

SUBSTITUTE FOR
HOUSE BILL NO. 4947

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 614 (MCL 380.614), as amended by 2003 PA
299.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 614. (1) Except as provided in section 615 and subject
2 to section 642 of the Michigan election law, MCL 168.642, the
3 members of the intermediate school board shall be elected
4 biennially on the first Monday in June by ~~a~~ **an electoral** body
5 composed of 1 member of the board of each constituent school
6 district. ~~—, who shall be designated by the board of which that~~
7 ~~individual is a member.~~
8 (2) The board of a constituent district shall designate its
9 representative to this electoral body by resolution adopted not
10 earlier than 21 days before the date of this biennial election.

1 The board shall consider the resolution at not less than 2 public
2 meetings before adopting the resolution. The resolution shall be
3 adopted by majority vote of the members serving on the board. In
4 its resolution designating its representative, the board of a
5 constituent district shall identify the candidate the board
6 supports for each position to be filled on the intermediate
7 school board and shall direct its representative to vote for that
8 individual or individuals at least on the first ballot taken by
9 the electoral body. The secretary of the intermediate school
10 board shall send a notice by certified mail of the hour and place
11 of the meeting of the electoral body described in subsection (1)
12 to the secretary of the board of each constituent school district
13 at least 10 days before the meeting. The president and secretary
14 of the intermediate school board shall act as chairperson and
15 secretary at the meeting. The meeting of the electoral body
16 shall be an open meeting conducted in the manner prescribed under
17 the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

18 (3) ~~(2)~~ Except as provided in section 703, the term of
19 office of each member elected to the intermediate school board is
20 6 years and begins on July 1 following election. Not more than 2
21 members of the intermediate school board shall be from the same
22 school district unless there are fewer districts than there are
23 positions to be filled.

24 (4) ~~(3)~~ A vacancy shall be filled by the remaining members
25 of the intermediate school board until the next biennial election
26 at which time the vacancy shall be filled for the balance of the
27 unexpired term. Notice of the vacancy shall be filed with the

1 state board within 5 days after the vacancy occurs. If the
2 vacancy is not filled within 30 days after it occurs, the vacancy
3 shall be filled by the state board.

4 (5) ~~-(4)-~~ Subject to subsection ~~-(6)-~~ (7), a candidate for
5 election to the intermediate school board shall be nominated by
6 petitions that are signed by a number of school electors of the
7 combined constituent school districts of the intermediate school
8 district, as follows:

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

12 (b) If the population of the intermediate school district is
13 10,000 or more according to the most recent federal census, a
14 minimum of 40 and a maximum of 100.

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

1 vacancy.

2 (7) ~~(6)~~ Instead of filing nominating petitions, a candidate
3 for election to the intermediate school board may pay a
4 nonrefundable filing fee of \$100.00 to the school district filing
5 official. If this fee is paid by the due date for nominating
6 petitions, the payment has the same effect under this section as
7 the filing of nominating petitions.