

COMMUNITY COLLEGE ACT OF 1966 (EXCERPT)
Act 331 of 1966

CHAPTER 5

INTERMEDIATE SCHOOL DISTRICTS OF MORE THAN 1,000,000

389.81 Intermediate school district of more than 1,500,000 constituted as community college district; scope; action of board.

Sec. 81. An intermediate school district that has a population of more than 1,500,000 on or after the effective date of this chapter is a community college district that includes all of the territory of the intermediate district except that portion presently included in an established community college district or included in a school district operating a community college as a department of the school district under the provisions of former 1955 PA 269. An established community college district or community college department of a district school system described in this section may become a part of the new community college district under this chapter by action of its board of trustees or board of education or by annexation under this chapter.

History: Add. 1967, Act 285, Imd. Eff. Aug. 1, 1967;—Am. 1984, Act 96, Imd. Eff. Apr. 23, 1984;—Am. 2000, Act 488, Imd. Eff. Jan. 11, 2001.

Compiler's note: Act 269 of 1955, referred to in this section, was repealed by Act 451 of 1976, Eff. Jan. 13, 1977.

389.82 Board of trustees; composition; reapportionment to determine boundary lines of trustee district using 1990 federal decennial census; costs; reapportionment to determine boundary lines of trustee district using 2000 federal decennial census.

Sec. 82. (1) A community college district established under this chapter shall have a board of trustees composed of 9 members determined and elected or appointed to fill a vacancy as provided in section 83. Until January 1, 1993, each member shall represent a trustee district established under former section 82A. Beginning January 1, 1993, each member shall represent a trustee district established under subsection (2) or (3).

(2) Before April 1, 1992, the board of trustees of a community college established under this chapter shall reapportion the territory of the community college district to determine the boundary lines of the 9 trustee districts, using the 1990 federal decennial census. The trustee districts shall be compact, contiguous, and as equal as possible in population and shall be drawn to adjust for malapportionment by commencing redistricting from existing districts. The trustee districts established under this subsection shall be in effect until reapportionment of the trustee districts under subsection (3). All costs for the reapportionment under this subsection shall be paid by the state until a tax levy is authorized under section 84.

(3) Beginning with the 2000 federal decennial census, after each federal decennial census the board of trustees of a community college established under this chapter shall reapportion the territory of the community college district to determine the boundary lines of the 9 trustee districts. The trustee districts shall be compact and as equal as possible in population and shall be drawn to adjust for malapportionment by commencing redistricting from existing districts.

History: Add. 1984, Act 96, Imd. Eff. Apr. 23, 1984;—Am. 1992, Act 20, Imd. Eff. Mar. 19, 1992;—Am. 2016, Act 374, Eff. Mar. 22, 2017.

Compiler's note: Former MCL 389.82, deriving from Act 331 of 1966 and pertaining to rights and powers of community college district, was repealed by Act 77 of 1973.

389.82a Repealed. 1992, Act 20, Imd. Eff. Mar. 19, 1992.

Compiler's note: The repealed section pertained to the establishment of community college trustee districts, the composition of an apportionment commission, and the determination of boundary lines for trustee districts.

389.83 Board of trustees; election and terms of members; nomination of candidate for trustee; contents, requirements, and filing of nominating petitions; validity of signatures; limitation; commencement of term; qualifications of candidate; effect of ceasing residency in trustee district; vacancies; special elections.

Sec. 83. (1) A member of the board of trustees of a community college established under this chapter shall be elected for a term of 6 years unless he or she is elected to fill a vacancy for the unexpired term under subsection (5).

(2) A candidate for trustee shall be nominated at a nonpartisan primary election conducted under the Michigan election law. The nominating petitions must contain not less than 250 or more than 500 signatures of registered school electors of the appropriate trustee district and must be filed with the school district filing

official for the community college district on or before 4 p.m. of the fifteenth Tuesday before the primary election. A signature on a nominating petition is not valid unless the petitioner is a registered school elector of the trustee district in which the candidate is running for election. The school district filing official may compare the signatures on the petitions with the signatures appearing on the registration records or in some other proper manner determine whether the signatures appearing on the petition are genuine and comply with the requirements of this section. Not more than 2 candidates shall be nominated at the primary election for each trustee district.

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

(4) A candidate for the office of board member representing a trustee district or a person elected or appointed to fill a vacancy under subsection (5) must be 18 years of age or older at the time of his or her election or appointment and must be an elector residing in the trustee district in which the person becomes a candidate or that the person is appointed to represent. If a member representing a trustee district ceases to reside in the trustee district during the trustee's term of office, it is a vacating of office.

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

(6) Special elections may be called in the same manner as in chapters 1 and 2.

History: Add. 1967, Act 285, Imd. Eff. Aug. 1, 1967;—Am. 1969, Act 282, Imd. Eff. Aug. 11, 1969;—Am. 1973, Act 87, Imd. Eff. Aug. 5, 1973;—Am. 1984, Act 96, Imd. Eff. Apr. 23, 1984;—Am. 1990, Act 11, Imd. Eff. Feb. 26, 1990;—Am. 1992, Act 20, Imd. Eff. Mar. 19, 1992;—Am. 2003, Act 306, Eff. Jan. 1, 2005;—Am. 2018, Act 628, Eff. Mar. 28, 2019.

389.84 Annual tax rate; submission to electors; limitation.

Sec. 84. The board of trustees of a community college district formed under this chapter shall submit to the electors of the community college district the proposition to establish the maximum annual tax rate. If the proposition to establish the maximum annual tax rate fails to receive a proper majority of the electors voting in the community college district at the first election held for that purpose, the proposition to establish the maximum annual tax rate may be resubmitted at a regular election or at a special election called by the school district filing official at the request of the board of trustees for that purpose. The board of trustees shall not request that the school district filing official call an election for that purpose more often than once in any 9-month period.

History: Add. 1967, Act 285, Imd. Eff. Aug. 1, 1967;—Am. 1969, Act 282, Imd. Eff. Aug. 11, 1969;—Am. 2003, Act 306, Eff. Jan. 1, 2005.

389.85 Annexation by board of trustees; approval from superintendent of public instruction; filing of resolution, approval, and wording of ballot questions; placement of question before electors; effective date; territory subject to taxes; eligibility of electors.

Sec. 85. (1) By adoption of a resolution, the board of trustees of a community college district organized under this chapter may initiate annexation to the community college district, in the manner provided in this act, of that portion of an intermediate school district, local school district, county, or township that is not already included within a community college district.

(2) Before an annexation election described in this subsection, the board of trustees shall obtain the approval of the proposed annexation from the superintendent of public instruction. If it receives that approval, the secretary of the board of trustees shall, subject to section 646a of the Michigan election law, MCL 168.646a, file certified copies of the annexation resolution, the approval, and the wording of the ballot questions described in this subsection with the clerk of the county in which the territory to be annexed is located. After the resolution, approval, and ballot questions are filed in accordance with this subsection, the clerk of the county shall place before the electors the question of annexation to the community college district and of approving the maximum tax rate existing in the community college district.

(3) If both propositions receive majority approval of the electors voting on the propositions, the effective date of the annexation is the date the election is certified by the appropriate board of county canvassers.

(4) By virtue of annexation, unless otherwise provided in the approved annexation propositions, territory annexed to a community college district is subject to taxes levied for principal and interest of outstanding bonded indebtedness of the community college district.

(5) If a portion of a county, township, or intermediate or local school district to be annexed lies within a

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

History: Add. 2000, Act 488, Imd. Eff. Jan. 11, 2001;—Am. 2016, Act 374, Eff. Mar. 22, 2017.

389.86 Annexation by district; action by board of education.

Sec. 86. (1) In the annexation of a local school district, if the resolution and approval are filed with the secretary more than 90 or less than 21 days before the date of the regular school election, the board of education of the district shall request that the school district filing official call a special election for voting on the propositions of annexation. If the resolution and approval are filed more than 20 days but less than 91 days before the date of the regular school election, the board of education of the district shall request that the school district filing official submit the annexation propositions to the electors at the regular school election.

(2) In the annexation of an intermediate school district, the secretary of the intermediate school board of the intermediate school district in writing shall direct the board of education of each component local school district to submit the annexation propositions to the electors of that component school district. Each school district shall request that the school district filing official call and hold the election at the time of the regular school election if notification is given more than 20 but less than 91 days before the date of the regular school election. Otherwise, each board of education shall request that the school district filing official call a special election to consider the annexation propositions.

History: Add. 2000, Act 488, Imd. Eff. Jan. 11, 2001;—Am. 2003, Act 306, Eff. Jan. 1, 2005.

389.87 Annexation election; voting.

Sec. 87. (1) At an annexation election, the electors shall vote on the propositions of annexation to the community college district and the adoption of the maximum annual tax rate of the community college district. Annexation is effective on the date of the election if both propositions receive majority approval of the electors voting on the proposition.

(2) If any portion of an intermediate school district or of a local school district to be annexed lies within a community college district operating a community college at the time of the annexation election, the electors residing in that territory are excluded from voting on the propositions and the territory does not become a part of the community college district.

History: Add. 2000, Act 488, Imd. Eff. Jan. 11, 2001.

389.88 Annexed school district as part of community college district.

Sec. 88. A school district annexed by a community college district under this chapter becomes a part of the community college district, is subject to taxes levied within the tax rate established in the community college district, and, unless otherwise provided in the approved annexation propositions, is subject to taxes for the payment of principal and interest of outstanding bonded indebtedness of the community college district.

History: Add. 2000, Act 488, Imd. Eff. Jan. 11, 2001.