

# HOUSE BILL No. 5043

August 13, 2003, Introduced by Reps. Ruth Johnson, Tobocman, Wenke, Stakoe, Rocca, Caul and Taub and referred to the Committee on Education.

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

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 614. (1) Except as provided in section 615, the  
2 members of the intermediate school board shall be elected  
3 biennially on the first Monday in June by a body composed of 1  
4 member of the board of each constituent school district, who  
5 shall be designated by the board of which that person is a  
6 member. The secretary **of the intermediate school board** shall  
7 send a notice by certified mail of the hour and place of **the**  
8 meeting **of the electoral body** to the secretary of the board of  
9 each constituent district at least 10 days before the meeting.  
10 The president and secretary of the intermediate school board

1 shall act as chairperson and secretary **at the meeting.**

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

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

15 (4) Subject to subsection (6), a candidate for election to  
16 the intermediate school board shall be nominated by petitions  
17 that are signed by a number of school electors of the combined  
18 constituent school districts of the intermediate school district,  
19 as follows:

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

23 (b) If the population of the intermediate school district is  
24 10,000 or more according to the most recent federal census, a  
25 minimum of 40 and a maximum of 100.

26 (5) A school elector may sign as many petitions as there are  
27 vacancies to fill. Nominating petitions and an affidavit as

1 provided in section 558 of the Michigan election law, 1954  
2 PA 116, MCL 168.558, shall be filed with the secretary of the  
3 intermediate school board not later than 30 days before the date  
4 of the biennial election under subsection (1). The secretary  
5 shall determine the sufficiency of the petitions and the  
6 eligibility of the candidates nominated. The secretary shall  
7 provide ballots for the biennial election, listing on the ballots  
8 the names of all candidates properly nominated. The chairperson  
9 of the biennial election may accept nominations for a vacancy  
10 from the floor only if no nominating petitions have been filed  
11 for the vacancy. Section 1066 applies to the form and manner of  
12 circulation of nominating petitions for a candidate for  
13 membership on the intermediate school board.

14 (6) Instead of filing nominating petitions, a candidate for  
15 election to the intermediate school board may pay a nonrefundable  
16 filing fee of \$100.00 to the secretary of the intermediate school  
17 board. If this fee is paid by the due date for nominating  
18 petitions, the payment has the same effect under this section as  
19 the filing of nominating petitions.

20 (7) The president shall appoint 2 persons not members of the  
21 intermediate school board or candidates for election as a board  
22 of canvassers and they shall canvass the vote following  
23 balloting. This becomes the official canvass.

24 (8) **A member of an intermediate school board elected under**  
25 **this section by an electoral body described in subsection (1) is**  
26 **subject to recall by the intermediate school electors of the**  
27 **intermediate school district in the manner prescribed in chapter**

1 XXXVI of the Michigan election law, 1954 PA 116, MCL 168.951 to  
2 168.976, except that the petitions shall be signed by a number of  
3 intermediate school electors equal to not less than 10% of the  
4 number of votes cast for the office of governor at the last  
5 preceding general election within the territory of the  
6 intermediate school district.