

COMMUNITY COLLEGE ACT OF 1966 (EXCERPT)

Act 331 of 1966

Chapter 3

COMMUNITY COLLEGE DISTRICT COMPOSED OF INTERMEDIATE SCHOOL DISTRICTS

389.51 Formation of community college district by intermediate school districts; designation of territory; approval of superintendent of public instruction; submission of language for propositions to county clerk.

Sec. 51.

The board of an intermediate school district or the boards of 2 or more intermediate school districts acting as a single board may form a community college district under this chapter. The board of the intermediate school district or joint board of the intermediate school districts shall designate the territory of the proposed community college district and refer the questions of organizing the community college district and the proposed annual tax rate to the superintendent of public instruction for approval. If the superintendent of public instruction approves, he or she shall notify the board of the intermediate school district or joint board, which shall, subject to section 646a of the Michigan election law, MCL 168.646a, submit the language for the propositions to the clerk of the county in which the designated territory is located.

History: 1966, Act 331, Eff. Oct. 1, 1966 ;-- Am. 2003, Act 306, Eff. Jan. 1, 2005 ;-- Am. 2016, Act 374, Eff. Mar. 22, 2017

389.52 Placement of question before electors.

Sec. 52.

The secretary of the board of the intermediate school district, or the secretary of the board of the intermediate school district that has the highest valuation in the proposed community college district for a community college formed by 2 or more intermediate school districts, shall, subject to section 646a of the Michigan election law, MCL 168.646a, file a copy of the approval of the superintendent of public instruction described in section 51 together with the propositions to be submitted to the electors described in section 51 with the clerk of the county in which the territory of the proposed community college district is located. After the approval and propositions are filed with the clerk of the county in accordance with this subsection, the clerk of the county shall place the question before the electors.

History: 1966, Act 331, Eff. Oct. 1, 1966 ;-- Am. 1967, Act 231, Imd. Eff. July 10, 1967 ;-- Am. 2003, Act 306, Eff. Jan. 1, 2005 ;-- Am. 2016, Act 374, Eff. Mar. 22, 2017

389.53 Organizational election; propositions submitted.

Sec. 53.

At the organizational election there shall be submitted the following issues:

(a) Proposition to establish the community college district. The ballots shall read substantially as follows:

Shall a community college district comprised of _____

(Name of intermediate school district or districts) be established in accordance with Act No. _____ of the Public Acts of 1966?

(b) Proposition to establish the maximum annual tax rate.

(c) Election of the first board of trustees.

History: 1966, Act 331, Eff. Oct. 1, 1966

389.54 Board of trustees; election of members; terms.

Sec. 54.

(1) A community college district is directed and governed by a board of trustees, that consists of 7 members except as provided in subsection (4), elected at large in the territory of the district or proposed district on a nonpartisan basis. At the organizational election, the electors shall elect 3 members for 6-year terms, 2 for 4-year terms, and 2 for 2-year terms. After the initial terms, the electors shall elect members for 6-year terms.

(2) If an organizational election is held at the same time as a regular school election in November, the term of office of each member elected shall commence on January 1 following the organizational election.

(3) If an organizational election is held on a date other than the date of a regular school election, each board member shall take office on the fifteenth day following the date of the organizational election. Regular terms of office shall commence on January 1 following the next regular school election. If the organizational election is held on a date other than the regular election date of the component school districts, the first year of the term of office of each of the members elected to the first board of trustees shall extend for the period of time remaining until January 1 following the date of the regular election of the component districts held not less than 1 year nor more than 2 years from the date of the organizational election.

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

History: 1966, Act 331, Eff. Oct. 1, 1966 ;-- Am. 2000, Act 488, Imd. Eff. Jan. 11, 2001 ;-- Am. 2003, Act 306, Eff. Jan. 1, 2005 ;-- Am. 2016, Act 374, Eff. Mar. 22, 2017

389.55 Establishment of community college district composed of intermediate school districts; annual tax rate.

Sec. 55.

(1) A community college district is established under this chapter only if both of the following occur:

(a) A majority of the electors voting in the proposed community college district area approve the organization of the district.

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

(2) A majority of the electors voting in the community college district shall approve of the proposition establishing the maximum annual tax rate for the community college district. If the proposition to establish the maximum annual tax rate does not receive the required vote of the electors, 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. If the proposition to establish the maximum annual tax rate fails after being submitted 3 times, the community college district is dissolved.

History: 1966, Act 331, Eff. Oct. 1, 1966 ;-- Am. 1967, Act 285, Imd. Eff. Aug. 1, 1967 ;-- Am. 2003, Act 306, Eff. Jan. 1, 2005

389.56 Community college district elections; voting eligibility.

Sec. 56.

If part of a local school district is in another community college district, only those electors residing in that part

of the school district not in the other community college district are eligible to vote in the organizational election and in subsequent elections of the community college district.

History: 1966, Act 331, Eff. Oct. 1, 1966 ;-- Am. 2003, Act 306, Eff. Jan. 1, 2005

Compiler's Notes: Act 269 of 1955, referred to in this section, was repealed by Act 451 of 1976.

389.57 Canvass of election results.

Sec. 57.

The appropriate board of county canvassers prescribed in section 24a of the Michigan election law, MCL 168.24a, shall conduct a canvass of the results of the election within 3 days after an election under this chapter.

History: 1966, Act 331, Eff. Oct. 1, 1966 ;-- Am. 1967, Act 231, Imd. Eff. July 10, 1967 ;-- Am. 2000, Act 488, Imd. Eff. Jan. 11, 2001 ;-- Am. 2003, Act 306, Eff. Jan. 1, 2005 ;-- Am. 2013, Act 53, Imd. Eff. June 11, 2013

389.58 Regular community college election; submission of special propositions.

Sec. 58.

At a regular community college election, in addition to the election of trustees, special propositions may be submitted to the electors when authorized by the board of trustees.

History: 1966, Act 331, Eff. Oct. 1, 1966 ;-- Am. 1967, Act 231, Imd. Eff. July 10, 1967 ;-- Am. 1971, Act 13, Imd. Eff. Apr. 25, 1971 ;-- Am. 2003, Act 306, Eff. Jan. 1, 2005 ;-- Am. 2005, Act 62, Imd. Eff. July 7, 2005

389.59 Special community college election; request by board of trustees.

Sec. 59.

The board of trustees of a community college district organized under this chapter may request that the school district filing official call a special election. The secretary of the board shall file a copy of the resolution of the board calling a special election with the secretary of each component local and intermediate school district and the clerk of each component county, as applicable, at least 60 days before the date of the election. The resolution shall contain a statement of the proposition to be submitted to the electors. The board of education of each component local and intermediate school district and the clerk of each component county, as applicable, shall request that the school district filing official call the special election.

History: 1966, Act 331, Eff. Oct. 1, 1966 ;-- Am. 2003, Act 306, Eff. Jan. 1, 2005

389.60 Repealed. 2003, Act 306, Eff. Jan. 1, 2005.

Compiler's Notes: The repealed section pertained to payment of expenses of community college elections.

389.61 Annexation to community college district; 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. 61.

(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: 1966, Act 331, Eff. Oct. 1, 1966 ;-- Am. 2000, Act 488, Imd. Eff. Jan. 11, 2001 ;-- Am. 2016, Act 374, Eff. Mar. 22, 2017

389.62 Election for annexations to district; date.

Sec. 62.

(1) In an annexation of 1 or more local school districts, if the resolution and approval are filed with each secretary more than 90 or less than 21 days before the date of the regular school election, the board of education of each 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 each district shall request that the school district filing official submit annexation propositions to the electors at the regular school election.

(2) In an 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 to each school district 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.

(3) In an annexation of a county, if the resolution and approval are filed more than 90 or less than 21 days before the date of the next general election, the county clerk shall call a special election within the county to consider the annexation propositions. If the resolution and approval are filed less than 91 days but more than 20 days before the next general election, then the annexation propositions shall be submitted to the electors of the county at that election.

History: 1966, Act 331, Eff. Oct. 1, 1966 ;-- Am. 2000, Act 488, Imd. Eff. Jan. 11, 2001 ;-- Am. 2003, Act 306, Eff. Jan. 1, 2005

389.63 Election for annexation to district; voting requirements.

Sec. 63.

(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. Subject to subsection (2), annexation is effective on the date of the election if both propositions receive majority approval of the electors voting on the propositions. Unless otherwise provided in the approved annexation propositions, a local school district, intermediate school district, or county annexed is subject to taxes levied for principal and interest of outstanding bonded indebtedness of the community college district.

(2) If any portion of an intermediate school district, local school district, or county to be annexed lies within a community college district 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.

(3) In an annexation of a county, if all or any portion of a local school district lies within that county, no elector residing in that local school district may vote on the propositions and no part of the local school district becomes part of the community college district if both of the following are met:

(a) The local school district is not part of an intermediate school district that has at least 80% of its territory in the county to be annexed.

(b) The board of education of the local school district adopts a resolution that the school district elects to be excluded from the annexation, and files a certified copy of the resolution with the county clerk and the board of trustees within 15 days of the date the resolution and approval are filed with the county clerk under section 61(2).

(4) In an annexation of 1 or more local school districts or an intermediate school district, the results of the annexation election shall be canvassed as provided in section 57. In an annexation of a county, the final results of the annexation election shall be canvassed by the county board of canvassers for that county.

History: 1966, Act 331, Eff. Oct. 1, 1966 ;-- Am. 2000, Act 488, Imd. Eff. Jan. 11, 2001

389.64 Transfer of territory of school districts within community college district.

Sec. 64.

Whenever territory which is not within a community college district is transferred to a school district which is a part of a community college district, the territory shall become a part of the community college district and shall be subject to taxes levied within the maximum annual tax rate and to taxes levied for principal and interest of outstanding bonded indebtedness of the community college district.

History: 1966, Act 331, Eff. Oct. 1, 1966

389.65 Annexation of school district to school district within community college district.

Sec. 65.

Whenever a school district which is not within a community college district which was heretofore or is hereafter annexed to a school district which is within a community college district, the annexed school district becomes a part of the community college district, and is subject to taxes levied within the tax rate established in the community college district and to taxes for the payment of principal and interest of outstanding bonded indebtedness of the community college district.

History: 1966, Act 331, Eff. Oct. 1, 1966