

HOUSE BILL No. 4979

July 16, 2003, Introduced by Reps. Minore, Zelenko, Ruth Johnson, Robertson, Clack, Vagnozzi, Condino, Gleason and Woodward and referred to the Committee on Local Government and Urban Policy.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 614 (MCL 380.614), as amended by 2002 PA
157.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 614. (1) Except as provided in section 615, the
2 members of the intermediate school board shall be elected
3 biennially on the first Monday in June by a body composed of 1
4 member of the board of each constituent school district. ~~—, who~~
5 ~~shall be designated by the board of which that person is a~~
6 ~~member.~~ **The board of a constituent district shall designate its**
7 **representative to this electoral body by resolution adopted not**
8 **earlier than 21 days before the date of this biennial election.**
9 **The resolution shall be adopted by majority vote of the members**
10 **serving on the board. In its resolution designating its**

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1 representative, the board of a constituent district shall
2 identify the candidate the board supports for each position to be
3 filled on the intermediate school board and shall direct its
4 representative to vote for that individual or individuals at
5 least on the first ballot taken by the electoral body.

6 (2) The secretary of the intermediate school board shall send
7 a notice by certified mail of the hour and place of the meeting
8 of the electoral body described in subsection (1) to the
9 secretary of the board of each constituent district at least 10
10 days before the meeting. The president and secretary of the
11 intermediate school board shall act as chairperson and secretary
12 at the meeting. The meeting of the electoral body shall be an
13 open meeting.

14 (3) ~~(2)~~ Except as provided in section 703, the term of
15 office of each member elected to the intermediate school board
16 shall be for 6 years and shall begin on July 1 following
17 election. Not more than 2 members of the intermediate school
18 board shall be from the same school district unless there are
19 fewer districts than there are positions to be filled.

20 (4) ~~(3)~~ A vacancy shall be filled by the remaining members
21 of the intermediate school board until the next biennial election
22 at which time the vacancy shall be filled for the balance of the
23 unexpired term. Notice of the vacancy shall be filed with the
24 state board within 5 days after the vacancy occurs. If the
25 vacancy is not filled within 30 days after it occurs, the vacancy
26 shall be filled by the state board.

27 (5) ~~(4)~~ Subject to subsection ~~(6)~~ (7), a candidate for

1 election to the intermediate school board shall be nominated by
2 petitions that are signed by a number of school electors of the
3 combined constituent school districts of the intermediate school
4 district, as follows:

5 (a) If the population of the intermediate school district is
6 less than 10,000 according to the most recent federal census, a
7 minimum of 6 and a maximum of 20.

8 (b) If the population of the intermediate school district is
9 10,000 or more according to the most recent federal census, a
10 minimum of 40 and a maximum of 100.

11 **(6)** ~~—(5)—~~ A school elector may sign as many petitions as
12 there are vacancies to fill. Nominating petitions and an
13 affidavit as provided in section 558 of the Michigan election
14 law, 1954 PA 116, MCL 168.558, shall be filed with the secretary
15 of the intermediate school board not later than 30 days before
16 the date of the biennial election under subsection (1). The
17 secretary shall determine the sufficiency of the petitions and
18 the eligibility of the candidates nominated. The secretary shall
19 provide ballots for the biennial election, listing on the ballots
20 the names of all candidates properly nominated. The chairperson
21 of the biennial election may accept nominations for a vacancy
22 from the floor only if no nominating petitions have been filed
23 for the vacancy. Section 1066 applies to the form and manner of
24 circulation of nominating petitions for a candidate for
25 membership on the intermediate school board.

26 **(7)** ~~—(6)—~~ Instead of filing nominating petitions, a candidate
27 for election to the intermediate school board may pay a

1 nonrefundable filing fee of \$100.00 to the secretary of the
2 intermediate school board. If this fee is paid by the due date
3 for nominating petitions, the payment has the same effect under
4 this section as the filing of nominating petitions.

5 **(8) —(7)—** The president **of the intermediate school board**
6 shall appoint 2 persons not members of the intermediate school
7 board or candidates for election as a board of canvassers and
8 they shall canvass the vote following balloting. This becomes
9 the official canvass.