a special election  
21 for the purpose of submitting to the electors the propositions  
22 relating to the establishment of the community college district  
23 **to be held on the next regular election day that is not less than**  
24 **77 days after the approval is filed.**

25           Sec. 16. The general election laws, including the voting of  
26 absent voters, ~~and all laws of the state relating to~~ **the days**

1 **on which elections are held**, the hours for the opening and  
2 closing of the polls at elections, and provisions for preserving  
3 the purity of elections and for preventing fraud and corruption,  
4 ~~shall~~ govern all elections under this act so far as the same  
5 are applicable and not inconsistent with ~~the provisions of~~ this  
6 act. ~~All county~~ **County** and local election officials shall  
7 perform their election duties for ~~all~~ regular and special  
8 elections held in accordance with ~~the provisions of~~ this  
9 chapter, including the proper giving of notices of registration  
10 and election.

11       Sec. 17. ~~Except as otherwise provided in this chapter~~  
12 **Subject to section 24a of the Michigan election law, MCL 168.24a,**  
13 the county board of canvassers shall conduct ~~a~~ **the** canvass of  
14 the results of ~~any~~ **an** organizational election or other election  
15 of ~~the~~ **a** community college district **organized under this**  
16 **chapter.** ~~If the election area involves more than 1 county, the~~  
17 ~~county board of canvassers of the county containing the highest~~  
18 ~~valuation of the community college district or proposed community~~  
19 ~~college district shall conduct the canvass.~~

20       Sec. 21. (1) ~~The~~ **By adoption of a resolution, the** board  
21 of trustees of a community college district ~~comprised of a~~  
22 ~~county or counties by resolution may annex~~ **organized under this**  
23 **chapter may initiate annexation** to the community college  
24 district, in the manner provided in this act, ~~any~~ **of a**  
25 contiguous county, contiguous township, contiguous intermediate  
26 school district, or contiguous local school district not already  
27 included within the area of a community college district, subject

1 to the following:

2 (a) A community college district located in the Upper  
3 Peninsula may annex a county, township, intermediate school  
4 district, or local school district that is not contiguous.

5 (b) A community college district that has been offering  
6 classes at a federal military installation located in a  
7 noncontiguous county for a period of at least 20 years may annex  
8 that noncontiguous county or that portion of the noncontiguous  
9 county that is not within another community college district.

10 (2) ~~Prior to the~~ **Before an** annexation election, the board  
11 of trustees shall obtain approval of the proposed annexation from  
12 the superintendent of public instruction. Upon receipt of the  
13 approval, the secretary of the board of trustees shall file  
14 certified copies of the annexation resolution and the approval  
15 with the clerk of the county or township to be annexed, or the  
16 secretary of the board of the intermediate school district or  
17 local school district **and the school district filing official of**  
18 **the school district** to be annexed, as applicable.

19 (3) ~~If~~ **After** the resolution and approval are filed ~~more~~  
20 ~~than 90 days before the date of the next general state election,~~  
21 ~~then~~ **under subsection (2),** the county board of commissioners,  
22 the township board, or the board of the intermediate or local  
23 school district, as applicable, shall **request that the school**  
24 **district filing official** call a special election for the purpose  
25 of voting on the question of annexation to the community college  
26 district and of approving the maximum tax rate existing in the  
27 community college district. ~~If the resolution and approval are~~

1 ~~filed less than 90 days but more than 20 days prior to the next~~  
2 ~~general state election, then the propositions shall be presented~~  
3 ~~at that election.~~ **A special election called under this**  
4 **subsection shall be held on a regular election day that is not**  
5 **less than 49 days after the special election is requested.**

6 (4) ~~Annexation becomes~~ **An annexation is** effective on the  
7 date of the election if both propositions receive majority  
8 approval of the electors voting on the propositions. The final  
9 results of the annexation election shall be canvassed ~~as~~  
10 ~~follows:~~ **by the appropriate board of canvassers as provided in**  
11 **section 24a or 30a of the Michigan election law, MCL 168.24a and**  
12 **168.30a.**

13 ~~(a) If a county is the subject of annexation, the county~~  
14 ~~board of canvassers shall conduct the canvass as provided in~~  
15 ~~section 17.~~

16 ~~(b) If a township is the subject of annexation, the township~~  
17 ~~board of canvassers shall conduct the canvass.~~

18 ~~(c) If a local or intermediate school district is the subject~~  
19 ~~of annexation, the board of canvassers of the local or~~  
20 ~~intermediate school district shall conduct the canvass.~~

21 (5) By virtue of annexation, unless otherwise provided in the  
22 approved annexation propositions, ~~any~~ territory annexed to a  
23 community college district is subject to taxes levied for  
24 principal and interest of outstanding bonded indebtedness of the  
25 community college district.

26 (6) If ~~any~~ a portion of a county, township, or intermediate  
27 or local school district to be annexed lies within a community

1 college district at the time of the annexation election, then the  
 2 electors residing in that territory are not eligible to vote on  
 3 the propositions and that territory does not become a part of the  
 4 community college district.

5       Sec. 32. (1) ~~In the case of~~ **If** 2 or more school districts  
 6 **file resolutions to organize a community college district**, the  
 7 secretary of the board of education of the intermediate school  
 8 district shall file a copy of the approval specified in section  
 9 31 with the secretary of the board of education of each component  
 10 school district **and the school district filing official**. ~~When~~  
 11 **If** the filing **with each component school district and the school**  
 12 **district filing official**, or receipt of approval from the state  
 13 board of education by the secretary of the board of education of  
 14 a single school district, occurs at least 60 days but not more  
 15 than 6 months ~~prior to~~ **before** the next annual school election,  
 16 the ~~secretaries~~ **school district filing official** shall include  
 17 the necessary community college propositions in the proceedings  
 18 for the annual election.

19       (2) ~~When~~ **If** the approval is filed with the ~~secretaries~~  
 20 **school district filing official** of the component school districts  
 21 or approval is received by the secretary of the board of  
 22 education of a single school district more than 6 months ~~prior~~  
 23 ~~to~~ **before** the date of the ~~annual~~ **next** school election, each  
 24 board of education shall call a special election to be held ~~on a~~  
 25 ~~date designated by the secretary of the intermediate board of~~  
 26 ~~education of the school district having the highest valuation~~  
 27 ~~within the proposed community college district, for the purpose~~

1 ~~of submitting the propositions relating to the establishment of a~~  
2 ~~community college district, or in the case of a single school~~  
3 ~~district the board of education shall call a special election on~~  
4 ~~a date it determines~~ **in not less than 60 days on a regular**  
5 **election day.** A majority of the electors of the school district  
6 voting ~~thereon~~ **on the propositions** shall approve the  
7 organization of the community college district.

8       Sec. 34. (1) If the community college district consists of  
9 a single school district, the community college district is  
10 directed and governed by a board of trustees consisting of 7  
11 members, elected at large in the territory of the district or  
12 proposed district on a nonpartisan basis. At the organizational  
13 election, the electors shall elect 3 members for 6-year terms, 2  
14 for 4-year terms, and 2 for 2-year terms. After the initial  
15 terms, at the next regular community college election immediately  
16 preceding the expiration of a member's term of office, the  
17 electors shall elect the member's successor for a term of 6  
18 years.

19       (2) If an organizational election is held at the same time as  
20 ~~an annual~~ **a regular** school election **in May**, the term of office  
21 of each member elected shall commence on July 1 following the  
22 organizational election. ~~However, if~~ **If** the ~~annual~~ **regular**  
23 school election is held in November, the term of each member  
24 elected shall commence on the January 1 following the  
25 organizational election.

26       (3) ~~When~~ **If** an organizational election is held on a date  
27 other than the date of ~~an annual~~ **a regular** school election,

1 each board member shall take office on the fifteenth day  
2 following the date of the organizational election. Regular terms  
3 of office shall commence on July 1 following the next ~~annual~~  
4 **regular** school election **in May**. ~~However, if~~ **If** the next  
5 ~~annual~~ **regular** school election is held in November, the regular  
6 terms of office shall commence on the January 1 following the  
7 annual school election. If the organizational election is held  
8 on a date other than the ~~annual~~ **regular** election date of the  
9 component school district, the first year of the term of office  
10 of each of the members elected to the first board of trustees  
11 shall extend for the period of time remaining until July 1 or  
12 January 1, whichever is applicable under this subsection,  
13 following the date of the ~~annual~~ **regular** election of the  
14 component district held not less than 1 year nor more than 2  
15 years after the date of the organizational election.

16       Sec. 34a. (1) If the community college district consists of  
17 2 or more school districts, the community college district shall  
18 be directed and governed by a board of trustees consisting of 7  
19 members, elected at large in the proposed community college  
20 district on a nonpartisan basis. At the organizational election,  
21 there shall be elected 3 members for 6-year terms, 2 members for  
22 4-year terms, and 2 members for 2-year terms. Thereafter, at the  
23 next regular community college election immediately preceding the  
24 expiration of their terms of office, their successors shall be  
25 elected for terms of 6 years.

26       (2) ~~When~~ **If** the organizational election is held at the same  
27 time as the ~~annual~~ **regular** school election **in May**, the term of

1 office of each member elected shall commence on July 1 following  
2 the organizational election. ~~However, if~~ **If** the ~~annual~~  
3 **regular** school election is held in November, the term of each  
4 member elected shall commence on the January 1 following the  
5 organizational election.

6 (3) ~~When~~ **If** the organizational election is held on a date  
7 other than the date of the ~~annual~~ **regular** school election, each  
8 board member shall take office on the fifteenth day following the  
9 date of the organizational election. Regular terms of office  
10 shall commence on July 1 following the next ~~annual~~ **regular**  
11 school election **in May**. ~~However, if~~ **If** the next ~~annual~~  
12 **regular** school election is held in November, the regular terms of  
13 office shall commence on the January 1 following the ~~annual~~  
14 **regular** school election. ~~When~~ **If** the organizational election  
15 is held on a date other than the ~~annual~~ **regular** school  
16 election, the first year of the term of office of each of the  
17 members elected to the first board of trustees shall extend for  
18 the period of time remaining until July 1 or January 1, whichever  
19 is applicable under this subsection, following the date of the  
20 ~~annual~~ **regular** school election.

21 ~~(4) In the case of an existing community college district~~  
22 ~~consisting of 2 or more school districts, the board of trustees~~  
23 ~~as presently constituted shall continue to serve until the next~~  
24 ~~regular community college election which occurs after April 5,~~  
25 ~~1978. At that time, additional members shall be elected in~~  
26 ~~numbers and for terms so that, together with existing board~~  
27 ~~members whose terms are not expiring, there will be 2 members~~

1 ~~whose terms expire 2 years after the election, 3 members whose~~  
2 ~~terms expire 4 years after the election, and 2 members whose~~  
3 ~~terms expire 6 years after the election.~~

4 ~~—— (5) The term of any member serving on the effective date of~~  
5 ~~this subsection, in a district which elects members in November,~~  
6 ~~shall terminate on January 1 of the calendar year in which the~~  
7 ~~member's term otherwise would have expired, but for this~~  
8 ~~subsection.~~

9       Sec. 36. ~~(1) The provisions of sections 531 to 540 of Act~~  
10 ~~No. 269 of the Public Acts of 1955, as amended, being sections~~  
11 ~~340.531 to 340.540 of the Compiled Laws of 1948, shall govern the~~  
12 ~~conduct and procedures of the community college election~~  
13 ~~conducted by local school boards under this chapter. (2) Where~~  
14 ~~if part of a local school district is in another community~~  
15 ~~college district, only those electors residing in the remainder~~  
16 ~~that part of the school district shall be not in the other~~  
17 ~~community college district are eligible to vote in the~~  
18 ~~organizational election or in subsequent community college~~  
19 ~~elections.~~

20       Sec. 37. The **appropriate** board of canvassers ~~of the local~~  
21 ~~or intermediate school districts whose electors are eligible to~~  
22 ~~vote in an election under section 24a or 30a of the Michigan~~  
23 ~~election law, MCL 168.24a and 168.30a, shall conduct a canvass of~~  
24 ~~the results of the an election under this chapter. The board~~  
25 ~~of canvassers shall conduct the canvass within 3 days of the~~  
26 ~~election. For an organizational election, the board of~~  
27 ~~canvassers appointed by the secretaries of the boards of the~~

1 ~~component school districts meeting jointly shall conduct the~~  
2 ~~final canvass. For a community college district election, other~~  
3 ~~than an organizational election, except as otherwise provided in~~  
4 ~~this chapter, the board of canvassers appointed by the board of~~  
5 ~~trustees of the community college district shall conduct the~~  
6 ~~final canvass. In the case of a community college district~~  
7 ~~consisting entirely of 1 school district, the board of canvassers~~  
8 ~~for elections in that school district shall conduct the final~~  
9 ~~canvass.~~

10       Sec. 38. (1) The regular community college election shall  
11 be held at the same time as the ~~annual~~ **regular** school elections  
12 of the constituent school districts held ~~in the odd numbered~~  
13 ~~years on the date prescribed for annual school elections in~~  
14 ~~sections 34, 72 and 108 of Act No. 269 of the Public Acts of~~  
15 ~~1955, as amended~~ **on the day determined under section 642 of the**  
16 **Michigan election law, MCL 168.642.** If any component school  
17 district holds its annual school election on a different date,  
18 the board of such district shall call a special election to be  
19 held on the same day as that ~~above prescribed. The election~~  
20 ~~shall be conducted in the same manner provided by sections 531 to~~  
21 ~~540 of Act No. 269 of the Public Acts of 1955, as amended.~~  
22 **prescribed by this subsection.**

23       (2) At the regular elections separate propositions may be  
24 submitted to the electors in addition to the election of trustees  
25 of the community college district when authorized by the board of  
26 trustees.

27       Sec. 39. (1) ~~Special elections of the community college~~

1 ~~district may be called by the~~ **The board of trustees of a**  
 2 **community college district organized under this chapter may**  
 3 **request that the school district filing official call a special**  
 4 **election.** The secretary of the board shall file a copy of the  
 5 resolution of the board ~~calling the~~ **requesting the call of a**  
 6 **special** election with the secretaries of ~~the~~ **each** component  
 7 **local and intermediate** school ~~districts~~ **district, the school**  
 8 **district filing official, and the clerk of each component county,**  
 9 **as applicable,** at least 60 days ~~prior to~~ **before** the date of the  
 10 election. The **request to the school district filing official and**  
 11 **the** resolution of the board shall contain a statement of the  
 12 propositions to be submitted to the electors.

13 (2) The board of education of each component **local and**  
 14 **intermediate** school district **and the clerk of each component**  
 15 **county, as applicable,** shall **request that the school district**  
 16 **filing official** call the special election on the ~~date~~ **regular**  
 17 **election day** specified in the resolution of the board of  
 18 trustees.

19 Sec. 42. (1) In the annexation of a local school district,  
 20 if the resolution and approval are filed with the secretary more  
 21 than 90 **or less than 21** days before the date of ~~the annual~~ **a**  
 22 **regular school** election, ~~of the district to be annexed,~~ the  
 23 board of education of the district shall **request that the school**  
 24 **district filing official** call a special **school** election for  
 25 voting on the annexation on ~~a date~~ **the regular election day**  
 26 specified by the secretary of the board of trustees of the  
 27 community college district. If the resolution and approval are

1 filed more than 20 days but less than ~~90~~ **91** days ~~prior to~~  
 2 **before** the date of the ~~annual~~ **regular school** election, ~~of the~~  
 3 ~~district to be annexed,~~ the board of education of the **local**  
 4 **school** district shall **request that the school district filing**  
 5 **official** submit the annexation proposition to the electors at the  
 6 ~~annual~~ **regular school** election.

7 (2) In the annexation of an intermediate school district, the  
 8 secretary of the intermediate school board of the intermediate  
 9 school district in writing shall direct the board of education of  
 10 each component **local** school district to submit the annexation  
 11 propositions to the electors of the school district. Each school  
 12 district shall **request that the school district filing official**  
 13 hold the election at the time of the ~~annual school elections~~  
 14 **regular school election** if notification is given more than 20 but  
 15 less than ~~90~~ **91** days before the ~~annual~~ **date of the regular**  
 16 **school** election. ~~date.~~ Otherwise, each board of education shall  
 17 **request that the school district filing official** call a special  
 18 election ~~—~~ to consider the annexation propositions. ~~—, on a~~  
 19 ~~date specified by the secretary of the intermediate school~~  
 20 ~~board.~~

21 (3) In the annexation of a county, if the resolution and  
 22 approval are filed **more than** 90 days ~~or more, or 20 days~~ or  
 23 less ~~—~~ **than 21 days** before the date of the next general  
 24 election, ~~then~~ the ~~county board of commissioners~~ **school**  
 25 **district filing official** shall call a special election within the  
 26 county to consider the annexation propositions. If the  
 27 resolution and approval are filed less than ~~90~~ **91** days but more

1 than 20 days before the next general election, then the  
2 annexation propositions shall be submitted to the electors of the  
3 county at that election.

4       Sec. 51. ~~—(1) The board of education of an intermediate  
5 school district or the boards of 2 or more adjoining intermediate  
6 school districts acting as a single board may direct that the  
7 question of coming under the provisions of this act be submitted  
8 to the school electors of the territory affected at the annual  
9 school elections or at special school elections held in the local  
10 school districts of such territory. If any school district holds  
11 its annual election on a different date, it shall call a special  
12 election to be held on the same day of the annual elections.~~

13       ~~—(2) The board of education of the intermediate school  
14 district or the joint board of 2 or more intermediate school  
15 districts shall designate the territory to be included in the  
16 proposed community college district and a uniform property tax  
17 question for the support of the community college, both  
18 propositions being subject to the approval of the state board of  
19 education. The board of an intermediate school district or the  
20 boards of 2 or more contiguous intermediate school districts  
21 acting as a single board may form a community college district  
22 under this chapter. The board of the intermediate school  
23 district or joint board of the contiguous intermediate school  
24 districts shall designate the territory of the proposed community  
25 college district and refer the questions of organizing the  
26 community college district and the proposed annual tax rate to  
27 the superintendent of public instruction for approval. If the~~

1 superintendent of public instruction approves, he or she shall  
 2 notify the board of the intermediate school district or joint  
 3 board, which shall request that the school district filing  
 4 official include the necessary propositions for forming the  
 5 community college district to the electors in the designated  
 6 territory at the regular school election or at a special election  
 7 called for that purpose.

8       Sec. 52. (1) The secretary of the board of ~~education of~~  
 9 the intermediate school district, ~~or the secretary of the board~~  
 10 ~~of the intermediate school district~~ having the highest valuation  
 11 in the proposed community college district ~~for a community~~  
 12 ~~college formed by 2 or more contiguous intermediate school~~  
 13 ~~districts~~, shall file a copy of the approval ~~of the~~  
 14 ~~superintendent of public instruction~~, specified in section 51  
 15 together with the propositions to be submitted ~~to the electors~~,  
 16 with the secretary of the board of education of each component  
 17 local school district ~~and the school district filing official~~.  
 18 ~~When~~

19       (2) ~~If the secretary of a local school board receives the~~  
 20 ~~filing is made~~ ~~described in subsection (1)~~ at least 60 days but  
 21 not more than 6 months ~~prior to~~ ~~before~~ the next ~~annual~~  
 22 ~~regular~~ school election, ~~each~~ that secretary shall ~~request that~~  
 23 ~~the school district filing official~~ include the necessary  
 24 community college propositions ~~for forming the community college~~  
 25 ~~district~~ with the proceedings for the ~~annual~~ ~~regular~~ school  
 26 election.

27       (3) ~~(2) When the approval is filed with~~ If the secretary of

1 ~~each~~ a component ~~district~~ **local school district receives the**  
 2 **filing described in subsection (1)** more than 6 months ~~prior to~~  
 3 **or less than 60 days before** the date of the ~~annual~~ **regular**  
 4 school election, ~~each board of education~~ **the board of that**  
 5 **district** shall **request that the school district filing official**  
 6 call a special election. ~~, to be held on a date designated by~~  
 7 ~~the secretary of the intermediate board of education of the~~  
 8 ~~school district having the highest valuation within the proposed~~  
 9 ~~community college district for the purpose of submitting~~ **At the**  
 10 **special election,** the propositions relating to the establishment  
 11 of the community college district **shall be submitted to the**  
 12 **electors.**

13       Sec. 54. (1) A community college district is directed and  
 14 governed by a board of trustees, consisting of 7 members except  
 15 as provided in subsection (4), elected at large in the territory  
 16 of the district or proposed district on a nonpartisan basis. At  
 17 the organizational election, the electors shall elect 3 members  
 18 for 6-year terms, 2 for 4-year terms, and 2 for 2-year terms.  
 19 after the initial terms, the electors shall elect members for  
 20 6-year terms.

21       (2) If an organizational election is held at the same time as  
 22 ~~an annual~~ **a regular** school election **in May,** the term of office  
 23 of each member elected shall commence on July 1 following the  
 24 organizational election.

25       (3) When an organizational election is held on a date other  
 26 than the date of ~~an annual~~ **a regular** school election, each  
 27 board member shall take office on the fifteenth day following the

1 date of the organizational election. Regular terms of office  
2 shall commence on July 1 following the next ~~annual~~ **regular**  
3 school election. If the organizational election is held on a  
4 date other than the ~~annual~~ **regular** election date of the  
5 component school districts, the first year of the term of office  
6 of each of the members elected to the first board of trustees  
7 shall extend for the period of time remaining until July 1  
8 following the date of the ~~annual~~ **regular** election of the  
9 component districts held not less than 1 year nor more than 2  
10 years from the date of the organizational election.

11 (4) If a contiguous county is annexed to a community college  
12 district under this chapter, the electors of the annexed county  
13 shall elect 2 additional members to the board of trustees of the  
14 community college district, elected at large in the annexed  
15 county on a nonpartisan basis for a term of 6 years. The term of  
16 office of an additional member shall commence 15 days after the  
17 date of certification of his or her election, at either a general  
18 election or a special election of the annexed county held within  
19 6 months ~~of~~ **after** the election approving of the annexation.  
20 Each additional member, and his or her replacement if a vacancy  
21 occurs during the 6-year term, shall be an elector of the annexed  
22 county. After the initial 6-year term, the 2 additional board  
23 positions are abolished, and the board of trustees shall consist  
24 of 7 members, elected as provided in subsection (1).

25 Sec. 55. (1) A community college district ~~shall be~~  
26 ~~established if a~~ **is established under this chapter only if both**  
27 **of the following occur:**

1           **(a)** A majority of the electors voting in the proposed  
 2 community college district area approve the organization of the  
 3 district. ~~and elect a~~

4           **(b)** A board of trustees in the proper number **is elected by a**  
 5 **majority of the voting electors.**

6           (2) A majority of the electors ~~of voting in~~ the community  
 7 college district shall approve ~~the establishment of the~~  
 8 **proposition establishing** the maximum annual tax rate **for the**  
 9 **community college district.** If the proposition to establish the  
 10 maximum annual tax rate ~~fails to~~ **does not** receive ~~approval of~~  
 11 ~~a proper majority of the electors voting in the proposed~~  
 12 ~~community college district area and a community college district~~  
 13 ~~is established under the provisions of this section~~ **the required**  
 14 **vote of the electors,** the proposition to establish the maximum  
 15 annual tax rate may be resubmitted at a regular election or at a  
 16 special election called by **the school district filing official at**  
 17 **the request of** the board of trustees. ~~for that purpose.~~ If the  
 18 proposition to establish the maximum annual tax rate fails after  
 19 being submitted 3 times, the community college district is  
 20 dissolved.

21           Sec. 56. ~~(1) The provisions of sections 531 to 540 of Act~~  
 22 ~~No. 269 of the Public Acts of 1955, as amended, shall govern the~~  
 23 ~~conduct and procedures of the community college election~~  
 24 ~~conducted by local school boards under this chapter.~~ (2) In  
 25 ~~those instances where~~ **If** part of a local school district is in  
 26 another community college district, only those electors residing  
 27 in ~~the remainder~~ **that part** of the school district ~~shall be~~

1 **not in the other community college district** are eligible to vote  
2 in the organizational election and in subsequent elections of the  
3 community college district.

4       Sec. 57. ~~The boards of canvassers of the school districts~~  
5 ~~whose electors are eligible to vote in an election~~ **appropriate**  
6 **board of canvassers prescribed in section 24a or 30a of the**  
7 **Michigan election law, MCL 168.24a and 168.30a,** shall conduct a  
8 canvass of the results of the election within 3 days ~~of the~~  
9 **after an election under this chapter.** ~~For an organizational~~  
10 ~~election, the board of canvassers of the intermediate school~~  
11 ~~district having the highest valuation within the proposed~~  
12 ~~community college district shall conduct the final canvass. For~~  
13 ~~a community college district election other than an~~  
14 ~~organizational election, except as otherwise provided in this~~  
15 ~~chapter, the board of canvassers appointed by the board of~~  
16 ~~trustees of the community college shall conduct the final~~  
17 ~~canvass.~~

18       Sec. 58. (1) ~~The first regular election of a community~~  
19 ~~college district shall be held at the time of the annual~~  
20 ~~elections of the component school districts held not less than 2~~  
21 ~~years nor more than 3 years from the date of the organizational~~  
22 ~~election. The date of the annual school elections referred to in~~  
23 ~~this chapter is the date prescribed for annual school elections~~  
24 ~~in sections 34, 72 and 108 of Act No. 269 of the Public Acts of~~  
25 ~~1955, as amended. If any school district holds its annual~~  
26 ~~election on a different date, the board of this district shall~~  
27 ~~call a special election for the community college district to be~~

1 ~~held on the same day as prescribed in this chapter. The period~~  
2 ~~of time between the annual election dates shall be construed as~~  
3 ~~being 1 year. A regular community college election is held at~~  
4 ~~the same time as the regular school election. A constituent~~  
5 ~~county shall call a special election to be held on the date of~~  
6 ~~the regular school election.~~

7 ~~(2) Subsequent regular elections of the community college~~  
8 ~~district shall be held biennially thereafter on the annual school~~  
9 ~~election dates, unless the board of trustees determines to hold~~  
10 ~~its election at the same time and in conjunction with a city~~  
11 ~~election as provided in section 644k of Act No. 116 of the Public~~  
12 ~~Acts of 1954, as added, being section 168.644k of the Compiled~~  
13 ~~Laws of 1948.~~

14 (2) ~~(3) At the regular elections~~ **a regular election, in**  
15 **addition to the election of trustees,** special propositions may be  
16 submitted to the electors ~~in addition to the election of~~  
17 ~~trustees~~ when authorized by the board of trustees.

18 Sec. 59. ~~(1) Special elections of the community college~~  
19 ~~district may be called by the~~ **The board of trustees of a**  
20 **community college district organized under this chapter may**  
21 **request that the school district filing official call a special**  
22 **election.** The secretary of the board shall file a copy of the  
23 resolution of the board calling ~~the~~ **a special** election with the  
24 secretary of each ~~of the~~ component **local and intermediate**  
25 school ~~districts~~ **district and the clerk of each component**  
26 **county, as applicable,** at least 60 days ~~prior to~~ **before** the  
27 date of the election. The resolution shall contain a statement

1 of the proposition to be submitted to the electors. ~~—(2)—~~ The  
 2 board of education of each component **local and intermediate**  
 3 school district **and the clerk of each component county, as**  
 4 **applicable,** shall **request that the school district filing**  
 5 **official** call the special election. ~~—on the date specified in the~~  
 6 ~~resolution—~~

7       Sec. 62. (1) In an annexation of 1 or more local school  
 8 districts, if the resolution and approval are filed with each  
 9 secretary more than 90 **or less than 21** days before the date of  
 10 the ~~—annual—~~ **regular school** election, ~~—of the districts to be~~  
 11 ~~annexed—~~ the board of education of each district shall **request**  
 12 **that the school district filing official** call a special election  
 13 for voting on the propositions of annexation. If the resolution  
 14 and approval are filed more than 20 days but less than ~~—90—~~ **91**  
 15 days ~~—prior to—~~ **before** the date of the ~~—annual—~~ **regular school**  
 16 election, ~~—of each district to be annexed—~~ the board of  
 17 education of each district shall **request that the school district**  
 18 **filing official** submit annexation propositions to ~~—its—~~ **the**  
 19 electors at the ~~—annual—~~ **regular school** election.

20       (2) In an annexation of an intermediate school district, the  
 21 secretary of the intermediate school board of the intermediate  
 22 school district in writing shall direct the board of education of  
 23 each component **local** school district to submit the annexation  
 24 propositions to the electors of that component school district.  
 25 Each school district shall **request that the school district**  
 26 **filing official call and** hold the election at the time of ~~—its~~  
 27 ~~annual school elections—~~ **the regular school election** if

1 notification is given to each school district more than 20 but  
 2 less than ~~90~~ **91** days before the ~~annual election~~ date **of the**  
 3 **regular school election**. Otherwise, each board of education  
 4 shall **request that the school district filing official** call a  
 5 special election ~~—~~ to consider the annexation propositions. ~~—~~  
 6 ~~on a date specified by the secretary of the intermediate school~~  
 7 ~~board.~~

8 (3) In an annexation of a county, if the resolution and  
 9 approval are filed **more than 90** ~~days or more, or 20 days~~ or  
 10 less ~~—~~ **than 21 days** before the date of the next general  
 11 election, ~~then~~ the county ~~board of commissioners~~ **clerk** shall  
 12 call a special election within the county to consider the  
 13 annexation propositions. If the resolution and approval are  
 14 filed less than ~~90~~ **91** days but more than 20 days before the  
 15 next general election, then the annexation propositions shall be  
 16 submitted to the electors of the county at that election.

17 Sec. 83. (1) ~~In the November, 1984 general election and~~  
 18 ~~every 4 years after that election until the November, 1992~~  
 19 ~~general election, 9 members of the board of trustees of a~~  
 20 ~~community college district established under this chapter shall~~  
 21 ~~be elected for a term of 4 years. Each member shall represent a~~  
 22 ~~trustee district described in section 82. (2) For the members~~ **A**  
 23 **member** of the board of trustees of a community college  
 24 established under this chapter ~~elected in the November, 1992~~  
 25 ~~general election, the members receiving the 3 highest number of~~  
 26 ~~votes in the election each shall be elected for a term of 6~~  
 27 ~~years, the members receiving the 3 next highest number of votes~~

1 ~~in the election each shall be elected for a term of 4 years, and~~  
 2 ~~the members receiving the 3 lowest number of votes each shall be~~  
 3 ~~elected for a 2 year term. A member elected after the November,~~  
 4 ~~1992 term~~ shall be elected for a term of 6 years unless he or  
 5 she is elected to fill a vacancy for the unexpired term under  
 6 subsection ~~(6)~~ (5).

7 (2) ~~(3) Each~~ A candidate for trustee shall be nominated at  
 8 a nonpartisan primary election conducted ~~pursuant to~~ **under** the  
 9 Michigan election law. ~~, Act No. 116 of the Public Acts of 1954,~~  
 10 ~~being sections 168.1 to 168.992 of the Michigan Compiled Laws.~~  
 11 The nominating petitions shall contain not less than 250 ~~,~~ or  
 12 more than 500 signatures of registered school electors of the  
 13 appropriate trustee district ~~, shall meet the requirements of~~  
 14 ~~section 544c of Act No. 116 of the Public Acts of 1954, being~~  
 15 ~~section 168.544c of the Michigan Compiled Laws,~~ and shall be  
 16 filed with the ~~clerk of the county in which~~ **school district**  
 17 **filing official** for the community college district ~~is located~~  
 18 on or before 4 p.m. of the twelfth Tuesday before the primary  
 19 election. A signature on a nominating petition ~~shall~~ **is** not  
 20 ~~be~~ valid unless the petitioner is a registered school elector  
 21 of the trustee district in which the candidate is running for  
 22 election. The ~~county clerk~~ **school district filing official** may  
 23 compare the signatures on the petitions with the signatures  
 24 appearing on the registration records or in some other proper  
 25 manner determine whether the signatures appearing on the petition  
 26 are genuine and comply with the requirements of this section.  
 27 Not more than 2 candidates shall be nominated at the primary

1 election for each trustee district.

2       (3) ~~—(4)—~~ Each of the 9 trustees shall commence his or her  
3 term of office on January 1 following his or her election.

4       (4) ~~—(5)—~~ A candidate for the office of board member  
5 representing a trustee district or a person **elected or** appointed  
6 to fill a vacancy ~~pursuant to~~ **under** subsection ~~—(6)—~~ (5) shall  
7 be 18 years of age or older at the time of his or her election or  
8 appointment and shall be ~~a registered school~~ **an** elector  
9 residing in the trustee district in which the person becomes a  
10 candidate or which the person is appointed to represent. If a  
11 member representing a trustee district ceases to reside in the  
12 trustee district during the trustee's term of office, it ~~shall~~  
13 ~~constitute~~ **is** a vacating of office.

14       (5) ~~—(6)—~~ If a vacancy occurs on the board of trustees, the  
15 vacancy shall be filled from among ~~registered school~~ electors  
16 of the trustee district by majority vote of the remaining board  
17 members. If a person is appointed to fill a vacancy in a trustee  
18 district for which the unexpired term is more than 1 year and 8  
19 months, that person shall serve until January 1 following the  
20 next general election. At that next general election the vacancy  
21 shall be filled for the unexpired term. A vacancy shall not be  
22 filled later than 60 days before a primary election at which  
23 voting district board members are to be nominated.

24       (6) ~~—(7)—~~ Special elections may be called ~~by the board of~~  
25 ~~trustees pursuant to~~ **in the same manner as in** chapters 1 and 2.  
26 ~~, except that the county or the constituent school districts~~  
27 ~~shall pay for the cost of those elections until such time as the~~

1 ~~authorization to levy a tax is established.~~

2       Sec. 84. The board of trustees **of a community college**  
 3 **district formed under this chapter** shall submit to the electors  
 4 of the **community college** district the proposition to establish  
 5 the maximum annual tax rate. If the proposition to establish the  
 6 maximum annual tax rate fails to receive a proper majority of the  
 7 electors voting in the community college district at the first  
 8 election held for that purpose, the proposition to establish the  
 9 maximum annual tax rate may be resubmitted at a regular election  
 10 or at a special election called by **the school district filing**  
 11 **official at the request of** the board of trustees for that  
 12 purpose. ~~In no event shall such an election be called by the~~  
 13 **The board of trustees shall not request that the school district**  
 14 **filing official call an election for that purpose** more often than  
 15 once in any 9-month period.

16       Sec. 86. (1) In the annexation of a local school district,  
 17 if the resolution and approval are filed with the secretary more  
 18 than 90 **or less than 21** days before the date of the ~~annual~~  
 19 **regular school** election, ~~of the district to be annexed,~~ the  
 20 board of education of the district shall **request that the school**  
 21 **district filing official** call a special election for voting on  
 22 the propositions of annexation. If the resolution and approval  
 23 are filed more than 20 days but less than ~~90~~ **91** days ~~prior to~~  
 24 **before** the date of the ~~annual~~ **regular school** election, ~~of the~~  
 25 ~~district to be annexed,~~ the board of education of the district  
 26 shall **request that the school district filing official** submit the  
 27 annexation propositions to the electors at the ~~annual~~ **regular**

1 **school** election.

2 (2) In the annexation of an intermediate school district, the  
 3 secretary of the intermediate school board of the intermediate  
 4 school district in writing shall direct the board of education of  
 5 each component **local** school district to submit the annexation  
 6 propositions to the electors of ~~the~~ **that component** school  
 7 district. Each school district shall **request that the school**  
 8 **district filing official call and** hold the election at the time  
 9 of the ~~annual school elections~~ **regular school election** if  
 10 notification is given more than 20 but less than ~~90~~ **91** days  
 11 before the ~~annual election~~ **date of the regular school**  
 12 **election**. Otherwise, each board of education shall **request that**  
 13 **the school district filing official** call a special election ~~—~~  
 14 to consider the annexation propositions. ~~—, on a date specified~~  
 15 ~~by the secretary of the intermediate school board.~~

16 Sec. 105. ~~(1) A community college means an educational~~  
 17 ~~institution providing, primarily for all persons above the~~  
 18 ~~twelfth grade age level and primarily for those within commuting~~  
 19 ~~distance, collegiate and noncollegiate level education including~~  
 20 ~~area vocational technical education programs which may result in~~  
 21 ~~the granting of diplomas and certificates including those known~~  
 22 ~~as associate degrees but not including baccalaureate or higher~~  
 23 ~~degrees.~~

24 ~~—— (2) An area vocational education program means a program of~~  
 25 ~~organized systematic instruction designed to prepare the~~  
 26 ~~following individuals for useful employment in recognized~~  
 27 ~~occupations:~~

1 ~~—— (a) Persons who have completed or left high school and who~~  
 2 ~~are available for full-time study in preparation for entering the~~  
 3 ~~labor market.~~

4 ~~—— (b) Persons who have already entered the labor market and~~  
 5 ~~who need training to achieve stability or advancement in~~  
 6 ~~employment.~~

7 ~~—— (c) Persons enrolled in high school.~~

8 ~~—— (3) When programs or courses are provided for persons~~  
 9 ~~enrolled in high school, the provision of the programs or courses~~  
 10 ~~shall be requested for each of the individuals by the~~  
 11 ~~superintendent or his designated representative of the school~~  
 12 ~~district in which the person is enrolled.~~

13 ~~—— (4) The word "area" As used in this act:~~

14 ~~(a) "Area", in the phrase term "area vocational-technical~~  
 15 ~~education program", refers to means the geographical territory~~  
 16 ~~of the district, and whatever any territory without outside~~  
 17 ~~of the district as that is designated as the service area of~~  
 18 ~~the district by the state board of education superintendent of~~  
 19 ~~public instruction. A community college is eligible to receive~~  
 20 ~~such state aid and assistance as may be appropriated by the~~  
 21 ~~legislature for the aid and support of junior colleges or~~  
 22 ~~community colleges.~~

23 ~~(b) "Area vocational-education program" means a program of~~  
 24 ~~organized systematic instruction designed to prepare the~~  
 25 ~~following individuals for useful employment in recognized~~  
 26 ~~occupations:~~

27 ~~(i) An individual who has completed or left high school and~~

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1 who is available for full-time study in preparation for entering  
2 the labor market.

3 (ii) An individual who has already entered the labor market  
4 and who needs training to achieve stability or advancement in  
5 employment.

6 (iii) An individual enrolled in high school. If a program or  
7 course is provided for an individual enrolled in high school, the  
8 superintendent of the school district in which the individual is  
9 enrolled or his or her designated representative shall request  
10 that the program or course be provided to the individual.

11 (c) "Community college" means an educational institution  
12 providing collegiate and noncollegiate level education primarily  
13 to individuals above the twelfth grade age level within commuting  
14 distance. The term includes an area vocational-technical  
15 education program that may result in the granting of an associate  
16 degree or other diploma or certificate, but not an educational  
17 institution or program granting baccalaureate or higher degrees.

18 (d) "General election" or "general state election" means the  
19 term general election as defined in section 2 of the Michigan  
20 election law, MCL 168.2.

21 (e) "Michigan election law" means the Michigan election law,  
22 1954 PA 116, MCL 168.1 to 168.992.

23 (f) "Regular election" means that term as defined in section  
24 3 of the Michigan election law, MCL 168.3.

<<(g) "School district" means a school district, a local act school  
district, or an intermediate school district, as those terms are defined  
in the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, or a  
community college district under this act.>>

25 <<(h) ~~(g)~~>> "School district filing official" means the school  
26 district election coordinator as defined in section 4 of the  
27 Michigan election law, MCL 168.4, or an authorized agent of the

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1 school district election coordinator.

2 <<(i) (h)>> "Special election" means that term as defined in section  
3 4 of the Michigan election law, MCL 168.4.

4 Sec. 107. (1) An ~~elector of a community college district~~  
5 ~~shall possess the qualifications provided for in article 2 of the~~  
6 ~~state constitution~~ election under this act shall be called,  
7 administered, conducted, and canvassed as provided in this act  
8 and the Michigan election law.

9 (2) A special election under this act shall be held on a  
10 regular election day established under section 641 of the  
11 Michigan election law, MCL 168.641.

12 Sec. 122. The board of trustees may do all of the  
13 following:

14 (a) Borrow, subject to the provisions of the revised  
15 municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, for  
16 community college purposes, including capital expenditures, money  
17 on the terms it considers desirable and give notes of the  
18 district for those purposes. If a newly organized community  
19 college district borrows in anticipation of the collection of the  
20 first tax levy of the district, the loan shall not exceed 50% of  
21 the estimated amount of the first tax levy.

22 (b) Borrow, subject to the revised municipal finance act,  
23 2001 PA 34, MCL 141.2101 to 141.2821, money as it considers  
24 necessary and issue bonds of the community college district, to  
25 purchase sites for buildings, playgrounds, athletic fields, or  
26 agricultural farms; to purchase or erect and equip any building  
27 or buildings that it is authorized to purchase and erect; or to

1 make any permanent improvement that it is authorized to make. A  
2 loan shall not be made and bonds shall not be issued for any sum  
3 that, together with the total outstanding bonded indebtedness of  
4 the district, including bonds voted but not issued, exceeds the  
5 total of 1-1/2% of the first \$250,000,000.00 plus 1% of the  
6 excess over \$250,000,000.00 of the last confirmed state equalized  
7 valuation of all taxable property in the district unless the  
8 proposition of making the loan or of issuing bonds has been  
9 submitted first to a vote of the qualified electors of the  
10 district, at a ~~general~~ **regular** or special election, and  
11 approved by the majority of the electors voting at the election,  
12 in which event loans may be made or bonds may be issued in an  
13 amount not to exceed 15% of the total state equalized valuation  
14 of the district.

15 (c) Provide for energy conservation improvements to be made  
16 to community college facilities and ~~may~~ pay for the  
17 improvements from operating funds of the district or from the  
18 savings that result from the energy conservation improvements.  
19 Energy conservation improvements may include, but are not limited  
20 to, heating system improvements, fenestration improvements, roof  
21 improvements, the installation of any insulation, the  
22 installation or repair of heating or air conditioning controls,  
23 and entrance or exit way closures. The board of trustees may  
24 acquire 1 or more energy conservation improvements by installment  
25 contract or may borrow money and issue notes for the purpose of  
26 securing funds for the improvements or may enter into contracts  
27 in which the cost of the energy conservation improvements is paid

1 from a portion of the savings that result from the energy  
2 conservation improvements. These contractual agreements may  
3 provide that the cost of the energy conservation improvements are  
4 paid only if the energy savings are sufficient to cover their  
5 cost. An installment contract or notes issued pursuant to this  
6 subdivision shall extend for a period of time not to exceed 10  
7 years. Notes issued pursuant to this subdivision shall be full  
8 faith and credit, tax limited obligations of the community  
9 college district, payable from tax levies and the general fund as  
10 pledged by the board of trustees. The notes are subject to the  
11 revised municipal finance act, 2001 PA 34, MCL 141.2101 to  
12 141.2821. This subdivision does not limit in any manner the  
13 borrowing or bonding authority of a community college as provided  
14 by law.

15       Sec. 144. (1) The board of trustees of each community  
16 college district may levy for the purposes specified as within  
17 the power of the board a tax that does not exceed the rate  
18 previously or subsequently authorized by the qualified electors  
19 of the district or the rate derived through the previous adoption  
20 by the electors of the district of former 1955 PA 188, or the  
21 rate that is allocated to the community college district in  
22 accordance with the property tax limitation act, 1933 PA 62,  
23 MCL 211.201 to 211.217a. The funds may be used for all purposes  
24 authorized, except that to the extent permitted under the revised  
25 municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821,  
26 taxes imposed for the payment of principal and interest on bonds  
27 or other evidences of indebtedness or for the payment of

1 assessments or contract obligations in anticipation of which  
2 bonds are issued may be imposed without limitation as to rate or  
3 amount. This limitation may be increased to not more than 5  
4 mills if approved by a majority of the qualified electors voting  
5 on the question at ~~any general~~ **a regular** or special election of  
6 the community college district.

7 (2) Except as provided in subsection (3), the board of  
8 trustees shall determine the total taxes required for any year  
9 and shall certify the approved tax rate to be levied and the  
10 amount of taxes to be raised to the proper assessing officer of  
11 each city and township in which the territory of the community  
12 college district is situated on or before September 1 of each  
13 year, except that the board of trustees may provide by resolution  
14 that taxes to be raised against property within any city or  
15 township, any portion of which lies within the community college  
16 district boundaries, may be levied and collected in the same  
17 manner and at the same time as the city or township taxes or in  
18 the same manner and at the same time as school district or  
19 intermediate school district taxes are being collected by the  
20 city or township under part 26 of the revised school code, 1976  
21 PA 451, MCL 380.1611 to 380.1615.

22 (3) By resolution of its board on or before May 15 of the  
23 year in which it is established, a community college district  
24 established under this act between January 1 and May 1 of any  
25 calendar year may impose a summer property tax levy of either the  
26 total or 1/2 of the community college district property taxes for  
27 that tax year. The board resolution shall also determine the

1 total taxes required for that tax year and certify the approved  
2 tax rate to be levied and the amount of taxes to be raised to the  
3 proper assessing officer of each city or township in which the  
4 territory of the community college district is situated. Upon  
5 receipt of that board resolution, each city and township in which  
6 the community college district is situated that collects a summer  
7 property tax levy ~~pursuant to~~ **under** section 1613 of the revised  
8 school code, 1976 PA 451, MCL 380.1613, shall collect the summer  
9 levy for that year. The reasonable and actual expenses incurred  
10 by a city or township in collecting the community college  
11 district property taxes under this subsection, to the extent  
12 these expenses are in addition to the expense of collecting and  
13 assessing any other taxes at the same time and exceed the amount  
14 of any fees imposed for the collection of the community college  
15 property taxes, shall be billed to and paid by the community  
16 college district. For the purposes of this subsection,  
17 reasonable and actual expenses shall not exceed the current  
18 collection agreements negotiated with the largest intermediate  
19 school district within the community college district. This  
20 subsection applies until December 31, 1992.

21 (4) All money collected by ~~any~~ **a** tax collecting officer  
22 from the tax levied ~~pursuant to~~ **under** this section shall be  
23 returned to the community college district ~~pursuant to~~ **as**  
24 **provided by** section 43 of the general property tax act, 1893  
25 PA 206, MCL 211.43, or to the county treasurer who shall pay the  
26 taxes so returned immediately to the community college district.

27 (5) The subjects of taxation for the community college

1 district purposes shall be the same as for state, county, and  
2 other school purposes as provided under the general property tax  
3 act, 1893 PA 206, MCL 211.1 to 211.157.

4       Sec. 152. (1) Candidates for members of the first and  
5 succeeding boards shall be nominated by petition signed by not  
6 less than 50 or more than 200 qualified and registered electors  
7 residing within the geographic area of the community college  
8 district. All nominating petitions in community college  
9 districts organized under chapter 1 shall be filed not later than  
10 4 p.m. on the one hundred-tenth day ~~prior to~~ **before** the date of  
11 any election. All nominating petitions in community college  
12 districts organized under chapters 2 and 3 shall be filed not  
13 later than 4 p.m. on the ninth Monday ~~prior to~~ **before** the date  
14 of any election. If the last day for filing nominating petitions  
15 falls on a Saturday, Sunday, or legal holiday, the nominating  
16 petitions shall be filed not later than 4 p.m. on the next day  
17 that is not a Saturday, Sunday, or legal holiday.

18       (2) Nominating petitions for the first ~~board~~ **and succeeding**  
19 **boards** of trustees of a community college district organized  
20 under chapter 1 shall be filed with the ~~county clerk or clerks~~  
21 **school district filing official**. Nominating petitions for the  
22 first ~~board~~ **and succeeding boards** of trustees organized under  
23 chapters 2 and 3 shall be filed with the ~~secretary of the board~~  
24 ~~of education of the intermediate school district of the county~~  
25 ~~having the highest valuation within the community college~~  
26 ~~district~~ **school district filing official**. ~~Nominating petitions~~  
27 ~~for succeeding boards of trustees shall be filed with the~~

1 ~~secretary of the board of trustees of the community college~~  
2 ~~district, except that when candidates are elected from separate~~  
3 ~~school districts within the college district as provided in~~  
4 ~~chapter 2, nominees from school district areas shall file~~  
5 ~~nominating petitions with the secretaries of school districts for~~  
6 ~~the first and succeeding boards of trustees. In a community~~  
7 ~~college district organized under chapter 1, the names of all~~  
8 ~~candidates and the terms of office shall be certified to the~~  
9 ~~county clerk or clerks by the secretary of the board of trustees~~  
10 ~~of the community college district within 5 days after the last~~  
11 ~~day for filing petitions.~~

12       (3) Upon the filing of nominating petitions with the  
13 ~~appropriate~~ **school district filing** official, he or she shall  
14 canvass them to ascertain if they have been signed by the  
15 requisite number of qualified ~~and registered~~ electors and ~~for~~  
16 ~~the purpose of determining the validity thereof may cause~~ **may**  
17 **check** any doubtful signatures ~~to be checked~~ against the  
18 registration records of the clerk of any political subdivision in  
19 which the petitions were circulated, or may use any other method  
20 he or she deems proper for determining the validity of the  
21 doubtful signatures. If he or she determines that the nominating  
22 petitions of any candidate do not comply with the requirements or  
23 if the candidate does not possess the qualifications as required  
24 by the provisions of this act for membership on the board of  
25 trustees, the **school district filing** official shall notify the  
26 candidate of that fact and of the reasons.

27       (4) This section does not apply to nominating petitions for a

1 candidate for a board of trustees organized under chapter 5.

2 Enacting section 1. Sections 20, 40, and 60 of the  
3 community college act of 1966, 1966 PA 331, MCL 389.20, 389.40,  
4 and 389.60, are repealed.

5 Enacting section 2. This amendatory act takes effect  
6 January 1, 2005.

7 Enacting section 3. This amendatory act does not take  
8 effect unless all of the following bills of the 92nd Legislature  
9 are enacted into law:

- 10 (a) Senate Bill No. 877.
- 11 (b) House Bill No. 4820.
- 12 (c) House Bill No. 4822.
- 13 (d) House Bill No. 4823.
- 14 (e) House Bill No. 4824.
- 15 (f) House Bill No. 4825.
- 16 (g) House Bill No. 4826.
- 17 (h) House Bill No. 4827.