

HOUSE BILL No. 4820

June 10, 2003, Introduced by Reps. Ward, Hummel, Farhat, Brandenburg, Garfield, Drolet, Hoogendyk, Amos, Casperson, Emmons, Wenke, Tabor, Palsrok, Sheen, Stahl, Vander Veen, Acciavatti, LaJoy, Steil, Walker, Pastor, Van Regenmorter, Stakoe, Huizenga, Meyer, Voorhees, Taub, Ruth Johnson, Rocca, Kooiman, Robertson, Moolenaar and Richardville and referred to the Committee on Local Government and Urban Policy.

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 and 617 as amended by 2002 PA 157, section 629 as amended by 2002 PA 61, 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, sections 857 and 858 as amended by 1992 PA 263, section 859 as amended by 2002 PA 509, 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
4 districts or constituent districts under section 671.

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

9 (3) "Intermediate school board" means the board of an
10 intermediate school district.

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

13 (5) "Intermediate school district election" means an election
14 called by an intermediate school board and held on the date of
15 the ~~—annual—~~ **regular** school elections of constituent districts or
16 on a date determined by the intermediate school board under
17 ~~—sections 661 and 662—~~ **section 642b of the Michigan election law,**
18 **MCL 168.642b.**

19 (6) "Intermediate school elector" means a person who is a

1 school elector of a constituent district and who is registered in
2 the city or township in which the person resides.

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

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

10 (2) "Membership" means the number of full-time equivalent
11 pupils in a public school as determined by the number of pupils
12 registered for attendance plus pupils received by transfer and
13 minus pupils lost as defined by rules promulgated by the ~~state~~
14 ~~board~~ **superintendent of public instruction.**

15 (3) **"Michigan election law" means the Michigan election law,**
16 **1954 PA 116, MCL 168.1 to 168.992.**

17 (4) ~~(3)~~ "Nonpublic school" means a private, denominational,
18 or parochial school.

19 (5) ~~(4)~~ "Objectives" means measurable pupil academic skills
20 and knowledge.

21 (6) ~~(5)~~ "Public school" means a public elementary or
22 secondary educational entity or agency that is established under
23 this act, has as its primary mission the teaching and learning of
24 academic and vocational-technical skills and knowledge, and is
25 operated by a school district, local act school district, special
26 act school district, intermediate school district, public school
27 academy corporation, **or** strict discipline academy corporation, or

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

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

10 (8) ~~-(7)-~~ "Pupil membership count day" of a school district
11 means that term as defined in section 6 of the state school aid
12 act of 1979, MCL 388.1606.

13 (9) **"Regular school election" or "regular election" means the**
14 **election held in a school district, local act school district, or**
15 **intermediate school district to elect a school board member in**
16 **the regular course of the terms of that office and held on the**
17 **school district's regular election date as determined under**
18 **section 642b of the Michigan election law, MCL 168.642b.**

19 (10) ~~-(8)-~~ "Reorganized intermediate school district" means
20 an intermediate school district formed by consolidation or
21 annexation of 2 or more intermediate school districts under
22 sections 701 and 702.

23 (11) ~~-(9)-~~ "Rule" means a rule promulgated ~~pursuant to~~
24 **under** the administrative procedures act of 1969, 1969 PA 306,
25 MCL 24.201 to 24.328.

26 Sec. 6. (1) "School district" or "local school district"
27 means a general powers school district organized under this act,

1 regardless of previous classification, or a school district of
2 the first class.

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

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

13 (4) "Special education building and equipment" means a
14 structure or portion of a structure or personal property
15 accepted, leased, purchased, or otherwise acquired, prepared, or
16 used for special education programs and services.

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

26 (6) "Special education programs and services" means
27 educational and training services designed for handicappers and

1 operated by local school districts, local act school districts,
 2 intermediate school districts, the Michigan school for the **deaf**
 3 **and** blind, ~~the Michigan school for the deaf,~~ the department of
 4 ~~mental~~ **community** health, the ~~department of social services~~
 5 **family independence agency**, or a combination ~~thereof~~ **of these**,
 6 and ancillary professional services for handicappers rendered by
 7 agencies approved by the state board. The programs shall include
 8 vocational training, but need not include academic programs of
 9 college or university level.

10 (7) "Special school election" or "special election" means a
 11 school district election to fill a vacancy on the school board or
 12 submit a ballot question to the school electors that is held on a
 13 regular election date established under section 641 of the
 14 Michigan election law, MCL 168.641.

15 (8) ~~(7)~~ "State approved nonpublic school" means a nonpublic
 16 school that complies with ~~Act No. 302 of the Public Acts of~~
 17 ~~1921, being sections 388.551 to 388.558 of the Michigan Compiled~~
 18 ~~Laws~~ 1921 PA 302, MCL 388.551 to 388.558.

19 (9) ~~(8)~~ "State board" means the state board of education
 20 unless clearly otherwise stated.

21 (10) ~~(9)~~ "Department" means the department of education
 22 created and operating under sections 300 to 305 of the executive
 23 organization act of 1965, ~~Act No. 380 of the Public Acts of~~
 24 ~~1965, being sections 16.400 to 16.405 of the Michigan Compiled~~
 25 ~~Laws~~ 1965 PA 380, MCL 16.400 to 16.405.

26 (11) ~~(10)~~ "State school aid" means allotments from the
 27 general appropriating act for the purpose of aiding in the

1 support of the public schools of the state.

2 (12) ~~—(11)—~~ "The state school aid act of 1979" means ~~—Act~~
3 ~~No. 94 of the Public Acts of 1979, being sections 388.1601 to~~
4 ~~388.1772 of the Michigan Compiled Laws—~~ **the state school aid act**
5 **of 1979, 1979 PA 94, MCL 388.1601 to 388.1772.**

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

11 (2) Beginning on ~~the effective date of this section—~~ **July 1,**
12 **1996**, a school district operating under a special or local act
13 shall operate as a general powers school district under this act
14 except to the extent that the special or local act is
15 inconsistent with this act. Upon repeal of a special or local
16 act that governs a school district, that school district shall
17 become a general powers school district under this act.

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

26 (a) Educating pupils. In addition to educating pupils in
27 grades K-12, this function may include operation of preschool,

1 lifelong education, adult education, community education,
2 training, enrichment, and recreation programs for other persons.

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

6 (c) Acquiring, constructing, maintaining, repairing,
7 renovating, disposing of, or conveying school property,
8 facilities, equipment, technology, or furnishings.

9 (d) Hiring, contracting for, scheduling, supervising, or
10 terminating employees, independent contractors, and others to
11 carry out school district powers. A school district may
12 indemnify its employees.

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

18 (4) A general powers school district may enter into
19 agreements or cooperative arrangements with other entities,
20 public or private, or join organizations as part of performing
21 the functions of the school district.

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

26 (6) The board of a general powers school district shall adopt
27 bylaws. These bylaws may establish or change board procedures,

1 the number of board officers, titles and duties of board
2 officers, and any other matter related to effective and efficient
3 functioning of the board. Regular meetings of the board shall be
4 held at least once each month, at the time and place fixed by the
5 bylaws. Special meetings may be called and held in the manner
6 and for the purposes specified in the bylaws. Board procedures,
7 bylaws, and policies in effect on the effective date of this
8 section shall continue in effect until changed by action of the
9 board.

10 (7) The board of a school district shall be elected as
11 provided under this act and the Michigan election law. ~~—, Act~~
12 ~~No. 116 of the Public Acts of 1954, being sections 168.1 to~~
13 ~~168.992 of the Michigan Compiled Laws.—~~ The number of members of
14 the board of a general powers school district ~~and the term of~~
15 ~~office for a board member of a general powers school district~~
16 shall remain the same as ~~they were~~ for that school district
17 before ~~the effective date of this section unless either or both~~
18 ~~are~~ **July 1, 1996 unless** changed by the school electors of the
19 school district at a regular or special **school** election. A
20 ~~proposition~~ **ballot question** for changing the number of board
21 members ~~or term of office~~ may be placed on the ballot by action
22 of the board or by petition submitted by school electors as
23 provided under ~~this act~~ **chapter XIV of the Michigan election**
24 **law, MCL 168.301 to 168.315.**

25 ~~(8) On the effective date of this section, the board of each~~
26 ~~school district shall continue to be the board of the school~~
27 ~~district and to function in that capacity. A person lawfully~~

1 ~~serving on the effective date of this act as a member of the~~
2 ~~board of a school district shall continue to be a member of the~~
3 ~~board and shall continue in office for the remainder of the term~~
4 ~~for which the person was elected or appointed.~~

5 (8) Members of the board of a general powers school district
6 shall be elected by the school electors for terms of 4 or 6
7 years, as provided by the school district's bylaws. At each
8 regular school election, members of the board shall be elected to
9 fill the positions of those whose terms will expire. A term of
10 office begins as provided in section 302 of the Michigan election
11 law, MCL 168.302, and continues until a successor is elected and
12 qualified.

13 (9) The board of a general powers school district may submit
14 to the school electors of the school district a question that is
15 within the scope of the powers of the school electors and that
16 the board considers proper for the management of the school
17 system or the advancement of education in the school district.
18 Upon the adoption of a question by the board, the board shall
19 submit the question to the school electors by complying with
20 section 312 of the Michigan election law, MCL 168.312.

21 (10) A special election may be called by the board of a
22 general powers school district as provided under chapter XIV of
23 the Michigan election law, MCL 168.301 to 168.315.

24 (11) ~~-(9)-~~ Unless expressly provided in ~~the amendatory act~~
25 ~~that added this section~~ 1995 PA 289, the powers of a school
26 board or school district are not diminished by this section or by
27 ~~the amendatory act that added this section~~ 1995 PA 289.

1 **(12)** ~~-(10)-~~ A school district operating a public library,
 2 public museum, or community recreational facility as of ~~the~~
 3 ~~effective date of the amendatory act that added this section~~
 4 **July 1, 1996** may continue to operate the public library, public
 5 museum, or community recreational facility.

6 Sec. 14. A petition under, ~~sections~~ **or that is necessary**
 7 **to meet a requirement of, section** 11a, 411a, 412a, 503, 614, 617,
 8 690, 701, 853, 860, 931, ~~1026, 1032, 1066,~~ or 1311e, including
 9 the circulation and signing of the petition, is subject to
 10 section 488 of the Michigan election law, ~~1954 PA 116,~~
 11 MCL 168.488. A person who violates a provision of the Michigan
 12 election law ~~, 1954 PA 116, MCL 168.1 to 168.992,~~ applicable to
 13 a petition described in this section is subject to the penalties
 14 prescribed for that violation in the Michigan election law. ~~—~~
 15 ~~1954 PA 116, MCL 168.1 to 168.992.~~

16 Sec. 503. (1) An authorizing body is not required to issue
 17 a contract to any person or entity. Public school academy
 18 contracts shall be issued on a competitive basis taking into
 19 consideration the resources available for the proposed public
 20 school academy, the population to be served by the proposed
 21 public school academy, and the educational goals to be achieved
 22 by the proposed public school academy.

23 (2) If a person or entity applies to the board of a school
 24 district for a contract to organize and operate 1 or more public
 25 school academies within the boundaries of the school district and
 26 the board does not issue the contract, the person or entity may
 27 petition the board to place the question of issuing the contract

1 on the ballot to be decided by the school electors of the school
2 district. The petition shall contain all of the information
3 required to be in the contract application under section ~~502(3)~~
4 **502** and shall be signed by a number of school electors of the
5 school district equal to at least 15% of the total number of
6 school electors of that school district. The petition shall be
7 filed with the secretary of the board. If the board receives a
8 petition meeting the requirements of this subsection, the board
9 shall ~~place~~ **have** the question of issuing the contract **placed** on
10 the ballot at its next ~~annual~~ **regular** school election held at
11 least 60 days after receiving the petition. If a majority of the
12 school electors of the school district voting on the question
13 vote to issue the contract, the board shall issue the contract.

14 (3) Within 10 days after issuing a contract for a public
15 school academy, the ~~board of the~~ authorizing body shall submit
16 to the ~~state board~~ **superintendent of public instruction** a copy
17 of the contract and of the application under section 502.

18 (4) An authorizing body shall adopt a resolution establishing
19 the method of selection, length of term, and number of members of
20 the board of directors of each public school academy subject to
21 its jurisdiction.

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

24 (a) The educational goals the public school academy is to
25 achieve and the methods by which it will be held accountable. To
26 the extent applicable, the pupil performance of a public school
27 academy shall be assessed using at least a Michigan education

1 assessment program (MEAP) test or an assessment instrument
2 developed under section 1279. ~~for a state endorsed high school~~
3 ~~diploma.~~

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

7 (c) A description of the process for amending the contract
8 during the term of the contract.

9 (d) All of the matters set forth in the application for the
10 contract.

11 (e) For a public school academy authorized by a school
12 district, an agreement that employees of the public school
13 academy will be covered by the collective bargaining agreements
14 that apply to employees of the school district employed in
15 similar classifications in schools that are not public school
16 academies.

17 (f) Procedures for revoking the contract and grounds for
18 revoking the contract, including at least the grounds listed in
19 section 507.

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

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

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

1 (a) The open meetings act, ~~Act No. 267 of the Public Acts of~~
2 ~~1976, being sections 15.261 to 15.275 of the Michigan Compiled~~
3 ~~Laws~~ **1976 PA 267, MCL 15.261 to 15.275.**

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

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

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

13 (e) Sections 1134, 1135, 1146, 1153, 1263(3), 1267, and
14 1274.

15 (7) A public school academy and its incorporators, board
16 members, officers, employees, and volunteers have governmental
17 immunity as provided in section 7 of ~~Act No. 170 of the Public~~
18 ~~Acts of 1964, being section 691.1407 of the Michigan Compiled~~
19 ~~Laws~~ **1964 PA 170, MCL 691.1407.** An authorizing body and its
20 board members, officers, and employees are immune from civil
21 liability, both personally and professionally, for ~~any acts~~ **an**
22 **act** or ~~omissions~~ **omission** in authorizing a public school
23 academy if the authorizing body or the person acted or reasonably
24 believed he or she acted within the authorizing body's or the
25 person's scope of authority.

26 (8) A public school academy is exempt from all taxation on
27 its earnings and property. Instruments of conveyance to or from

1 a public school academy are exempt from all taxation including
2 taxes imposed by ~~Act No. 134 of the Public Acts of 1966, being~~
3 ~~sections 207.501 to 207.513 of the Michigan Compiled Laws 1966~~
4 **PA 134, MCL 207.501 to 207.513.** A public school academy may not
5 levy ad valorem property taxes or ~~any other~~ **another** tax for any
6 purpose. However, operation of 1 or more public school academies
7 by a school district or intermediate school district does not
8 affect the ability of the school district or intermediate school
9 district to levy ad valorem property taxes or ~~any other~~ **another**
10 tax.

11 (9) A public school academy may acquire by purchase, gift,
12 devise, lease, sublease, installment purchase agreement, land
13 contract, option, or by any other means, hold and own in its own
14 name buildings and other property for school purposes, and
15 interests therein, and other real and personal property,
16 including, but not limited to, interests in property subject to
17 mortgages, security interests, or other liens, necessary or
18 convenient to fulfill its purposes. For the purposes of
19 condemnation, a public school academy may proceed under the
20 uniform condemnation procedures act, ~~Act No. 87 of the Public~~
21 ~~Acts of 1980, being sections 213.51 to 213.77 of the Michigan~~
22 ~~Compiled Laws 1980 PA 87, MCL 213.51 to 213.75,~~ excluding
23 sections 6 to 9 of that act, ~~being sections 213.56 to 213.59 of~~
24 ~~the Michigan Compiled Laws MCL 213.56 to 213.59,~~ or other
25 applicable statutes, but only with the express, written
26 permission of the authorizing body in each instance of
27 condemnation and only after just compensation has been determined

1 and paid.

2 Sec. 613. The intermediate school board shall meet annually
3 on or before the fourth Monday of ~~July and~~ **December or, if the**
4 **intermediate school district's regular election is in May, on or**
5 **before the fourth Monday of June. The intermediate school board**
6 shall organize by electing a president, a vice-president, a
7 secretary, and a treasurer. The president and vice-president
8 shall be members of the intermediate school board, but the
9 secretary and treasurer need not be. The officers shall perform
10 duties provided by law and prescribed by the policies and
11 regulations of the intermediate school board not inconsistent
12 with this part or other laws of the state. The treasurer shall
13 post with the secretary a bond in an amount approved by the
14 intermediate school board, conditioned upon the faithful
15 performance of the treasurer's duties.

16 Sec. 614. (1) Except as provided in section 615 **and subject**
17 **to section 642b of the Michigan election law, MCL 168.642b**, the
18 members of the intermediate school board shall be elected
19 biennially on the first Monday in June by a body composed of 1
20 member of the board of each constituent school district, who
21 shall be designated by the board of which that ~~person~~
22 **individual** is a member. The secretary shall send a notice by
23 certified mail of the hour and place of meeting to the secretary
24 of the board of each constituent **school** district at least 10 days
25 before the meeting. The president and secretary of the
26 intermediate school board shall act as chairperson and
27 secretary.

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

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

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

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

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

25 (5) A school elector may sign as many petitions as there are
26 vacancies to fill. Nominating petitions and an affidavit as
27 provided in section 558 of the Michigan election law, 1954

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

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

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

23 Sec. 616. (1) An intermediate school board may submit to
24 the school electors of the constituent districts comprising the
25 intermediate school district the question of adoption of sections
26 615 to 617. The question shall be in substantially the following
27 form:

1 "Shall sections 615 to 617 of the **revised** school code, ~~of~~
 2 ~~1976, as amended,~~ providing for the popular election of members
 3 of the intermediate school board, be effective within the
 4 constituent districts of _____ (name of intermediate school
 5 district)?

6 Yes ()

7 No ()".

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

20 (3) If a majority of the school electors votes in favor of
 21 popular election, members of the intermediate school board shall
 22 be elected at the next ~~annual~~ **regular school** election and
 23 biennially thereafter at the ~~annual~~ **regular** school elections of
 24 the constituent districts. ~~If a constituent district holds its~~
 25 ~~annual election on a date other than the second Monday in June,~~
 26 ~~an election for the purpose of choosing members of the~~
 27 ~~intermediate school board shall be held in that district on the~~

1 ~~second Monday in June.~~

2 (4) An intermediate school district ~~which~~ **that** adopts
3 sections 615 to 617 may ~~in the same manner~~ terminate the
4 popular election of members of the intermediate school board **in**
5 **the same manner.**

6 Sec. 617. (1) ~~Subject to subsection (4), in~~ **In** an
7 intermediate school district in which sections 615 to 617 are
8 effective, a candidate for the office of member of the
9 intermediate school board shall be nominated, ~~by filing~~
10 ~~nominating petitions and an affidavit~~ **and members shall be**
11 **elected,** as provided in ~~section 558~~ **chapter XIV** of the Michigan
12 election law, ~~1954 PA 116, MCL 168.558, with the secretary of~~
13 ~~the board of the intermediate school district before 4 p.m. of~~
14 ~~the ninth Monday before the election~~ **MCL 168.301 to 168.315.**

15 ~~(2) The nominating petitions shall be in the form provided~~
16 ~~in section 1066. Nominating petitions shall contain signatures~~
17 ~~of school electors who are registered to vote in the city or~~
18 ~~township in which they reside in a number as follows:~~

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

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

25 ~~—— (3) Each sheet of the nominating petition shall be circulated~~
26 ~~in 1 city or township only.~~

27 ~~—— (4) Instead of filing nominating petitions, a candidate for~~

~~1 election to the intermediate school board may pay a nonrefundable
2 filing fee of \$100.00 to the secretary of the intermediate school
3 board. If this fee is paid by the due date for nominating
4 petitions, the payment has the same effect under this section as
5 the filing of nominating petitions.~~

~~6 — (5) Within 14 days after the last date for filing, the
7 secretary of the intermediate school board shall certify the
8 names and addresses of those candidates whose petitions are found
9 to be sufficient to the secretaries of the boards of the
10 constituent school districts. The secretary of the intermediate
11 school board shall certify the number to be elected. The
12 secretary of the intermediate school board shall notify the
13 county clerk of the names and addresses of the candidates not
14 later than 3 days after the last day for candidate withdrawal.
15 However, if the third day is a Saturday, Sunday, or legal
16 holiday, the notice may be sent on the next day that is not a
17 Saturday, Sunday, or legal holiday.~~

~~18 — (6) The intermediate school board shall provide ballots for
19 the election of members of the intermediate school board and
20 distribute the ballots to the secretaries of each of the
21 constituent school districts not less than 20 days before the
22 annual school elections.~~

~~23 (2) —(7)— At the first election, 3 members of an intermediate
24 school board shall be elected for a term of 6 years, 2 for a term
25 of 4 years, and 2 for a term of 2 years. After the first
26 election, their successors shall be elected biennially for terms
27 of 6 years.~~

1 ~~(8) The intermediate school board of an intermediate school~~
2 ~~district adopting sections 615 to 617 shall fill a vacancy in the~~
3 ~~intermediate school board's membership by appointing a member to~~
4 ~~serve until the next biennial election, at which time a member~~
5 ~~shall be elected for the balance of the unexpired term.~~

6 Sec. 629. (1) An intermediate school board may borrow,
7 subject to the revised municipal finance act, 2001 PA 34,
8 MCL 141.2101 to 141.2821, sums of money on terms the intermediate
9 school board considers necessary for 1 or more of the following
10 purposes:

11 (a) For temporary purposes for which the intermediate school
12 board may give notes of the intermediate school district. The
13 intermediate school board shall not borrow a sum that exceeds the
14 amount that has been voted by the intermediate school board or
15 the school electors of the intermediate school district.

16 (b) To purchase sites for buildings; to purchase, erect,
17 complete, remodel, improve, furnish, refurnish, equip, or reequip
18 buildings and facilities the board is authorized to acquire,
19 including, but not limited to, general administrative,
20 vocational, or special education buildings or facilities, or
21 parts of those buildings or facilities, or additions to those
22 buildings or facilities, and prepare, develop, or improve sites
23 for those buildings or facilities; to purchase and install
24 information technology systems, together with the equipment and
25 software, as are necessary for programs conducted by the
26 intermediate school district under section 627(2); and to issue
27 and sell bonds of the intermediate school district in the form

1 and on the terms the board considers advisable.

2 (2) An intermediate school board shall not borrow money or
3 issue bonds for a sum that, together with the total outstanding
4 bonded indebtedness of the intermediate school district, exceeds
5 $1/9$ of 1% of the state equalized valuation of the taxable
6 property within the district, unless the question of borrowing
7 the money or issuing bonds is submitted first to a vote of the
8 school electors of the intermediate school district held under
9 ~~sections 661 and 662~~ **section 661** and approved by the majority
10 of the registered school electors voting on the question.

11 Regardless of the amount of outstanding bonded indebtedness of
12 the intermediate school district, a vote of the school electors
13 is not necessary in order to issue bonds for a purpose described
14 in section 1274a or to issue bonds under section 11i of the state
15 school aid act of 1979, 1979 PA 94, MCL 388.1611i. Money may be
16 borrowed and bonds may be issued for the purposes stated in this
17 section in an amount equal to that provided by part 17. For the
18 purposes of this subsection, bonds authorized by vote of the
19 school electors for special education facilities under part 30
20 and for area vocational-technical education facilities under
21 sections 681 to 690 and bonds issued under section 11i of the
22 state school aid act of 1979, ~~1979 PA 94,~~ MCL 388.1611i, shall
23 not be included in computing the total outstanding bonded
24 indebtedness of an intermediate school district.

25 (3) Not later than 30 days after receipt of notice that the
26 question of issuing bonds under this section to purchase and
27 install information technology systems as are necessary for a

1 cooperative program under section 627(2) will be submitted to the
2 school electors of the intermediate school district, the board of
3 a constituent school district by resolution may elect not to
4 participate in the cooperative program and not to conduct an
5 election on the question within the constituent school district.

6 Sec. 661. (1) ~~The~~ **Subject to the Michigan election law,**
7 **the** intermediate school board may submit questions to the
8 **intermediate** school electors of the intermediate school district
9 at ~~an annual~~ **a regular** or special **school** election held in each
10 of the constituent districts. A question shall not be submitted
11 to the intermediate school electors unless the question is within
12 the lawful authority of the **intermediate school** electors ~~of the~~
13 ~~intermediate school district~~ to decide.

14 (2) A person who is a school elector of a constituent
15 district of an intermediate school district and who is registered
16 in the city or township in which that person resides is an
17 **intermediate school** elector of that intermediate school
18 district.

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

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

1 code ~~of 1976~~ and establish an area vocational-technical education
 2 program which is designed to encourage the operation of area
 3 vocational-technical education programs if the annual property tax
 4 levied for this purpose is limited to _____ mills?

5 Yes ()

6 No ()".

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

11 (a) If the intermediate school district did not levy any
 12 millage in 1993 for area vocational-technical education program
 13 operating purposes under sections 681 to 690, the intermediate
 14 school board, with the approval of the intermediate school
 15 electors, may levy not more than 1 mill for those purposes.

16 (b) If the intermediate school district levied millage in
 17 1993 for area vocational-technical education program operating
 18 purposes under sections 681 to 690, the intermediate school
 19 board, with the approval of the intermediate school electors, may
 20 levy mills for those purposes at a rate not to exceed 1.5 times
 21 the number of mills authorized for those purposes in the
 22 intermediate school district in 1993. Approval of the
 23 intermediate school electors is not required for the levy under
 24 this subdivision of previously authorized mills until that
 25 authorization expires.

26 (5) An intermediate school district shall not hold more than
 27 2 elections in a calendar year concerning the authorization of a

1 millage rate for area vocational-technical education program
 2 operating purposes under sections 681 to 690.

3 Sec. 682. Subject to section 681(4), an intermediate school
 4 board operating under sections 681 to 690 may direct that the
 5 question of increasing the millage limit on the annual property
 6 tax levied for area vocational-technical education be submitted
 7 to the intermediate school electors of the intermediate school
 8 district. The election shall be called and conducted ~~under~~
 9 ~~sections 661 and 662~~ **in accordance with section 661**. The ballot
 10 shall be substantially in the following form:

11 "Shall the _____ mill limitation on the annual property
 12 tax previously approved by the electors of
 13 _____, state of Michigan,
 14 (legal name of intermediate school district)
 15 for the establishment and operation of area vocational-technical
 16 education programs be increased by _____ mills?

17 Yes ()

18 No ()".

19 Sec. 687. (1) An intermediate school board in which an area
 20 vocational-technical education program is established, by a
 21 majority vote of the intermediate school electors voting on the
 22 question at ~~an annual~~ **a regular school election** or at a special
 23 election called for that purpose, may borrow money and issue
 24 bonds of the intermediate school district subject to the revised
 25 municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, to
 26 defray all or part of the cost of purchasing, erecting,
 27 completing, remodeling, improving, furnishing, refurnishing,

1 equipping, or reequipping area vocational-technical buildings and
2 other facilities, or parts of buildings and other facilities or
3 additions to buildings and other facilities; acquiring,
4 preparing, developing, or improving sites, or parts of sites or
5 additions to sites, for area vocational-technical buildings and
6 other facilities; refunding all or part of existing bonded
7 indebtedness; or accomplishing a combination of the foregoing
8 purposes. An intermediate school district shall not issue bonds
9 under this part for an amount greater than 1.5% of the total
10 assessed valuation of the intermediate school district.

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

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

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

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

6 "Shall _____ (here state the legal name of the
7 intermediate school district designating the name of a district
8 of not less than 18,000 pupils or first class school district
9 that has elected not to come under this act as far as an area
10 vocational-technical education program is concerned) state of
11 Michigan, borrow the sum of not to exceed \$_____ and issue
12 its bonds therefor, for the purpose of _____?"

13 Yes ()

14 No ()".

15 Sec. 690. (1) A school district of not less than 18,000
16 pupils, a first class school district, or a school district
17 offering or making available to its pupils a comprehensive
18 vocational education program approved by the state board, may
19 elect not to come under an area vocational-technical education
20 program by resolution adopted by its board not later than 30 days
21 after receipt of notice that the question of establishing the
22 area vocational-technical education program will be submitted to
23 the school electors of the district.

24 (2) A school district electing not to come under the area
25 vocational-technical education program may thereafter elect to
26 come under the program if at a special or ~~annual~~ **regular school**
27 election a majority of the school electors voting approve the

1 operation of the area vocational-technical education program and
2 the annual tax rate for that purpose in effect in the other
3 constituent districts of the intermediate school district.

4 (3) Except as provided in this subsection, in an intermediate
5 school district where the school electors have voted upon and
6 failed to approve the ballot question set forth in section 681, a
7 combination of 2 or more contiguous constituent districts, by
8 resolution of their boards, may elect to establish an area
9 vocational-technical education program, if approved by resolution
10 of the intermediate district board and designated by the state
11 board. The requirement of contiguity of constituent districts
12 does not apply if 1 or more of the districts that constitute the
13 basis of contiguity declare their intent, by board resolution,
14 not to be part of the proposed area vocational-technical
15 education program. At any time within 6 months after the
16 enactment of the resolution establishing the program in a local
17 school district, school electors equal in number to not less than
18 5% of the votes cast in the most recent school election may
19 petition their local school district board to submit the
20 resolution to the electorate, in a form and manner to be
21 prescribed by the state board, and the district's participation
22 in the program shall be terminated if not approved by a majority
23 of the school electors voting on the question.

24 (4) Area vocational-technical education programs established
25 ~~pursuant to~~ **under** this section shall receive ~~any~~ appropriate
26 state funding or ~~any~~ federal funding allocated by the state
27 board on exactly the same basis as area vocational-technical

1 education programs and centers established by intermediate school
 2 districts. Constituent districts establishing an approved area
 3 vocational-technical education program ~~pursuant to~~ **under** this
 4 section may designate, by board resolution, specific amounts of
 5 either authorized operating millage or operating millage being
 6 requested from the school electors to be utilized solely for the
 7 area vocational-technical education program, in a manner to be
 8 prescribed by the state board, and the specified amount of
 9 millage shall be regarded as area vocational-technical education
 10 millage rather than local school district operating millage in
 11 all computations made by the state board to determine state aid.
 12 The revenue obtained from the millage designated, together with
 13 appropriate state and federal funds, may be expended for the same
 14 purposes specified for intermediate district programs in sections
 15 684 and 685, including contracts with the intermediate school
 16 district, another local school district, or a community college
 17 for area vocational-technical education programs, facilities, and
 18 services. ~~When~~ **If** constituent districts establish area
 19 vocational-technical education programs ~~pursuant to~~ **under** this
 20 section, buildings, sites, and equipment may be jointly acquired,
 21 owned, or leased.

22 (5) A contiguous school district desiring to become part of
 23 an area vocational-technical education program established
 24 ~~pursuant to~~ **under** this section may do so with the approval of
 25 each participating school district, the intermediate school
 26 district, and the state board. Constituent districts operating
 27 an approved area vocational-technical education program ~~pursuant~~

1 ~~to~~ **under** this section may subsequently elect not to participate,
2 or may thereafter elect to participate, in an intermediate school
3 district vocational-technical education program in exactly the
4 same manner prescribed in this section for school districts of
5 not less than 18,000 pupils, a first class school district, or a
6 school district offering or making available to its pupils a
7 comprehensive vocational education program approved by the state
8 board.

9 Sec. 701. (1) Two or more adjoining intermediate school
10 districts may combine to form a single intermediate school
11 district when the reorganization is approved by a majority of the
12 electors of each intermediate school district voting on the
13 question in the ~~annual~~ **regular school** elections of the
14 constituent districts.

15 (2) The question of combining intermediate school districts
16 may be submitted by a resolution of the intermediate school
17 boards meeting in joint session.

18 (3) The question shall be submitted ~~when~~ **if** petitions
19 signed by a number of school electors of each intermediate school
20 district equal to not less than 5% of the number of pupil
21 memberships on the latest pupil membership count day of the
22 combined constituent districts of the intermediate school
23 district are filed with the secretary of 1 of the intermediate
24 school boards. Within 30 days after receiving sufficient
25 petitions, the secretary shall apply for approval to the ~~state~~
26 ~~board~~ **superintendent of public instruction**. The secretary shall
27 cause the question to be submitted **in accordance with section 661**

1 at the next ~~annual~~ **regular** school election after the ~~state~~
 2 ~~board~~ **superintendent of public instruction** approves the merger.

3 (4) The ballots ~~shall be furnished by each intermediate~~
 4 ~~school board for its constituent districts and~~ **for a ballot**
 5 **question under this section** shall be in substantially the
 6 following form:

7 "Shall the following intermediate school districts be
 8 organized as a single intermediate school district?

9 (List names of intermediate school districts)

10 Yes ()

11 No ()".

12 (5) If the consolidation is approved by a majority of the
 13 school electors voting on the question in each of the
 14 participating intermediate school districts, the reorganization
 15 ~~shall become~~ **is** effective in the combined intermediate school
 16 districts 30 days after the ~~annual~~ **regular school** election at
 17 which the question is submitted. The reorganized intermediate
 18 school district ~~shall be~~ **is** a single intermediate school
 19 district subject to this part.

20 (6) The members of the intermediate school boards of the
 21 original intermediate school districts shall act as an interim
 22 board until a board of the combined intermediate school district
 23 is elected. The interim board ~~shall possess~~ **has** all the powers
 24 and duties of an intermediate school board under this part. The
 25 person chosen by the interim intermediate school board as
 26 intermediate superintendent shall serve only until a successor is
 27 chosen by the elected intermediate school board. The secretary

1 of the intermediate school board having the largest number of
2 pupils in membership in its combined constituent districts at the
3 time of reorganization shall call a meeting of the members of the
4 interim intermediate school board for the purpose of organization
5 within 15 days after the effective date of the reorganization.
6 The secretary of the interim intermediate school board shall
7 provide for the election of a board of the reorganized
8 intermediate school district under ~~section 617~~ **chapter XIV of**
9 **the Michigan election law, MCL 168.301 to 168.315.** At the first
10 election there shall be elected 3 members of a board for 6 years,
11 2 for 4 years, and 2 for 2 years. Their successors shall be
12 elected biennially ~~on the first Monday of June~~ for terms of 6
13 years. ~~The time from the date of election to the next July 1~~
14 ~~shall be considered 1 year.~~

15 (7) The reorganized intermediate school district shall
16 operate as a single intermediate school district from the
17 effective date of the reorganization. Within 10 days after the
18 reorganization, all accounts of the reorganized intermediate
19 school districts shall be audited in the manner established by
20 the interim intermediate school board. The contracts of the
21 intermediate superintendents in force on the effective date of
22 reorganization ~~shall~~ continue in effect ~~to~~ **until the** time of
23 their termination except as to position as intermediate
24 superintendents.

25 (8) If, ~~prior to~~ **before** reorganization of the intermediate
26 school districts each of the combining intermediate school
27 districts adopted special education programs by referendum

1 ~~pursuant to~~ **as provided in** part 30 and approved the same annual
2 property tax rates for the education of handicapped persons, the
3 special education programs and the annual property tax rates
4 shall continue in effect in the reorganized intermediate school
5 district.

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

24 (2) Within 10 days after the election, each constituent
25 district secretary shall file the result with the secretary of
26 the intermediate school ~~district~~ **board**, and 5 days later the
27 intermediate school board secretary shall file the election

1 result with the secretary of the **intermediate school** board of the
 2 annexing intermediate school district. Within 15 days after the
 3 annexation election the intermediate school board of the annexed
 4 intermediate school district shall account to the intermediate
 5 school board of the annexing intermediate school district for the
 6 ~~funds~~ **money** and property in its hands and shall turn over the
 7 ~~same~~ **money and property** to that **intermediate school** board.
 8 Property and money belonging to the annexed intermediate school
 9 district ~~shall become~~ **becomes** the property of the annexing
 10 intermediate school district. The outstanding indebtedness of
 11 the annexed intermediate school district ~~shall become~~ **becomes**
 12 the liability of the annexing intermediate school district. Upon
 13 receipt of the ~~funds~~ **money** and property, the members of the
 14 annexed intermediate school board shall be released from
 15 liability ~~therefor~~ **for the money and property** and their offices
 16 terminated.

17 (3) The annexation is effective on the latest date on which
 18 the election was held in a constituent district of the annexed
 19 intermediate school district. The secretary of the intermediate
 20 school board of the annexing intermediate school district shall
 21 give written notice of the annexation to the ~~state board~~
 22 **superintendent of public instruction** within 15 days after the
 23 annexation election. Within 30 days after annexation, the board
 24 of the annexing intermediate school district shall appoint 2
 25 school electors of the annexed intermediate school district to
 26 membership on the intermediate school board of the reorganized
 27 intermediate school district, who shall serve until **January 1 or,**

1 if the intermediate school district's regular school election is
2 held in May, until July 1 after the next ~~biennial~~ intermediate
3 school district election. Notification of the appointments shall
4 be filed with the ~~state board~~ superintendent of public
5 instruction. If the appointments are not made within the 30
6 days, the ~~state board~~ superintendent of public instruction
7 shall make the appointments. At the next ~~biennial~~ intermediate
8 school district election, members of the intermediate school
9 board shall be elected in the number and for the terms required
10 in section 701. The terms of the members of the intermediate
11 school board whose terms have not expired shall determine the
12 terms of the additional members to be elected.

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

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

1 attachment to a contiguous intermediate school district.

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

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

19 (5) If the intermediate school board of each affected
20 intermediate school district approves the plan for
21 disorganization, the intermediate school board of the
22 intermediate school district to be dissolved shall refer the
23 matter to the ~~state board~~ **superintendent of public instruction**
24 for approval. The action of the ~~state board~~ **superintendent of**
25 **public instruction** declaring the intermediate school district
26 dissolved ~~shall be~~ **is** final. Disorganization of the
27 intermediate school district and attachment of its constituent

1 districts to contiguous intermediate school districts ~~shall be~~
2 ~~effective~~ **takes effect** on July 1 after the date of the approval
3 of the ~~state board~~ **superintendent of public instruction.**

4 (6) The intermediate school boards of the intermediate school
5 districts to which territory is attached by dissolution shall
6 meet jointly, sitting as a single board, and make an equitable
7 distribution of the money, property, and other assets belonging
8 to the disorganized **intermediate school** district among the
9 intermediate school districts affected. The territory of
10 constituent districts transferred to other intermediate school
11 districts by dissolution shall be subject to all taxes levied for
12 purposes of the intermediate school district to which
13 transferred, including taxes for the retirement of bonded
14 indebtedness, special education programs, and area
15 vocational-technical education programs.

16 (7) Within 30 days after a district attaches to a contiguous
17 intermediate school district under this section, the board of the
18 intermediate school district whose boundaries have been enlarged
19 by the dissolution may appoint 2 school electors of constituent
20 districts, 1 of whom shall be an elector of the attached
21 district, to membership on the intermediate school board.
22 Intermediate school board members appointed ~~pursuant to~~ **under**
23 this subsection ~~shall~~ serve until **January 1 or, if the**
24 **intermediate school district's regular school election is held in**
25 **May, until** July 1 after the next ~~biennial~~ **intermediate school**
26 **district** election. The intermediate school board may determine 1
27 initial term of less than 6 years for 1 of the additional members

1 to be elected at the ~~biennial~~ **intermediate school district**
2 election. Notification of an appointment shall be filed with the
3 ~~state board~~ **superintendent of public instruction.**

4 Sec. 705. (1) Beginning in 1997, and **in** each year after
5 1997, a regional enhancement property tax may be levied by an
6 intermediate school district at a rate not to exceed 3 mills to
7 enhance other state and local funding for local school district
8 operations if approved by a majority of the intermediate school
9 electors voting on the question.

10 (2) If a resolution requesting that the question of a
11 regional enhancement property tax be submitted to the voters is
12 adopted within a 180-day period and transmitted to the
13 intermediate school board by 1 or more boards of its constituent
14 school districts representing a majority of the combined
15 membership of the constituent school districts as of the most
16 recent pupil membership count day and if those resolutions all
17 contain an identical specified number of mills to be levied under
18 this section and an identical specified number of years for which
19 the tax shall be levied, the question of levying a regional
20 enhancement property tax by the intermediate school district
21 shall be placed on the ballot by the intermediate school district
22 at the next ~~annual~~ **regular** school election held in each of the
23 constituent districts. ~~However, if the question is to be~~
24 ~~submitted at an annual school election and a constituent district~~
25 ~~does not hold its annual election on the second Monday in June,~~
26 ~~the intermediate school board shall call a special election in~~
27 ~~that constituent district to be held on the same day as the~~

1 ~~annual school election.~~ If the question is to be submitted to
2 the intermediate school electors of an intermediate school
3 district having a population of more than 1,400,000, the
4 intermediate school board shall call a special election to be
5 held at the next state primary or general election. ~~However,~~
6 ~~if~~ **If** the resolution requirement is met more than 180 days
7 before the next ~~annual~~ **regular** school district elections, ~~to~~
8 ~~be held on the second Monday in June,~~ and if requested in the
9 resolutions, the intermediate school board shall submit the
10 question of levying a regional enhancement property tax within
11 the intermediate school district on the ballot at a special
12 election ~~under section 662~~ called by the intermediate school
13 board for that purpose not earlier than 90 days ~~or later than~~
14 ~~120 days~~ after the resolution requirements are met.

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

26 (4) Regional enhancement property tax under this section may
27 be levied for a term not to exceed 20 years, as specified in the

1 ballot question, and may be renewed for the same term with the
 2 approval of a majority of the intermediate school electors voting
 3 on the question.

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

7 Sec. 856. (1) If the intermediate superintendent of schools
 8 is presented with petitions signed by school electors in each
 9 **school** district ~~to the number of not less than 50% of the number~~
 10 ~~of registered general electors residing in each primary school~~
 11 ~~district as of the date the intermediate superintendent releases~~
 12 ~~petitions, and by school electors of not less than~~ **in a number**
 13 **at least equal to** 5% of the number of ~~registered general~~ **school**
 14 electors residing in ~~other school districts~~ **each school**
 15 **district**, the intermediate superintendent shall cause the
 16 question of consolidation to be submitted to the vote of the
 17 school electors of the school districts at **the next regular**
 18 **school election or** a special election. ~~called to be held within~~
 19 ~~90 days after the receipt of the petitions.~~

20 ~~—— (2) The special election shall be held on a date approved by~~
 21 ~~the county election scheduling committee under section 639 of Act~~
 22 ~~No. 116 of the Public Acts of 1954, as amended, being section~~
 23 ~~168.639 of the Michigan Compiled Laws.~~

24 (2) ~~(3)~~ Petitions ~~shall~~ **are** not ~~be~~ required in a school
 25 district operating 12 grades if a resolution adopted by the board
 26 of the **school** district requesting consolidation of school
 27 districts has been filed with the intermediate superintendent.

1 ~~(4) Each city and township clerk shall certify to the~~
2 ~~intermediate superintendent the number of registered general~~
3 ~~electors residing in a school district upon request of the~~
4 ~~intermediate superintendent.~~

5 Sec. 857. (1) The question of establishing a consolidated
6 school district shall be submitted to the school electors at a
7 **regular school election or at** a special election held for that
8 purpose. In voting to form the consolidated school district, a
9 school district operating 12 grades shall vote separately as a
10 unit. The remaining school districts to be included in the
11 consolidation shall vote together as a unit.

12 ~~(2) The local board shall conduct the election in each~~
13 ~~school district operating 12 grades. The intermediate school~~
14 ~~board, the intermediate superintendent of which called the~~
15 ~~election, shall conduct the election for the other school~~
16 ~~districts voting together as a unit.~~

17 (2) ~~-(3)-~~ The elections shall be held on the same day and
18 during the same hours. ~~Each school district shall vote as~~
19 ~~provided in part 12.~~

20 Sec. 858. ~~-(1) The intermediate superintendent shall give~~
21 ~~notice of the last day of registration and notice of the date,~~
22 ~~place, the propositions to be submitted, and the hours the polls~~
23 ~~will be open for the special election to the school electors of~~
24 ~~the districts operating less than 12 grades in the manner and at~~
25 ~~the times prescribed by sections 1002 and 1058.-(2) The~~
26 intermediate superintendent shall give written notice to the
27 secretary of the board of each affected school district

1 ~~operating 12 grades of the day and hours for holding the special~~
 2 ~~election. Each secretary shall give the statutory notice of the~~
 3 ~~day, place or places, and the hours for holding the election and~~
 4 ~~of the last day of registration. The intermediate superintendent~~
 5 ~~shall notify the secretary of the board of each school district~~
 6 of the date of the consolidation election at least 60 days before
 7 the election.

8 Sec. 859. (1) The ~~proposition~~ **ballot question** shall be in
 9 substantially the following form:

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

12 (Names of school districts to be consolidated to be listed
 13 here)

14 Yes ()

15 No ()".

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

21 ~~—— (3) The secretary of the board of each school district~~
 22 ~~operating 12 grades shall provide printed ballots for the~~
 23 ~~election and supply all election materials necessary for the~~
 24 ~~election. The board of each school district operating 12 grades~~
 25 ~~shall appoint the necessary members to the board of election~~
 26 ~~inspectors as determined under section 1059.~~

27 ~~—— (4) The members of the intermediate school board shall act as~~

~~1 the board of election inspectors for the election held in school
2 districts operating less than 12 grades. The intermediate board
3 may appoint additional persons to a board of election
4 inspectors. If more than 1 place for holding the election is
5 designated by the intermediate superintendent, the members of the
6 intermediate school board shall be apportioned by the
7 intermediate superintendent to the boards of election
8 inspectors. If a member of the intermediate school board or
9 other person appointed to a board of election inspectors is
10 unable to be present at the election or is required to leave
11 during the hours the polls are open, the remaining members of the
12 board of election inspectors may appoint another person to fill
13 the vacancy.~~

~~14 — (5) Each member of a board of election inspectors shall take
15 the constitutional oath of office before entering on the duties
16 of an election inspector.~~

~~17 (2) —(6) The affirmative vote of a majority of the school
18 electors voting on the question in each of the election units is
19 necessary to effect the consolidation of the school districts.
20 The consolidation is effective as of the date of the official
21 canvass.~~

~~22 (3) —(7) The members of the intermediate school board and
23 other election inspectors acting in the election unit of a school
24 district operating less than 12 grades shall receive the same
25 compensation for conducting the election as is authorized for
26 election inspectors in a general election under the Michigan
27 election law, 1954 PA 116, MCL 168.1 to 168.992. If the~~

1 consolidation becomes effective, expenses incurred for the
 2 election in each election unit shall be certified to the board of
 3 the consolidated school district. The school board **of the**
 4 **consolidated school district** shall pay election ~~costs~~
 5 **reimbursements** from the funds of the consolidated school
 6 district. If the proposition to consolidate is not approved, the
 7 intermediate school board shall determine the expenses of the
 8 election held in the election unit operating less than 12 grades
 9 and apportion the ~~expenses~~ **required reimbursements** equally
 10 among the school districts of the election unit. Each school
 11 board of the election unit shall pay the apportionment to the
 12 ~~intermediate school board~~ **local unit of government that**
 13 **conducted the election.**

14 Sec. 860. (1) If the petitions filed with an intermediate
 15 superintendent under section 853 request submission of the
 16 question of assuming the bonded indebtedness of 1 or more of the
 17 school districts proposing consolidation, or the question of
 18 increasing the constitutional limitation on taxes of the
 19 consolidated school district for operating purposes to the school
 20 electors at the consolidation election, the intermediate
 21 superintendent shall include the question or questions in the
 22 notice of the election ~~propositions~~ **ballot questions** filed with
 23 each of the election units. ~~under section 857.~~

24 (2) A request for including assumption by the consolidated
 25 school district of the bonded indebtedness of 1 or more of the
 26 districts proposing consolidation shall be stated on the petition
 27 after the names of the school districts to be consolidated in

1 substantially the following form:

2 "We petition that the question of assumption and payment by
3 the proposed consolidated school district of the bonded
4 indebtedness of _____ be submitted to
5 the

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

9 "We petition that the question of increasing the
10 constitutional limitation on taxes which may be assessed against
11 all property in the proposed consolidated school district by
12 _____ mills for a period of _____ years, ~~19___ to 19___~~ ___ to
13 ___, inclusive, for operating purposes, be submitted to the
14 electors at the same election with the question of consolidating
15 the above listed districts".

16 (3) If the school electors approve the consolidation of
17 school districts and the assumption of the bonded indebtedness of
18 an original district, the consolidated school district shall
19 assume the obligation of the bonded indebtedness. The
20 consolidated school district shall pay the bonded indebtedness by
21 spreading debt retirement taxes uniformly over the territory of
22 the consolidated district. Section 864 ~~shall apply~~ **applies** to
23 the debt retirement tax levies, the continuing obligations of the
24 original school districts, and the rights and remedies of a
25 bondholder.

26 Sec. 861. ~~(1)~~ Within 10 days after the date of the
27 official canvass of the consolidation election, the intermediate

1 school board of the intermediate school district containing the
2 territory of the consolidated school district shall appoint
3 school electors of the **school** district in the number required by
4 the classification of the school district to act as a board for
5 the **school** district. If a consolidated school district includes
6 territory in more than 1 intermediate school district, the
7 appointment shall be made by the intermediate school board of
8 each intermediate school district acting jointly as a single
9 board. Within 7 days after appointment, each member shall file
10 with the intermediate superintendent an acceptance of the office,
11 accompanied by a written affidavit setting forth the fact of
12 eligibility ~~as provided in section 1102~~ **for office.** ~~Except as~~
13 ~~otherwise provided in subsection (2), each~~ **Each** appointed board
14 member shall hold office until ~~June thirtieth~~ **January 1, or, if**
15 **the consolidated school district's regular election is in May,**
16 **until July 1,** next following appointment. A new board shall be
17 elected at the first ~~annual~~ **regular school** election held after
18 the effective date of consolidation in the manner prescribed ~~in~~
19 ~~part 3 or part 4~~ **by law** for the election of a first board.

20 ~~(2) If the effective date of the consolidation is between~~
21 ~~the thirtieth day prior to the annual election and December 31,~~
22 ~~the board appointed by the intermediate school board at its first~~
23 ~~meeting shall call a district election to be held within 45 days~~
24 ~~after the day of the meeting. At the election, a board of the~~
25 ~~requisite number of members shall be elected for terms required~~
26 ~~for the election of a first board in section 111 or section 211.~~
27 ~~The election shall be in lieu of the first annual election, and~~

1 ~~the first year of each term of office shall extend until July 1~~
2 ~~following the next succeeding annual election. The board shall~~
3 ~~hold its first meeting and elect officers as provided in section~~
4 ~~114 or section 231.~~

5 Sec. 931. (1) An intermediate school board may divide a
6 constituent district ~~which~~ **that** has no bonded indebtedness and
7 attach the parts thereof to 2 or more operating school districts
8 if requested to do so by resolution of the board of the school
9 district to be divided, or if petitioned by not less than 5% of
10 the registered school electors residing in the district on the
11 date the petition is received, and if the school electors of the
12 **school** district, voting on the question at ~~an annual~~ **a regular**
13 or special **school** election, approve the division.

14 (2) The city or township clerk shall certify to the
15 intermediate superintendent the number of registered school
16 electors residing in a school district when requested by the
17 intermediate superintendent.

18 (3) The resolution of the board of the school district to be
19 divided or the petition of the registered school electors
20 residing in the district may specify the effective date of the
21 division of the school district, which date shall not be later
22 than the end of the fiscal year in which the election takes
23 place.

24 (4) The resolution of the intermediate school board to which
25 the school district to be divided is constituent shall clearly
26 describe the division. The description of the division shall be
27 based on the resolution of the board of the school district to be

1 divided or on the petition of the school electors.

2 Sec. 932. (1) The ~~secretary of the~~ board of the school
3 district to be divided shall call an election at which the
4 question of the division of the school district shall be
5 submitted to the school electors. Vote on the ~~proposition~~
6 **ballot question** shall be by ballot in the form determined by the
7 intermediate school board and shall clearly describe the
8 division. Before an election is held, the ~~state board~~
9 **superintendent of public instruction** shall approve the proposed
10 division and the attachment of the parts to existing operating
11 school districts. The election in the school district to be
12 divided shall be held not later than ~~60 days~~ **the next available**
13 **day for a regular school election or special school election**
14 following the date of approval by the ~~state board~~
15 **superintendent of public instruction.**

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

19 (3) Territory attached to an existing operating school
20 district shall be a part of that **school** district for all
21 purposes, including the levy of all taxes ~~which~~ the **school**
22 district to which the territory is attached ~~has the authority~~
23 **is authorized** to levy.

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

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

9 (6) If the effective date is determined by the resolution of
10 the board or by the petition of the school electors under section
11 931, the intermediate school board shall declare the school
12 district divided on that date.

13 Sec. 945. Upon receipt of an order transmitted ~~pursuant~~
14 ~~to~~ **as prescribed by** section 944 and approving the division of
15 the school district, the board of the school district to be
16 annexed, divided, and transferred shall provide by resolution for
17 the election on the question of annexing, dividing, and
18 transferring the school district. ~~—, which—~~ **The** election shall be
19 conducted and canvassed in the dividing district ~~pursuant to~~
20 ~~parts 12 and 13~~ **as provided in the Michigan election law.** The
21 question to be submitted to the electors shall be whether the
22 territory of the dividing school district shall be annexed and
23 transferred in the manner specified in the resolution of the
24 dividing school district.

25 **Sec. 1206. (1) The Michigan election law governs election**
26 **procedures for a school district, local act school district, or**
27 **intermediate school district regular school election or special**

1 school election.

2 (2) A school district, local act school district, or
3 intermediate school district regular school election or special
4 school election shall be administered and conducted as provided
5 in chapter XIV of the Michigan election law, MCL 168.301 to
6 168.315. A school district, local act school district, or
7 intermediate school district may use general operating funds to
8 reimburse units of local government involved in administering and
9 conducting a regular school election or special school election
10 for the school district, local act school district, or
11 intermediate school district, as required under the Michigan
12 election law.

13 Sec. 1212. (1) If approved by the school electors of the
14 school district, the board of a school district may levy a tax of
15 not to exceed 5 mills on the state equalized valuation of the
16 school district each year for a period of not to exceed 20 years,
17 for the purpose of creating a sinking fund to be used for the
18 purchase of real estate for sites for, and the construction or
19 repair of, school buildings. The sinking fund tax levy is
20 subject to the 15 mill tax limitation provisions of section 6 of
21 article IX of the state constitution of 1963 and the property tax
22 limitation act, ~~Act No. 62 of the Public Acts of 1933, as~~
23 ~~amended, being sections 211.201 to 211.217a of the Michigan~~
24 ~~Compiled Laws 1933 PA 62, MCL 211.201 to 211.217a.~~ A school
25 district that levies a sinking fund tax under this section shall
26 have an independent audit of its sinking fund conducted annually,
27 including a review of the uses of the sinking fund, and shall

1 submit the audit report to the department of treasury. If the
 2 department of treasury determines from the audit report that the
 3 sinking fund has been used for a purpose other than those
 4 authorized for the sinking fund under this section, the school
 5 district shall repay the misused funds to the sinking fund from
 6 the school district's operating funds and shall not levy a
 7 sinking fund tax under this section after the date the department
 8 of treasury makes that determination.

9 (2) The proposition of levying a sinking fund tax shall be
 10 submitted to the school electors of the school district at ~~an~~
 11 ~~annual~~ **a regular** or special ~~meeting or~~ **school** election.

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

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

20 Yes ()

21 No ()".

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

26 Sec. 1216. Except as provided in the revised municipal
 27 finance act, 2001 PA 34, MCL 141.2101 to 141.2821, money raised

1 by tax shall not be used for a purpose other than that for which
2 it was raised without the consent of a majority of the school
3 electors of the district voting on the question at ~~an annual or~~
4 ~~special meeting or~~ **a regular or special school** election.

5 Sec. 1351. (1) Until May 1, 1994, a school district may
6 borrow money and issue bonds of the district to defray all or a
7 part of the cost of purchasing, erecting, completing, remodeling,
8 improving, furnishing, refurnishing, equipping, or reequipping
9 school buildings, including library buildings, structures,
10 athletic fields, playgrounds, or other facilities, or parts of or
11 additions to those facilities; acquiring, preparing, developing,
12 or improving sites, or parts of or additions to sites, for school
13 buildings, including library buildings, structures, athletic
14 fields, playgrounds, or other facilities; purchasing school
15 buses; participating in the administrative costs of an urban
16 renewal program through which the school district desires to
17 acquire a site or addition to a site for school purposes;
18 refunding all or part of existing bonded indebtedness; or
19 accomplishing a combination of the purposes set forth in this
20 subsection. In addition, until December 31, 1991 a school
21 district may borrow money and issue bonds to defray all or part
22 of the cost of purchasing textbooks.

23 (2) Except as otherwise provided in this subsection, a school
24 district shall not borrow money or issue bonds for a sum that,
25 together with the total outstanding bonded indebtedness of the
26 district, exceeds 5% of the state equalized valuation of the
27 taxable property within the district, unless the proposition of

1 borrowing the money or issuing the bonds is submitted to a vote
2 of the school electors of the district at ~~an annual or special~~
3 **a regular or special school** election and approved by the majority
4 of the school electors voting on the question. Regardless of the
5 amount of outstanding bonded indebtedness of the school district,
6 a vote of the school electors is not necessary in order to issue
7 bonds for a purpose described in section 1274a or to issue bonds
8 under section 11i of the state school aid act of 1979, ~~1979~~
9 ~~PA 94,~~ MCL 388.1611i. For the purposes of this subsection,
10 bonds issued under section 11i of the state school aid act of
11 1979, ~~1979 PA 94,~~ MCL 388.1611i, shall not be included in
12 computing the total outstanding bonded indebtedness of a school
13 district.

14 (3) A school district shall not issue bonds under this part
15 for an amount greater than 15% of the total assessed valuation of
16 the district, except as provided in section 1356. A bond
17 qualified under section 16 of article IX of the state
18 constitution of 1963 and implementing legislation shall not be
19 included for purposes of calculating the 15% limitation. Bonds
20 issued under this part are subject to the revised municipal
21 finance act, 2001 PA 34, MCL 141.2101 to 141.2821, except that
22 bonds issued for a purpose described in section 1274a may be sold
23 at a public or publicly negotiated sale at the time or times, at
24 the price or prices, and at a discount as determined by the board
25 of the school district.

26 (4) Bonds or notes issued by a school district or
27 intermediate school district under this part or section 442, 629,

1 or 1274a shall be full faith and credit tax limited obligations
2 of the district pledging the general funds, voted and allocated
3 tax levies, or any other money available for such a purpose and
4 shall not allow or provide for the levy of additional millage for
5 payment of the bond or note without a vote of the qualified
6 electorate of the district.

7 Sec. 1361. (1) School district elections upon the issuance
8 of bonds shall be held and conducted ~~as elections in~~
9 ~~registration districts~~ in accordance with ~~part 13~~ **this act and**
10 **chapter XIV of the Michigan election law, MCL 168.301 to 168.315.**
11 Members of the **school** board ~~of education~~ shall not serve on a
12 board of election inspectors.

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

15 "Shall,
16 (here state the legal name of the school district)
17 county/or counties of and state of
18 Michigan, borrow the sum of not to exceed
19 dollars (\$.....) and issue its bonds therefor,
20 for the purpose of?"

21 Yes ()
22 No ()".

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

25 Sec. 1451. (1) A school district, ~~other than a primary~~
26 ~~school district,~~ by a majority vote of the school electors at
27 ~~an annual~~ **a regular** or special **school** election, may establish a

1 public library.

2 (2) The school electors of a school district in which a
3 library is established may vote a district tax for the support of
4 the public library at ~~an annual~~ **a regular** or special **school**
5 election of the district. The board of the school district may
6 vote a tax for the maintenance and support of the public
7 library.

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

11 (4) The millage allowed under this section may be levied
12 without a vote of the school electors of the school district
13 until the millage authorization expires. The rate of a tax
14 authorized or voted under this section shall not exceed the
15 number of mills levied by the school district under this section
16 in 1993 that were not included in the operating millage reported
17 by the school district to the department as of April 1, 1993 or
18 the number of mills levied by the school district under this
19 section in 1993 that the school district does not want considered
20 as operating millage reported by the school district as of April
21 1, 1994, whichever is greater.

22 (5) The board of a school district shall not hold an election
23 to levy mills under this section after December 31, 1993.

24 Sec. 1722. (1) The question of adopting sections 1722 to
25 1729 may be submitted to the school electors of an intermediate
26 school district at ~~an annual~~ **a regular school** election or at a
27 special election held in each of the constituent districts.

1 Sections 1722 to 1729 shall be effective if approved by a
 2 majority of the school electors of an intermediate school
 3 district voting at an election called and conducted under
 4 ~~sections~~ **section** 661. ~~and 662.~~

5 (2) Sections 1722 to 1729 shall continue in effect in an
 6 intermediate school district reorganized ~~pursuant to~~ **under**
 7 section 701.

8 Sec. 1724. Subject to section 1724a, an intermediate school
 9 board operating under sections 1722 to 1729 may direct that the
 10 question of increasing the millage limit on the annual property
 11 tax levied for special education be submitted to the school
 12 electors of the intermediate school district. The election shall
 13 be called and held in the manner provided in ~~sections 661 and~~
 14 ~~662~~ **section 661**. The ballot shall be substantially in the
 15 following form:

16 "Shall the _____ mill limitation on the
 17 annual property tax previously approved by the electors of the
 18 _____, state of
 19 (legal name of the intermediate school district)
 20 Michigan, for the education of handicapped persons be increased by
 21 _____ mills?

22 Yes ()

23 No ()".

24 Enacting section 1. The following sections and parts of the
 25 revised school code, 1976 PA 451, MCL 380.1 to 380.1852, are
 26 repealed effective January 1, 2005:

1 (a) Section 662, MCL 380.662.

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

3 Enacting section 2. This amendatory act takes effect
4 January 1, 2005.

5 Enacting section 3. This amendatory act does not take
6 effect unless all of the following bills of the 92nd Legislature
7 are enacted into law:

8 (a) Senate Bill No. _____ or House Bill No. 4821
9 (request no. 01919'03 *).

10 (b) Senate Bill No. _____ or House Bill No. 4824
11 (request no. 01920'03 *).

12 (c) Senate Bill No. _____ or House Bill No. 4828
13 (request no. 01921'03 *).