

HOUSE BILL No. 5400

November 2, 2005, Introduced by Reps. Wenke, Murphy, Jones, Stahl, Newell and Sheltrown and referred to the Committee on Higher Education and Career Preparation.

A bill to amend 1966 PA 331, entitled
"Community college act of 1966,"
by amending section 144 (MCL 389.144), as amended by 2003 PA 306,
and by adding chapter 6 to part 1.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER 6

REORGANIZED COMMUNITY COLLEGE DISTRICTS

SEC. 91. (1) BEFORE JANUARY 1, 2011, A COMMUNITY COLLEGE
DISTRICT ESTABLISHED UNDER CHAPTER 1, 2, OR 3 SHALL REORGANIZE TO
FORM A REORGANIZED COMMUNITY COLLEGE DISTRICT UNDER THIS CHAPTER IF
ALL OF THE FOLLOWING ARE MET:

(A) THE REORGANIZATION WILL RESULT IN THE EXPANSION OF THE
EXISTING BOUNDARIES OF THE COMMUNITY COLLEGE DISTRICT.

(B) A PETITION IS SUBMITTED TO THE BOARD OF TRUSTEES OF THE

1 COMMUNITY COLLEGE DISTRICT REQUESTING THE BOARD OF TRUSTEES TO
2 ADOPT A RESOLUTION DESCRIBED IN SUBDIVISION (C) TO ESTABLISH A
3 REORGANIZED COMMUNITY COLLEGE DISTRICT COMPOSED OF THE EXISTING
4 COMMUNITY COLLEGE DISTRICT AND A SPECIFIED ADDITIONAL GEOGRAPHIC
5 AREA OR AREAS. THE PETITION SHALL BE SIGNED BY A NUMBER OF
6 REGISTERED ELECTORS RESIDING IN THE SPECIFIED ADDITIONAL GEOGRAPHIC
7 AREA OR AREAS THAT IS AT LEAST EQUAL TO THE NUMBER OF SIGNATURES
8 REQUIRED UNDER CHAPTER 12 TO NOMINATE A CANDIDATE FOR THE BOARD OF
9 TRUSTEES OF A COMMUNITY COLLEGE DISTRICT.

10 (C) THE BOARD OF TRUSTEES OF THE COMMUNITY COLLEGE DISTRICT
11 ADOPTS A RESOLUTION TO ESTABLISH A REORGANIZED COMMUNITY COLLEGE
12 DISTRICT COMPOSED OF THE EXISTING COMMUNITY COLLEGE DISTRICT AND
13 THE SPECIFIED ADDITIONAL GEOGRAPHIC AREA OR AREAS.

14 (D) THE BOARD OF TRUSTEES OF THE COMMUNITY COLLEGE DISTRICT
15 SUBMITS THE RESOLUTION DESCRIBED IN SUBDIVISION (C) TO THE STATE
16 BOARD OF EDUCATION AND OBTAINS THE APPROVAL OF THE STATE BOARD OF
17 EDUCATION FOR THE REORGANIZATION.

18 (E) THE REORGANIZATION IS APPROVED BY A MAJORITY OF THE
19 ELECTORS RESIDING IN THE PROPOSED REORGANIZED COMMUNITY COLLEGE
20 DISTRICT AND VOTING ON THE QUESTION.

21 (2) THE RESOLUTION DESCRIBED IN SUBSECTION (1)(C) SHALL
22 INCLUDE AT LEAST ALL OF THE FOLLOWING:

23 (A) IDENTIFICATION OF THE BOUNDARIES OF THE PROPOSED
24 REORGANIZED COMMUNITY COLLEGE DISTRICT.

25 (B) IDENTIFICATION OF ANY BONDED INDEBTEDNESS FOR WHICH TAXES
26 ARE LEVIED WITHOUT LIMITATION AS TO RATE OR AMOUNT THAT IS TO BE
27 ASSUMED BY THE PROPOSED REORGANIZED COMMUNITY COLLEGE DISTRICT.

1 (C) THE PROPOSED MAXIMUM ANNUAL TAX RATE TO BE AUTHORIZED
2 UNDER SECTION 95(1).

3 (D) THE MANNER IN WHICH THE PROPOSED REORGANIZED COMMUNITY
4 COLLEGE DISTRICT WILL ENSURE ACCESS TO COLLEGE SERVICES THROUGHOUT
5 THE GEOGRAPHIC AREA OF THE PROPOSED REORGANIZED COMMUNITY COLLEGE
6 DISTRICT.

7 (4) THE BOUNDARIES OF THE PROPOSED REORGANIZED COMMUNITY
8 COLLEGE DISTRICT SHALL INCLUDE THE AREA WITHIN THE EXISTING
9 COMMUNITY COLLEGE DISTRICT AND ANY AREA CONTIGUOUS TO THE EXISTING
10 COMMUNITY COLLEGE DISTRICT, OR A COUNTY THAT IS NOT CONTIGUOUS BUT
11 CONTAINS A FEDERAL MILITARY INSTALLATION AT WHICH CLASSES HAVE BEEN
12 CONTINUOUSLY OFFERED FOR AT LEAST 20 YEARS BY THE COMMUNITY COLLEGE
13 THAT EXISTED BEFORE THE REORGANIZATION, THAT IS IDENTIFIED IN THE
14 RESOLUTION. IF PRACTICABLE AND TO THE EXTENT POSSIBLE, THE
15 BOUNDARIES OF THE PROPOSED REORGANIZED COMMUNITY COLLEGE DISTRICT
16 SHALL CONFORM TO COUNTY, SCHOOL DISTRICT, OR INTERMEDIATE SCHOOL
17 DISTRICT BOUNDARIES. HOWEVER, THE BOUNDARIES OF THE PROPOSED
18 REORGANIZED COMMUNITY COLLEGE DISTRICT SHALL NOT INCLUDE ANY
19 TERRITORY THAT IS INCLUDED WITHIN ANOTHER EXISTING COMMUNITY
20 COLLEGE DISTRICT.

21 (5) FOR PURPOSES OF THIS CHAPTER, A COMMUNITY COLLEGE DISTRICT
22 ESTABLISHED BY PETITION UNDER CHAPTER 4 IS CONSIDERED ESTABLISHED
23 UNDER THE CHAPTER UNDER WHICH THE PROCEEDINGS FOR ESTABLISHING THE
24 DISTRICT WERE HELD.

25 SEC. 92. (1) IF THE STATE BOARD OF EDUCATION APPROVES OF THE
26 REORGANIZATION OF A COMMUNITY COLLEGE DISTRICT UNDER SECTION
27 91(1)(D), THE BOARD OF TRUSTEES OF THAT COMMUNITY COLLEGE DISTRICT

1 SHALL NOTIFY THE SCHOOL DISTRICT FILING OFFICIAL OF EACH OF THE
2 UNITS OF LOCAL GOVERNMENT IN WHICH A PORTION OF THE PROPOSED
3 REORGANIZED COMMUNITY COLLEGE DISTRICT IS LOCATED AND EACH OF THE
4 SCHOOL DISTRICT FILING OFFICIALS SHALL INCLUDE THE PROPOSITION OF
5 APPROVING THE REORGANIZATION ON THE BALLOT AT 1 OF THE FOLLOWING
6 ELECTIONS:

7 (A) IF APPROVAL OF A PROPOSED REORGANIZED COMMUNITY COLLEGE
8 DISTRICT IS FILED WITH A SCHOOL DISTRICT FILING OFFICIAL AT LEAST
9 77 DAYS BUT NOT MORE THAN 6 MONTHS BEFORE THE NEXT GENERAL STATE
10 ELECTION, THE SCHOOL DISTRICT FILING OFFICIAL SHALL INCLUDE THE
11 NECESSARY COMMUNITY COLLEGE PROPOSITIONS WITH THE PROCEEDINGS FOR
12 THE GENERAL ELECTION.

13 (B) IF APPROVAL OF A PROPOSED REORGANIZED COMMUNITY COLLEGE
14 DISTRICT IS FILED WITH A SCHOOL DISTRICT FILING OFFICIAL MORE THAN
15 6 MONTHS BEFORE THE NEXT GENERAL STATE ELECTION, THE SCHOOL
16 DISTRICT FILING OFFICIAL SHALL CALL A SPECIAL ELECTION FOR THE
17 PURPOSE OF SUBMITTING TO THE ELECTORS THE PROPOSITIONS RELATING TO
18 THE ESTABLISHMENT OF THE REORGANIZED COMMUNITY COLLEGE DISTRICT TO
19 BE HELD ON THE NEXT REGULAR ELECTION DAY THAT IS NOT LESS THAN 77
20 DAYS AFTER THE APPROVAL IS FILED. IF THE PROPOSITIONS ARE SUBMITTED
21 TO THE ELECTORS AT A SPECIAL ELECTION UNDER THIS SUBDIVISION, THE
22 COMMUNITY COLLEGE DISTRICT SHALL PAY THE INCREMENTAL COST OF THAT
23 SPECIAL ELECTION.

24 (2) ONLY THE ELECTORS OF THE PROPOSED REORGANIZED COMMUNITY
25 COLLEGE DISTRICT ARE ELIGIBLE TO VOTE ON A PROPOSITION DESCRIBED IN
26 SUBSECTION (1) AND IN A BOARD OF TRUSTEES ELECTION UNDER SECTION
27 93(3).

1 (3) THE PROPOSITION PRESENTED TO THE ELECTORS OF THE PROPOSED
2 REORGANIZED COMMUNITY COLLEGE DISTRICT SHALL READ SUBSTANTIALLY AS
3 FOLLOWS:

4 "SHALL THE _____ COMMUNITY COLLEGE DISTRICT,
5 COMPRISED OF _____ [SCHOOL DISTRICT OR DISTRICTS/COUNTY OR
6 COUNTIES/INTERMEDIATE SCHOOL DISTRICT OR DISTRICTS] AS OF (DATE),
7 BE REORGANIZED AS A COMMUNITY COLLEGE DISTRICT SUBJECT TO THE
8 PROVISIONS OF CHAPTER 6 OF PART 1 OF 1966 PA 331 TO BE COMPRISED OF
9 ALL OR A PORTION OF _____ [COUNTY OR COUNTIES/SCHOOL DISTRICT
10 OR DISTRICTS/INTERMEDIATE SCHOOL DISTRICT OR DISTRICTS], AND SHALL
11 THE MAXIMUM ANNUAL TAX RATE FOR THE REORGANIZED COMMUNITY COLLEGE
12 DISTRICT BE _____ MILLS (\$_____) PER \$1,000.00 OF STATE
13 EQUALIZED VALUATION) FOR THE YEAR _____ AND THEREAFTER, TO BE USED
14 FOR ALL PURPOSES AUTHORIZED BY LAW?"

15 SEC. 93. (1) A REORGANIZED COMMUNITY COLLEGE DISTRICT
16 ESTABLISHED UNDER THIS CHAPTER SHALL BE DIRECTED AND GOVERNED BY A
17 BOARD OF TRUSTEES CONSISTING OF 7 MEMBERS, ELECTED AT LARGE IN THE
18 REORGANIZED COMMUNITY COLLEGE DISTRICT ON A NONPARTISAN BASIS.

19 (2) EXCEPT AS PROVIDED IN SUBSECTION (3), UPON APPROVAL OF THE
20 REORGANIZATION PROPOSITION SUBMITTED PURSUANT TO SECTION 92, THE
21 BOARD OF TRUSTEES OF THE COMMUNITY COLLEGE DISTRICT BEFORE
22 REORGANIZATION SHALL SERVE FOR THE REMAINDER OF THEIR TERMS AS THE
23 BOARD OF TRUSTEES OF THE REORGANIZED COMMUNITY COLLEGE DISTRICT
24 ESTABLISHED UNDER THIS CHAPTER. AT THE EXPIRATION OF A MEMBER'S
25 TERM OF OFFICE, THE MEMBER'S SUCCESSOR SHALL BE ELECTED FOR A TERM
26 OF 6 YEARS BY THE ELECTORS OF THE REORGANIZED COMMUNITY COLLEGE
27 DISTRICT. UNLESS THE RESOLUTION ADOPTED PURSUANT TO SECTION 91

1 SPECIFIES THE DATE ON WHICH THE TERM OF EACH NEW BOARD MEMBER SHALL
2 END AND THE DATE ON WHICH THE TERM OF A BOARD MEMBER ELECTED AFTER
3 THE REORGANIZATION COMMENCES, THE TERMS OF OFFICE OF MEMBERS
4 ELECTED TO THE BOARD OF TRUSTEES OF A REORGANIZED COMMUNITY COLLEGE
5 DISTRICT UNDER THIS SUBSECTION SHALL END AND COMMENCE ON THE SAME
6 DATE AS THE TERMS OF OFFICE OF THE MEMBERS OF THE BOARD OF TRUSTEES
7 OF THE COMMUNITY COLLEGE DISTRICT BEFORE REORGANIZATION.

8 (3) IF AUTHORIZED BY THE RESOLUTION ADOPTED PURSUANT TO
9 SECTION 91, THE ELECTION HELD TO APPROVE THE REORGANIZATION OF THE
10 COMMUNITY COLLEGE DISTRICT MAY INCLUDE THE ELECTION OF THE FIRST
11 BOARD OF TRUSTEES OF THE REORGANIZED COMMUNITY COLLEGE DISTRICT. OF
12 THE MEMBERS ELECTED PURSUANT TO THIS SUBSECTION, 3 SHALL BE ELECTED
13 FOR 6-YEAR TERMS, 2 SHALL BE ELECTED FOR 4-YEAR TERMS, AND 2 SHALL
14 BE ELECTED FOR 2-YEAR TERMS. THEREAFTER, AT THE NEXT REGULAR
15 COMMUNITY COLLEGE ELECTION IMMEDIATELY PRECEDING THE EXPIRATION OF
16 A MEMBER'S TERM OF OFFICE, THE MEMBER'S SUCCESSOR SHALL BE ELECTED
17 FOR A TERM OF 6 YEARS. THE RESOLUTION ADOPTED PURSUANT TO SECTION
18 91 SHALL SPECIFY THE DATE ON WHICH THE TERM OF EACH NEW BOARD
19 MEMBER SHALL COMMENCE, AND THE MEMBERS OF THE BOARD OF TRUSTEES OF
20 THE COMMUNITY COLLEGE DISTRICT BEFORE REORGANIZATION SHALL SERVE
21 UNTIL THAT DATE.

22 SEC. 94. AN ELECTION HELD UNDER THIS CHAPTER SHALL BE
23 CONDUCTED IN THE SAME MANNER AND AT THE SAME TIMES AS AN ELECTION
24 HELD UNDER CHAPTER 1, 2, OR 3 AND IS GOVERNED BY THE PROVISIONS
25 RELATING TO AN ELECTION HELD UNDER CHAPTER 1, 2, OR 3 AND THE TERMS
26 OF THE RESOLUTION ADOPTED PURSUANT TO SECTION 91.

27 SEC. 95. (1) THE BOARD OF TRUSTEES OF A REORGANIZED COMMUNITY

1 COLLEGE DISTRICT ESTABLISHED UNDER THIS CHAPTER MAY LEVY FOR
2 AUTHORIZED PURPOSES AD VALOREM PROPERTY TAXES AT A RATE AUTHORIZED
3 BY THE RESOLUTION ADOPTED PURSUANT TO SECTION 91 AND APPROVED BY
4 THE ADOPTION OF THE PROPOSITION SUBMITTED PURSUANT TO SECTION 92.

5 (2) IN ADDITION TO THE TAX AUTHORIZED TO BE LEVIED BY
6 SUBSECTION (1), THE BOARD OF A REORGANIZED COMMUNITY COLLEGE
7 DISTRICT ESTABLISHED UNDER THIS CHAPTER MAY LEVY FOR AUTHORIZED
8 PURPOSES MILLS ALLOCATED TO THE COMMUNITY COLLEGE DISTRICT IN
9 ACCORDANCE WITH THE PROPERTY TAX LIMITATION ACT, 1933 PA 62, MCL
10 211.201 TO 211.217A. THE RATE OF TAX LEVIED UNDER THIS SUBSECTION
11 PLUS THE RATE OF TAX AUTHORIZED UNDER SUBSECTION (1) SHALL NOT
12 EXCEED 5 MILLS.

13 (3) TAXES IMPOSED PURSUANT TO THIS SECTION SHALL BE LEVIED
14 AGAINST ALL PROPERTY SUBJECT TO AD VALOREM PROPERTY TAXES WITHIN
15 THE REORGANIZED COMMUNITY COLLEGE DISTRICT.

16 (4) THE RATE OF TAX AUTHORIZED TO BE IMPOSED BY THIS SECTION
17 MAY BE INCREASED TO THE MAXIMUM RATE AUTHORIZED BY SECTION 144 IF
18 APPROVED BY A MAJORITY OF THE QUALIFIED ELECTORS OF THE REORGANIZED
19 COMMUNITY COLLEGE DISTRICT VOTING ON THE QUESTION.

20 SEC. 96. (1) ALL INDEBTEDNESS OF THE COMMUNITY COLLEGE
21 DISTRICT BEFORE REORGANIZATION, EXCEPT VOTED BONDED INDEBTEDNESS
22 FOR WHICH TAXES ARE LEVIED WITHOUT LIMITATION AS TO RATE OR AMOUNT,
23 ARE ASSUMED BY THE REORGANIZED COMMUNITY COLLEGE DISTRICT
24 ESTABLISHED UNDER THIS CHAPTER UPON APPROVAL OF THE PROPOSITION
25 UNDER SECTION 92.

26 (2) THE IDENTITY OF THE COMMUNITY COLLEGE DISTRICT AS IT
27 EXISTED BEFORE REORGANIZATION SHALL REMAIN AS A SEPARATE ASSESSING

1 UNIT FOR PURPOSES OF VOTED BONDED INDEBTEDNESS FOR WHICH TAXES ARE
2 LEVIED WITHOUT LIMITATION AS TO RATE OR AMOUNT UNTIL THAT
3 INDEBTEDNESS HAS BEEN RETIRED. THE BOARD AND OFFICERS OF THE
4 REORGANIZED COMMUNITY COLLEGE DISTRICT ESTABLISHED UNDER THIS
5 SECTION SHALL CONSTITUTE THE BOARD AND OFFICERS OF THE COMMUNITY
6 COLLEGE DISTRICT AS IT EXISTED BEFORE REORGANIZATION FOR PURPOSES
7 OF CERTIFYING AND ORDERING THE LEVY OF TAXES FOR THE VOTED BONDED
8 INDEBTEDNESS IN THE NAME OF THE COMMUNITY COLLEGE DISTRICT AS IT
9 EXISTED BEFORE REORGANIZATION. THE DEBT RETIREMENT FUNDS FOR VOTED
10 BONDED INDEBTEDNESS THAT ARE NOT ASSUMED SHALL NOT BE COMMINGLED
11 WITH THE DEBT RETIREMENT FUNDS OF THE REORGANIZED COMMUNITY COLLEGE
12 DISTRICT. THE BOARD OF TRUSTEES OF THE REORGANIZED COMMUNITY
13 COLLEGE DISTRICT SHALL PERFORM ALL DUTIES REQUIRED BY LAW AND THE
14 ORIGINAL TERMS OF ISSUE AND SALE RELATIVE TO THE VOTED BONDED
15 INDEBTEDNESS.

16 SEC. 97. (1) A REORGANIZED COMMUNITY COLLEGE DISTRICT
17 ESTABLISHED UNDER THIS CHAPTER SHALL BE CONSIDERED THE SUCCESSOR TO
18 THE COMMUNITY COLLEGE DISTRICT THAT ADOPTED THE RESOLUTION UNDER
19 SECTION 91. ANY STATE APPROPRIATION TO THE COMMUNITY COLLEGE
20 DISTRICT BEFORE REORGANIZATION SHALL BE DISTRIBUTED TO ITS
21 SUCCESSOR REORGANIZED COMMUNITY COLLEGE DISTRICT.

22 (2) EXCEPT AS OTHERWISE PROVIDED IN SECTION 96, ALL ASSETS,
23 PROPERTY, RIGHTS, OBLIGATIONS, COLLECTIVE BARGAINING AGREEMENTS,
24 AND DUTIES OF A COMMUNITY COLLEGE DISTRICT THAT ADOPTED A
25 RESOLUTION TO REORGANIZE UNDER THIS CHAPTER ARE THE ASSETS,
26 PROPERTY, RIGHTS, OBLIGATIONS, COLLECTIVE BARGAINING AGREEMENTS,
27 AND DUTIES OF THE SUCCESSOR REORGANIZED COMMUNITY COLLEGE DISTRICT

1 UPON APPROVAL OF THE RESOLUTION BY THE ELECTORS PURSUANT TO SECTION
2 92.

3 (3) ALL EMPLOYEES OF A COMMUNITY COLLEGE DISTRICT THAT ADOPTED
4 A RESOLUTION TO REORGANIZE UNDER THIS CHAPTER SHALL BECOME
5 EMPLOYEES OF THE SUCCESSOR REORGANIZED COMMUNITY COLLEGE DISTRICT
6 IN THEIR SAME POSITIONS AND SHALL RETAIN ANY ANNUAL LEAVE, SICK
7 LEAVE, SENIORITY, LONGEVITY, OR OTHER BENEFIT ACCUMULATED BEFORE
8 REORGANIZATION. THIS SUBSECTION DOES NOT LIMIT THE RIGHT OF A
9 COMMUNITY COLLEGE DISTRICT TO TERMINATE, DISCIPLINE, OR TAKE ANY
10 OTHER ACTION RELATED TO AN EMPLOYEE CONSISTENT WITH LAW AND ANY
11 APPLICABLE COLLECTIVE BARGAINING AGREEMENT.

12 (4) A COLLECTIVE BARGAINING REPRESENTATIVE, AS DESCRIBED IN
13 SECTION 11 OF 1947 PA 336, MCL 423.211, OF A GROUP OF EMPLOYEES OF
14 A COMMUNITY COLLEGE DISTRICT BEFORE REORGANIZATION AS OF THE DATE
15 THE RESOLUTION IS APPROVED BY THE ELECTORS UNDER SECTION 92 SHALL
16 CONTINUE TO BE THE REPRESENTATIVE OF THE GROUP OF EMPLOYEES AFTER
17 THEY BECOME EMPLOYEES OF THE SUCCESSOR REORGANIZED COMMUNITY
18 COLLEGE DISTRICT. HOWEVER, THIS SUBSECTION DOES NOT LIMIT THE RIGHT
19 OF EMPLOYEES TO ASSERT UNDER SECTION 12 OF 1947 PA 336, MCL
20 423.212, THAT A COLLECTIVE BARGAINING REPRESENTATIVE PROTECTED BY
21 THIS SUBSECTION IS NO LONGER THEIR REPRESENTATIVE.

22 SEC. 98. (1) UPON APPROVAL BY THE STATE BOARD OF EDUCATION,
23 THE BOARD OF TRUSTEES OF A REORGANIZED COMMUNITY COLLEGE DISTRICT
24 ESTABLISHED UNDER THIS CHAPTER MAY ANNEX TO THE COMMUNITY COLLEGE
25 DISTRICT BY RESOLUTION A CONTIGUOUS COUNTY; CONTIGUOUS INTERMEDIATE
26 SCHOOL DISTRICT; CONTIGUOUS SCHOOL DISTRICT; THE REMAINING PORTION
27 OF A CONTIGUOUS COUNTY, INTERMEDIATE SCHOOL DISTRICT, OR SCHOOL

1 DISTRICT THAT HAS TERRITORY WITHIN THE REORGANIZED COMMUNITY
2 COLLEGE DISTRICT; OR A COUNTY THAT IS NOT CONTIGUOUS BUT CONTAINS A
3 FEDERAL MILITARY INSTALLATION AT WHICH CLASSES HAVE BEEN
4 CONTINUOUSLY OFFERED FOR AT LEAST 20 YEARS BY THE REORGANIZED
5 COMMUNITY COLLEGE OR THE COMMUNITY COLLEGE THAT EXISTED BEFORE THE
6 REORGANIZATION. HOWEVER, IF ANY PORTION OF AN AREA TO BE ANNEXED
7 LIES WITHIN ANOTHER COMMUNITY COLLEGE DISTRICT AT THE TIME OF THE
8 ANNEXATION ELECTION, THAT PART OF THE TERRITORY TO BE ANNEXED SHALL
9 NOT BECOME PART OF THE COMMUNITY COLLEGE DISTRICT AND ELECTORS
10 RESIDING IN THAT PART OF THE TERRITORY ARE NOT ELIGIBLE TO VOTE ON
11 THE ANNEXATION PROPOSITION.

12 (2) THE PROCEDURE FOR ANNEXATION AND THE EFFECT OF APPROVAL OF
13 AN ANNEXATION SHALL BE THE SAME AS PROVIDED UNDER SECTION 21 FOR A
14 COMMUNITY COLLEGE DISTRICT COMPRISED OF A COUNTY OR COUNTIES.

15 Sec. 144. (1) ~~The~~ EXCEPT AS PROVIDED IN SECTION 95 FOR A
16 REORGANIZED COMMUNITY COLLEGE DISTRICT, THE board of trustees of
17 each community college district may levy for the purposes specified
18 as within the power of the board a tax that does not exceed the
19 rate previously or subsequently authorized by the qualified
20 electors of the district or the rate derived through the previous
21 adoption by the electors of the district of former 1955 PA 188, or
22 the rate that is allocated to the community college district in
23 accordance with the property tax limitation act, 1933 PA 62, MCL
24 211.201 to 211.217a. The funds may be used for all purposes
25 authorized. ~~—, except that to~~ TO the extent permitted under the
26 revised municipal finance act, 2001 PA 34, MCL 141.2101 to
27 141.2821, taxes imposed for the payment of principal and interest

1 on bonds or other evidences of indebtedness or for the payment of
2 assessments or contract obligations in anticipation of which bonds
3 are issued may be imposed without limitation as to rate or amount.
4 This limitation **AND THE LIMITATION IMPOSED UNDER SECTION 95** may be
5 increased to not more than 5 mills if approved by a majority of the
6 qualified electors voting on the question at a regular or special
7 election of the community college district.

8 (2) ~~Except as provided in subsection (3), the~~ **THE** board of
9 trustees shall determine the total taxes required for any year and
10 shall certify the approved tax rate to be levied and the amount of
11 taxes to be raised to the proper assessing officer of each city and
12 township in which the territory of the community college district
13 is situated on or before September 1 of each year. ~~—, except that~~
14 **HOWEVER,** the board of trustees may provide by resolution that taxes
15 to be raised against property within any city or township, any
16 portion of which lies within the community college district
17 boundaries, may be levied and collected in the same manner and at
18 the same time as the city or township taxes or in the same manner
19 and at the same time as school district or intermediate school
20 district taxes are being collected by the city or township under
21 part 26 of the revised school code, 1976 PA 451, MCL 380.1611 to
22 380.1615.

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

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

21 (3) ~~-(4)-~~ All money collected by a tax collecting officer from
22 the tax levied under this section shall be returned to the
23 community college district as provided by section 43 of the general
24 property tax act, 1893 PA 206, MCL 211.43, or to the county
25 treasurer who shall pay the taxes so returned immediately to the
26 community college district.

27 (4) ~~-(5)-~~ The subjects of taxation for the community college

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