

# SENATE BILL No. 643

July 17, 2003, Introduced by Senators CHERRY, KUIPERS, EMERSON, BARCIA, TOY, OLSHOVE, STAMAS, JOHNSON, LELAND and BISHOP 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.

7       (2) The secretary **of the intermediate school board** shall send  
8 a notice by certified mail of the hour and place of **the** meeting  
9 **of the electoral body described in subsection (1)** to the  
10 secretary of the board of each constituent district at least 10

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1 days before the meeting. The president and secretary of the  
2 intermediate school board shall act as chairperson and secretary  
3 **at the meeting. The meeting of the electoral body shall be an**  
4 **open meeting conducted in the manner prescribed under the open**  
5 **meetings act, 1976 PA 267, MCL 15.261 to 15.275.**

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

12 (4) ~~-(3)-~~ A vacancy shall be filled by the remaining members  
13 of the intermediate school board until the next biennial election  
14 at which time the vacancy shall be filled for the balance of the  
15 unexpired term. Notice of the vacancy shall be filed with the  
16 state board within 5 days after the vacancy occurs. If the  
17 vacancy is not filled within 30 days after it occurs, the vacancy  
18 shall be filled by the state board.

19 (5) ~~-(4)-~~ Subject to subsection ~~-(6)-~~ (7), a candidate for  
20 election to the intermediate school board shall be nominated by  
21 petitions that are signed by a number of school electors of the  
22 combined constituent school districts of the intermediate school  
23 district, as follows:

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

27 (b) If the population of the intermediate school district is

1 10,000 or more according to the most recent federal census, a  
2 minimum of 40 and a maximum of 100.

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

18       (7) ~~-(6)-~~ Instead of filing nominating petitions, a candidate  
19 for election to the intermediate school board may pay a  
20 nonrefundable filing fee of \$100.00 to the secretary of the  
21 intermediate school board. If this fee is paid by the due date  
22 for nominating petitions, the payment has the same effect under  
23 this section as the filing of nominating petitions.

24       (8) ~~-(7)-~~ The president **of the intermediate school board**  
25 shall appoint 2 persons not members of the intermediate school  
26 board or candidates for election as a board of canvassers and  
27 they shall canvass the vote following balloting. This becomes

1 the official canvass.