



# SENATE BILL No. 773

November 29, 1995, Introduced by Senators STEIL, MC MANUS, BENNETT, SCHUETTE, GAST, STILLE, GOUGEON, SHUGARS and SCHWARZ and referred to the Committee on Government Operations.

A bill to amend sections 3, 5, 6, 72, 73, 74, 75, 76, 77, 84, 102, 111, 114, 123, 151, 152, 203, 211, 216, 217, 231, 242, 303, 316, 321, 323, 613, 616, 617, 661, 687, 701, 702, 703, 705, 805, 807, 856, 857, 858, 859, 860, 861, 932, 945, 1361, and 1732 of Act No. 451 of the Public Acts of 1976, entitled as amended "The school code of 1976," section 5 as amended by Act No. 416 of the Public Acts of 1994, section 6 as amended by Act No. 159 of the Public Acts of 1989, section 114 as amended by Act No. 232 of the Public Acts of 1983, sections 152, 857, and 858 as amended by Act No. 263 of the Public Acts of 1992, section 617 as amended by Act No. 268 of the Public Acts of 1989, section 703 as amended by Act No. 87 of the Public Acts of 1981, section 705 as amended by Act No. 258 of the Public Acts of 1994, and section 945 as added by Act No. 154 of the Public Acts of 1984, being sections 380.3, 380.5, 380.6,

380.72, 380.73, 380.74, 380.75, 380.76, 380.77, 380.84, 380.102, 380.111, 380.114, 380.123, 380.151, 380.152, 380.203, 380.211, 380.216, 380.217, 380.231, 380.242, 380.303, 380.316, 380.321, 380.323, 380.613, 380.616, 380.617, 380.661, 380.687, 380.701, 380.702, 380.703, 380.705, 380.805, 380.807, 380.856, 380.857, 380.858, 380.859, 380.860, 380.861, 380.932, 380.945, 380.1361, and 380.1732 of the Michigan Compiled Laws; to add sections 1206 and 1351c; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Section 1. Sections 3, 5, 6, 72, 73, 74, 75, 76, 77, 84,  
2 102, 111, 114, 123, 151, 152, 203, 211, 216, 217, 231, 242, 303,  
3 316, 321, 323, 613, 616, 617, 661, 687, 701, 702, 703, 705, 805,  
4 807, 856, 857, 858, 859, 860, 861, 932, 945, 1361, and 1732 of  
5 Act No. 451 of the Public Acts of 1976, section 5 as amended by  
6 Act No. 416 of the Public Acts of 1994, section 6 as amended by  
7 Act No. 159 of the Public Acts of 1989, section 114 as amended by  
8 Act No. 232 of the Public Acts of 1983, sections 152, 857, and  
9 858 as amended by Act No. 263 of the Public Acts of 1992, section  
10 617 as amended by Act No. 268 of the Public Acts of 1989, section  
11 703 as amended by Act No. 87 of the Public Acts of 1981, section  
12 705 as amended by Act No. 258 of the Public Acts of 1994, and  
13 section 945 as added by Act No. 154 of the Public Acts of 1984,  
14 being sections 380.3, 380.5, 380.6, 380.72, 380.73, 380.74,  
15 380.75, 380.76, 380.77, 380.84, 380.102, 380.111, 380.114,  
16 380.123, 380.151, 380.152, 380.203, 380.211, 380.216, 380.217,  
17 380.231, 380.242, 380.303, 380.316, 380.321, 380.323, 380.613,  
18 380.616, 380.617, 380.661, 380.687, 380.701, 380.702, 380.703,

1 380.705, 380.805, 380.807, 380.856, 380.857, 380.858, 380.859,  
2 380.860, 380.861, 380.932, 380.945, 380.1361, and 380.1732 of the  
3 Michigan Compiled Laws, are amended and sections 1206 and 1351c  
4 are added to read as follows:

5       Sec. 3. (1) "ANNUAL SCHOOL ELECTION" OR "ANNUAL ELECTION"  
6 MEANS THE ELECTION HELD IN A SCHOOL DISTRICT, LOCAL ACT SCHOOL  
7 DISTRICT, OR INTERMEDIATE SCHOOL DISTRICT ON THE FIRST TUESDAY  
8 FOLLOWING THE FIRST MONDAY OF NOVEMBER IN EVERY YEAR.

9       (2) ~~+(1)~~ "Area" as used in the phrase "area  
10 vocational-technical education program" means the geographical  
11 territory, both within and without the boundaries of either a K  
12 to 12 school district or a community college district, which is  
13 designated by the state board as the service area for the opera-  
14 tion of an area vocational-technical education program.

15       (3) ~~+(2)~~ "Area vocational-technical education program"  
16 means a program of organized, systematic instruction designed to  
17 prepare the following persons for useful employment in recognized  
18 occupations:

19       (a) Persons enrolled in high school.

20       (b) Persons who have completed or left high school and who  
21 are available for full-time study in preparation for entering the  
22 labor market.

23       (c) Persons who have entered the labor market and who need  
24 training or retraining to achieve stability or advancement in  
25 employment.

1       (4) ~~(3)~~ "Board" or "school board" means the governing body  
2 of a local school district or a local act school district unless  
3 clearly otherwise stated.

4       (5) ~~(4)~~ "Boarding school" means a place accepting for  
5 board, care, and instruction 5 or more children under 16 years of  
6 age.

7       (6) ~~(5)~~ "Constituent district" means a ~~local~~ school dis-  
8 trict or ~~special~~ LOCAL act school district, the territory of  
9 which is entirely within and is an integral part of an intermedi-  
10 ate school district.

11       ~~(6) "District meeting" means an annual or special meeting~~  
12 ~~of school electors of a primary school district or of a fourth~~  
13 ~~class district under section 112.~~

14       Sec. 5. (1) "Local act school district" or "special act  
15 school district" means a district governed by a special or local  
16 act or chapter of a local act. "Local school district" and  
17 "local school district board" as used in article 3 include local  
18 act school district and a local act school district board.

19       (2) "Membership" means the number of full-time equivalent  
20 pupils in a public school as determined by the number of pupils  
21 registered for attendance plus pupils received by transfer and  
22 minus pupils lost as defined by rules promulgated by the state  
23 board.

24       (3) "MICHIGAN ELECTION LAW" MEANS ACT NO. 116 OF THE PUBLIC  
25 ACTS OF 1956, BEING SECTIONS 168.1 TO 168.992 OF THE MICHIGAN  
26 COMPILED LAWS.

1       (4) ~~(3)~~ "Modified school bus" means a school bus of any  
2 age with a factory installed fuel system that has been modified  
3 to operate on a fuel source other than gasoline or diesel fuel.

4       (5) ~~(4)~~ "Nonpublic school" means a private, denomination-  
5 al, or parochial school.

6       (6) ~~(5)~~ "Outcomes" means measurable pupil academic skills  
7 and knowledge.

8       (7) ~~(6)~~ "Public school" means a public elementary or sec-  
9 ondary school operated by a school district, local act school  
10 district, special act school district, intermediate school dis-  
11 trict, public school academy corporation, or by the department or  
12 state board. Public school also includes a laboratory school or  
13 other elementary or secondary school that is controlled and oper-  
14 ated by a state public university described in section 4, 5, or 6  
15 of article VIII of the state constitution of 1963.

16       (8) ~~(7)~~ "Pupil membership count day" of a school district  
17 means that term as defined in section 6 of the state school aid  
18 act of 1979, being section 388.1606 of the Michigan Compiled  
19 Laws.

20       (9) ~~(8)~~ "Pupil transportation vehicle" means any vehicle  
21 other than a school bus used by a school district to transport  
22 pupils to or from school or school-related events.

23       (10) ~~(9)~~ "Rehabilitated school bus" means a bus that is at  
24 least 4 years old and has accumulated at least 100,000 miles, or  
25 is at least 7 years old; and that has been thoroughly inspected  
26 and had all systems repaired, replaced, or adjusted to meet the

1 department of state police inspection requirements including but  
2 not limited to any of the following:

3 (a) Engine overhaul of short block.

4 (b) New tires on the front axle.

5 (c) New recap tires on the rear axle.

6 (d) New brake linings and drums.

7 (e) New hydraulic brake lines.

8 (f) Front and rear springs.

9 (g) New paint in the interior.

10 (h) New exhaust system.

11 (11) ~~(10)~~ "Reorganized intermediate school district" means  
12 an intermediate school district formed by consolidation or annex-  
13 ation of 2 or more intermediate school districts under sections  
14 701 and 702.

15 (12) ~~(11)~~ "Rule" means a rule promulgated pursuant to the  
16 administrative procedures act of 1969, Act No. 306 of the Public  
17 Acts of 1969, ~~as amended,~~ being sections 24.201 to 24.328 of  
18 the Michigan Compiled Laws, or a rule or regulation prescribed by  
19 the state board under section 15 of Act No. 287 of the Public  
20 Acts of 1964, being section 388.1015 of the Michigan Compiled  
21 Laws.

22 (13) "STATE GENERAL ELECTION" MEANS THE ELECTION HELD ON THE  
23 FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN AN EVEN NUM-  
24 BERED YEAR.

25 Sec. 6. (1) "School bus" means a motor vehicle, other than  
26 a station wagon or passenger van, with a manufacturer's rated  
27 seating capacity of 17 or more pupils used for the transportation

1 of school pupils to and from school which either is owned by a  
2 school district or, if privately owned, is transporting school  
3 pupils under a contract with a local school district, a local act  
4 school district, or an intermediate school district. As used in  
5 this subsection:

6 (a) "Passenger van" means a motor vehicle designed to carry  
7 not more than 16 passengers, built on a truck chassis, and regis-  
8 tered and titled by the secretary of state as a station wagon.

9 (b) "Station wagon" means a motor vehicle designed to carry  
10 not more than 10 passengers and built on a passenger vehicle  
11 chassis.

12 (2) "School district" or "local school district" means:

13 (a) A primary school district.

14 (b) A school district of the fourth class.

15 (c) A school district of the third class.

16 (d) A school district of the second class.

17 (e) A school district of the first class.

18 (3) "School elector" means a person qualified as an elector  
19 under section 492 of the Michigan election law, ~~Act No. 116 of~~  
20 ~~the Public Acts of 1954, as amended,~~ being section 168.492 of  
21 the Michigan Compiled Laws, and resident of the school district,  
22 local act school district, or intermediate school district on or  
23 before the thirtieth day before the next ensuing annual or spe-  
24 cial school election.

25 (4) "School month" means a 4-week period of 5 days each  
26 unless otherwise specified in the teacher's contract.

1 (5) "Special education building and equipment" means a  
2 structure or portion of a structure or personal property  
3 accepted, leased, purchased, or otherwise acquired, prepared, or  
4 used for special education programs and services.

5 (6) "Special education personnel" means persons engaged in  
6 and having professional responsibility for the training, care,  
7 and education of handicapped persons in special education pro-  
8 grams and services including, but not limited to, teachers,  
9 aides, social workers, diagnostic personnel, physical therapists,  
10 occupational therapists, audiologists, teachers of speech and  
11 language, instructional media-curriculum specialists, mobility  
12 specialists, teacher consultants, supervisors, and directors.

13 (7) "Special education programs and services" means educa-  
14 tional and training services designed for handicappers and oper-  
15 ated by local school districts, local act school districts,  
16 intermediate school districts, the Michigan school for the blind,  
17 the Michigan school for the deaf, the department of mental  
18 health, the department of social services, or a combination  
19 thereof, and ancillary professional services for handicappers  
20 rendered by agencies approved by the state board. The programs  
21 shall include vocational training, but need not include academic  
22 programs of college or university level.

23 (8) "SPECIAL SCHOOL ELECTION" OR "SPECIAL ELECTION" MEANS AN  
24 ELECTION HELD IN A SCHOOL DISTRICT AT A DATE OTHER THAN THE  
25 ANNUAL SCHOOL ELECTION, AS PROVIDED UNDER THE MICHIGAN ELECTION  
26 LAW.



1       (9) ~~(8)~~ "State approved nonpublic school" means a  
 2 nonpublic school that complies with Act No. 302 of the Public  
 3 Acts of 1921, ~~as amended,~~ being sections 388.551 to 388.558 of  
 4 the Michigan Compiled Laws.

5       (10) ~~(9)~~ "State board" means the state board of education  
 6 unless clearly otherwise stated.

7       (11) ~~(10)~~ "Department" means the department of education  
 8 created and operating under sections 300 to 305 of the executive  
 9 organization act of 1965, Act No. 380 of the Public Acts of 1965,  
 10 being sections 16.400 to 16.405 of the Michigan Compiled Laws.

11       (12) "STATE GENERAL ELECTION" MEANS THE ELECTION HELD ON THE  
 12 FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN AN EVEN NUM-  
 13 BERED YEAR.

14       (13) ~~(11)~~ "State school aid" means allotments from the  
 15 general appropriating act for the purpose of aiding in the sup-  
 16 port of the public schools of the state.

17       (14) ~~(12)~~ "The state school aid act of 1979" means Act  
 18 No. 94 of the Public Acts of 1979, being sections 388.1601 to  
 19 388.1772 of the Michigan Compiled Laws.

20       (15) ~~(13)~~ "Type I school bus" means a school bus with a  
 21 gross vehicle weight rating of more than 10,000 pounds.

22       (16) ~~(14)~~ "Type II school bus" means a school bus with a  
 23 gross vehicle rating of 10,000 pounds or less.

24       (17) ~~(15)~~ "Type I premium school bus" means a school bus  
 25 with a passenger capacity of more than 66 pupils and any other  
 26 school bus purchased by a district at a cost for the vehicle,  
 27 excluding interest and special equipment, that exceeds by more

1 than 15% the average cost of a school bus meeting state minimum  
 2 specifications of the same capacity purchased during the same  
 3 year.

4       Sec. 72. (1) A school district organized and operating  
 5 under this part shall be known by the name of "school district  
 6 number \_\_\_\_\_" of \_\_\_\_\_, (the name of the township or  
 7 townships in which the district is situated). The school elec-  
 8 tors ~~, at an annual meeting,~~ may adopt a distinctive name for  
 9 the school district which after being approved by the intermedi-  
 10 ate school board as not being in conflict with the name of  
 11 another district, together with the name of the county or coun-  
 12 ties into which the school district extends, shall be the legal  
 13 name of the school district for all purposes. In like manner,  
 14 the board may change the name of the school district.

15       (2) The adoption of a distinctive name or change in name of  
 16 a school district shall not affect existing obligations incurred  
 17 in the former name of the district or on the ownership of real or  
 18 personal property.

19       Sec. 73. The board shall consist of 3 members ~~, president,~~  
 20 ~~secretary, and treasurer,~~ elected by ballot for terms of ~~3~~ 4  
 21 years each at the annual ~~meeting~~ ELECTION of the school  
 22 district COINCIDING WITH A STATE GENERAL ELECTION, AS PROVIDED IN  
 23 THE MICHIGAN ELECTION LAW. ~~Within 5 days after the election each~~  
 24 ~~member elected shall be notified of his or her election. Within~~  
 25 ~~10 days after notification, each member shall file an acceptance~~  
 26 ~~of the office to which elected, accompanied by a written~~

1 ~~affidavit of eligibility under section 1102.~~ THE BOARD SHALL  
2 ELECT FROM ITS MEMBERS A PRESIDENT, SECRETARY, AND TREASURER.

3       Sec. 74. The salaries of members of the board shall be  
4 determined by the school electors of the district. ~~at an annual~~  
5 ~~meeting of the school district.~~ The school electors may provide  
6 for a different salary for the office of president, the office of  
7 secretary, and the office of treasurer. A salary fixed by the  
8 school electors shall remain the same until changed by the school  
9 electors at an annual ~~meeting~~ ELECTION. The salary of a member  
10 of the board shall not be increased nor decreased after election  
11 or appointment.

12       Sec. 75. (1) The school electors of a school district at  
13 ~~each annual meeting or adjournment, or at a special meeting law~~  
14 ~~fully called, may:~~

15       ~~(a) In the absence of the president appoint a chairperson~~  
16 ~~and, in the absence of the secretary appoint a school elector to~~  
17 ~~act in the secretary's stead, who shall keep minutes of the pro-~~  
18 ~~ceedings of the meeting. The secretary shall enter the minutes~~  
19 ~~in the records of the district.~~

20       ~~(b) Adjourn from time to time.~~

21       ~~(c) Elect district officers under section 73.~~

22       ~~(d) Vote~~ AN ANNUAL OR SPECIAL SCHOOL ELECTION MAY VOTE  
23 taxes sufficient to purchase or lease sites or build, hire, or  
24 purchase schools. These taxes, together with all funds derived  
25 from sale of bonds for these purposes, and all insurance money  
26 received for the loss of a school shall be accounted for under  
27 the title of "building and site fund". Money belonging to the

1 building and site fund shall not be used for purposes other than  
2 that for which it was raised without approval of a majority of  
3 the school electors of the district voting on the question.

4 (2) ~~(e) Determine~~ THE BOARD OF A SCHOOL DISTRICT MAY  
5 DETERMINE the amount of money to be raised by tax for school  
6 operating purposes under section 1211.

7 (3) ~~(f) Authorize~~ THE BOARD OF A SCHOOL DISTRICT MAY  
8 AUTHORIZE the sale of a school, site, building, or other property  
9 belonging to the school district ~~when~~ IF IT IS no longer needed  
10 by the SCHOOL district.

11 ~~(2) Each person offering to vote before being given a~~  
12 ~~ballot shall identify himself or herself by executing before an~~  
13 ~~election official an application showing the person's signature,~~  
14 ~~address of residence, and qualifications as a school elector.~~

15 Sec. 76. The annual ~~meeting~~ ELECTION of a primary school  
16 district shall be held on the ~~second Monday in June~~ FIRST  
17 TUESDAY FOLLOWING THE FIRST MONDAY OF NOVEMBER IN EVERY YEAR.

18 Sec. 77. (1) A special ~~meeting~~ ELECTION of the school  
19 district may be called by the board OF A PRIMARY SCHOOL DISTRICT  
20 AS PROVIDED IN THE MICHIGAN ELECTION LAW. ~~The board or 1 of its~~  
21 ~~members shall call a special meeting on petition of not less than~~  
22 ~~5 school electors of the district. The petitioners shall file a~~  
23 ~~copy of the petition with the intermediate superintendent.~~  
24 ~~Except as to the proposition, the petition shall be substantially~~  
25 ~~in the form of petition prescribed in section 1066. The special~~  
26 ~~meeting shall be called by giving the required legal notice. The~~  
27 ~~meeting shall be held within 60 days after the time the petition~~

~~1 is received, on a date approved by the county election scheduling~~  
~~2 committee under section 639 of Act No. 116 of the Public Acts of~~  
~~3 1954, as amended, being section 168.639 of the Michigan Compiled~~  
~~4 laws.~~ A special ~~meeting~~ ELECTION shall not be called unless  
 5 the question to be voted upon is within the lawful authority of  
 6 the school electors to decide.

7 (2) If a board ~~or + of its members~~ fails to call a special  
 8 ~~meeting~~ ELECTION upon petition, the intermediate superinten-  
 9 dent, within 10 days after receiving the copy of the petition,  
 10 shall call the special ~~meeting~~ ELECTION within the time speci-  
 11 fied by taking the proper statutory steps.

12 Sec. 84. The secretary of the board shall DO ALL OF THE  
 13 FOLLOWING:

14 (a) Act as clerk at all ~~school district meetings and~~ board  
 15 meetings.

16 (b) Record the ~~proceedings of school district meetings,~~  
 17 ~~the~~ minutes of board meetings, and orders, resolutions, and  
 18 other proceedings of the board in proper record books.

19 ~~(c) Give notice of annual and special meetings of the~~  
 20 ~~school district in accordance with law.~~

21 (C) ~~(d)~~ Draw and sign orders upon the treasurer for money  
 22 to be disbursed by the school district, and present them to the  
 23 president to be countersigned by that officer. Each order shall  
 24 specify the object for which and the fund upon which it is  
 25 drawn.

26 (D) ~~(e)~~ Draw and sign all contracts with teachers when  
 27 directed by the board, and present them to the other members of

1 the board for signature. If the secretary neglects or refuses to  
2 draw a contract, the contract may be drawn by a person designated  
3 by the board.

4 (E) ~~(f)~~ Keep accurate accounts of expenses incurred by the  
5 secretary. Accounts shall be audited by the president and trea-  
6 surer, and on their order shall be paid out of money provided for  
7 these purposes.

8 (F) ~~(g)~~ Preserve and file copies of reports, books,  
9 papers, and other documents belonging to the office of secretary  
10 or to the school district, and deliver them to a successor in  
11 office.

12 (G) ~~(h)~~ Perform other duties required of the secretary by  
13 law or by the board.

14 (H) ~~(i)~~ Make an annual report to the state board.

15 Sec. 102. A primary school district having a pupil member-  
16 ship of more than 75 and less than 2,400 pupils enrolled on the  
17 latest pupil membership count day, by a majority vote of the  
18 school electors present at an annual or special ~~meeting~~  
19 ELECTION, may organize as a fourth class school district.

20 Sec. 111. (1) If the change in the organization of the  
21 school district is approved, the school electors at the next  
22 annual election ~~or annual meeting~~ THAT COINCIDES WITH A STATE  
23 GENERAL ELECTION shall elect by ballot a board of 5 members, ~~+~~  
24 ~~member for the term of 1 year, 2~~ 3 MEMBERS for the term of 2  
25 years ~~1~~ and 2 for the term of 3 years, and ~~annually~~  
26 BIENNIALY thereafter a successor or successors to the member or  
27 members whose terms of office expire. The term of office of a

1 member of the board of a fourth class school district shall be  
2 for ~~3~~ 4 years, except terms of the board MEMBERS elected at the  
3 first annual election ~~or annual meeting~~ following  
4 reclassification. Successors to the members whose terms expire  
5 shall be elected by the school electors of the district, by  
6 ballot, at each annual election ~~or annual meeting~~ THAT COIN-  
7 CIDES WITH A STATE GENERAL ELECTION. The board of the primary  
8 school district shall continue to be the board for the district  
9 until the election and qualification of the new board at the  
10 first annual election ~~or annual meeting~~ THAT COINCIDES WITH A  
11 STATE GENERAL ELECTION following reclassification. Upon qualifi-  
12 cation for and acceptance of office ~~under section 1102~~ by 3 of  
13 the newly elected members, the school district is duly  
14 organized.

15 (2) The board of a fourth class school district operating  
16 grades K to 12 shall consist of 7 members. At the first annual  
17 election ~~or annual meeting~~ THAT COINCIDES WITH A STATE GENERAL  
18 ELECTION, 2 ADDITIONAL board members shall be elected by ballot  
19 for terms of 4 years. Successors to the members whose terms of  
20 office expire shall be elected by ballot for terms of ~~3~~ 4  
21 years. At the next succeeding annual election ~~or annual~~  
22 ~~meeting~~ THAT COINCIDES WITH A STATE GENERAL ELECTION, successors  
23 to the members whose terms of office expire shall be elected for  
24 terms of 4 years. After the rotation is established, not more  
25 than ~~2~~ 4 members shall be elected in 1 year to fill vacancies  
26 occurring by expiration of terms.

1       Sec. 114. (1) ~~Except as provided in subsection (2),~~  
2 ~~members~~ MEMBERS of the board shall meet not earlier than ~~July~~  
3 JANUARY 1 and not later than the second Monday of ~~July~~  
4 ~~succeeding~~ THE FIRST JANUARY AFTER their election and annually  
5 not earlier than ~~July~~ JANUARY 1 and not later than the second  
6 Monday in ~~July~~ JANUARY thereafter. Members of the board shall  
7 organize the board at the meeting by electing a president, a vice  
8 president, a secretary, and a treasurer. The treasurer need not  
9 be a member of the board.

10       ~~(2) Members of a board who are elected at the same time and~~  
11 ~~in conjunction with a city election under section 644k of the~~  
12 ~~Michigan election law, Act No. 116 of the Public Acts of 1954, as~~  
13 ~~amended, being section 168.644k of the Michigan Compiled Laws,~~  
14 ~~shall meet not earlier than January 1 and not later than the~~  
15 ~~second Monday in January succeeding their election and annually~~  
16 ~~not earlier than January 1 and not later than the second Monday~~  
17 ~~in January thereafter. Members of the board shall organize the~~  
18 ~~board at the meeting by electing a president, a vice president, a~~  
19 ~~secretary, and a treasurer. The treasurer need not be a member~~  
20 ~~of the board.~~

21       (2) ~~(3)~~ If the board fails or neglects to elect the offi-  
22 cers of the board within 15 days after the second Monday in  
23 ~~July~~ JANUARY under subsection (1), ~~or within 15 days after the~~  
24 ~~second Monday in January under subsection (2),~~ the intermediate  
25 school board of the intermediate school district to which the  
26 district is constituent shall appoint the officers from the  
27 members of the board of the local school district.



1 (3) ~~(4)~~ The board may remove a member from office for  
2 cause and shall elect another board member to the office.

3 Sec. 123. The secretary of the board shall DO ALL OF THE  
4 FOLLOWING:

5 (a) Act as clerk at meetings of the board.

6 (b) Record and sign the minutes of meetings, orders, resolu-  
7 tions, and other proceedings of the board in proper record  
8 books.

9 ~~(c) Be the chief election officer of the school district~~  
10 ~~with authority to delegate election duties to a member of the~~  
11 ~~administrative staff.~~

12 (C) ~~(d)~~ Prepare the annual report of the school district  
13 and other reports required by the state board.

14 (D) ~~(e)~~ Draw and sign orders upon the district treasurer  
15 for money to be disbursed by the school district. Each order  
16 shall be properly numbered and dated, shall specify the sources  
17 of the funds called for, the purpose for which, and the fund upon  
18 which the order is drawn.

19 (E) ~~(f)~~ Perform other duties required by law or by the  
20 board of education.

21 Sec. 151. The annual election of each fourth class school  
22 district shall be held on the ~~second Monday in June, unless the~~  
23 ~~board determines to hold its election at the same time and in~~  
24 ~~conjunction with a city election under section 644k of Act No.~~  
25 ~~116 of the Public Acts of 1954, as amended~~ FIRST TUESDAY AFTER  
26 THE FIRST MONDAY OF NOVEMBER.

1       Sec. 152. A special election may be called by the board OF  
2 A FOURTH CLASS SCHOOL DISTRICT AS PROVIDED IN THE MICHIGAN  
3 ELECTION LAW. ~~The board shall call a special election on peti-~~  
4 ~~tion of 5% or more of the registered school electors of the dis-~~  
5 ~~trict but not less than 25 registered school electors. The peti-~~  
6 ~~tion, except as to the proposition, shall be substantially in the~~  
7 ~~form prescribed in section 1066. The election shall be called by~~  
8 ~~giving the required legal notice, and shall be held on a date~~  
9 ~~approved by the county election scheduling committee under sec-~~  
10 ~~tion 639 of the Michigan election law, Act No. 116 of the Public~~  
11 ~~Acts of 1954, as amended, being section 168.639 of the Michigan~~  
12 ~~Compiled Laws.~~ A special election shall not be called unless the  
13 questions to be voted upon are within the lawful authority of the  
14 school electors to decide. ~~A question shall not be decided at a~~  
15 ~~special election unless the question is stated in the notice of~~  
16 ~~the election. The election shall be held not more than 60 days~~  
17 ~~after the date the petition is received.~~

18       Sec. 203. If the board of a fourth class school district  
19 having a pupil membership of more than 2,400 and less than 30,000  
20 pupils enrolled on the latest pupil membership count day is  
21 presented with a petition signed by not less than 300 school  
22 electors of the SCHOOL district to submit the question of becom-  
23 ing a third class school district to a vote of the SCHOOL elec-  
24 tors, the board shall call a special election AT THE NEXT AVAIL-  
25 ABLE DATE FOR A SPECIAL ELECTION or shall submit the question to  
26 a vote of the school electors at the next AVAILABLE annual  
27 election, WHICHEVER OCCURS FIRST. ~~If the petition is presented~~

~~1 within 90 days, but not less than 50 days before the time of an  
2 annual election, the question shall be submitted at the annual  
3 election even though a petition may request a special election.  
4 If the board is petitioned to submit the question at a special  
5 election and the petition is presented 91 or more days before an  
6 annual election, the board shall call the election to be held  
7 within 50 days after the date the petition is presented. The  
8 special election shall be held on a date approved by the county  
9 election scheduling committee under section 639 of Act No. 116  
10 of the Public Acts of 1954, as amended, being section 168.639 of  
11 the Michigan Compiled Laws.~~

12       Sec. 211. (1) The board of a third class school district  
13 shall consist of 7 members elected from the SCHOOL district. At  
14 the first annual election THAT COINCIDES WITH A STATE GENERAL  
15 ELECTION, the terms of the board members shall be arranged so  
16 that ~~2~~ 4 of those elected shall serve for ~~1 year, 2 for 2~~  
17 years ~~, 2 for 3 years,~~ and ~~1~~ 3 for 4 years. At the annual  
18 school election COINCIDING WITH A STATE GENERAL ELECTION immedi-  
19 ately preceding the expiration of the respective terms of these  
20 officers, successors shall be elected to serve for terms of 4  
21 years. If a fourth class school district becomes a third class  
22 school district, additional board members shall be elected to the  
23 board under section 807.

24       ~~(2) The board by resolution may direct that biennial elec-~~  
25 ~~tions shall be held at the same time that the city election is~~  
26 ~~held. If the school district holds its election at the same time~~

1 ~~of the city election, the term of office of a board member is 6~~  
 2 ~~years.~~

3 ~~(3) At the first annual election 2 of the members of the~~  
 4 ~~board shall serve for 2 years, 2 for 4 years, and 3 for 6 years.~~  
 5 ~~At the annual school election immediately preceding the expira-~~  
 6 ~~tion of the respective terms of these officers, successors shall~~  
 7 ~~be elected to serve for terms of 6 years.~~

8 (2) ~~(4)~~ If, AS OF THE 1995 AMENDATORY ACT THAT AMENDED  
 9 THIS SECTION, the members of the board are elected for 6-year  
 10 terms, the ~~board by resolution may provide that the term of~~  
 11 ~~office or members of the board shall be 4 years. The present~~  
 12 members of the board shall serve the balance of their respective  
 13 unexpired terms. The board ~~, in determining that members of the~~  
 14 ~~board shall serve for 4 year terms,~~ shall provide that BOARD  
 15 elections thereafter shall be held UNDER SECTION 216 on the  
 16 ~~second Monday in June under section 216~~ DATE OF THE ANNUAL  
 17 SCHOOL ELECTION THAT COINCIDES WITH A STATE GENERAL ELECTION.  
 18 The board shall provide for a system of rotation of terms of  
 19 office ~~which~~ THAT shall fairly adjust the length of terms and  
 20 the number of members to be elected ~~annually~~ BIENNIALY until  
 21 the rotation is established. After the rotation is established,  
 22 ~~but not more than 8 years after the adoption of the resolution,~~  
 23 not more than ~~2~~ 4 members shall be elected in 1 year to fill  
 24 vacancies occurring by expiration of terms.

25 (3) ~~(5)~~ If a person elected fails to take the oath of  
 26 office within 10 days after service of notice of the person's  
 27 election, or if a vacancy occurs, ~~under section 1103,~~ the

1 vacancy shall be filled by the board until the next annual school  
2 election THAT COINCIDES WITH A STATE GENERAL ELECTION, when the  
3 vacancy shall be filled for the remainder of the unexpired term.

4       Sec. 216. The annual school election in a third class  
5 school district shall be held on the ~~second Monday in June~~  
6 ~~unless the annual or biennial school election is held at the~~  
7 ~~time of the city election under section 211(2)~~ FIRST TUESDAY  
8 AFTER THE FIRST MONDAY OF NOVEMBER. The members of the board of  
9 a third class school district shall be elected BIENNIALY at the  
10 annual school election THAT COINCIDES WITH THE STATE GENERAL  
11 ELECTION. Terms of board members shall begin on ~~July~~ JANUARY 1  
12 after election.

13       Sec. 217. Special elections may be called by the board of a  
14 third class district ~~at places in the district which the board~~  
15 ~~designates and at times approved by the county election schedul-~~  
16 ~~ing committee under section 639 of Act No. 116 of the Public Acts~~  
17 ~~of 1954, as amended~~ AS PROVIDED IN THE MICHIGAN ELECTION LAW.  
18 ~~The board shall call an election on petition of not less than~~  
19 ~~10% of the registered school electors of the district qualified~~  
20 ~~to vote upon the question by giving the notice as prescribed in~~  
21 ~~part 13. The petition, except as to proposition, shall be sub-~~  
22 ~~stantially in the form prescribed in section 1066.~~ A special  
23 election shall not be called unless the question to be submitted  
24 may be decided by the school electors. ~~A question submitted at~~  
25 ~~an election shall be stated briefly in the election notice.~~

26       Sec. 231. (1) The members of the board of a third class  
27 school district elected at the first election held under this

1 part shall meet on or before the second Monday of ~~July~~ JANUARY  
 2 after election and annually on or before the second Monday of  
 3 ~~July~~ JANUARY thereafter, to organize the board by electing a  
 4 president, a vice-president, a secretary, and a treasurer. In  
 5 case of a vacancy in the office of president, the vice-president  
 6 shall succeed to the office of president for the balance of the  
 7 unexpired term. The president and vice-president shall be mem-  
 8 bers of the board. The secretary and treasurer need not be mem-  
 9 bers of the board.

10 ~~(2) Members of a board who are elected at the same time and~~  
 11 ~~in conjunction with a city election under section 644k of Act~~  
 12 ~~No. 116 of the Public Acts of 1954, as amended, being section~~  
 13 ~~168.644k of the Michigan Compiled Laws, shall meet not earlier~~  
 14 ~~than January 1 and not later than the second Monday in January~~  
 15 ~~succeeding their election and annually not earlier than January 1~~  
 16 ~~and not later than the second Monday in January thereafter.~~  
 17 ~~Members of the board shall organize the board at the meeting by~~  
 18 ~~electing a president, a vice president, a secretary and a~~  
 19 ~~treasurer.~~

20 (2) ~~(3)~~ The board shall hold regular meetings on the  
 21 second Monday of each month, or at other times as the board may  
 22 provide by resolution or bylaws. The board may adopt bylaws not  
 23 inconsistent with this part. The bylaws shall provide for call-  
 24 ing and holding special meetings. A majority of the board ~~shall~~  
 25 ~~constitute~~ CONSTITUTES a quorum. A proper record of board pro-  
 26 ceedings shall be kept.

1       Sec. 242. ~~(1)~~ The board may prescribe the duties of the  
2 secretary.

3       ~~(2) The secretary shall be the chief elections officer of~~  
4 ~~the school district with authority to delegate election duties to~~  
5 ~~a member of the administrative staff.~~

6       Sec. 303. (1) The board of a third class school district  
7 having a pupil membership of more than 30,000 and less than  
8 120,000 pupils enrolled on the latest pupil membership count day  
9 may submit the question of becoming a second class school dis-  
10 trict to a vote of the school electors of the SCHOOL district at  
11 the next ~~regular~~ AVAILABLE ANNUAL or special school election.  
12 The question shall be submitted on petition signed by not less  
13 than 1,000 school electors of the SCHOOL district.

14       (2) A special election shall not be called for the sole pur-  
15 pose of submitting to the school electors the question of reclas-  
16 sifying the SCHOOL district. The question of reclassifying the  
17 SCHOOL district shall not be voted upon by the school electors of  
18 the SCHOOL district more than once in a 2-year period.

19       Sec. 316. (1) Each second class school district shall be  
20 under the jurisdiction of a board of education.

21       (2) The board shall consist of 9 members elected from the  
22 school district at large. The term of office shall commence on  
23 ~~July 1 for those elected on the first Monday in April or those~~  
24 ~~elected on the second Monday in June, and on January 1 for those~~  
25 ~~elected in November at the odd year general election,~~ JANUARY 1  
26 and continue until a successor is elected and qualified.

1 (3) If a school district is reclassified as a second class  
2 school district, the members of the board at the time of  
3 reclassification shall continue as the members of the board until  
4 the expiration of their terms. At the next ~~regular~~ ANNUAL  
5 election THAT COINCIDES WITH A STATE GENERAL ELECTION, additional  
6 members shall be elected to the board in the manner provided in  
7 section 807.

8 Sec. 321. (1) Each second class school district ~~at the~~  
9 ~~time this act takes effect shall continue to~~ SHALL hold its  
10 ~~regular~~ ANNUAL SCHOOL election on the FIRST TUESDAY AFTER THE  
11 FIRST MONDAY OF NOVEMBER IN EVERY YEAR. ~~same date the election~~  
12 ~~was held before the effective date of this act or 1 of the fol-~~  
13 ~~lowing dates determined by the board by a resolution adopted at~~  
14 ~~least 6 months before the proposed new election date:~~

15 ~~(a) Annually on the first Monday in April.~~

16 ~~(b) Annually or biennially on the second Monday in June.~~

17 ~~(c) Biennially at the same time as the odd year general~~  
18 ~~election.~~

19 ~~(2) A second class school district reclassified after the~~  
20 ~~effective date of this act may hold its regular election at the~~  
21 ~~same time as the election was held before reclassification.~~

22 ~~(3) A second class school district which holds annual~~  
23 ~~elections, by resolution of its board of education, may determine~~  
24 ~~to hold its regular elections on the first Monday of April in~~  
25 ~~every odd numbered year. A school district in which biennial~~  
26 ~~elections have once been held may not hold annual elections.~~



1       (2) ~~(4)~~ At each ~~regular~~ ANNUAL SCHOOL election THAT  
 2 COINCIDES WITH A STATE GENERAL ELECTION, members of the board  
 3 shall be chosen to fill the positions of those whose terms will  
 4 expire. ~~In a school district in which annual elections are~~  
 5 ~~held, 3 years shall be the term of each member of the board and 3~~  
 6 ~~members shall be elected at each annual election, subject to sec-~~  
 7 ~~tion 316. In a district in which biennial elections are held,~~  
 8 ~~the board shall provide in its resolution establishing biennial~~  
 9 ~~elections that the term of office for each member of the board~~  
 10 ~~shall be for 4 years or for 6 years.~~

11       ~~(5) In a school district in which annual elections were~~  
 12 ~~once held and biennial elections are to be held in the future,~~  
 13 ~~the resolution to hold biennial elections shall be adopted at~~  
 14 ~~least 6 months before the annual election. To the extent neces-~~  
 15 ~~sary, the terms of members shall be extended to conform with the~~  
 16 ~~requirements for staggered terms of 4 or 6 years for members~~  
 17 ~~elected at biennial elections and to provide for taking office on~~  
 18 ~~January 1 for those elected in November.~~

19       Sec. 323. (1) The board may submit to the ~~registered~~  
 20 school electors of the school district a measure, proposition, or  
 21 question, within the scope of the powers of the SCHOOL electors,  
 22 ~~which~~ THAT the board ~~deems~~ CONSIDERS just and proper  
 23 ~~towards~~ FOR the proper management or conduct of the school  
 24 system or the advancement of education in the public schools of  
 25 the school district. Upon the adoption of a measure or question  
 26 by the board, the board shall submit the measure or question to  
 27 the ~~registered~~ school electors of the school district at the

1 next ensuing ~~regular~~ ANNUAL school election ~~or~~ OR at a special  
2 election. ~~or if the boundaries of a city or township and the~~  
3 ~~school district are coterminous, at a city or township election.~~

4 (2) A special election may be called by the board ~~at times~~  
5 ~~and places in the district the board designates~~ AS PROVIDED IN  
6 THE MICHIGAN ELECTION LAW. ~~The board shall call an election on~~  
7 ~~petition of not less than 10% of the registered school electors~~  
8 ~~of the district qualified to vote upon the question by giving the~~  
9 ~~prescribed notice. The petition, except as to subject, shall be~~  
10 ~~substantially in the form prescribed in section 1066.~~ A special  
11 election may be called on a measure, proposition, or question  
12 ~~which~~ THAT may be voted on and decided by the ~~registered~~  
13 school electors. The questions to be submitted at an election  
14 shall be stated briefly in the election notice.

15 ~~(3) If a portion of or an entire city or township is encom-~~  
16 ~~passed within the boundaries of a second class school district~~  
17 ~~and city or township primary or general elections are held on the~~  
18 ~~same day as an election of the school district, the school elec-~~  
19 ~~tion shall be conducted by the same inspectors and shall be can-~~  
20 ~~vassed, reported, considered, and treated as a part of the city~~  
21 ~~or township primary or general election in all particulars not~~  
22 ~~otherwise specified. The proper officials of the city or town-~~  
23 ~~ship shall prepare and have printed an official ballot on which~~  
24 ~~shall be placed the names in rotation of persons who are candi-~~  
25 ~~dates for nomination or who have been nominated for membership on~~  
26 ~~the board and the measures, propositions, or questions to be~~

1 ~~submitted to the registered school electors of the district at~~  
2 ~~the election.~~

3 ~~(4) The election shall be by separate ballot in a separate~~  
4 ~~box or, where voting machines or electronic voting devices are~~  
5 ~~used, in the manner prescribed by law. The manner of conducting~~  
6 ~~the elections, notices of election and registration, the method~~  
7 ~~of submitting measures or questions and voting, the registration~~  
8 ~~lists, and all other proceedings connected with the submission of~~  
9 ~~measures, propositions, or questions including the printing,~~  
10 ~~delivery, and distribution of ballots, the submission of ballots,~~  
11 ~~and the use of voting machines and electronic voting devices~~  
12 ~~shall be the same as is provided by the laws and charter govern-~~  
13 ~~ing city or township elections.~~

14 ~~(5) The expense of special elections called by the board~~  
15 ~~shall be paid to the city or township by the board upon presenta-~~  
16 ~~tion of a statement therefor, which shall not include charge for~~  
17 ~~use of equipment or services of regular personnel of the city or~~  
18 ~~township, except as may be otherwise agreed between the city or~~  
19 ~~township and the board.~~

20 ~~(6) If a measure, proposition, or question is to be submit-~~  
21 ~~ted to the registered school electors of the district, the board~~  
22 ~~shall file with the city or township clerk of each city or town-~~  
23 ~~ship whose boundaries are encompassed within the second class~~  
24 ~~school district, a written notice of the adoption by the majority~~  
25 ~~vote of the board of the measure, proposition, or question to be~~  
26 ~~submitted at the election, together with a written draft of the~~  
27 ~~form and purpose of the measure, proposition, or question. The~~

~~1 notice shall be under the seal of the board and shall be filed at  
2 least 49 days before the election. Upon receipt of the notice,  
3 the proper city or township officials shall publish notice of the  
4 election in accordance with applicable law.~~

~~5 (7) In those portions of a second class school district not  
6 encompassed within a city, part 13 shall govern registration and  
7 elections except as otherwise provided in this part.~~

8       Sec. 613. The intermediate school board shall meet annually  
9 on or before the fourth Monday of ~~July~~ JANUARY and shall orga-  
10 nize by electing a president, a vice-president, a secretary, and  
11 a treasurer. The president and vice-president shall be members  
12 of the intermediate school board, but the secretary and treasurer  
13 need not be. The officers shall perform duties provided by law  
14 and prescribed by the policies and regulations of the intermedi-  
15 ate school board not inconsistent with this part or other laws of  
16 the state. The treasurer shall post with the secretary a bond in  
17 an amount approved by the intermediate school board, conditioned  
18 upon the faithful performance of the treasurer's duties.

19       Sec. 616. (1) An intermediate school board may submit to  
20 the school electors of the constituent districts comprising the  
21 intermediate school district the question of adoption of sections  
22 615 to 617. The question shall be in substantially the following  
23 form:

24

25       "Shall sections 615 to 617 of the school code of 1976, as  
26 amended, providing for the popular election of members of the

1 intermediate school board be effective within the constituent  
2 districts of \_\_\_\_\_ (name of intermediate school district)?

3 Yes ( )

4 No ( )"

5 (2) The intermediate school board shall submit the question  
6 upon receipt of resolutions adopted by a majority of the boards  
7 of constituent districts and representing more than 1/2 of the  
8 combined memberships of the constituent districts of the interme-  
9 diate school district as of the latest pupil membership count  
10 day. The resolutions of the constituent district boards shall be  
11 adopted between ~~December~~ MARCH 1 and the next succeeding  
12 ~~March~~ JULY 1. The question shall be presented to the school  
13 electors of the constituent districts at the next annual election  
14 after resolutions of constituent district boards meeting the  
15 requirements of this section have been filed with the secretary  
16 of the intermediate school board.

17 (3) If a majority of the school electors votes in favor of  
18 popular election, members of the intermediate school board shall  
19 be elected at the next annual election THAT COINCIDES WITH A  
20 STATE GENERAL ELECTION and biennially thereafter at the annual  
21 school elections of the constituent districts. ~~If a constituent~~  
22 ~~district holds its annual election on a date other than the~~  
23 ~~second Monday in June, an election for the purpose of choosing~~  
24 ~~members of the intermediate school board shall be held in that~~  
25 ~~district on the second Monday in June.~~

26 (4) An intermediate school district ~~which~~ THAT adopts  
27 sections 615 to 617 may ~~in the same manner~~ terminate the

1 popular election of members of the intermediate school board IN  
2 THE SAME MANNER.

3       Sec. 617. ~~(1)~~ In an intermediate school district in which  
4 sections 615 to 617 are effective, a candidate for the office of  
5 member of the intermediate school board shall be nominated, ~~by~~  
6 ~~filing nominating petitions and an affidavit~~ AND MEMBERS SHALL  
7 BE ELECTED, as provided in ~~section 558 of~~ the Michigan election  
8 law. ~~, Act No. 116 of the Public Acts of 1954, being section~~  
9 ~~168.558 of the Michigan Compiled Laws, with the secretary of the~~  
10 ~~board of the intermediate school district before 4 p.m. of the~~  
11 ~~ninth Monday before the election.~~

12       ~~(2) The nominating petitions shall be in the form provided~~  
13 ~~in section 1066. Nominating petitions shall contain signatures~~  
14 ~~of school electors who are registered to vote in the city or~~  
15 ~~township in which they reside equal in number to not less than~~  
16 ~~1.5% of the combined pupil memberships of the constituent dis-~~  
17 ~~tricts on the latest pupil membership count day. A candidate is~~  
18 ~~not required to file signatures of more than 5,000 voters. Each~~  
19 ~~sheet of the petition shall be circulated in 1 city or township~~  
20 ~~only.~~

21       ~~(3) Within 14 days after the last date for filing, the sec-~~  
22 ~~retary of the intermediate school board shall certify the names~~  
23 ~~and addresses of those candidates whose petitions are found to be~~  
24 ~~sufficient to the secretaries of the boards of the constituent~~  
25 ~~districts. The secretary of the intermediate school board shall~~  
26 ~~certify the number to be elected. The secretary of the~~  
27 ~~intermediate school board shall notify the county clerk of the~~

~~1 names and addresses of the candidates not later than 3 days after  
2 the last day for candidate withdrawal. However, if the third day  
3 is a Saturday, Sunday, or legal holiday, the notice may be sent  
4 on the next day that is not a Saturday, Sunday, or legal  
5 holiday.~~

~~6 (4) The intermediate school board shall provide ballots for  
7 the election of members of the intermediate school board and dis-  
8 tribute the ballots to the secretaries of each of the constituent  
9 districts not less than 20 days before the annual school  
10 elections.~~

~~11 (5) At the first election, 3 members of an intermediate  
12 school board shall be elected for a term of 6 years, 2 for a term  
13 of 4 years, and 2 for a term of 2 years. After the first elec-  
14 tion, their successors shall be elected biennially for terms of 6  
15 years.~~

~~16 (6) The intermediate school board of an intermediate school  
17 district adopting sections 615 to 617 shall fill a vacancy in the  
18 board's membership by appointing a member to serve until the next  
19 biennial election, at which time a member shall be elected for  
20 the balance of the unexpired term.~~

21 Sec. 661. (1) The intermediate school board may submit  
22 questions to the INTERMEDIATE school electors of the intermediate  
23 school district at an annual or special SCHOOL election held in  
24 each of the constituent districts. A question shall not be sub-  
25 mitted to the intermediate school electors unless the question is  
26 within the lawful authority of the INTERMEDIATE SCHOOL electors  
27 ~~of the intermediate school district~~ to decide.

1 (2) A person who is a school elector of a constituent  
2 district of an intermediate school district and who is registered  
3 in the city or township in which that person resides is an  
4 INTERMEDIATE SCHOOL elector of that intermediate school  
5 district.

6 ~~(3) If a question is submitted to intermediate school elec-~~  
7 ~~tors at an annual school election, and a constituent district~~  
8 ~~does not hold its annual election on the second Monday of June,~~  
9 ~~the intermediate school board shall call a special election in~~  
10 ~~that constituent district to be held on the same date as the~~  
11 ~~annual school election.~~

12 ~~(4) The secretary shall be the chief election officer of~~  
13 ~~the intermediate school district with authority to delegate elec-~~  
14 ~~tion duties to a member of the administrative staff.~~

15 Sec. 687. (1) An intermediate school board in which an area  
16 vocational-technical education program is established, by a  
17 majority vote of the intermediate school electors voting on the  
18 question at an annual or at a special election called for that  
19 purpose, may borrow money and issue bonds of the intermediate  
20 school district subject to THE MUNICIPAL FINANCE ACT, Act No. 202  
21 of the Public Acts of 1943, ~~as amended~~ BEING SECTIONS 131.1 TO  
22 139.3 OF THE MICHIGAN COMPILED LAWS, to defray all or part of the  
23 cost of purchasing, erecting, completing, remodeling, improving,  
24 furnishing, refurnishing, equipping, or reequipping area  
25 vocational-technical buildings and other facilities, or parts  
26 thereof or additions thereto; acquiring, preparing, developing,  
27 or improving sites, or parts thereof or additions thereto, for



1 area vocational-technical buildings and other facilities;  
2 refunding all or part of existing bonded indebtedness; or accom-  
3 plishing a combination of the foregoing purposes. An intermedi-  
4 ate school district shall not issue bonds under this part for an  
5 amount greater than 1.5% of the total assessed valuation of the  
6 intermediate school district, nor shall the bonded indebtedness  
7 of an intermediate school district extend beyond a period of 30  
8 years for money borrowed.

9 (2) Refunding bonds or the refunding part of a bond issue  
10 shall not be deemed to be within the 1.5% limitation but shall be  
11 deemed to be authorized in addition thereto. A bond qualified  
12 under section 16 of article ~~9~~ IX of the state constitution of  
13 1963 and implementing legislation shall not be included for pur-  
14 poses of calculating the foregoing 1.5% limitation.

15 (3) An intermediate school board may submit a proposal to  
16 issue bonds of the intermediate school district, authorized under  
17 this section, to the intermediate school electors at the same  
18 election at which the intermediate school electors vote on the  
19 establishment of an area vocational-technical education program.  
20 If these questions are presented to the school electors at the  
21 same election, the board shall include the bond proposal in the  
22 60-day notice given the boards of constituent districts. The  
23 establishment of an area vocational-technical education program  
24 shall become effective if approved by a majority of the interme-  
25 diate school electors voting on the question. The authority to  
26 issue bonds is effective only if a majority of the intermediate  
27 school electors approve both the establishment of the area

1 vocational-technical education program and the issuance of  
2 bonds.

3 (4) The ballot used in submitting the question of borrowing  
4 money and issuing bonds under this section shall be in substan-  
5 tially the following form:

6

7 "Shall \_\_\_\_\_ (here state the legal name of the interme-  
8 diate school district designating the name of a district of not  
9 less than 18,000 pupils or first or second class school district  
10 which has elected not to come under this act as far as an area  
11 vocational-technical education program is concerned) state of  
12 Michigan, borrow the sum of not to exceed \$\_\_\_\_\_ and issue  
13 its bonds therefor, for the purpose of \_\_\_\_\_? THE ESTIMATED  
14 ANNUAL COST OF REPAYING THE BONDS IS \$\_\_\_\_\_ PER PUPIL  
15 ENROLLED IN THE AREA VOCATIONAL-TECHNICAL EDUCATION PROGRAM AND  
16 \$\_\_\_\_\_ PER CLASSROOM AFFECTED BY THE PROJECT.

17 Yes ( )

18 No ( )".

19 Sec. 701. (1) Two or more adjoining intermediate school  
20 districts may combine to form a single intermediate school dis-  
21 trict when the reorganization is approved by a majority of the  
22 electors of each intermediate school district voting on the ques-  
23 tion in the annual elections of the constituent districts.

24 (2) The question of combining intermediate school districts  
25 may be submitted by a resolution of the intermediate school  
26 boards meeting in joint session.

1       (3) The question shall be submitted ~~when~~ IF petitions  
 2 signed by a number of school electors of each intermediate school  
 3 district equal to not less than 5% of the number of pupil member-  
 4 snips on the latest pupil membership count day of the combined  
 5 constituent districts of the intermediate school district are  
 6 filed with the secretary of 1 of the intermediate school boards.  
 7 Within 30 days after receiving sufficient petitions, the secre-  
 8 tary shall apply for approval to the state board. The secretary  
 9 shall cause the question to be submitted at the next annual  
 10 school election after the state board approves the merger.

11       (4) The ballots shall be furnished by each intermediate  
 12 school board for its constituent districts and shall be in sub-  
 13 stantially the following form:

14

15       "Shall the following intermediate school districts be orga-  
 16 nized as a single intermediate school district?

17       (List names of intermediate school districts)

18       Yes   (    )

19       No    (    )".

20       (5) If the consolidation is approved by a majority of the  
 21 school electors voting on the question in each of the participat-  
 22 ing intermediate school districts, the reorganization ~~shall~~  
 23 ~~become~~ IS effective in the combined intermediate school dis-  
 24 tricts 30 days after the annual election at which the question is  
 25 submitted. The reorganized intermediate school district ~~shall~~  
 26 ~~be~~ IS a single intermediate school district subject to this  
 27 part.

1 (6) The members of the intermediate school boards of the  
2 original intermediate school districts shall act as an interim  
3 board until a board of the combined intermediate school district  
4 is elected. The interim board ~~shall possess~~ HAS all the powers  
5 and duties of an intermediate school board under this part. The  
6 person chosen by the interim intermediate school board as inter-  
7 mediate superintendent shall serve only until a successor is  
8 chosen by the elected intermediate school board. The secretary  
9 of the intermediate school board having the largest number of  
10 pupils in membership in its combined constituent districts at the  
11 time of reorganization shall call a meeting of the members of the  
12 interim intermediate school board for the purpose of organization  
13 within 15 days after the effective date of the reorganization.  
14 The secretary of the interim intermediate school board shall pro-  
15 vide for the election of a board of the reorganized intermediate  
16 school district under ~~section 6+7~~ THE MICHIGAN ELECTION LAW.  
17 ~~At the first election there shall be elected 3 members of a~~  
18 ~~board for 6 years, 2 for 4 years, and 2 for 2 years. Their suc-~~  
19 ~~cessors shall be elected biennially on the first Monday of June~~  
20 ~~for terms of 6 years. The time from the date of election to the~~  
21 ~~next July 1 shall be considered 1 year.~~

22 (7) The reorganized intermediate school district shall oper-  
23 ate as a single intermediate school district from the effective  
24 date of the reorganization. Within 10 days after the reorganiza-  
25 tion, all accounts of the reorganized intermediate school dis-  
26 tricts shall be audited in the manner established by the interim  
27 intermediate school board. The contracts of the intermediate

1 superintendents in force on the effective date of reorganization  
2 ~~shall~~ continue in effect ~~to~~ UNTIL THE time of their termina-  
3 tion except as to position as intermediate superintendents.

4 (8) If, ~~prior to~~ BEFORE reorganization of the intermediate  
5 school districts each of the combining intermediate school dis-  
6 tricts adopted special education programs by referendum pursuant  
7 to part 30 and approved the same annual property tax rates for  
8 the education of handicapped persons, the special education pro-  
9 grams and the annual property tax rates shall continue in effect  
10 in the reorganized intermediate school district.

11 Sec. 702. (1) An intermediate school district may be  
12 annexed to another intermediate school district if the intermedi-  
13 ate school board of the annexing intermediate school district  
14 approves the annexation by resolution, and a majority of the  
15 school electors of the intermediate school district to be annexed  
16 voting on the question at an annual or special election in the  
17 intermediate school district approve the annexation. If prior to  
18 annexation the annexing intermediate school district adopts a  
19 special education program by referendum pursuant to part 30, the  
20 intermediate school electors of the intermediate school district  
21 to be annexed must vote to adopt that special education program  
22 and annual tax rate. The vote on the question shall be by ballot  
23 furnished by the intermediate school board of the intermediate  
24 school district to be annexed. Before the election is held, the  
25 annexing intermediate school board shall obtain the approval of  
26 the state board of the proposed annexation.

1       (2) Within 10 days after the election, each constituent  
2 district secretary shall file the result with the secretary of  
3 the intermediate school ~~district~~ BOARD, and 5 days later the  
4 intermediate school board secretary shall file the election  
5 result with the secretary of the INTERMEDIATE SCHOOL board of the  
6 annexing intermediate school district. Within 15 days after the  
7 annexation election the intermediate school board of the annexed  
8 intermediate school district shall account to the intermediate  
9 school board of the annexing intermediate school district for the  
10 funds and property in its hands and shall turn over the ~~same~~  
11 FUNDS AND PROPERTY to that INTERMEDIATE SCHOOL board. Property  
12 and money belonging to the annexed intermediate school district  
13 shall become the property of the annexing intermediate school  
14 district. The outstanding indebtedness of the annexed intermedi-  
15 ate school district shall become the liability of the annexing  
16 intermediate school district. Upon receipt of the funds and  
17 property, the members of the annexed intermediate school board  
18 shall be released from liability ~~therefor~~ FOR THE FUNDS AND  
19 PROPERTY and their offices terminated.

20       (3) The annexation is effective on the latest date on which  
21 the election was held in a constituent district of the annexed  
22 intermediate school district. The secretary of the intermediate  
23 school board of the annexing intermediate school district shall  
24 give written notice of the annexation to the state board within  
25 15 days after the annexation election. Within 30 days after  
26 annexation, the board of the annexing intermediate school  
27 district shall appoint 2 school electors of the annexed

1 intermediate school district to membership on the intermediate  
2 school board of the reorganized intermediate school district, who  
3 shall serve until ~~July~~ JANUARY 1 after the next ~~biennial~~  
4 INTERMEDIATE SCHOOL DISTRICT election. Notification of the  
5 appointments shall be filed with the state board. If the  
6 appointments are not made within the 30 days, the state board  
7 shall make the appointments. At the next ~~biennial~~ INTERMEDIATE  
8 SCHOOL DISTRICT election, members of the intermediate school  
9 board shall be elected in the number and for the terms required  
10 in section 701. The terms of the members of the intermediate  
11 school board whose terms have not expired shall determine the  
12 terms of the additional members to be elected.

13       Sec. 703. (1) An intermediate school district comprised of  
14 less than 5 constituent districts and having no bonded indebted-  
15 ness may be disorganized and its constituent districts attached  
16 to contiguous intermediate school districts under this section.

17       (2) The board of each constituent district may request the  
18 intermediate school board to prescribe a plan for disorganization  
19 of the intermediate school district. Each request shall desig-  
20 nate another intermediate school district to which the constitu-  
21 ent district desires to be attached. The intermediate school  
22 board shall prescribe, by resolution, a plan under which each of  
23 the constituent districts will be attached in whole to contiguous  
24 intermediate school districts designated in the requests. If the  
25 designated intermediate school district is not contiguous, the  
26 intermediate school board's plan may prescribe attachment to a  
27 contiguous intermediate school district.

1       (3) The intermediate superintendent of the intermediate  
2 school district ~~which~~ THAT is to be disorganized shall give 30  
3 days' notice of the time and place of the meeting of the interme-  
4 diate school board and of the proposed plan for disorganization  
5 by publication of the notice in a newspaper of general circula-  
6 tion in the intermediate school district. The intermediate  
7 school board shall present the adopted plan for dissolution to  
8 the board of each of its constituent districts and to the inter-  
9 mediate school board of each intermediate school district whose  
10 boundaries would be enlarged by the proposal.

11       (4) The intermediate superintendent of each intermediate  
12 school district whose boundaries would be enlarged by the disso-  
13 lution shall give 30 days' notice of the time and place of the  
14 meeting of the intermediate school board and of the recommended  
15 plan for enlargement of the intermediate school district by pub-  
16 lication of the notice in a newspaper of general circulation in  
17 the intermediate school district.

18       (5) If the intermediate school board of each affected inter-  
19 mediate school district approves the plan for disorganization,  
20 the intermediate school board of the intermediate school district  
21 to be dissolved shall refer the matter to the state board for  
22 approval. The action of the state board declaring the intermedi-  
23 ate school district dissolved shall be final. Disorganization of  
24 the intermediate school district and attachment of its constitu-  
25 ent districts to contiguous intermediate school districts ~~shall~~  
26 ~~be effective~~ TAKES EFFECT on July 1 after the date of the  
27 approval of the state board.



1       (6) The intermediate school boards of the intermediate  
2 school districts to which territory is attached by dissolution  
3 shall meet jointly, sitting as a single board, and make an equi-  
4 table distribution of the money, property, and other assets  
5 belonging to the disorganized INTERMEDIATE SCHOOL district among  
6 the intermediate school districts affected. The territory of  
7 constituent districts transferred to other intermediate school  
8 districts by dissolution shall be subject to all taxes levied for  
9 purposes of the intermediate school district to which trans-  
10 ferred, including taxes for the retirement of bonded indebted-  
11 ness, special education programs, and area vocational-technical  
12 education programs.

13       (7) Within 30 days after a district attaches to a contiguous  
14 intermediate school district under this section, the board of the  
15 intermediate school district whose boundaries have been enlarged  
16 by the dissolution may appoint 2 school electors of constituent  
17 districts, 1 of whom shall be an elector of the attached dis-  
18 trict, to membership on the intermediate school board.  
19 Intermediate school board members appointed pursuant to this sub-  
20 section shall serve until ~~July~~ JANUARY 1 after the next  
21 ~~biennial~~ INTERMEDIATE SCHOOL DISTRICT election. The intermedi-  
22 ate school board may determine 1 initial term of less than ~~6~~ 4  
23 years for 1 of the additional members to be elected at the  
24 ~~biennial~~ INTERMEDIATE SCHOOL DISTRICT election. Notification  
25 of an appointment shall be filed with the state board.

26       Sec. 705. (1) Beginning in 1997, and IN each year after  
27 1997, a regional enhancement property tax may be levied by an

1 intermediate school district at a rate not to exceed 3 mills to  
2 enhance other state and local funding for local school district  
3 operations if approved by a majority of the intermediate school  
4 electors voting on the question.

5       (2) If a resolution requesting that the question of a  
6 regional enhancement property tax be submitted to the voters is  
7 adopted within a 180-day period and transmitted to the intermedi-  
8 ate school board by 1 or more boards of its constituent school  
9 districts representing a majority of the combined membership of  
10 the constituent school districts as of the most recent pupil mem-  
11 bership count day and if those resolutions all contain an identi-  
12 cal specified number of mills to be levied under this section and  
13 an identical specified number of years for which the tax shall be  
14 levied, the question of levying a regional enhancement property  
15 tax by the intermediate school district shall be placed on the  
16 ballot by the intermediate school district at the next annual  
17 school election held in each of the constituent districts.

18 ~~However, if the question is to be submitted at an annual school~~  
19 ~~election and a constituent district does not hold its annual~~  
20 ~~election on the second Monday in June, the intermediate school~~  
21 ~~board shall call a special election in that constituent district~~  
22 ~~to be held on the same day as the annual school election.~~ If the  
23 question is to be submitted to the intermediate school electors  
24 of an intermediate school district having a population of more  
25 than 1,400,000, the intermediate school board shall call a spe-  
26 cial election to be held at the next state primary or general  
27 election. However, if the resolution requirement is met more

1 than 180 days before the next annual school district elections,  
2 ~~to be held on the second Monday in June,~~ and if requested in  
3 the resolutions, the intermediate school board shall submit the  
4 question of levying a regional enhancement property tax within  
5 the intermediate school district on the ballot at a special elec-  
6 tion ~~under section 662~~ called by the intermediate school board  
7 for that purpose not earlier than 90 days ~~or later than 120~~  
8 ~~days~~ after the resolution requirements are met.

9       (3) Not later than 10 days after receipt by the intermediate  
10 school district of the revenue from the regional enhancement  
11 property tax, the intermediate school district shall calculate  
12 and pay to each of its constituent school districts an amount of  
13 the revenue calculated by dividing the total amount of the reve-  
14 nue by the combined membership of the constituent school dis-  
15 tricts within the intermediate district, as of the most recent  
16 pupil membership count day, and multiplying that quotient by the  
17 constituent school district's membership, as of the most recent  
18 pupil membership count day for which a final department-audited  
19 pupil count is available.

20       (4) Regional enhancement property tax under this section may  
21 be levied for a term not to exceed 20 years, as specified in the  
22 ballot question, and may be renewed for the same term with the  
23 approval of a majority of the intermediate school electors voting  
24 on the question.

25       (5) The question of levying a regional enhancement property  
26 tax under this section shall be presented to the intermediate  
27 school electors as a separate question.

1       Sec. 805. The board of a school district at the time of  
2 reclassification shall continue to be the board for the school  
3 district until the next annual election THAT COINCIDES WITH A  
4 STATE GENERAL ELECTION. After ~~the first~~ THAT annual election  
5 following reclassification, the board of the school district  
6 shall be composed of the requisite number of members whose terms  
7 of office expire as required by this act.

8       Sec. 807. In a school district in which the board, when  
9 reclassification takes effect, is composed of fewer members than  
10 are authorized by this act for the class to which reclassified, a  
11 sufficient number of members shall be elected at the next annual  
12 election in the district THAT COINCIDES WITH A STATE GENERAL  
13 ELECTION to increase the membership to the number and for the  
14 terms required by this act for the district. The unexpired terms  
15 of the members of the board will determine the terms of addi-  
16 tional members to be elected.

17       Sec. 856. (1) If the intermediate superintendent of schools  
18 is presented with petitions signed by school electors in each  
19 SCHOOL district to the number of not less than 50% of the number  
20 of ~~registered general~~ SCHOOL electors residing in each primary  
21 school district as of the date the intermediate superintendent  
22 releases petitions, and by school electors of not less than 5% of  
23 the number of ~~registered general~~ SCHOOL electors residing in  
24 other school districts, the intermediate superintendent shall  
25 cause the question of consolidation to be submitted to the vote  
26 of the school electors of the school districts at THE NEXT ANNUAL

1 SCHOOL ELECTION OR a special election. ~~called to be held within~~  
2 ~~90 days after the receipt of the petitions.~~

3 ~~(2) The special election shall be held on a date approved by~~  
4 ~~the county election scheduling committee under section 639 of Act~~  
5 ~~No. 116 of the Public Acts of 1954, as amended, being section~~  
6 ~~168.639 of the Michigan Compiled Laws.~~

7 (2) ~~(3)~~ Petitions ~~shall~~ ARE not ~~be~~ required in a  
8 school district operating 12 grades if a resolution adopted by  
9 the board of the SCHOOL district requesting consolidation of  
10 school districts has been filed with the intermediate  
11 superintendent.

12 ~~(4) Each city and township clerk shall certify to the~~  
13 ~~intermediate superintendent the number of registered general~~  
14 ~~electors residing in a school district upon request of the inter-~~  
15 ~~mediate superintendent.~~

16 Sec. 857. (1) The question of establishing a consolidated  
17 school district shall be submitted to the school electors at AN  
18 ANNUAL SCHOOL ELECTION OR AT a special election held for that  
19 purpose. In voting to form the consolidated school district, a  
20 school district operating 12 grades shall vote separately as a  
21 unit. The remaining school districts to be included in the con-  
22 solidation shall vote together as a unit.

23 ~~(2) The local board shall conduct the election in each~~  
24 ~~school district operating 12 grades. The intermediate school~~  
25 ~~board, the intermediate superintendent of which called the elec-~~  
26 ~~tion, shall conduct the election for the other school districts~~  
27 ~~voting together as a unit.~~

1       (2) ~~-(3)-~~ The elections shall be held on the same day and  
 2 during the same hours. ~~Each school district shall vote as pro-~~  
 3 ~~vided in part 12.~~

4       Sec. 858. ~~-(1) The intermediate superintendent shall give~~  
 5 ~~notice of the last day of registration and notice of the date,~~  
 6 ~~place, the propositions to be submitted, and the hours the polls~~  
 7 ~~will be open for the special election to the school electors of~~  
 8 ~~the districts operating less than 12 grades in the manner and at~~  
 9 ~~the times prescribed by sections 1002 and 1058. (2) The inter-~~  
 10 mediate superintendent shall give written notice to the secretary  
 11 of the board of each affected school district ~~operating 12~~  
 12 ~~grades of the day and hours for holding the special election.~~  
 13 ~~Each secretary shall give the statutory notice of the day, place~~  
 14 ~~or places, and the hours for holding the election and of the last~~  
 15 ~~day of registration. The intermediate superintendent shall~~  
 16 ~~notify the secretary of the board of each school district~~ of the  
 17 date of the consolidation election at least 60 days before the  
 18 election.

19       Sec. 859. (1) The proposition shall be in substantially the  
 20 following form:

21       "Shall the territory of the following school districts be  
 22 united to form 1 school district?

23       (Names of school districts to be consolidated to be listed  
 24 here)

25       Yes (    )

26       No    (    )".

1 ~~(2) Printed ballots, voting machines, or other voting~~  
2 ~~devices shall be used. The intermediate superintendent shall~~  
3 ~~supply printed ballots, poll books, and other necessary election~~  
4 ~~supplies to each board of election inspectors of the election~~  
5 ~~unit of the school districts operating less than 12 grades.~~

6 ~~(3) The secretary of the board of each school district oper-~~  
7 ~~ating 12 grades shall provide printed ballots for the election~~  
8 ~~and supply all election materials necessary for the election.~~  
9 ~~The board of each school district shall appoint the necessary~~  
10 ~~school electors to the board of election inspectors.~~

11 ~~(4) The members of the intermediate school board shall act~~  
12 ~~as the board of election inspectors for the election held in~~  
13 ~~school districts operating less than 12 grades. The intermediate~~  
14 ~~board may appoint additional persons to a board of election~~  
15 ~~inspectors. If more than 1 place for holding the election is~~  
16 ~~designated by the intermediate superintendent, the members of the~~  
17 ~~intermediate school board shall be apportioned by the intermedi-~~  
18 ~~ate superintendent to the boards of election inspectors. If a~~  
19 ~~member of the intermediate school board or other person appointed~~  
20 ~~to a board of election inspectors is unable to be present at the~~  
21 ~~election or is required to leave during the hours the polls are~~  
22 ~~open, the remaining members of the board of election inspectors~~  
23 ~~may appoint another person to fill the vacancy.~~

24 ~~(5) Each member of a board of election inspectors shall take~~  
25 ~~the constitutional oath of office before entering on the duties~~  
26 ~~of an election inspector.~~

1 (2) ~~(6)~~ The affirmative vote of a majority of the school  
 2 electors voting on the question in each of the election units  
 3 ~~shall be~~ IS necessary to effect the consolidation of the school  
 4 districts. The consolidation shall become effective as of the  
 5 date of the official canvass.

6 (3) ~~(7) The members of the intermediate school board and~~  
 7 ~~other inspectors of election acting in the election unit of a~~  
 8 ~~school district operating less than 12 grades shall receive the~~  
 9 ~~same compensation for conducting the election as is authorized~~  
 10 ~~for election inspectors in a general state election.~~ If the con-  
 11 solidation becomes effective, expenses incurred for the election  
 12 in each election unit shall be certified to the board of the con-  
 13 solidated school district. The school board OF THE CONSOLIDATED  
 14 SCHOOL DISTRICT shall pay election ~~costs~~ REIMBURSEMENTS from  
 15 the funds of the consolidated school district. If the proposi-  
 16 tion to consolidate is not approved, the intermediate school  
 17 board shall determine the expenses of the election held in the  
 18 election unit operating less than 12 grades and apportion the  
 19 ~~expenses~~ REQUIRED REIMBURSEMENTS equally among the school dis-  
 20 tricts of the election unit. Each school board of the election  
 21 unit shall pay the apportionment to the ~~intermediate school~~  
 22 ~~board~~ LOCAL UNIT OF GOVERNMENT THAT CONDUCTED THE ELECTION.

23 Sec. 860. (1) If the petitions filed with an intermediate  
 24 superintendent under section 853 request submission of the ques-  
 25 tion of assuming the bonded indebtedness of 1 or more of the  
 26 school districts proposing consolidation, or the question of  
 27 increasing the constitutional limitation on taxes of the



1 consolidated school district for operating purposes to the school  
 2 electors at the consolidation election, the intermediate superin-  
 3 tendent shall include the question or questions in the notice of  
 4 the election propositions filed with each of the election units.  
 5 ~~under section 857.~~

6 (2) A request for including assumption by the consolidated  
 7 school district of the bonded indebtedness of 1 or more of the  
 8 districts proposing consolidation shall be stated on the petition  
 9 after the names of the school districts to be consolidated in  
 10 substantially the following form:

11 "We petition that the question of assumption and payment by  
 12 the proposed consolidated school district of the bonded indebted-  
 13 ness of \_\_\_\_\_ be submitted to the  
 14 (name of school district or districts)  
 15 electors at the same election in which the proposed consolidation  
 16 is submitted", and if applicable,

17 "We petition that the question of increasing the constitu-  
 18 tional limitation on taxes which may be assessed against all  
 19 property in the proposed consolidated school district by \_\_\_\_\_  
 20 mills for a period of \_\_\_\_\_ years, 19\_\_ to 19\_\_, inclusive, for  
 21 operating purposes, be submitted to the electors at the same  
 22 election with the question of consolidating the above listed  
 23 districts".

24 (3) If the school electors approve the consolidation of  
 25 school districts and the assumption of the bonded indebtedness of  
 26 an original district, the consolidated school district shall  
 27 assume the obligation of the bonded indebtedness. The

1 consolidated school district shall pay the bonded indebtedness by  
2 spreading debt retirement taxes uniformly over the territory of  
3 the consolidated district. Section 864 ~~shall apply~~ APPLIES to  
4 the debt retirement tax levies, the continuing obligations of the  
5 original school districts, and the rights and remedies of a  
6 bondholder.

7       Sec. 861. ~~+++~~ Within 10 days after the date of the offi-  
8 cial canvass of the consolidation election, the intermediate  
9 school board of the intermediate school district containing the  
10 territory of the consolidated school district shall appoint  
11 school electors of the SCHOOL district in the number required by  
12 the classification of the school district to act as a board for  
13 the SCHOOL district. If a consolidated school district includes  
14 territory in more than 1 intermediate school district, the  
15 appointment shall be made by the intermediate school board of  
16 each intermediate school district acting jointly as a single  
17 board. Within 7 days after appointment, each member shall file  
18 with the intermediate superintendent an acceptance of the office,  
19 accompanied by a written affidavit setting forth the fact of eli-  
20 gibility ~~as provided in section 1102~~ FOR OFFICE. ~~Except as~~  
21 ~~otherwise provided in subsection (2), each~~ EACH appointed board  
22 member shall hold office until ~~June thirtieth~~ DECEMBER 31 next  
23 following appointment. A new board shall be elected at the first  
24 annual election held after the effective date of consolidation  
25 THAT COINCIDES WITH A STATE GENERAL ELECTION in the manner pre-  
26 scribed ~~in part 3 or part 4~~ BY LAW for the election of a first  
27 board.

1       ~~(2) If the effective date of the consolidation is between~~  
 2 ~~the thirtieth day prior to the annual election and December 31,~~  
 3 ~~the board appointed by the intermediate school board at its first~~  
 4 ~~meeting shall call a district election to be held within 45 days~~  
 5 ~~after the day of the meeting. At the election, a board of the~~  
 6 ~~requisite number of members shall be elected for terms required~~  
 7 ~~for the election of a first board in section 111 or section 211.~~  
 8 ~~The election shall be in lieu of the first annual election, and~~  
 9 ~~the first year of each term of office shall extend until July 1~~  
 10 ~~following the next succeeding annual election. The board shall~~  
 11 ~~hold its first meeting and elect officers as provided in section~~  
 12 ~~114 or section 231.~~

13       Sec. 932. (1) The ~~secretary of the~~ board of the school  
 14 district to be divided shall call an election at which the ques-  
 15 tion of the division of the school district shall be submitted to  
 16 the school electors. Vote on the proposition shall be by ballot  
 17 in the form determined by the intermediate school board and shall  
 18 clearly describe the division. Before an election is held, the  
 19 state board shall approve the proposed division and the attach-  
 20 ment of the parts to existing operating school districts. The  
 21 election in the school district to be divided shall be held not  
 22 later than ~~60 days~~ THE NEXT AVAILABLE DATE FOR AN ANNUAL SCHOOL  
 23 ELECTION OR SPECIAL SCHOOL ELECTION following the date of  
 24 approval by the state board.

25       (2) The affirmative vote of a majority of the school elec-  
 26 tors voting on the question ~~shall be~~ IS necessary to ratify the  
 27 action of the intermediate school board.

1 (3) Territory attached to an existing operating school  
2 district shall be a part of that SCHOOL district for all pur-  
3 poses, including the levy of all taxes ~~which~~ the SCHOOL dis-  
4 trict to which the territory is attached ~~has the authority~~ IS  
5 AUTHORIZED to levy.

6 (4) Within 5 days after the election the secretary of the  
7 board of the school district in which the election is held shall  
8 file a certified statement of the vote for division with the  
9 intermediate superintendent.

10 (5) Within 30 days after the filing of the certified state-  
11 ment of the vote approving the division, the intermediate school  
12 board, by resolution, shall declare the school district divided,  
13 attach the territory ~~thereof~~ to the specified operating school  
14 districts, and make an equitable distribution of the money, prop-  
15 erty, and other material belonging to the SCHOOL district among  
16 the SCHOOL districts to which the territory is attached.

17 (6) If the effective date is determined by the resolution of  
18 the board or by the petition of the school electors under section  
19 931, the intermediate school board shall declare the school dis-  
20 trict divided on that date.

21 Sec. 945. Upon receipt of an order transmitted pursuant to  
22 section 944 and approving the division of the school district,  
23 the board of the school district to be annexed, divided, and  
24 transferred shall provide by resolution for the election on the  
25 question of annexing, dividing, and transferring the school  
26 district. ~~which~~ THE election shall be conducted and canvassed  
27 in the dividing district ~~pursuant to parts 12 and 13~~ AS

1 PROVIDED IN THE MICHIGAN ELECTION LAW. The question to be  
2 submitted to the electors shall be whether the territory of the  
3 dividing school district shall be annexed and transferred in the  
4 manner specified in the resolution of the dividing school  
5 district.

6 SEC. 1206. A SCHOOL DISTRICT, LOCAL ACT SCHOOL DISTRICT, OR  
7 INTERMEDIATE SCHOOL DISTRICT ANNUAL SCHOOL ELECTION OR SPECIAL  
8 ELECTION SHALL BE ADMINISTERED AND CONDUCTED AS PROVIDED IN THE  
9 MICHIGAN ELECTION LAW. A SCHOOL DISTRICT, LOCAL ACT SCHOOL DIS-  
10 TRICT, OR INTERMEDIATE SCHOOL DISTRICT MAY USE GENERAL OPERATING  
11 FUNDS TO REIMBURSE UNITS OF LOCAL GOVERNMENT INVOLVED IN ADMINIS-  
12 TERING AND CONDUCTING AN ANNUAL SCHOOL ELECTION OR SPECIAL SCHOOL  
13 ELECTION FOR THE SCHOOL DISTRICT, LOCAL ACT SCHOOL DISTRICT, OR  
14 INTERMEDIATE SCHOOL DISTRICT, AS REQUIRED UNDER THE MICHIGAN  
15 ELECTION LAW.

16 SEC. 1351C. IN ADDITION TO ALL OTHER REQUIREMENTS UNDER LAW  
17 FOR ISSUANCE OF BONDS UNDER THIS ACT, A SCHOOL DISTRICT OR INTER-  
18 MEDIATE SCHOOL DISTRICT SHALL NOT ISSUE BONDS UNDER ANY SECTION  
19 OF THIS ACT UNLESS THE LANGUAGE ON THE BALLOT USED IN SUBMITTING  
20 THE QUESTION OF ISSUING THE BONDS INCLUDES THE ESTIMATED ANNUAL  
21 COST TO THE SCHOOL DISTRICT OR INTERMEDIATE SCHOOL DISTRICT OF  
22 REPAYING THE BONDS, EXPRESSED BOTH PER PUPIL AND PER CLASSROOM  
23 AFFECTED BY THE PROJECT FOR WHICH THE BONDS ARE TO BE ISSUED.  
24 THE STATE BOARD SHALL DEVELOP AND DISTRIBUTE TO SCHOOL DISTRICTS  
25 GUIDELINES ON CALCULATING THE AMOUNTS DESCRIBED IN THIS SECTION.

26 Sec. 1361. (1) School district elections upon the issuance  
27 of bonds shall be held and conducted ~~as elections in~~

1 ~~registration districts~~ in accordance with ~~part 13~~ THIS ACT AND  
 2 THE MICHIGAN ELECTION LAW. Members of the SCHOOL board ~~of~~  
 3 ~~education~~ shall not serve on a board of election inspectors.

4 (2) The question shall be submitted by ballot in substan-  
 5 tially the following form:

6 "Shall .....,

7 (here state the legal name of the school district)

8 county/or counties of ..... and state of

9 Michigan, borrow the sum of not to exceed .....

10 dollars (\$.....) and issue its bonds therefor,

11 for the purpose of .....? THE ESTIMATED ANNUAL

12 COST OF REPAYING THE BONDS IS \$..... PER PUPIL AND

13 \$..... PER CLASSROOM AFFECTED BY THE PROJECT.

14 Yes ( )

15 No ( )".

16 (3) Anything contained in the ballot not specified in this  
 17 section shall be considered surplusage and of no legal effect.

18 Sec. 1732. The ballot submitting the question of borrowing  
 19 money for the purpose of issuing bonds under section 1731 shall  
 20 be in substantially the following form:

21 "Shall \_\_\_\_\_

22 (legal name of the intermediate school district)

23 state of Michigan, borrow the sum of not to exceed

24 \$\_\_\_\_\_ and issue its bonds therefor, for the purpose

25 of \_\_\_\_\_? THE ESTIMATED ANNUAL COST OF REPAYING THE

26 BONDS IS \$\_\_\_\_\_ PER PUPIL ENROLLED IN THE SPECIAL EDUCATION

27 PROGRAM AND \$\_\_\_\_\_ PER CLASSROOM AFFECTED BY THE PROJECT.

1 Yes ( )

2 No ( )".

3 Section 2. The following sections and parts of Act No. 451  
4 of the Public Acts of 1976 are repealed:

5 (a) Sections 78, 79, 112, 113, 153, 154, 155, 218, 311, 322,  
6 324, 325, and 662, being sections 380.78, 380.79, 380.112,  
7 380.113, 380.153, 380.154, 380.155, 380.218, 380.311, 380.322,  
8 380.324, 380.325, and 380.662 of the Michigan Compiled Laws.

9 (b) Part 12, being sections 380.1001 to 380.1071 of the  
10 Michigan Compiled Laws.

11 (c) Part 14, being sections 380.1101 to 380.1106 of the  
12 Michigan Compiled Laws.

13 Section 3. This amendatory act shall not take effect unless  
14 all of the following bills of the 88th Legislature are enacted  
15 into law:

16 (a) Senate Bill No. 774.

17

18 (b) Senate Bill No. 775.

19