



# HOUSE BILL No. 5462

April 14 1994 Introduced by Reps Brackenridge Hammerstrom Dobronski and Wetters and referred to the Committee on Local Government

A bill to amend section 1066 of Act No 451 of the Public Acts of 1976, entitled as amended

The school code of 1976,  
as amended by Act No 322 of the Public Acts of 1984, being section 380 1066 of the Michigan Compiled Laws

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 1066 of Act No 451 of the Public Acts  
2 of 1976 as amended by Act No 322 of the Public Acts of 1984,  
3 being section 380 1066 of the Michigan Compiled Laws, is amended  
4 to read as follows

5 Sec 1066 (1) To ~~obtain the printing of~~ HAVE the name  
6 of a candidate for member of the board PRINTED on the ballot, the  
7 candidate shall file nominating petitions and an affidavit as  
8 provided in section 558 of the Michigan election law, Act No 116  
9 of the Public Acts of 1954, being section 168 558 of the Michigan

1 Compiled Laws, with the secretary of the board or in the office  
 2 of the board of education not later than 4 p m on the ninth  
 3 Monday before the date of election A school board holding elec-  
 4 tions in conjunction with a city election may vary the date of  
 5 filing nominating petitions to conform with the filing date of  
 6 the city as provided in section 644k of Act No 116 of the  
 7 Public Acts of 1954, as amended being section 168 644k of the  
 8 Michigan Compiled Laws

9 (2) Each petition shall be signed by a number of registered  
 10 school electors of the district equal to not less than 1% of the  
 11 total number of votes received by the candidate for member of the  
 12 board of education who received the greatest number of votes at  
 13 the last election at which members of the board of education were  
 14 elected but IN NO CASE SHALL the number ~~shall not~~ OF ELECTORS  
 15 SIGNING be less than 20 If a nominating petition contains more  
 16 than the necessary number of ~~names~~ SIGNATURES the excess over  
 17 1- shall not be considered or counted

18 (3) A school elector shall not sign petitions for more can-  
 19 didates than are to be elected

20 (4) The petition shall be substantially in the following  
 21 form

22 We, the undersigned, registered and qualified voters of  
 23 \_\_\_\_\_ and residents of the  
 24 (legal name of school district)  
 25 \_\_\_\_\_, the county of \_\_\_\_\_, state  
 26 (city or township)  
 27 of Michigan, hereby nominate \_\_\_\_\_  
 28 (name of candidate)  
 29 \_\_\_\_\_ a registered  
 30 (street address) (post-office address)

1 and qualified elector of the district as a member of the board of  
 2 education of the school district for a term of \_\_\_\_\_ years,  
 3 expiring \_\_\_\_\_, to be voted for at the election to be held on  
 4 the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

# 5 WARNING

6 A person who knowingly signs more petitions for the same  
 7 office than there are persons to be elected to the office or  
 8 signs a name other than the person's own is violating the provi-  
 9 sions of the Michigan election law

10	Street Address	Date of Signing
11	PRINTED Name or Post Office	Month Day Year
12	AND SIGNATURE	
13	Rural Route	

14 1 \_\_\_\_\_  
 15 2 \_\_\_\_\_  
 16 3 \_\_\_\_\_

17 (20 numbered lines)

# 18 CERTIFICATE OF CIRCULATOR

19 The undersigned circulator of the above petition asserts  
 20 that ~~the circulator~~ HE OR SHE is qualified to circulate this  
 21 petition — AND that each signature on the petition was signed  
 22 in ~~the circulator's~~ HIS OR HER presence —, AND that, to ~~the~~  
 23 ~~circulator's~~ HIS OR HER best knowledge and belief, each signa-  
 24 ture is the genuine signature of the person purporting to sign  
 25 the petition, ~~and that~~ the person SIGNING THE PETITION was at  
 26 the time of signing a qualified registered elector of the city or  
 27 township listed in the heading of the petition, and ~~that~~ the  
 28 elector was qualified to sign the petition

29 CIRCULATOR - DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER  
 30 CIRCULATING PETITION

1 \_\_\_\_\_ (PRINTED NAME AND signature of circulator) \_\_\_\_\_ (DATE)

2  
3  
4 \_\_\_\_\_ (COMPLETE street AND ADDRESS number or rural route)

5  
6  
7 \_\_\_\_\_ (city or township WHERE REGISTERED)

8  
9  
10 \_\_\_\_\_  
11 ~~(date)~~ (POST OFFICE)

12  
13 Warning--A circulator ~~who~~ knowingly ~~makes~~ MAKING a false  
14 statement in the above certificate, a person not a circulator who  
15 signs as ~~the~~ A circulator, or a person who signs a name other  
16 than ~~the person's~~ HIS OR HER own as circulator is guilty of a  
17 misdemeanor

18 (5) THE PETITION SHALL BE IN A FORM PROVIDING A SPACE FOR  
19 THE CIRCULATOR AND EACH SCHOOL ELECTOR WHO SIGNS THE PETITION TO  
20 PRINT HIS OR HER NAME THE SECRETARY OF STATE SHALL PRESCRIBE  
21 THE LOCATION OF THE SPACE FOR THE PRINTED NAME THE FAILURE OF  
22 THE CIRCULATOR OR A SCHOOL ELECTOR WHO SIGNS THE PETITION TO  
23 PRINT HIS OR HER NAME IN THE SPACE PROVIDED DOES NOT AFFECT THE  
24 VALIDITY OF THE SIGNATURE OF THE CIRCULATOR OR THE ELECTOR WHO  
25 SIGNS THE PETITION A PRINTED NAME LOCATED IN THE SPACE PRE-  
26 SCRIBED FOR PRINTED NAMES DOES NOT CONSTITUTE THE SIGNATURE OF  
27 THE CIRCULATOR OR SCHOOL ELECTOR

28 (6) ~~(5)~~ The size of nominating petitions shall be 8-1/2  
29 inches by ~~13~~ 14 inches A nominating petition shall be printed  
30 in the following type sizes the words "nominating petition"  
31 shall be in 24-point boldface type "we, the undersigned, etc "  
32 shall be in 8-point type warning' and the language contained in

1 the warning shall be in 12-point boldface type and the balance  
2 of the petition shall be in 8-point type

3 (7) ~~(6)~~ A person who knowingly signs more petitions for  
4 the same office than there are candidates to be elected ~~—~~ or  
5 who signs a name other than the person's own ~~—~~ is guilty of a  
6 misdemeanor

7 (8) ~~(7)~~ The circulator of a nominating petition shall be a  
8 registered school elector of the school district in which the  
9 petition is ~~being~~ circulated A circulator who knowingly makes  
10 a false statement in the certificate to the nominating petition  
11 provided for in subsection (4), a person not a circulator who  
12 signs as the circulator, or A PERSON who signs a name other than  
13 the person s own as circulator, is guilty of a misdemeanor

14 (9) ~~(8)~~ A petition sheet shall not be circulated in more  
15 than 1 township or city

16 (10) ~~(9)~~ Upon the filing of nominating petitions, the sec-  
17 retary of the board shall canvass the petitions to ascertain if  
18 the petitions have been signed by the requisite number of regis-  
19 tered school electors ~~—, and for the purpose of determining~~  
20 ~~their validity~~ TO DETERMINE THE VALIDITY OF NOMINATING PETI-  
21 TIONS, THE SECRETARY OF THE BOARD may check doubtful signatures  
22 against the registration records MAINTAINED by the clerk of the  
23 political subdivision in which each petition was circulated to  
24 determine the authenticity of the signatures If ~~it is~~  
25 ~~determined~~ THE SECRETARY OF THE BOARD DETERMINES that ~~the~~ A  
26 CANDIDATE S nominating petitions ~~of a candidate~~ do not comply  
27 with the requirements OF THIS SECTION, ~~including the fact~~ that

1 the candidate does not possess the qualifications ~~as~~ required  
 2 by law for membership on the board, or ~~if for another cause~~  
 3 THAT the candidate is not entitled to have his or her name  
 4 printed upon official election ballots FOR SOME OTHER CAUSE, the  
 5 secretary of the board shall IMMEDIATELY notify the candidate  
 6 ~~immediately~~ If nominating petitions are filed on behalf of the  
 7 secretary of the board, the treasurer of the board shall perform  
 8 the duties of the secretary

9 (11) ~~(10)~~ After a nominating petition is filed, ~~by or on~~  
 10 ~~behalf of a proposed candidate for membership on the board,~~ the  
 11 PROPOSED candidate shall not ~~be permitted to~~ withdraw unless  
 12 ~~a~~ written notice of withdrawal, signed by the candidate, is  
 13 served on the secretary of the board or an authorized agent of  
 14 the secretary of the board not later than 4 p m of the third  
 15 day after the last day for filing ~~the petition~~ NOMINATING  
 16 PETITIONS The secretary of the board shall notify the county  
 17 clerk of the names and addresses of the candidates not later than  
 18 3 days after the last date for candidate withdrawal However, if  
 19 the third day is a Saturday, Sunday or legal holiday, the notice  
 20 may be made on the next ~~secular~~ BUSINESS day