

**SUBSTITUTE FOR
SENATE BILL NO. 438**

Senate Bill No. 438, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, 6, 11a, 14, 503, 613, 614, 616, 617, 629, 661, 681, 682, 687, 690, 701, 702, 703, 705, 856, 857, 858, 859, 860, 861, 931, 932, 945, 1212, 1216, 1351, 1361, 1451, 1722, and 1724 (MCL 380.4, 380.5, 380.6, 380.11a, 380.14, 380.503, 380.613, 380.614, 380.616, 380.617, 380.629, 380.661, 380.681, 380.682, 380.687, 380.690, 380.701, 380.702, 380.703, 380.705, 380.856, 380.857, 380.858, 380.859, 380.860, 380.861, 380.931, 380.932, 380.945, 380.1212, 380.1216, 380.1351, 380.1361, 380.1451, 380.1722, and 380.1724), sections 5 and 14 as amended by 1999 PA 23, sections 6, 503, and 690 as amended and section 11a as added by 1995 PA 289, sections 614, 857, and 858 as amended by 1992 PA 263, section 617 as amended by 1989 PA 268, section 629 as amended by 1997 PA 152, sections 681, 682, 705, 1451, and 1724 as amended by 1994 PA 258, section 687 as amended by 2002 PA 62, section 703 as amended by 1981 PA 87, section 945 as added by 1984 PA 154, section 1212 as amended by 1993 PA 312, section 1216 as amended by 2002 PA 64, and section 1351 as amended by 2002 PA 67, and by adding section 1206; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) "Educational media center" means a program
2 operated by an intermediate school district and approved by the
3 state board ~~, which~~ THAT provides services to local school dis-
4 tricts or constituent districts under section 671.

5 (2) "Handicapped person" shall be defined by rules promul-
6 gated by the state board. Handicaps include, but are not limited
7 to, mental, physical, emotional, behavioral, sensory, and speech
8 handicaps.

9 (3) "Intermediate school board" means the board of an inter-
10 mediate school district.

11 (4) "Intermediate school district" means a corporate body
12 established under part 7.

13 (5) "Intermediate school district election" means an elec-
14 tion called by an intermediate school board and held on the date
15 of the ~~annual~~ REGULAR school elections of constituent districts
16 or on a date determined by the intermediate school board under
17 ~~sections 661 and 662~~ SECTION 642A OF THE MICHIGAN ELECTION LAW,
18 MCL 168.642A.

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(6) "Intermediate school elector" means a person who is a school elector of a constituent district and who is registered in the city or township in which the person resides.

(7) "Intermediate superintendent" means the superintendent of an intermediate school district.

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

(2) "Membership" means the number of full-time equivalent pupils in a public school as determined by the number of pupils registered for attendance plus pupils received by transfer and minus pupils lost as defined by rules promulgated by the ~~state board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION.

(3) "MICHIGAN ELECTION LAW" MEANS THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.1 TO 168.992.

(4) ~~-(3)-~~ "Nonpublic school" means a private, denominational, or parochial school.

(5) ~~-(4)-~~ "Objectives" means measurable pupil academic skills and knowledge.

(6) ~~-(5)-~~ "Public school" means a public elementary or secondary educational entity or agency that is established under this act, has as its primary mission the teaching and learning of academic and vocational-technical skills and knowledge, and is operated by a school district, local act school district, special act school district, intermediate school district, public school

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1 academy corporation, OR strict discipline academy corporation, or
2 by the department or state board. Public school also includes a
3 laboratory school or other elementary or secondary school that is
4 controlled and operated by a state public university described in
5 section 4, 5, or 6 of article VIII of the state constitution of
6 1963.

7 (7) ~~—(6)—~~ "Public school academy" means a public school
8 academy established under part 6a and, except as used in part 6a,
9 also includes a strict discipline academy established under sec-
10 tions 1311b to 1311l.

11 (8) ~~—(7)—~~ "Pupil membership count day" of a school district
12 means that term as defined in section 6 of the state school aid
13 act of 1979, MCL 388.1606.

14 (9) "REGULAR SCHOOL ELECTION" OR "REGULAR ELECTION" MEANS
15 THE ELECTION HELD IN A SCHOOL DISTRICT, LOCAL ACT SCHOOL DIS-
16 TRICT, OR INTERMEDIATE SCHOOL DISTRICT TO ELECT A SCHOOL BOARD
17 MEMBER IN THE REGULAR COURSE OF THE TERMS OF THAT OFFICE AND HELD
18 ON THE SCHOOL DISTRICT'S REGULAR ELECTION DAY AS DETERMINED UNDER
19 SECTION 642A OF THE MICHIGAN ELECTION LAW, MCL 168.642A.

20 (10) ~~—(8)—~~ "Reorganized intermediate school district" means
21 an intermediate school district formed by consolidation or annex-
22 ation of 2 or more intermediate school districts under sections
23 701 and 702.

24 (11) ~~—(9)—~~ "Rule" means a rule promulgated ~~—pursuant to—~~
25 UNDER the administrative procedures act of 1969, 1969 PA 306,
26 MCL 24.201 to 24.328.

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1 Sec. 6. (1) "School district" or "local school district"
2 means a general powers school district organized under this act,
3 regardless of previous classification, or a school district of
4 the first class.

5 (2) "School elector" means a person qualified as an elector
6 under section 492 of the Michigan election law, ~~Act No. 116 of~~
7 ~~the Public Acts of 1954, being section 168.492 of the Michigan~~
8 ~~Compiled Laws, registered as provided in part 12~~ MCL 168.492,
9 and resident of the school district, local act school district,
10 or intermediate school district on or before the thirtieth day
11 before the next ensuing ~~annual~~ REGULAR or special school
12 election.

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

15 (4) "Special education building and equipment" means a
16 structure or portion of a structure or personal property accept-
17 ed, leased, purchased, or otherwise acquired, prepared, or used
18 for special education programs and services.

19 (5) "Special education personnel" means persons engaged in
20 and having professional responsibility for the training, care,
21 and education of handicapped persons in special education pro-
22 grams and services including, but not limited to, teachers,
23 aides, school social workers, diagnostic personnel, physical
24 therapists, occupational therapists, audiologists, teachers of
25 speech and language, instructional media-curriculum specialists,
26 mobility specialists, teacher consultants, supervisors, and
27 directors.

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1 (6) "Special education programs and services" means
2 educational and training services designed for handicappers and
3 operated by local school districts, local act school districts,
4 intermediate school districts, the Michigan school for the blind,
5 the Michigan school for the deaf, the department of mental
6 health, the department of social services, or a combination
7 thereof, and ancillary professional services for handicappers
8 rendered by agencies approved by the state board. The programs
9 shall include vocational training, but need not include academic
10 programs of college or university level.

11 (7) "SPECIAL SCHOOL ELECTION" OR "SPECIAL ELECTION" MEANS A
12 SCHOOL DISTRICT ELECTION TO FILL A VACANCY ON THE SCHOOL BOARD OR
13 SUBMIT A BALLOT QUESTION TO THE SCHOOL ELECTORS THAT IS HELD ON A
14 STANDARD ELECTION DAY AS ESTABLISHED IN SECTION 641 OF THE
15 MICHIGAN ELECTION LAW, MCL 168.641.

16 (8) ~~-(7)-~~ "State approved nonpublic school" means a nonpub-
17 lic school that complies with ~~Act No. 302 of the Public Acts of~~
18 ~~1921, being sections 388.551 to 388.558 of the Michigan Compiled~~
19 ~~Laws~~ 1921 PA 302, MCL 388.551 TO 388.558.

20 (9) ~~-(8)-~~ "State board" means the state board of education
21 unless clearly otherwise stated.

22 (10) ~~-(9)-~~ "Department" means the department of education
23 created and operating under sections 300 to 305 of the executive
24 organization act of 1965, ~~Act No. 380 of the Public Acts of~~
25 ~~1965, being sections 16.400 to 16.405 of the Michigan Compiled~~
26 ~~Laws~~ 1965 PA 380, MCL 16.400 TO 16.405.

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(11) ~~(10)~~ "State school aid" means allotments from the general appropriating act for the purpose of aiding in the support of the public schools of the state.

(12) ~~(11)~~ "The state school aid act of 1979" means ~~Act No. 94 of the Public Acts of 1979, being sections 388.1601 to 388.1772 of the Michigan Compiled Laws~~ THE STATE SCHOOL AID ACT OF 1979, 1979 PA 94, MCL 388.1601 TO 388.1772.

Sec. 11a. (1) Beginning on ~~the effective date of this section~~ JULY 1, 1996, each school district formerly organized as a primary school district or as a school district of the fourth class, third class, or second class shall be a general powers school district under this act.

(2) Beginning on ~~the effective date of this section~~ JULY 1, 1996, a school district operating under a special or local act shall operate as a general powers school district under this act except to the extent that the special or local act is inconsistent with this act. Upon repeal of a special or local act that governs a school district, that school district shall become a general powers school district under this act.

(3) A general powers school district has all of the rights, powers, and duties expressly stated in this act; may exercise a power implied or incident to any power expressly stated in this act; and, except as provided by law, may exercise a power incidental or appropriate to the performance of any function related to operation of the school district in the interests of public elementary and secondary education in the school district, including, but not limited to, all of the following:

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1 (a) Educating pupils. In addition to educating pupils in
2 grades K-12, this function may include operation of preschool,
3 lifelong education, adult education, community education, train-
4 ing, enrichment, and recreation programs for other persons.

5 (b) Providing for the safety and welfare of pupils while at
6 school or a school sponsored activity or while en route to or
7 from school or a school sponsored activity.

8 (c) Acquiring, constructing, maintaining, repairing, reno-
9 vating, disposing of, or conveying school property, facilities,
10 equipment, technology, or furnishings.

11 (d) Hiring, contracting for, scheduling, supervising, or
12 terminating employees, independent contractors, and others to
13 carry out school district powers. A school district may indem-
14 nify its employees.

15 (e) Receiving, accounting for, investing, or expending
16 school district money; borrowing money and pledging school dis-
17 trict funds for repayment; and qualifying for state school aid
18 and other public or private money from local, regional, state, or
19 federal sources.

20 (4) A general powers school district may enter into agree-
21 ments or cooperative arrangements with other entities, public or
22 private, or join organizations as part of performing the func-
23 tions of the school district.

24 (5) A general powers school district is a body corporate and
25 shall be governed by a school board. An act of a school board is
26 not valid unless approved, at a meeting of the school board, by a
27 majority vote of the members lawfully serving on the board.

1 (6) The board of a general powers school district shall
2 adopt bylaws. These bylaws may establish or change board proce-
3 dures, the number of board officers, titles and duties of board
4 officers, and any other matter related to effective and efficient
5 functioning of the board. Regular meetings of the board shall be
6 held at least once each month, at the time and place fixed by the
7 bylaws. Special meetings may be called and held in the manner
8 and for the purposes specified in the bylaws. Board procedures,
9 bylaws, and policies in effect on the effective date of this sec-
10 tion shall continue in effect until changed by action of the
11 board.

12 (7) The board of a school district shall be elected as pro-
13 vided under this act and the Michigan election law. ~~—, Act~~
14 ~~No. 116 of the Public Acts of 1954, being sections 168.1 to~~
15 ~~168.992 of the Michigan Compiled Laws.~~ The number of members of
16 the board of a general powers school district ~~and the term of~~
17 ~~office for a board member of a general powers school district~~
18 shall remain the same as ~~they were~~ for that school district
19 before ~~the effective date of this section unless either or both~~
20 ~~are~~ JULY 1, 1996 UNLESS changed by the school electors of the
21 school district at a regular or special SCHOOL election. A prop-
22 osition for changing the number of board members ~~or term of~~
23 ~~office~~ may be placed on the ballot by action of the board or by
24 petition submitted by school electors as provided under ~~this~~
25 ~~act~~ CHAPTER XIV OF THE MICHIGAN ELECTION LAW, MCL 168.301 TO
26 168.315.

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~~(8) On the effective date of this section, the board of each school district shall continue to be the board of the school district and to function in that capacity. A person lawfully serving on the effective date of this act as a member of the board of a school district shall continue to be a member of the board and shall continue in office for the remainder of the term for which the person was elected or appointed.~~

(8) MEMBERS OF THE BOARD OF A GENERAL POWERS SCHOOL DISTRICT SHALL BE ELECTED BY THE SCHOOL ELECTORS FOR TERMS OF 4 OR 6 YEARS, AS PROVIDED BY THE SCHOOL DISTRICT'S BYLAWS. AT EACH REGULAR SCHOOL ELECTION, MEMBERS OF THE BOARD SHALL BE ELECTED TO FILL THE POSITIONS OF THOSE WHOSE TERMS WILL EXPIRE. A TERM OF OFFICE BEGINS AS PROVIDED IN SECTION 302 OF THE MICHIGAN ELECTION LAW, MCL 168.302, AND CONTINUES UNTIL A SUCCESSOR IS ELECTED AND QUALIFIED.

(9) THE BOARD OF A GENERAL POWERS SCHOOL DISTRICT MAY SUBMIT TO THE SCHOOL ELECTORS OF THE SCHOOL DISTRICT A QUESTION THAT IS WITHIN THE SCOPE OF THE POWERS OF THE SCHOOL ELECTORS AND THAT THE BOARD CONSIDERS PROPER FOR THE MANAGEMENT OF THE SCHOOL SYSTEM OR THE ADVANCEMENT OF EDUCATION IN THE SCHOOL DISTRICT. UPON THE ADOPTION OF A QUESTION BY THE BOARD, THE BOARD SHALL SUBMIT THE QUESTION TO THE SCHOOL ELECTORS BY COMPLYING WITH SECTION 312 OF THE MICHIGAN ELECTION LAW, MCL 168.312.

(10) A SPECIAL ELECTION MAY BE CALLED BY THE BOARD OF A GENERAL POWERS SCHOOL DISTRICT AS PROVIDED UNDER CHAPTER XIV OF THE MICHIGAN ELECTION LAW, MCL 168.301 TO 168.315.

1 (11) ~~-(9)-~~ Unless expressly provided in ~~the amendatory act~~
2 ~~that added this section~~ 1995 PA 289, the powers of a school
3 board or school district are not diminished by this section or by
4 ~~the amendatory act that added this section~~ 1995 PA 289.

5 (12) ~~-(10)-~~ A school district operating a public library,
6 public museum, or community recreational facility as of ~~the~~
7 ~~effective date of the amendatory act that added this section~~
8 JULY 1, 1996 may continue to operate the public library, public
9 museum, or community recreational facility.

10 Sec. 14. A petition under, ~~sections~~ OR THAT IS NECESSARY
11 TO MEET A REQUIREMENT OF, SECTION 11a, 411a, 412a, 503, 614, 617,
12 690, 701, 853, 860, 931, ~~1026, 1032, 1066,~~ or 1311e, including
13 the circulation and signing of the petition, is subject to sec-
14 tion 488 of the Michigan election law, ~~1954 PA 116,~~
15 MCL 168.488. A person who violates a provision of the Michigan
16 election law ~~, 1954 PA 116, MCL 168.1 to 168.992,~~ applicable to
17 a petition described in this section is subject to the penalties
18 prescribed for that violation in the Michigan election law. ~~—~~
19 ~~1954 PA 116, MCL 168.1 to 168.992.~~

20 Sec. 503. (1) An authorizing body is not required to issue
21 a contract to any person or entity. Public school academy con-
22 tracts shall be issued on a competitive basis taking into consid-
23 eration the resources available for the proposed public school
24 academy, the population to be served by the proposed public
25 school academy, and the educational goals to be achieved by the
26 proposed public school academy.

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1 (2) If a person or entity applies to the board of a school
2 district for a contract to organize and operate 1 or more public
3 school academies within the boundaries of the school district and
4 the board does not issue the contract, the person or entity may
5 petition the board to place the question of issuing the contract
6 on the ballot to be decided by the school electors of the school
7 district. The petition shall contain all of the information
8 required to be in the contract application under section ~~502(3)~~
9 502 and shall be signed by a number of school electors of the
10 school district equal to at least 15% of the total number of
11 school electors of that school district. The petition shall be
12 filed with the secretary of the board. If the board receives a
13 petition meeting the requirements of this subsection, the board
14 shall ~~place~~ HAVE the question of issuing the contract PLACED on
15 the ballot at its next ~~annual~~ REGULAR school election held at
16 least 60 days after receiving the petition. If a majority of the
17 school electors of the school district voting on the question
18 vote to issue the contract, the board shall issue the contract.

19 (3) Within 10 days after issuing a contract for a public
20 school academy, the ~~board of the~~ authorizing body shall submit
21 to the ~~state board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION a copy
22 of the contract and of the application under section 502.

23 (4) An authorizing body shall adopt a resolution establish-
24 ing the method of selection, length of term, and number of mem-
25 bers of the board of directors of each public school academy
26 subject to its jurisdiction.

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1 (5) A contract issued to organize and administer a public
2 school academy shall contain at least all of the following:

3 (a) The educational goals the public school academy is to
4 achieve and the methods by which it will be held accountable. To
5 the extent applicable, the pupil performance of a public school
6 academy shall be assessed using at least a Michigan education
7 assessment program (MEAP) test or an assessment instrument devel-
8 oped under section 1279. ~~for a state-endorsed high school~~
9 ~~diploma.~~

10 (b) A description of the method to be used to monitor the
11 public school academy's compliance with applicable law and its
12 performance in meeting its targeted educational objectives.

13 (c) A description of the process for amending the contract
14 during the term of the contract.

15 (d) All of the matters set forth in the application for the
16 contract.

17 (e) For a public school academy authorized by a school dis-
18 trict, an agreement that employees of the public school academy
19 will be covered by the collective bargaining agreements that
20 apply to employees of the school district employed in similar
21 classifications in schools that are not public school academies.

22 (f) Procedures for revoking the contract and grounds for
23 revoking the contract, including at least the grounds listed in
24 section 507.

25 (g) A description of and address for the proposed physical
26 plant in which the public school academy will be located.

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(h) Requirements and procedures for financial audits. The financial audits shall be conducted at least annually by a certified public accountant in accordance with generally accepted governmental auditing principles.

(6) A public school academy shall comply with all applicable law, including all of the following:

(a) The open meetings act, ~~Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws~~ 1976 PA 267, MCL 15.261 TO 15.275.

(b) The freedom of information act, ~~Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws~~ 1976 PA 442, MCL 15.231 TO 15.246.

(c) ~~Act No. 336 of the Public Acts of 1947, being sections 423.201 to 423.217 of the Michigan Compiled Laws~~ 1947 PA 336, MCL 423.201 TO 423.217.

(d) ~~Act No. 166 of the Public Acts of 1965, being sections 408.551 to 408.558 of the Michigan Compiled Laws~~ 1965 PA 166, MCL 408.551 TO 408.558.

(e) Sections 1134, 1135, 1146, 1153, 1263(3), 1267, and 1274.

(7) A public school academy and its incorporators, board members, officers, employees, and volunteers have governmental immunity as provided in section 7 of ~~Act No. 170 of the Public Acts of 1964, being section 691.1407 of the Michigan Compiled Laws~~ 1964 PA 170, MCL 691.1407. An authorizing body and its board members, officers, and employees are immune from civil liability, both personally and professionally, for any acts or

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1 omissions in authorizing a public school academy if the
2 authorizing body or the person acted or reasonably believed he or
3 she acted within the authorizing body's or the person's scope of
4 authority.

5 (8) A public school academy is exempt from all taxation on
6 its earnings and property. Instruments of conveyance to or from
7 a public school academy are exempt from all taxation including
8 taxes imposed by ~~Act No. 134 of the Public Acts of 1966, being~~
9 ~~sections 207.501 to 207.513 of the Michigan Compiled Laws~~ 1966
10 PA 134, MCL 207.501 TO 207.513. A public school academy may not
11 levy ad valorem property taxes or any other tax for any purpose.
12 However, operation of 1 or more public school academies by a
13 school district or intermediate school district does not affect
14 the ability of the school district or intermediate school dis-
15 trict to levy ad valorem property taxes or any other tax.

16 (9) A public school academy may acquire by purchase, gift,
17 devise, lease, sublease, installment purchase agreement, land
18 contract, option, or by any other means, hold and own in its own
19 name buildings and other property for school purposes, and inter-
20 ests therein, and other real and personal property, including,
21 but not limited to, interests in property subject to mortgages,
22 security interests, or other liens, necessary or convenient to
23 fulfill its purposes. For the purposes of condemnation, a public
24 school academy may proceed under the uniform condemnation proce-
25 dures act, ~~Act No. 87 of the Public Acts of 1980, being sections~~
26 ~~213.51 to 213.77 of the Michigan Compiled Laws~~ 1980 PA 87, MCL
27 213.51 TO 213.75, excluding sections 6 to 9 of that act, ~~being~~

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1 ~~sections 213.56 to 213.59 of the Michigan Compiled Laws~~ MCL
2 213.56 TO 213.59, or other applicable statutes, but only with the
3 express, written permission of the authorizing body in each
4 instance of condemnation and only after just compensation has
5 been determined and paid.

6 Sec. 613. The intermediate school board shall meet annually
7 on or before the fourth Monday of ~~July and~~ JANUARY OR, IF THE
8 INTERMEDIATE SCHOOL DISTRICT'S REGULAR ELECTION IS IN MAY, ON OR
9 BEFORE THE FOURTH MONDAY OF JUNE. THE INTERMEDIATE SCHOOL BOARD
10 shall organize by electing a president, a vice-president, a sec-
11 retary, and a treasurer. The president and vice-president shall
12 be members of the intermediate school board, but the secretary
13 and treasurer need not be. The officers shall perform duties
14 provided by law and prescribed by the policies and regulations of
15 the intermediate school board not inconsistent with this part or
16 other laws of the state. The treasurer shall post with the sec-
17 retary a bond in an amount approved by the intermediate school
18 board, conditioned upon the faithful performance of the
19 treasurer's duties.

20 Sec. 614. (1) Except as provided in section 615, the mem-
21 bers of the intermediate school board shall be elected biennially
22 on the first Monday in June by a body composed of 1 member of the
23 board of each constituent district, who shall be designated by
24 the board of which that ~~person~~ INDIVIDUAL is a member. The
25 secretary shall send a notice by certified mail of the hour and
26 place of meeting to the secretary of the board of each
27 constituent SCHOOL district at least 10 days before the meeting.

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1 The president and secretary of the intermediate school board
2 shall act as chairperson and secretary.

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

9 (3) A vacancy shall be filled by the remaining members of
10 the intermediate school board until the next biennial election at
11 which time the vacancy shall be filled for the balance of the
12 unexpired term. Notice of the vacancy shall be filed with the
13 state board within 5 days after the vacancy occurs. If the
14 vacancy is not filled within 30 days after it occurs, the vacancy
15 shall be filled by the state board.

16 (4) A candidate for election to the intermediate school
17 board shall be nominated by ~~petitions that are signed by not~~
18 ~~less than 50 registered school electors of the combined constitu-~~
19 ~~ent districts of the intermediate school district. A registered~~
20 ~~school elector may sign as many petitions as there are vacancies~~
21 ~~to fill. Nominating petitions and an~~ COMPLYING WITH THE NOMINA-
22 TION REQUIREMENTS PRESCRIBED IN SECTION 303 OF THE MICHIGAN ELEC-
23 TION LAW. HOWEVER, THE NOMINATING PETITION OR FILING FEE, AND
24 THE affidavit as provided in section 558 of the Michigan election
25 law, ~~Act No. 116 of the Public Acts of 1954, being section~~
26 ~~168.558 of the Michigan Compiled Laws~~ MCL 168.558, shall be
27 filed with the secretary of the intermediate school board not

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1 later than 30 days before the date of the biennial election UNDER
2 SUBSECTION (1). The secretary shall determine the sufficiency of
3 the petitions and the eligibility of the candidates nominated.
4 The secretary shall provide ballots for the biennial election,
5 listing on the ballots the names of all candidates properly
6 nominated. The chairperson of the biennial election may accept
7 nominations for a vacancy from the floor only if no nominating
8 petitions have been filed for the vacancy. ~~Section 1066 applies~~
9 ~~to the form and manner of circulation of nominating petitions for~~
10 ~~a candidate for membership on the intermediate school board.~~

11 (5) The president shall appoint 2 ~~persons~~ INDIVIDUALS not
12 members of the intermediate SCHOOL board or candidates for elec-
13 tion as a board of canvassers and they shall canvass the vote
14 following balloting. This becomes the official canvass.

15 Sec. 616. (1) An intermediate school board may submit to
16 the school electors of the constituent districts comprising the
17 intermediate school district the question of adoption of sections
18 615 to 617. The question shall be in substantially the following
19 form:

20 "Shall sections 615 to 617 of the REVISED school code, ~~of~~
21 ~~1976, as amended,~~ providing for the popular election of members
22 of the intermediate school board, be effective within the con-
23 stituent districts of _____ (name of intermediate school
24 district)?

25 Yes ()

26 No ()".

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

13 (3) If a majority of the school electors votes in favor of
14 popular election, members of the intermediate school board shall
15 be elected at the next ~~annual~~ REGULAR SCHOOL election and bien-
16 nially thereafter at the ~~annual~~ REGULAR school elections of the
17 constituent districts. ~~If a constituent district holds its~~
18 ~~annual election on a date other than the second Monday in June,~~
19 ~~an election for the purpose of choosing members of the intermedi-~~
20 ~~ate school board shall be held in that district on the second~~
21 ~~Monday in June.~~

22 (4) An intermediate school district ~~which~~ THAT adopts sec-
23 tions 615 to 617 may ~~in the same manner~~ terminate the popular
24 election of members of the intermediate school board IN THE SAME
25 MANNER.

26 Sec. 617. (1) In an intermediate school district in which
27 sections 615 to 617 are effective, a candidate for the office of

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1 member of the intermediate school board shall be nominated, ~~by~~
2 ~~filing nominating petitions and an affidavit~~ AND MEMBERS SHALL
3 BE ELECTED, as provided ~~in section 558~~ UNDER CHAPTER XIV of the
4 Michigan election law, MCL 168.301 TO 168.315. ~~, Act No. 116 of~~
5 ~~the Public Acts of 1954, being section 168.558 of the Michigan~~
6 ~~Compiled Laws, with the secretary of the board of the intermedi-~~
7 ~~ate school district before 4 p.m. of the ninth Monday before the~~
8 ~~election.~~

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

18 ~~(3) Within 14 days after the last date for filing, the sec-~~
19 ~~retary of the intermediate school board shall certify the names~~
20 ~~and addresses of those candidates whose petitions are found to be~~
21 ~~sufficient to the secretaries of the boards of the constituent~~
22 ~~districts. The secretary of the intermediate school board shall~~
23 ~~certify the number to be elected. The secretary of the interme-~~
24 ~~diante school board shall notify the county clerk of the names and~~
25 ~~addresses of the candidates not later than 3 days after the last~~
26 ~~day for candidate withdrawal. However, if the third day is a~~

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1 ~~Saturday, Sunday, or legal holiday, the notice may be sent on the~~
2 ~~next day that is not a Saturday, Sunday, or legal holiday.~~

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

8 (2) ~~-(5)-~~ At the first election, 3 members of an intermedi-
9 ate school board shall be elected for a term of 6 years, 2 for a
10 term of 4 years, and 2 for a term of 2 years. After the first
11 election, their successors shall be elected biennially for terms
12 of 6 years.

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

18 Sec. 629. (1) An intermediate school board may borrow,
19 subject to the REVISED municipal finance act, ~~1943 PA 202, MCL~~
20 ~~131.1 to 139.3~~ 2001 PA 34, MCL 141.2101 TO 141.2821, sums of
21 money on terms the intermediate school board considers necessary
22 for 1 or more of the following purposes:

23 (a) For temporary purposes for which the intermediate school
24 board may give notes of the intermediate school district. The
25 intermediate school board shall not borrow a sum that exceeds the
26 amount that has been voted by the intermediate school board or
27 the school electors of the intermediate school district.

1 (b) To purchase sites for buildings; to purchase, erect,
2 complete, remodel, improve, furnish, refurnish, equip, or reequip
3 buildings and facilities the board is authorized to acquire,
4 including, but not limited to, general administrative, vocation-
5 al, or special education buildings or facilities, or parts of
6 those buildings or facilities, or additions to those buildings or
7 facilities, and prepare, develop, or improve sites for those
8 buildings or facilities; to purchase and install information
9 technology systems, together with the equipment and software, as
10 are necessary for programs conducted by the intermediate school
11 district under section 627(2); and to issue and sell bonds of the
12 intermediate school district in the form and on the terms the
13 board considers advisable.

14 (2) An intermediate school board shall not borrow money or
15 issue bonds for a term longer than 30 years or, except as other-
16 wise provided in this subsection, for a sum which, together with
17 the total outstanding bonded indebtedness of the intermediate
18 school district, exceeds 1/9 of 1% of the state equalized valua-
19 tion of the taxable property within the district, unless the
20 question of borrowing the money or issuing bonds is submitted
21 first to a vote of the school electors of the intermediate school
22 district held under ~~sections 661 and 662~~ SECTION 661 and
23 approved by the majority of the registered school electors voting
24 on the question. Regardless of the amount of outstanding bonded
25 indebtedness of the intermediate school district, a vote of the
26 school electors is not necessary in order to issue bonds for a
27 purpose described in section 1274a or to issue bonds under

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1 section 11i of the state school aid act of 1979, MCL 388.1611i.
2 Money may be borrowed and bonds may be issued for the purposes
3 stated in this section in an amount equal to that provided by
4 part 17. For the purposes of this subsection, bonds authorized
5 by vote of the school electors for special education facilities
6 under part 30 and for area vocational-technical education facili-
7 ties under sections 681 to 690 and bonds issued under section 11i
8 of the state school aid act of 1979, MCL 388.1611i, shall not be
9 included in computing the total outstanding bonded indebtedness
10 of an intermediate school district.

11 (3) Not later than 30 days after receipt of notice that the
12 question of issuing bonds under this section to purchase and
13 install information technology systems as are necessary for a
14 cooperative program under section 627(2) will be submitted to the
15 school electors of the intermediate school district, the board of
16 a constituent school district by resolution may elect not to par-
17 ticipate in the cooperative program and not to conduct an elec-
18 tion on the question within the constituent school district.

19 Sec. 661. (1) ~~The~~ SUBJECT TO THE MICHIGAN ELECTION LAW,
20 THE intermediate school board may submit questions to the
21 INTERMEDIATE school electors of the intermediate school district
22 at ~~an annual~~ A REGULAR or special SCHOOL election held in each
23 of the constituent districts. A question shall not be submitted
24 to the intermediate school electors unless the question is within
25 the lawful authority of the INTERMEDIATE SCHOOL electors ~~of the~~
26 ~~intermediate school district~~ to decide.

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

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

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

Sec. 681. (1) An intermediate school district may establish an area vocational-technical education program and operate the program under sections 681 to 690 if approved by a majority of the intermediate school electors of the intermediate school district voting on the question. The election shall be called and conducted ~~pursuant to sections 661 and 662~~ IN ACCORDANCE WITH THIS ACT AND THE MICHIGAN ELECTION LAW. The establishment of the area vocational-technical education program may be rescinded by the same process.

(2) The question of establishing an area vocational-technical education program may be submitted to the intermediate school electors of an intermediate school district at ~~an annual~~ A REGULAR SCHOOL election or at a special election

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1 held in each of the constituent districts. ~~The~~ SUBJECT TO
2 SECTION 641 OF THE MICHIGAN ELECTION LAW, MCL 168.641, THE inter-
3 mediate school board shall determine the date of the election and
4 shall give notice ~~under section 662~~ to the secretary of each
5 constituent district at least 60 days in advance of the date the
6 proposition is to be submitted to the intermediate school
7 electors.

8 (3) The ballot for referring the question of adopting sec-
9 tions 681 to 690 and establishing an area vocational-technical
10 education program to the intermediate school electors of an
11 intermediate school district shall be substantially in the fol-
12 lowing form:

13 "Shall _____, state
14 (legal name of intermediate school district)
15 of Michigan, come under sections 681 to 690 of the REVISED school
16 code ~~of 1976~~ and establish an area vocational-technical education
17 program which is designed to encourage the operation of area
18 vocational-technical education programs if the annual property tax
19 levied for this purpose is limited to _____ mills?

20 Yes ()

21 No ()".

22 (4) Beginning in 1995, the number of mills of ad valorem
23 property taxes an intermediate school board may levy for area
24 vocational-technical education program operating purposes under
25 sections 681 to 690 is limited to the following:

1 (a) If the intermediate school district did not levy any
2 millage in 1993 for area vocational-technical education program
3 operating purposes under sections 681 to 690, the intermediate
4 school board, with the approval of the intermediate school elec-
5 tors, may levy not more than 1 mill for those purposes.

6 (b) If the intermediate school district levied millage in
7 1993 for area vocational-technical education program operating
8 purposes under sections 681 to 690, the intermediate school
9 board, with the approval of the intermediate school electors, may
10 levy mills for those purposes at a rate not to exceed 1.5 times
11 the number of mills authorized for those purposes in the interme-
12 diate school district in 1993. Approval of the intermediate
13 school electors is not required for the levy under this subdivi-
14 sion of previously authorized mills until that authorization
15 expires.

16 (5) An intermediate school district shall not hold more than
17 2 elections in a calendar year concerning the authorization of a
18 millage rate for area vocational-technical education program
19 operating purposes under sections 681 to 690.

20 Sec. 682. Subject to section 681(4), an intermediate school
21 board operating under sections 681 to 690 may direct that the
22 question of increasing the millage limit on the annual property
23 tax levied for area vocational-technical education be submitted
24 to the intermediate school electors of the intermediate school
25 district. The election shall be called and conducted ~~under sec-~~
26 ~~tions 661 and 662~~ IN ACCORDANCE WITH SECTION 661. The ballot
27 shall be substantially in the following form:

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1 "Shall the _____ mill limitation on the annual property
2 tax previously approved by the electors of
3 _____, state of Michigan,
4 (legal name of intermediate school district)
5 for the establishment and operation of area vocational-technical edu-
6 cation programs be increased by _____ mills?

7 Yes ()

8 No ()".

9 Sec. 687. (1) An intermediate school board in which an area
10 vocational-technical education program is established, by a
11 majority vote of the intermediate school electors voting on the
12 question at ~~an annual~~ A REGULAR SCHOOL ELECTION or at a special
13 election called for that purpose, may borrow money and issue
14 bonds of the intermediate school district subject to the revised
15 municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, to
16 defray all or part of the cost of purchasing, erecting, complet-
17 ing, remodeling, improving, furnishing, refurnishing, equipping,
18 or reequipping area vocational-technical buildings and other
19 facilities, or parts of buildings and other facilities or addi-
20 tions to buildings and other facilities; acquiring, preparing,
21 developing, or improving sites, or parts of sites or additions to
22 sites, for area vocational-technical buildings and other facili-
23 ties; refunding all or part of existing bonded indebtedness; or
24 accomplishing a combination of the foregoing purposes. An inter-
25 mediate school district shall not issue bonds under this part for
26 an amount greater than 1.5% of the total assessed valuation of
27 the intermediate school district.

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1 (2) A bond qualified under section 16 of article IX of the
2 state constitution of 1963 and implementing legislation shall not
3 be included for purposes of calculating the foregoing 1.5%
4 limitation.

5 (3) An intermediate school board may submit a proposal to
6 issue bonds of the intermediate school district, authorized under
7 this section, to the intermediate school electors at the same
8 election at which the intermediate school electors vote on the
9 establishment of an area vocational-technical education program.
10 If these questions are presented to the school electors at the
11 same election, the board shall include the bond proposal in the
12 60-day notice given the boards of constituent districts. The
13 establishment of an area vocational-technical education program
14 shall become effective if approved by a majority of the interme-
15 diate school electors voting on the question. The authority to
16 issue bonds is effective only if a majority of the intermediate
17 school electors approve both the establishment of the area
18 vocational-technical education program and the issuance of
19 bonds.

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

23 "Shall _____ (here state the legal name of the interme-
24 diate school district designating the name of a district of not
25 less than 18,000 pupils or first class school district that has
26 elected not to come under this act as far as an area
27 vocational-technical education program is concerned) state of

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1 Michigan, borrow the sum of not to exceed \$_____ and issue
2 its bonds therefor, for the purpose of _____?

3 Yes ()

4 No ()".

5 Sec. 690. (1) A school district of not less than 18,000
6 pupils, a first class school district, or a school district
7 offering or making available to its pupils a comprehensive voca-
8 tional education program approved by the state board, may elect
9 not to come under an area vocational-technical education program
10 by resolution adopted by its board not later than 30 days after
11 receipt of notice that the question of establishing the area
12 vocational-technical education program will be submitted to the
13 school electors of the district.

14 (2) A school district electing not to come under the area
15 vocational-technical education program may thereafter elect to
16 come under the program if at a special or ~~annual~~ REGULAR SCHOOL
17 election a majority of the school electors voting approve the
18 operation of the area vocational-technical education program and
19 the annual tax rate for that purpose in effect in the other con-
20 stituent districts of the intermediate school district.

21 (3) Except as provided in this subsection, in an intermedi-
22 ate school district where the school electors have voted upon and
23 failed to approve the ballot question set forth in section 681, a
24 combination of 2 or more contiguous constituent districts, by
25 resolution of their boards, may elect to establish an area
26 vocational-technical education program, if approved by resolution
27 of the intermediate district board and designated by the state

1 board. The requirement of contiguity of constituent districts
2 does not apply if 1 or more of the districts that constitute the
3 basis of contiguity declare their intent, by board resolution,
4 not to be part of the proposed area vocational-technical educa-
5 tion program. At any time within 6 months after the enactment of
6 the resolution establishing the program in a local school dis-
7 trict, school electors equal in number to not less than 5% of the
8 votes cast in the most recent school election may petition their
9 local school district board to submit the resolution to the elec-
10 torate, in a form and manner to be prescribed by the state board,
11 and the district's participation in the program shall be termi-
12 nated if not approved by a majority of the school electors voting
13 on the question.

14 (4) Area vocational-technical education programs established
15 ~~pursuant to~~ UNDER this section shall receive ~~any~~ appropriate
16 state funding or ~~any~~ federal funding allocated by the state
17 board on exactly the same basis as area vocational-technical edu-
18 cation programs and centers established by intermediate school
19 districts. Constituent districts establishing an approved area
20 vocational-technical education program ~~pursuant to~~ UNDER this
21 section may designate, by board resolution, specific amounts of
22 either authorized operating millage or operating millage being
23 requested from the school electors to be utilized solely for the
24 area vocational-technical education program, in a manner to be
25 prescribed by the state board, and the specified amount of mill-
26 age shall be regarded as area vocational-technical education
27 millage rather than local school district operating millage in

1 all computations made by the state board to determine state aid.
2 The revenue obtained from the millage designated, together with
3 appropriate state and federal funds, may be expended for the same
4 purposes specified for intermediate district programs in sections
5 684 and 685, including contracts with the intermediate school
6 district, another local school district, or a community college
7 for area vocational-technical education programs, facilities, and
8 services. When constituent districts establish area
9 vocational-technical education programs ~~pursuant to~~ UNDER this
10 section, buildings, sites, and equipment may be jointly acquired,
11 owned, or leased.

12 (5) A contiguous school district desiring to become part of
13 an area vocational-technical education program established
14 ~~pursuant to~~ UNDER this section may do so with the approval of
15 each participating school district, the intermediate school dis-
16 trict, and the state board. Constituent districts operating an
17 approved area vocational-technical education program ~~pursuant~~
18 ~~to~~ UNDER this section may subsequently elect not to participate,
19 or may thereafter elect to participate, in an intermediate school
20 district vocational-technical education program in exactly the
21 same manner prescribed in this section for school districts of
22 not less than 18,000 pupils, a first class school district, or a
23 school district offering or making available to its pupils a com-
24 prehensive vocational education program approved by the state
25 board.

26 Sec. 701. (1) Two or more adjoining intermediate school
27 districts may combine to form a single intermediate school

1 district when the reorganization is approved by a majority of the
2 electors of each intermediate school district voting on the ques-
3 tion in the ~~annual~~ REGULAR SCHOOL elections of the constituent
4 districts.

5 (2) The question of combining intermediate school districts
6 may be submitted by a resolution of the intermediate school
7 boards meeting in joint session.

8 (3) The question shall be submitted ~~when~~ IF petitions
9 signed by a number of school electors of each intermediate school
10 district equal to not less than 5% of the number of pupil member-
11 ships on the latest pupil membership count day of the combined
12 constituent districts of the intermediate school district are
13 filed with the secretary of 1 of the intermediate school boards.
14 Within 30 days after receiving sufficient petitions, the secre-
15 tary shall apply for approval to the ~~state board~~ SUPERINTENDENT
16 OF PUBLIC INSTRUCTION. The secretary shall cause the question to
17 be submitted IN ACCORDANCE WITH SECTION 661 at the next ~~annual~~
18 REGULAR school election after the ~~state board~~ SUPERINTENDENT OF
19 PUBLIC INSTRUCTION approves the merger.

20 (4) The ballots ~~shall be furnished by each intermediate~~
21 ~~school board for its constituent districts and~~ FOR A BALLOT
22 QUESTION UNDER THIS SECTION shall be in substantially the follow-
23 ing form:

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

26 (List names of intermediate school districts)

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1 Yes ()

2 No ()".

3 (5) If the consolidation is approved by a majority of the
4 school electors voting on the question in each of the participat-
5 ing intermediate school districts, the reorganization ~~shall~~
6 ~~become~~ IS effective in the combined intermediate school dis-
7 tricts 30 days after the ~~annual~~ REGULAR SCHOOL election at
8 which the question is submitted. The reorganized intermediate
9 school district ~~shall be~~ IS a single intermediate school dis-
10 trict subject to this part.

11 (6) The members of the intermediate school boards of the
12 original intermediate school districts shall act as an interim
13 board until a board of the combined intermediate school district
14 is elected. The interim board ~~shall possess~~ HAS all the powers
15 and duties of an intermediate school board under this part. The
16 person chosen by the interim intermediate school board as inter-
17 mediate superintendent shall serve only until a successor is
18 chosen by the elected intermediate school board. The secretary
19 of the intermediate school board having the largest number of
20 pupils in membership in its combined constituent districts at the
21 time of reorganization shall call a meeting of the members of the
22 interim intermediate school board for the purpose of organization
23 within 15 days after the effective date of the reorganization.
24 The secretary of the interim intermediate school board shall pro-
25 vide for the election of a board of the reorganized intermediate
26 school district under ~~section 617~~ CHAPTER XIV OF THE MICHIGAN
27 ELECTION LAW, MCL 168.301 TO 168.315. At the first election there

1 shall be elected 3 members of a board for 6 years, 2 for 4 years,
2 and 2 for 2 years. Their successors shall be elected biennially
3 ~~on the first Monday of June~~ for terms of 6 years. ~~The time~~
4 ~~from the date of election to the next July 1 shall be considered~~
5 ~~1 year.~~

6 (7) The reorganized intermediate school district shall oper-
7 ate as a single intermediate school district from the effective
8 date of the reorganization. Within 10 days after the reorganiza-
9 tion, all accounts of the reorganized intermediate school dis-
10 tricts shall be audited in the manner established by the interim
11 intermediate school board. The contracts of the intermediate
12 superintendents in force on the effective date of reorganization
13 ~~shall~~ continue in effect ~~to~~ UNTIL THE time of their termina-
14 tion except as to position as intermediate superintendents.

15 (8) If, ~~prior to~~ BEFORE reorganization of the intermediate
16 school districts each of the combining intermediate school dis-
17 tricts adopted special education programs by referendum ~~pursuant~~
18 ~~to~~ AS PROVIDED IN part 30 and approved the same annual property
19 tax rates for the education of handicapped persons, the special
20 education programs and the annual property tax rates shall con-
21 tinue in effect in the reorganized intermediate school district.

22 Sec. 702. (1) An intermediate school district may be
23 annexed to another intermediate school district if the intermedi-
24 ate school board of the annexing intermediate school district
25 approves the annexation by resolution, and a majority of the
26 school electors of the intermediate school district to be annexed
27 voting on the question at ~~an annual~~ A REGULAR or special SCHOOL

1 election in the intermediate school district approve the
2 annexation. If prior to annexation the annexing intermediate
3 school district adopts a special education program by referendum
4 ~~pursuant to~~ AS PROVIDED IN part 30, the intermediate school
5 electors of the intermediate school district to be annexed must
6 vote to adopt that special education program and annual tax
7 rate. The vote on the question shall be by ballot furnished by
8 the intermediate school board of the intermediate school district
9 to be annexed. Before the election is held, the annexing inter-
10 mediate school board shall obtain the approval of the ~~state~~
11 ~~board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION of the proposed
12 annexation.

13 (2) Within 10 days after the election, each constituent dis-
14 trict secretary shall file the result with the secretary of the
15 intermediate school ~~district~~ BOARD, and 5 days later the inter-
16 mediate school board secretary shall file the election result
17 with the secretary of the INTERMEDIATE SCHOOL board of the annex-
18 ing intermediate school district. Within 15 days after the
19 annexation election the intermediate school board of the annexed
20 intermediate school district shall account to the intermediate
21 school board of the annexing intermediate school district for the
22 funds and property in its hands and shall turn over the ~~same~~
23 FUNDS AND PROPERTY to that INTERMEDIATE SCHOOL board. Property
24 and money belonging to the annexed intermediate school district
25 ~~shall become~~ BECOMES the property of the annexing intermediate
26 school district. The outstanding indebtedness of the annexed
27 intermediate school district ~~shall become~~ BECOMES the liability

1 of the annexing intermediate school district. Upon receipt of
2 the ~~funds~~ MONEY and property, the members of the annexed inter-
3 mediate school board shall be released from liability ~~therefor~~
4 FOR THE MONEY AND PROPERTY and their offices terminated.

5 (3) The annexation is effective on the latest date on which
6 the election was held in a constituent district of the annexed
7 intermediate school district. The secretary of the intermediate
8 school board of the annexing intermediate school district shall
9 give written notice of the annexation to the ~~state board~~
10 SUPERINTENDENT OF PUBLIC INSTRUCTION within 15 days after the
11 annexation election. Within 30 days after annexation, the board
12 of the annexing intermediate school district shall appoint 2
13 school electors of the annexed intermediate school district to
14 membership on the intermediate school board of the reorganized
15 intermediate school district, who shall serve until ~~July~~
16 JANUARY 1 after the next ~~biennial~~ INTERMEDIATE SCHOOL DISTRICT
17 election. Notification of the appointments shall be filed with
18 the ~~state board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION. If the
19 appointments are not made within the 30 days, the ~~state board~~
20 SUPERINTENDENT OF PUBLIC INSTRUCTION shall make the
21 appointments. At the next ~~biennial~~ INTERMEDIATE SCHOOL
22 DISTRICT election, members of the intermediate school board shall
23 be elected in the number and for the terms required in section
24 701. The terms of the members of the intermediate school board
25 whose terms have not expired shall determine the terms of the
26 additional members to be elected.

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1 Sec. 703. (1) An intermediate school district comprised of
2 less than 5 constituent districts and having no bonded
3 indebtedness may be disorganized and its constituent districts
4 attached to contiguous intermediate school districts under this
5 section.

6 (2) The board of each constituent district may request the
7 intermediate school board to prescribe a plan for disorganization
8 of the intermediate school district. Each request shall desig-
9 nate another intermediate school district to which the constitu-
10 ent district desires to be attached. The intermediate school
11 board shall prescribe, by resolution, a plan under which each of
12 the constituent districts will be attached in whole to contiguous
13 intermediate school districts designated in the requests. If the
14 designated intermediate school district is not contiguous, the
15 intermediate school board's plan may prescribe attachment to a
16 contiguous intermediate school district.

17 (3) The intermediate superintendent of the intermediate
18 school district ~~which~~ THAT is to be disorganized shall give 30
19 days' notice of the time and place of the meeting of the interme-
20 diate school board and of the proposed plan for disorganization
21 by publication of the notice in a newspaper of general circula-
22 tion in the intermediate school district. The intermediate
23 school board shall present the adopted plan for dissolution to
24 the board of each of its constituent districts and to the inter-
25 mediate school board of each intermediate school district whose
26 boundaries would be enlarged by the proposal.

1 (4) The intermediate superintendent of each intermediate
2 school district whose boundaries would be enlarged by the
3 dissolution shall give 30 days' notice of the time and place of
4 the meeting of the intermediate school board and of the recom-
5 mended plan for enlargement of the intermediate school district
6 by publication of the notice in a newspaper of general circula-
7 tion in the intermediate school district.

8 (5) If the intermediate school board of each affected inter-
9 mediate school district approves the plan for disorganization,
10 the intermediate school board of the intermediate school district
11 to be dissolved shall refer the matter to the ~~state board~~
12 SUPERINTENDENT OF PUBLIC INSTRUCTION for approval. The action of
13 the ~~state board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION declaring
14 the intermediate school district dissolved ~~shall be~~ IS final.
15 Disorganization of the intermediate school district and attach-
16 ment of its constituent districts to contiguous intermediate
17 school districts ~~shall be effective~~ TAKES EFFECT on July 1
18 after the date of the approval of the ~~state board~~
19 SUPERINTENDENT OF PUBLIC INSTRUCTION.

20 (6) The intermediate school boards of the intermediate
21 school districts to which territory is attached by dissolution
22 shall meet jointly, sitting as a single board, and make an equi-
23 table distribution of the money, property, and other assets
24 belonging to the disorganized INTERMEDIATE SCHOOL district among
25 the intermediate school districts affected. The territory of
26 constituent districts transferred to other intermediate school
27 districts by dissolution shall be subject to all taxes levied for

1 purposes of the intermediate school district to which
2 transferred, including taxes for the retirement of bonded indebt-
3 edness, special education programs, and area vocational-technical
4 education programs.

5 (7) Within 30 days after a district attaches to a contiguous
6 intermediate school district under this section, the board of the
7 intermediate school district whose boundaries have been enlarged
8 by the dissolution may appoint 2 school electors of constituent
9 districts, 1 of whom shall be an elector of the attached dis-
10 trict, to membership on the intermediate school board.

11 Intermediate school board members appointed ~~pursuant to~~ UNDER
12 this subsection ~~shall~~ serve until ~~July~~ JANUARY 1 OR, IF THE
13 INTERMEDIATE SCHOOL DISTRICT'S REGULAR SCHOOL ELECTION IS HELD IN
14 MAY, UNTIL MAY 20 after the next ~~biennial~~ INTERMEDIATE SCHOOL
15 DISTRICT election. The intermediate school board may determine 1
16 initial term of less than 6 years for 1 of the additional members
17 to be elected at the ~~biennial~~ INTERMEDIATE SCHOOL DISTRICT
18 election. Notification of an appointment shall be filed with the
19 ~~state board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION.

20 Sec. 705. (1) Beginning in 1997, and IN each year after
21 1997, a regional enhancement property tax may be levied by an
22 intermediate school district at a rate not to exceed 3 mills to
23 enhance other state and local funding for local school district
24 operations if approved by a majority of the intermediate school
25 electors voting on the question.

26 (2) If a resolution requesting that the question of a
27 regional enhancement property tax be submitted to the voters is

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1 adopted within a 180-day period and transmitted to the
2 intermediate school board by 1 or more boards of its constituent
3 school districts representing a majority of the combined member-
4 ship of the constituent school districts as of the most recent
5 pupil membership count day and if those resolutions all contain
6 an identical specified number of mills to be levied under this
7 section and an identical specified number of years for which the
8 tax shall be levied, the question of levying a regional enhance-
9 ment property tax by the intermediate school district shall be
10 placed on the ballot by the intermediate school district at the
11 next ~~annual~~ REGULAR school election held in each of the con-
12 stituent districts. ~~However, if the question is to be submitted~~
13 ~~at an annual school election and a constituent district does not~~
14 ~~hold its annual election on the second Monday in June, the inter-~~
15 ~~mediate school board shall call a special election in that con-~~
16 ~~stituent district to be held on the same day as the annual school~~
17 ~~election.~~ If the question is to be submitted to the intermediate
18 school electors of an intermediate school district having a popu-
19 lation of more than 1,400,000, the intermediate school board
20 shall call a special election to be held at the next state pri-
21 mary or general election. However, if the resolution requirement
22 is met more than 180 days before the next ~~annual~~ REGULAR school
23 district elections, ~~to be held on the second Monday in June,~~
24 and if requested in the resolutions, the intermediate school
25 board shall submit the question of levying a regional enhancement
26 property tax within the intermediate school district on the
27 ballot at a special election ~~under section 662~~ called by the

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1 intermediate school board for that purpose not earlier than 90
2 days ~~or later than 120 days~~ after the resolution requirements
3 are met.

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

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

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

23 Sec. 856. (1) If the intermediate superintendent of schools
24 is presented with petitions signed by school electors in each
25 SCHOOL district ~~to the number of not less than 50% of the number~~
26 ~~of registered general electors residing in each primary school~~
27 ~~district as of the date the intermediate superintendent releases~~

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1 ~~petitions, and by school electors of not less than~~ IN A NUMBER
2 AT LEAST EQUAL TO 5% of the number of ~~registered general~~ SCHOOL
3 electors residing in ~~other school districts~~ EACH SCHOOL
4 DISTRICT, the intermediate superintendent shall cause the ques-
5 tion of consolidation to be submitted to the vote of the school
6 electors of the school districts at THE NEXT REGULAR SCHOOL ELEC-
7 TION OR a special election. ~~called to be held within 90 days~~
8 ~~after the receipt of the petitions.~~

9 ~~(2) The special election shall be held on a date approved by~~
10 ~~the county election scheduling committee under section 639 of Act~~
11 ~~No. 116 of the Public Acts of 1954, as amended, being section~~
12 ~~168.639 of the Michigan Compiled Laws.~~

13 (2) ~~(3)~~ Petitions ~~shall~~ ARE not ~~be~~ required in a
14 school district operating 12 grades if a resolution adopted by
15 the board of the SCHOOL district requesting consolidation of
16 school districts has been filed with the intermediate
17 superintendent.

18 ~~(4) Each city and township clerk shall certify to the~~
19 ~~intermediate superintendent the number of registered general~~
20 ~~electors residing in a school district upon request of the inter-~~
21 ~~mediate superintendent.~~

22 Sec. 857. (1) The question of establishing a consolidated
23 school district shall be submitted to the school electors at A
24 REGULAR SCHOOL ELECTION OR AT a special election held for that
25 purpose. In voting to form the consolidated school district, a
26 school district operating 12 grades shall vote separately as a

1 unit. The remaining school districts to be included in the
2 consolidation shall vote together as a unit.

3 ~~-(2) The local board shall conduct the election in each~~
4 ~~school district operating 12 grades. The intermediate school~~
5 ~~board, the intermediate superintendent of which called the elec-~~
6 ~~tion, shall conduct the election for the other school districts~~
7 ~~voting together as a unit.~~

8 (2) ~~-(3)~~ The elections shall be held on the same day and
9 during the same hours. ~~Each school district shall vote as pro-~~
10 ~~vided in part 12.~~

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

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

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

3 (Names of school districts to be consolidated to be listed
4 here)

5 Yes ()

6 No ()".

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

12 ~~-(3) The secretary of the board of each school district oper-~~
13 ~~ating 12 grades shall provide printed ballots for the election~~
14 ~~and supply all election materials necessary for the election.~~
15 ~~The board of each school district shall appoint the necessary~~
16 ~~school electors to the board of election inspectors.~~

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

1 ~~open, the remaining members of the board of election inspectors~~
2 ~~may appoint another person to fill the vacancy.~~

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

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

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

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1 Sec. 860. (1) If the petitions filed with an intermediate
2 superintendent under section 853 request submission of the ques-
3 tion of assuming the bonded indebtedness of 1 or more of the
4 school districts proposing consolidation, or the question of
5 increasing the constitutional limitation on taxes of the consoli-
6 dated school district for operating purposes to the school elec-
7 tors at the consolidation election, the intermediate superinten-
8 dent shall include the question or questions in the notice of the
9 election propositions filed with each of the election units.

10 ~~under section 857.~~

11 (2) A request for including assumption by the consolidated
12 school district of the bonded indebtedness of 1 or more of the
13 districts proposing consolidation shall be stated on the petition
14 after the names of the school districts to be consolidated in
15 substantially the following form:

16 "We petition that the question of assumption and payment by
17 the proposed consolidated school district of the bonded indebted-
18 ness of _____ be submitted to the

19 (name of school district or districts)
20 electors at the same election in which the proposed consolidation
21 is submitted", and if applicable,

22 "We petition that the question of increasing the constitu-
23 tional limitation on taxes which may be assessed against all
24 property in the proposed consolidated school district by _____
25 mills for a period of _____ years, ~~19__ to 19__~~ TO ____,
26 inclusive, for operating purposes, be submitted to the electors

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1 at the same election with the question of consolidating the above
2 listed districts".

3 (3) If the school electors approve the consolidation of
4 school districts and the assumption of the bonded indebtedness of
5 an original district, the consolidated school district shall
6 assume the obligation of the bonded indebtedness. The consoli-
7 dated school district shall pay the bonded indebtedness by
8 spreading debt retirement taxes uniformly over the territory of
9 the consolidated district. Section 864 ~~shall apply~~ APPLIES to
10 the debt retirement tax levies, the continuing obligations of the
11 original school districts, and the rights and remedies of a
12 bondholder.

13 Sec. 861. ~~-(1)-~~ Within 10 days after the date of the offi-
14 cial canvass of the consolidation election, the intermediate
15 school board of the intermediate school district containing the
16 territory of the consolidated school district shall appoint
17 school electors of the SCHOOL district in the number required by
18 the classification of the school district to act as a board for
19 the SCHOOL district. If a consolidated school district includes
20 territory in more than 1 intermediate school district, the
21 appointment shall be made by the intermediate school board of
22 each intermediate school district acting jointly as a single
23 board. Within 7 days after appointment, each member shall file
24 with the intermediate superintendent an acceptance of the office,
25 accompanied by a written affidavit setting forth the fact of eli-
26 gibility ~~as provided in section 1102~~ FOR OFFICE. ~~Except as~~
27 ~~otherwise provided in subsection (2), each~~ EACH appointed board

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1 member shall hold office until ~~June thirtieth~~ DECEMBER 31, OR,
2 IF THE CONSOLIDATED SCHOOL DISTRICT'S REGULAR ELECTION IS IN MAY,
3 UNTIL MAY 19, next following appointment. A new board shall be
4 elected at the first ~~annual~~ REGULAR SCHOOL election held after
5 the effective date of consolidation in the manner prescribed ~~in~~
6 ~~part 3 or part 4~~ BY LAW for the election of a first board.

7 ~~-(2) If the effective date of the consolidation is between~~
8 ~~the thirtieth day prior to the annual election and December 31,~~
9 ~~the board appointed by the intermediate school board at its first~~
10 ~~meeting shall call a district election to be held within 45 days~~
11 ~~after the day of the meeting. At the election, a board of the~~
12 ~~requisite number of members shall be elected for terms required~~
13 ~~for the election of a first board in section 111 or section 211.~~
14 ~~The election shall be in lieu of the first annual election, and~~
15 ~~the first year of each term of office shall extend until July 1~~
16 ~~following the next succeeding annual election. The board shall~~
17 ~~hold its first meeting and elect officers as provided in section~~
18 ~~114 or section 231.~~

19 Sec. 931. (1) An intermediate school board may divide a
20 constituent district ~~which~~ THAT has no bonded indebtedness and
21 attach the parts thereof to 2 or more operating school districts
22 if requested to do so by resolution of the board of the school
23 district to be divided, or if petitioned by not less than 5% of
24 the registered school electors residing in the district on the
25 date the petition is received, and if the school electors of the
26 SCHOOL district, voting on the question at ~~an annual~~ A REGULAR
27 or special SCHOOL election, approve the division.

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1 (2) The city or township clerk shall certify to the
2 intermediate superintendent the number of registered school elec-
3 tors residing in a school district when requested by the interme-
4 diate superintendent.

5 (3) The resolution of the board of the school district to be
6 divided or the petition of the registered school electors resid-
7 ing in the district may specify the effective date of the divi-
8 sion of the school district, which date shall not be later than
9 the end of the fiscal year in which the election takes place.

10 (4) The resolution of the intermediate school board to which
11 the school district to be divided is constituent shall clearly
12 describe the division. The description of the division shall be
13 based on the resolution of the board of the school district to be
14 divided or on the petition of the school electors.

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

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(2) The affirmative vote of a majority of the school electors voting on the question ~~shall be~~ IS necessary to ratify the action of the intermediate school board.

(3) Territory attached to an existing operating school district shall be a part of that SCHOOL district for all purposes, including the levy of all taxes ~~which~~ the SCHOOL district to which the territory is attached ~~has the authority~~ IS AUTHORIZED to levy.

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

(5) Within 30 days after the filing of the certified statement of the vote approving the division, the intermediate school board, by resolution, shall declare the school district divided, attach the territory ~~thereof~~ to the specified operating school districts, and make an equitable distribution of the money, property, and other material belonging to the SCHOOL district among the SCHOOL districts to which the territory is attached.

(6) If the effective date is determined by the resolution of the board or by the petition of the school electors under section 931, the intermediate school board shall declare the school district divided on that date.

Sec. 945. Upon receipt of an order transmitted ~~pursuant to~~ AS PRESCRIBED BY section 944 and approving the division of the school district, the board of the school district to be annexed, divided, and transferred shall provide by resolution for

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1 the election on the question of annexing, dividing, and
2 transferring the school district. ~~—, which—~~ THE election shall be
3 conducted and canvassed in the dividing district ~~pursuant to~~
4 ~~parts 12 and 13—~~ AS PROVIDED IN THE MICHIGAN ELECTION LAW. The
5 question to be submitted to the electors shall be whether the
6 territory of the dividing school district shall be annexed and
7 transferred in the manner specified in the resolution of the
8 dividing school district.

9 SEC. 1206. A SCHOOL DISTRICT, LOCAL ACT SCHOOL DISTRICT, OR
10 INTERMEDIATE SCHOOL DISTRICT REGULAR SCHOOL ELECTION OR SPECIAL
11 SCHOOL ELECTION SHALL BE ADMINISTERED AND CONDUCTED AS PROVIDED
12 IN CHAPTER XIV OF THE MICHIGAN ELECTION LAW, MCL 168.301 TO
13 168.315. A SCHOOL DISTRICT, LOCAL ACT SCHOOL DISTRICT, OR INTER-
14 MEDIATE SCHOOL DISTRICT MAY USE GENERAL OPERATING FUNDS TO REIM-
15 BURSE UNITS OF LOCAL GOVERNMENT INVOLVED IN ADMINISTERING AND
16 CONDUCTING A REGULAR SCHOOL ELECTION OR SPECIAL SCHOOL ELECTION
17 FOR THE SCHOOL DISTRICT, LOCAL ACT SCHOOL DISTRICT, OR INTERMEDI-
18 ATE SCHOOL DISTRICT, AS REQUIRED UNDER THE MICHIGAN ELECTION LAW.

19 ~~Sec. 1211c.~~

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1 Sec. 1212. (1) If approved by the school electors of the
2 school district, the board of a school district may levy a tax of
3 not to exceed 5 mills on the state equalized valuation of the
4 school district each year for a period of not to exceed 20 years,
5 for the purpose of creating a sinking fund to be used for the
6 purchase of real estate for sites for, and the construction or
7 repair of, school buildings. The sinking fund tax levy is
8 subject to the 15 mill tax limitation provisions of section 6 of
9 article IX of the state constitution of 1963 and the property tax
10 limitation act, ~~Act No. 62 of the Public Acts of 1933, as~~
11 ~~amended, being sections 211.201 to 211.217a of the Michigan~~
12 ~~Compiled Laws~~ 1933 PA 62, MCL 211.201 TO 211.217A. A school
13 district that levies a sinking fund tax under this section shall
14 have an independent audit of its sinking fund conducted annually,
15 including a review of the uses of the sinking fund, and shall
16 submit the audit report to the department of treasury. If the
17 department of treasury determines from the audit report that the
18 sinking fund has been used for a purpose other than those autho-
19 rized for the sinking fund under this section, the school dis-
20 trict shall repay the misused funds to the sinking fund from the
21 school district's operating funds and shall not levy a sinking
22 fund tax under this section after the date the department of
23 treasury makes that determination.

24 (2) The proposition of levying a sinking fund tax shall be
25 submitted to the school electors of the school district at ~~an~~
26 ~~annual~~ A REGULAR or special ~~meeting or~~ SCHOOL election.

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(3) The question of levying taxes for the purpose of creating a sinking fund shall be by ballot in substantially the following form:

"Shall _____ levy _____ mills
(legal name of school district)
to create a sinking fund for the purpose of _____
_____ for a period of _____ years?

Yes ()

No ()".

(4) For the purposes of this section, millage approved by the school electors before December 1, 1993 for which the authorization has not expired is considered to be approved by the school electors.

Sec. 1216. Except as provided in the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, money raised by tax shall not be used for a purpose other than that for which it was raised without the consent of a majority of the school electors of the district voting on the question at ~~an annual or special meeting or~~ A REGULAR OR SPECIAL SCHOOL election.

Sec. 1351. (1) Until May 1, 1994, a school district may borrow money and issue bonds of the district to defray all or a part of the cost of purchasing, erecting, completing, remodeling, improving, furnishing, refurnishing, equipping, or reequipping school buildings, including library buildings, structures, athletic fields, playgrounds, or other facilities, or parts of or additions to those facilities; acquiring, preparing, developing, or improving sites, or parts of or additions to sites, for school

1 buildings, including library buildings, structures, athletic
2 fields, playgrounds, or other facilities; purchasing school
3 buses; participating in the administrative costs of an urban
4 renewal program through which the school district desires to
5 acquire a site or addition to a site for school purposes; refund-
6 ing all or part of existing bonded indebtedness; or accomplishing
7 a combination of the purposes set forth in this subsection. In
8 addition, until December 31, 1991 a school district may borrow
9 money and issue bonds to defray all or part of the cost of pur-
10 chasing textbooks.

11 (2) Except as otherwise provided in this subsection, a
12 school district shall not borrow money or issue bonds for a sum
13 that, together with the total outstanding bonded indebtedness of
14 the district, exceeds 5% of the state equalized valuation of the
15 taxable property within the district, unless the proposition of
16 borrowing the money or issuing the bonds is submitted to a vote
17 of the school electors of the district at ~~an annual or special~~
18 A REGULAR OR SPECIAL SCHOOL election and approved by the majority
19 of the school electors voting on the question. Regardless of the
20 amount of outstanding bonded indebtedness of the school district,
21 a vote of the school electors is not necessary in order to issue
22 bonds for a purpose described in section 1274a or to issue bonds
23 under section 11i of the state school aid act of 1979, ~~1979 PA~~
24 ~~94,~~ MCL 388.1611i. For the purposes of this subsection, bonds
25 issued under section 11i of the state school aid act of 1979,
26 ~~1979 PA 94,~~ MCL 388.1611i, shall not be included in computing
27 the total outstanding bonded indebtedness of a school district.

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1 (3) A school district shall not issue bonds under this part
2 for an amount greater than 15% of the total assessed valuation of
3 the district, except as provided in section 1356. A bond quali-
4 fied under section 16 of article IX of the state constitution of
5 1963 and implementing legislation shall not be included for pur-
6 poses of calculating the 15% limitation. Bonds issued under this
7 part are subject to the revised municipal finance act, 2001 PA
8 34, MCL 141.2101 to 141.2821, except that bonds issued for a pur-
9 pose described in section 1274a may be sold at a public or pub-
10 licly negotiated sale at the time or times, at the price or
11 prices, and at a discount as determined by the board of the
12 school district.

13 (4) Bonds or notes issued by a school district or intermedi-
14 ate school district under this part or section 442, 629, or 1274a
15 shall be full faith and credit tax limited obligations of the
16 district pledging the general funds, voted and allocated tax
17 levies, or any other money available for such a purpose and shall
18 not allow or provide for the levy of additional millage for pay-
19 ment of the bond or note without a vote of the qualified elector-
20 ate of the district.

21 Sec. 1361. (1) School district elections upon the issuance
22 of bonds shall be held and conducted ~~as elections in registra-~~
23 ~~tion districts~~ in accordance with ~~part 13~~ THIS ACT AND CHAPTER
24 XIV OF THE MICHIGAN ELECTION LAW, MCL 168.301 TO 168.315. Members
25 of the SCHOOL board ~~of education~~ shall not serve on a board of
26 election inspectors.

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1 (2) The question shall be submitted by ballot in
2 substantially the following form:

3 "Shall
4 (here state the legal name of the school district)
5 county/or counties of and state of
6 Michigan, borrow the sum of not to exceed
7 dollars (\$.....) and issue its bonds therefor,
8 for the purpose of?

9 Yes ()

10 No ()".

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

13 Sec. 1451. (1) A school district, ~~other than a primary~~
14 ~~school district,~~ by a majority vote of the school electors at
15 ~~an annual~~ A REGULAR or special SCHOOL election, may establish a
16 public library.

17 (2) The school electors of a school district in which a
18 library is established may vote a district tax for the support of
19 the public library at ~~an annual~~ A REGULAR or special SCHOOL
20 election of the district. The board of the school district may
21 vote a tax for the maintenance and support of the public
22 library.

23 (3) A tax authorized or voted under this part shall be
24 levied and collected in the same manner as other school district
25 taxes are levied and collected.

26 (4) The millage allowed under this section may be levied
27 without a vote of the school electors of the school district

1 until the millage authorization expires. The rate of a tax
2 authorized or voted under this section shall not exceed the
3 number of mills levied by the school district under this section
4 in 1993 that were not included in the operating millage reported
5 by the school district to the department as of April 1, 1993 or
6 the number of mills levied by the school district under this sec-
7 tion in 1993 that the school district does not want considered as
8 operating millage reported by the school district as of April 1,
9 1994, whichever is greater.

10 (5) The board of a school district shall not hold an elec-
11 tion to levy mills under this section after December 31, 1993.

12 Sec. 1722. (1) The question of adopting sections 1722 to
13 1729 may be submitted to the school electors of an intermediate
14 school district at ~~an annual~~ A REGULAR SCHOOL election or at a
15 special election held in each of the constituent districts.

16 Sections 1722 to 1729 shall be effective if approved by a major-
17 ity of the school electors of an intermediate school district
18 voting at an election called and conducted under ~~sections~~
19 SECTION 661. ~~and 662.~~

20 (2) Sections 1722 to 1729 shall continue in effect in an
21 intermediate school district reorganized ~~pursuant to~~ UNDER sec-
22 tion 701.

23 Sec. 1724. Subject to section 1724a, an intermediate school
24 board operating under sections 1722 to 1729 may direct that the
25 question of increasing the millage limit on the annual property
26 tax levied for special education be submitted to the school
27 electors of the intermediate school district. The election shall

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1 be called and held in the manner provided in ~~sections 661 and~~
2 ~~662~~ SECTION 661. The ballot shall be substantially in the fol-
3 lowing form:

4 "Shall the _____ mill limitation on the
5 annual property tax previously approved by the electors of the
6 _____, state of
7 (legal name of the intermediate school district)
8 Michigan, for the education of handicapped persons be increased by
9 _____ mills?

10

11 Yes ()

12 No ()".

13 Enacting section 1. The following sections and parts of the
14 revised school code, 1976 PA 451, MCL 380.1 to 380.1852, are
15 repealed effective January 1, 2003:

16 (a) Section 662, MCL 380.662.

17 (b) Parts 12 to 14, MCL 380.1001 to 380.1106.

18 Enacting section 2. This amendatory act takes effect
19 January 1, 2003.

20 Enacting section 3. This amendatory act does not take
21 effect unless all of the following bills of the 91st Legislature
22 are enacted into law:

23 (a) Senate Bill No. 439.

24 (b) Senate Bill No. 440.

25 (c) Senate Bill No. 444.