

# SENATE BILL No. 438

May 1, 2001, Introduced by Senators STEIL, HAMMERSTROM, BENNETT, MC MANUS, SHUGARS and SIKKEMA and referred to the Committee on Government Operations.

A bill to amend 1976 PA 451, entitled  
"The revised school code,"  
by amending sections 4, 5, 6, 11a, 503, 613, 616, 617, 661, 681, 687, 690, 701, 702, 703, 705, 856, 857, 858, 859, 860, 861, 931, 932, 945, 1212, 1216, 1351, 1361, 1451, 1722, and 1732  
(MCL 380.4, 380.5, 380.6, 380.11a, 380.503, 380.613, 380.616, 380.617, 380.661, 380.681, 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 380.1732), section 5 as amended by 1999 PA 23, sections 6, 503, 687, and 690 as amended and section 11a as added by 1995 PA 289, section 617 as amended by 1989 PA 268, sections 681, 705, and 1451 as amended by 1994 PA 258, section 703 as amended by 1981 PA 87, sections 857 and 858 as amended by 1992 PA 263, section 945 as added by 1984

PA 154, section 1212 as amended by 1993 PA 312, section 1216 as amended by 1992 PA 236, and section 1351 as amended by 1997 PA 152, and by adding sections 629a, 1206, and 1351c; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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

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

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

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

13       (5) "Intermediate school district election" means an elec-  
14 tion called by an intermediate school board and held on the date  
15 of the ~~annual~~ REGULAR school elections of constituent districts  
16 or on a date determined by the intermediate school board under  
17 ~~sections~~ SECTION 661. ~~and 662.~~

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

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

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

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

11       (3) "MICHIGAN ELECTION LAW" MEANS THE MICHIGAN ELECTION LAW,  
12 1954 PA 116, MCL 168.1 TO 168.992.

13       (4) ~~(3)~~ "Nonpublic school" means a private, denomination-  
14 al, or parochial school.

15       (5) ~~(4)~~ "Objectives" means measurable pupil academic  
16 skills and knowledge.

17       (6) ~~(5)~~ "Public school" means a public elementary or sec-  
18 ondary educational entity or agency that is established under  
19 this act, has as its primary mission the teaching and learning of  
20 academic and vocational-technical skills and knowledge, and is  
21 operated by a school district, local act school district, special  
22 act school district, intermediate school district, public school  
23 academy corporation, strict discipline academy corporation, or by  
24 the department or state board. Public school also includes a  
25 laboratory school or other elementary or secondary school that is  
26 controlled and operated by a state public university described in

1 section 4, 5, or 6 of article VIII of the state constitution of  
2 1963.

3 (7) ~~(6)~~ "Public school academy" means a public school  
4 academy established under part 6a and, except as used in part 6a,  
5 also includes a strict discipline academy established under sec-  
6 tions 1311b to 1311/.

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

10 (9) "REGULAR SCHOOL ELECTION" OR "REGULAR ELECTION" MEANS  
11 THE ELECTION HELD IN A SCHOOL DISTRICT, LOCAL ACT SCHOOL DIS-  
12 TRICT, OR INTERMEDIATE SCHOOL DISTRICT ON THE FIRST TUESDAY FOL-  
13 LOWING THE FIRST MONDAY OF NOVEMBER IN EACH ODD NUMBERED YEAR.

14 (10) ~~(8)~~ "Reorganized intermediate school district" means  
15 an intermediate school district formed by consolidation or annex-  
16 ation of 2 or more intermediate school districts under sections  
17 701 and 702.

18 (11) ~~(9)~~ "Rule" means a rule promulgated pursuant to the  
19 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
20 24.328.

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

25 (2) "School elector" means a person qualified as an elector  
26 under section 492 of the Michigan election law, ~~Act No. 116 of~~  
27 ~~the Public Acts of 1954, being section 168.492 of the Michigan~~

1 ~~Compiled Laws, registered as provided in part 12~~ MCL 168.492,  
2 and resident of the school district, local act school district,  
3 or intermediate school district on or before the thirtieth day  
4 before the next ensuing ~~annual~~ REGULAR or special school  
5 election.

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

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

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

21 (6) "Special education programs and services" means educa-  
22 tional and training services designed for handicappers and oper-  
23 ated by local school districts, local act school districts,  
24 intermediate school districts, the Michigan school for the blind,  
25 the Michigan school for the deaf, the department of mental  
26 health, the department of social services, or a combination  
27 thereof, and ancillary professional services for handicappers

1 rendered by agencies approved by the state board. The programs  
 2 shall include vocational training, but need not include academic  
 3 programs of college or university level.

4 (7) "SPECIAL SCHOOL ELECTION" OR "SPECIAL ELECTION" MEANS AN  
 5 ELECTION HELD IN A SCHOOL DISTRICT AT A DATE OTHER THAN THE REGU-  
 6 LAR SCHOOL ELECTION AND AS PROVIDED UNDER SECTION 315 OF THE  
 7 MICHIGAN ELECTION LAW, MCL 168.315.

8 (8) ~~(7)~~ "State approved nonpublic school" means a nonpub-  
 9 lic school that complies with ~~Act No. 302 of the Public Acts of~~  
 10 ~~1921, being sections 388.551 to 388.558 of the Michigan Compiled~~  
 11 ~~Laws~~ 1921 PA 302, MCL 388.551 TO 388.558.

12 (9) ~~(8)~~ "State board" means the state board of education  
 13 unless clearly otherwise stated.

14 (10) ~~(9)~~ "Department" means the department of education  
 15 created and operating under sections 300 to 305 of the executive  
 16 organization act of 1965, ~~Act No. 380 of the Public Acts of~~  
 17 ~~1965, being sections 16.400 to 16.405 of the Michigan Compiled~~  
 18 ~~Laws~~ 1965 PA 380, MCL 16.400 TO 16.405.

19 (11) ~~(10)~~ "State school aid" means allotments from the  
 20 general appropriating act for the purpose of aiding in the sup-  
 21 port of the public schools of the state.

22 (12) ~~(11)~~ "The state school aid act of 1979" means ~~Act~~  
 23 ~~No. 94 of the Public Acts of 1979, being sections 388.1601 to~~  
 24 ~~388.1772 of the Michigan Compiled Laws~~ THE STATE SCHOOL AID ACT  
 25 OF 1979, 1979 PA 94, MCL 388.1601 TO 388.1772.

26 Sec. 11a. (1) Beginning on ~~the effective date of this~~  
 27 ~~section~~ JULY 1, 1996, each school district formerly organized as

1 a primary school district or as a school district of the fourth  
2 class, third class, or second class shall be a general powers  
3 school district under this act.

4 (2) Beginning on ~~the effective date of this section~~ JULY  
5 1, 1996, a school district operating under a special or local act  
6 shall operate as a general powers school district under this act  
7 except to the extent that the special or local act is inconsis-  
8 tent with this act. Upon repeal of a special or local act that  
9 governs a school district, that school district shall become a  
10 general powers school district under this act.

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

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

23 (b) Providing for the safety and welfare of pupils while at  
24 school or a school sponsored activity or while en route to or  
25 from school or a school sponsored activity.

1 (c) Acquiring, constructing, maintaining, repairing,  
2 renovating, disposing of, or conveying school property,  
3 facilities, equipment, technology, or furnishings.

4 (d) Hiring, contracting for, scheduling, supervising, or  
5 terminating employees, independent contractors, and others to  
6 carry out school district powers. A school district may indem-  
7 nify its employees.

8 (e) Receiving, accounting for, investing, or expending  
9 school district money; borrowing money and pledging school dis-  
10 trict funds for repayment; and qualifying for state school aid  
11 and other public or private money from local, regional, state, or  
12 federal sources.

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

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

21 (6) The board of a general powers school district shall  
22 adopt bylaws. These bylaws may establish or change board proce-  
23 dures, the number of board officers, titles and duties of board  
24 officers, and any other matter related to effective and efficient  
25 functioning of the board. Regular meetings of the board shall be  
26 held at least once each month, at the time and place fixed by the  
27 bylaws. Special meetings may be called and held in the manner



1 and for the purposes specified in the bylaws. Board procedures,  
2 bylaws, and policies in effect on the effective date of this sec-  
3 tion shall continue in effect until changed by action of the  
4 board.

5 (7) THE BOARD OF A GENERAL POWERS SCHOOL DISTRICT SHALL HOLD  
6 ITS REGULAR SCHOOL ELECTION ON THE FIRST TUESDAY AFTER THE FIRST  
7 MONDAY OF NOVEMBER IN EACH ODD NUMBERED YEAR.

8 (8) ~~(7)~~ The board of a school district shall be elected as  
9 provided under this act and the Michigan election law. ~~, Act~~  
10 ~~No. 116 of the Public Acts of 1954, being sections 168.1 to~~  
11 ~~168.992 of the Michigan Compiled Laws.~~ The number of members of  
12 the board of a general powers school district ~~and the term of~~  
13 ~~office for a board member of a general powers school district~~  
14 shall remain the same as ~~they were~~ for that school district  
15 before ~~the effective date of this section unless either or both~~  
16 ~~are~~ JULY 1, 1996 UNLESS changed by the school electors of the  
17 school district at a regular or special SCHOOL election. A prop-  
18 osition for changing the number of board members ~~or term of~~  
19 ~~office~~ may be placed on the ballot by action of the board or by  
20 petition submitted by school electors as provided under ~~this~~  
21 ~~act~~ CHAPTER XIV OF THE MICHIGAN ELECTION LAW.

22 ~~(8)~~ ~~On the effective date of this section, the board of~~  
23 ~~each school district shall continue to be the board of the school~~  
24 ~~district and to function in that capacity. A person lawfully~~  
25 ~~serving on the effective date of this act as a member of the~~  
26 ~~board of a school district shall continue to be a member of the~~

1 ~~board and shall continue in office for the remainder of the term~~  
2 ~~for which the person was elected or appointed.~~

3 (9) MEMBERS OF THE BOARD OF A GENERAL POWERS SCHOOL DISTRICT  
4 SHALL BE ELECTED BY THE SCHOOL ELECTORS FOR TERMS OF 4 YEARS. AT  
5 EACH REGULAR SCHOOL ELECTION, MEMBERS OF THE BOARD SHALL BE  
6 ELECTED TO FILL THE POSITIONS OF THOSE WHOSE TERMS WILL EXPIRE.  
7 THE TERM OF OFFICE SHALL COMMENCE ON JANUARY 1 AND CONTINUE UNTIL  
8 A SUCCESSOR IS ELECTED AND QUALIFIED.

9 (10) THE BOARD OF A GENERAL POWERS SCHOOL DISTRICT MAY  
10 SUBMIT TO THE SCHOOL ELECTORS OF THE SCHOOL DISTRICT A MEASURE,  
11 PROPOSITION, OR QUESTION THAT IS WITHIN THE SCOPE OF THE POWERS  
12 OF THE SCHOOL ELECTORS AND THAT THE BOARD CONSIDERS JUST AND  
13 PROPER FOR THE PROPER MANAGEMENT OR CONDUCT OF THE SCHOOL SYSTEM  
14 OR THE ADVANCEMENT OF EDUCATION IN THE SCHOOLS OF THE SCHOOL  
15 DISTRICT. UPON THE ADOPTION OF A MEASURE OR QUESTION BY THE  
16 BOARD, THE BOARD SHALL SUBMIT THE MEASURE OR QUESTION TO THE  
17 SCHOOL ELECTORS OF THE SCHOOL DISTRICT AT THE NEXT ENSUING REGU-  
18 LAR SCHOOL ELECTION OR AT A SPECIAL ELECTION.

19 (11) A SPECIAL ELECTION MAY BE CALLED BY THE BOARD OF A GEN-  
20 ERAL POWERS SCHOOL DISTRICT AS PROVIDED UNDER CHAPTER XIV OF THE  
21 MICHIGAN ELECTION LAW.

22 (12) ~~(9)~~ Unless expressly provided in ~~the amendatory act~~  
23 ~~that added this section~~ 1995 PA 289, the powers of a school  
24 board or school district are not diminished by this section or by  
25 ~~the amendatory act that added this section~~ 1995 PA 289.

26 (13) ~~(10)~~ A school district operating a public library,  
27 public museum, or community recreational facility as of ~~the~~

1 ~~effective date of the amendatory act that added this section~~  
2 JULY 1, 1996 may continue to operate the public library, public  
3 museum, or community recreational facility.

4       Sec. 503. (1) An authorizing body is not required to issue  
5 a contract to any person or entity. Public school academy con-  
6 tracts shall be issued on a competitive basis taking into consid-  
7 eration the resources available for the proposed public school  
8 academy, the population to be served by the proposed public  
9 school academy, and the educational goals to be achieved by the  
10 proposed public school academy.

11       (2) If a person or entity applies to the board of a school  
12 district for a contract to organize and operate 1 or more public  
13 school academies within the boundaries of the school district and  
14 the board does not issue the contract, the person or entity may  
15 petition the board to place the question of issuing the contract  
16 on the ballot to be decided by the school electors of the school  
17 district. The petition shall contain all of the information  
18 required to be in the contract application under section ~~502(3)~~  
19 502 and shall be signed by a number of school electors of the  
20 school district equal to at least 15% of the total number of  
21 school electors of that school district. The petition shall be  
22 filed with the secretary of the board. If the board receives a  
23 petition meeting the requirements of this subsection, the board  
24 shall place the question of issuing the contract on the ballot at  
25 its next ~~annual~~ REGULAR school election held at least 60 days  
26 after receiving the petition. If a majority of the school

1 electors of the school district voting on the question vote to  
2 issue the contract, the board shall issue the contract.

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

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

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

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

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

23 (c) A description of the process for amending the contract  
24 during the term of the contract.

25 (d) All of the matters set forth in the application for the  
26 contract.

1 (e) For a public school academy authorized by a school  
2 district, an agreement that employees of the public school  
3 academy will be covered by the collective bargaining agreements  
4 that apply to employees of the school district employed in simi-  
5 lar classifications in schools that are not public school  
6 academies.

7 (f) Procedures for revoking the contract and grounds for  
8 revoking the contract, including at least the grounds listed in  
9 section 507.

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

12 (h) Requirements and procedures for financial audits. The  
13 financial audits shall be conducted at least annually by a certi-  
14 fied public accountant in accordance with generally accepted gov-  
15 ernmental auditing principles.

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

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

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

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

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

4       (e) Sections 1134, 1135, 1146, 1153, 1263(3), 1267, and  
5 1274.

6       (7) A public school academy and its incorporators, board  
7 members, officers, employees, and volunteers have governmental  
8 immunity as provided in section 7 of ~~Act No. 170 of the Public~~  
9 ~~Acts of 1964, being section 691.1407 of the Michigan Compiled~~  
10 ~~Laws 1964 PA 170, MCL 691.1407.~~ An authorizing body and its  
11 board members, officers, and employees are immune from civil  
12 liability, both personally and professionally, for any acts or  
13 omissions in authorizing a public school academy if the authoriz-  
14 ing body or the person acted or reasonably believed he or she  
15 acted within the authorizing body's or the person's scope of  
16 authority.

17       (8) A public school academy is exempt from all taxation on  
18 its earnings and property. Instruments of conveyance to or from  
19 a public school academy are exempt from all taxation including  
20 taxes imposed by ~~Act No. 134 of the Public Acts of 1966, being~~  
21 ~~sections 207.501 to 207.513 of the Michigan Compiled Laws 1966~~  
22 PA 134, MCL 207.501 TO 207.513. A public school academy may not  
23 levy ad valorem property taxes or any other tax for any purpose.  
24 However, operation of 1 or more public school academies by a  
25 school district or intermediate school district does not affect  
26 the ability of the school district or intermediate school  
27 district to levy ad valorem property taxes or any other tax.

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

18 Sec. 613. The intermediate school board shall meet annually  
19 on or before the fourth Monday of ~~July~~ JANUARY and shall orga-  
20 nize by electing a president, a vice-president, a secretary, and  
21 a treasurer. The president and vice-president shall be members  
22 of the intermediate school board, but the secretary and treasurer  
23 need not be. The officers shall perform duties provided by law  
24 and prescribed by the policies and regulations of the intermedi-  
25 ate school board not inconsistent with this part or other laws of  
26 the state. The treasurer shall post with the secretary a bond in

1 an amount approved by the intermediate school board, conditioned  
2 upon the faithful performance of the treasurer's duties.

3       Sec. 616. (1) An intermediate school board may submit to  
4 the school electors of the constituent districts comprising the  
5 intermediate school district the question of adoption of sections  
6 615 to 617. The question shall be in substantially the following  
7 form:

8       "Shall sections 615 to 617 of the REVISED school code, ~~of~~  
9 ~~1976,~~ as amended, providing for the popular election of members  
10 of the intermediate school board be effective within the constit-  
11 uent districts of \_\_\_\_\_ (name of intermediate school  
12 district)?

13       Yes (    )

14       No (    )"

15       (2) The intermediate school board shall submit the question  
16 upon receipt of resolutions adopted by a majority of the boards  
17 of constituent districts and representing more than 1/2 of the  
18 combined memberships of the constituent districts of the interme-  
19 diate school district as of the latest pupil membership count  
20 day. The resolutions of the constituent district boards shall be  
21 adopted between ~~December~~ MARCH 1 and the next succeeding  
22 ~~March~~ JULY 1. The question shall be presented to the school  
23 electors of the constituent districts at the next ~~annual~~  
24 REGULAR SCHOOL election after resolutions of constituent district  
25 boards meeting the requirements of this section have been filed  
26 with the secretary of the intermediate school board.



1 (3) If a majority of the school electors votes in favor of  
2 popular election, members of the intermediate school board shall  
3 be elected at the next ~~annual~~ REGULAR SCHOOL election and bien-  
4 nially thereafter at the ~~annual~~ REGULAR school elections of the  
5 constituent districts. ~~If a constituent district holds its~~  
6 ~~annual election on a date other than the second Monday in June,~~  
7 ~~an election for the purpose of choosing members of the intermedi-~~  
8 ~~ate school board shall be held in that district on the second~~  
9 ~~Monday in June.~~

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

14 Sec. 617. ~~(1)~~ In an intermediate school district in which  
15 sections 615 to 617 are effective, a candidate for the office of  
16 member of the intermediate school board shall be nominated, ~~by~~  
17 ~~filing nominating petitions and an affidavit~~ AND MEMBERS SHALL  
18 BE ELECTED, as provided ~~in section 558~~ UNDER CHAPTER XIV of the  
19 Michigan election law. ~~, Act No. 116 of the Public Acts of~~  
20 ~~1954, being section 168.558 of the Michigan Compiled Laws, with~~  
21 ~~the secretary of the board of the intermediate school district~~  
22 ~~before 4 p.m. of the ninth Monday before the election.~~

23 (2) ~~The nominating petitions shall be in the form provided~~  
24 ~~in section 1066. Nominating petitions shall contain signatures~~  
25 ~~of school electors who are registered to vote in the city or~~  
26 ~~township in which they reside equal in number to not less than~~  
27 ~~1.5% of the combined pupil memberships of the constituent~~

~~1 districts on the latest pupil membership count day. A candidate  
2 is not required to file signatures of more than 5,000 voters.  
3 Each sheet of the petition shall be circulated in 1 city or town=  
4 ship only.~~

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

~~16 (4) The intermediate school board shall provide ballots for  
17 the election of members of the intermediate school board and dis=  
18 tribute the ballots to the secretaries of each of the constituent  
19 districts not less than 20 days before the annual school  
20 elections.~~

~~21 (5) At the first election, 3 members of an intermediate  
22 school board shall be elected for a term of 6 years, 2 for a term  
23 of 4 years, and 2 for a term of 2 years. After the first elec=  
24 tion, their successors shall be elected biennially for terms of 6  
25 years.~~

~~26 (6) The intermediate school board of an intermediate school  
27 district adopting sections 615 to 617 shall fill a vacancy in the~~

1 ~~board's membership by appointing a member to serve until the next~~  
2 ~~biennial election, at which time a member shall be elected for~~  
3 ~~the balance of the unexpired term.~~

4       SEC. 629A. IN ADDITION TO ALL OTHER REQUIREMENTS UNDER LAW  
5 FOR ISSUANCE OF BONDS UNDER THIS ACT, AN INTERMEDIATE SCHOOL DIS-  
6 TRICT SHALL NOT ISSUE BONDS UNDER ANY SECTION OF THIS ACT UNLESS  
7 THE LANGUAGE ON THE BALLOT USED IN SUBMITTING THE QUESTION OF  
8 ISSUING THE BONDS INCLUDES THE ESTIMATED ANNUAL COST TO THE  
9 INTERMEDIATE SCHOOL DISTRICT OF REPAYING THE BONDS, EXPRESSED  
10 BOTH PER PUPIL AND PER CLASSROOM AFFECTED BY THE PROJECT FOR  
11 WHICH THE BONDS ARE TO BE ISSUED. THE DEPARTMENT OF TREASURY  
12 SHALL DEVELOP AND DISTRIBUTE TO INTERMEDIATE SCHOOL DISTRICTS  
13 GUIDELINES ON CALCULATING THE AMOUNTS DESCRIBED IN THIS SECTION.

14       Sec. 661. (1) The intermediate school board may submit  
15 questions to the INTERMEDIATE school electors of the intermediate  
16 school district at ~~an annual~~ A REGULAR or special SCHOOL elec-  
17 tion held in each of the constituent districts. A question shall  
18 not be submitted to the intermediate school electors unless the  
19 question is within the lawful authority of the INTERMEDIATE  
20 SCHOOL electors ~~of the intermediate school district~~ to decide.

21       (2) A person who is a school elector of a constituent dis-  
22 trict of an intermediate school district and who is registered in  
23 the city or township in which that person resides is an  
24 INTERMEDIATE SCHOOL elector of that intermediate school  
25 district.

26       ~~(3) If a question is submitted to intermediate school~~  
27 ~~electors at an annual school election, and a constituent district~~

1 ~~does not hold its annual election on the second Monday of June,~~  
2 ~~the intermediate school board shall call a special election in~~  
3 ~~that constituent district to be held on the same date as the~~  
4 ~~annual school election.~~

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

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

17 (2) The question of establishing an area  
18 vocational-technical education program may be submitted to the  
19 intermediate school electors of an intermediate school district  
20 at ~~an annual~~ A REGULAR SCHOOL election or at a special election  
21 held in each of the constituent districts. The intermediate  
22 school board shall determine the date of the election and shall  
23 give notice ~~under section 662~~ to the secretary of each consti-  
24 tent district at least 60 days in advance of the date the propo-  
25 sition is to be submitted to the intermediate school electors.

26 (3) The ballot for referring the question of adopting  
27 sections 681 to 690 and establishing an area vocational-technical

1 education program to the intermediate school electors of an  
2 intermediate school district shall be substantially in the fol-  
3 lowing form:

4 "Shall \_\_\_\_\_, state  
5 (legal name of intermediate school district)  
6 of Michigan, come under sections 681 to 690 of the REVISED school  
7 code ~~of 1976~~ and establish an area vocational-technical education  
8 program which is designed to encourage the operation of area  
9 vocational-technical education programs if the annual property tax  
10 levied for this purpose is limited to \_\_\_\_\_ mills?

11 Yes ( )

12 No ( )".

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

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

22 (b) If the intermediate school district levied millage in  
23 1993 for area vocational-technical education program operating  
24 purposes under sections 681 to 690, the intermediate school  
25 board, with the approval of the intermediate school electors, may  
26 levy mills for those purposes at a rate not to exceed 1.5 times

1 the number of mills authorized for those purposes in the  
2 intermediate school district in 1993. Approval of the intermedi-  
3 ate school electors is not required for the levy under this sub-  
4 division of previously authorized mills until that authorization  
5 expires.

6 (5) An intermediate school district shall not hold more than  
7 2 elections in a calendar year concerning the authorization of a  
8 millage rate for area vocational-technical education program  
9 operating purposes under sections 681 to 690.

10 Sec. 687. (1) An intermediate school board in which an area  
11 vocational-technical education program is established, by a  
12 majority vote of the intermediate school electors voting on the  
13 question at ~~an annual~~ A REGULAR SCHOOL ELECTION or at a special  
14 election called for that purpose, may borrow money and issue  
15 bonds of the intermediate school district subject to the municipi-  
16 pal finance act, ~~Act No. 202 of the Public Acts of 1943, being~~  
17 ~~sections 131.1 to 139.3 of the Michigan Compiled Laws~~ 1943  
18 PA 202, MCL 131.1 TO 139.3, to defray all or part of the cost of  
19 purchasing, erecting, completing, remodeling, improving, furnish-  
20 ing, refurnishing, equipping, or reequipping area  
21 vocational-technical buildings and other facilities, or parts  
22 thereof or additions thereto; acquiring, preparing, developing,  
23 or improving sites, or parts thereof or additions thereto, for  
24 area vocational-technical buildings and other facilities; refund-  
25 ing all or part of existing bonded indebtedness; or accomplishing  
26 a combination of the foregoing purposes. An intermediate school  
27 district shall not issue bonds under this part for an amount

1 greater than 1.5% of the total assessed valuation of the  
2 intermediate school district, nor shall the bonded indebtedness  
3 of an intermediate school district extend beyond a period of 30  
4 years for money borrowed.

5 (2) Refunding bonds or the refunding part of a bond issue  
6 shall not be deemed to be within the 1.5% limitation but shall be  
7 deemed to be authorized in addition thereto. A bond qualified  
8 under section 16 of article IX of the state constitution of 1963  
9 and implementing legislation shall not be included for purposes  
10 of calculating the foregoing 1.5% limitation.

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

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

4 "Shall \_\_\_\_\_ (here state the legal name of the interme-  
 5 diate school district designating the name of a district of not  
 6 less than 18,000 pupils or first class school district that has  
 7 elected not to come under this act as far as an area  
 8 vocational-technical education program is concerned) state of  
 9 Michigan, borrow the sum of not to exceed \$\_\_\_\_\_ and issue  
 10 its bonds therefor, for the purpose of \_\_\_\_\_? THE ESTIMATED  
 11 ANNUAL COST OF REPAYING THE BONDS IS \$\_\_\_\_\_ PER PUPIL  
 12 ENROLLED IN THE AREA VOCATIONAL-TECHNICAL EDUCATION PROGRAM AND  
 13 \$\_\_\_\_\_ PER CLASSROOM AFFECTED BY THE PROJECT.

14 Yes ( )

15 No ( )".

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

25 (2) A school district electing not to come under the area  
 26 vocational-technical education program may thereafter elect to  
 27 come under the program if at a special or ~~annual~~ REGULAR SCHOOL



1 election a majority of the school electors voting approve the  
2 operation of the area vocational-technical education program and  
3 the annual tax rate for that purpose in effect in the other con-  
4 stituent districts of the intermediate school district.

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

25       (4) Area vocational-technical education programs established  
26 pursuant to this section shall receive ~~any~~ appropriate state  
27 funding or ~~any~~ federal funding allocated by the state board on

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

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

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

9       Sec. 701. (1) Two or more adjoining intermediate school  
10 districts may combine to form a single intermediate school dis-  
11 trict when the reorganization is approved by a majority of the  
12 electors of each intermediate school district voting on the ques-  
13 tion in the ~~annual~~ REGULAR SCHOOL elections of the constituent  
14 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 member-  
21 ships on the latest pupil membership count day of the combined  
22 constituent districts of the intermediate school district are  
23 filed with the secretary of 1 of the intermediate school boards.  
24 Within 30 days after receiving sufficient petitions, the secre-  
25 tary shall apply for approval to the ~~state board~~ SUPERINTENDENT  
26 OF PUBLIC INSTRUCTION. The secretary shall cause the question to  
27 be submitted at the next ~~annual~~ REGULAR school election after

1 the ~~state board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION approves  
2 the merger.

3 (4) The ballots shall be furnished by each intermediate  
4 school board for its constituent districts and shall be in sub-  
5 stantially the following form:

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

8 (List names of intermediate school districts)

9 Yes ( )

10 No ( )".

11 (5) If the consolidation is approved by a majority of the  
12 school electors voting on the question in each of the participat-  
13 ing intermediate school districts, the reorganization ~~shall~~  
14 ~~become~~ IS effective in the combined intermediate school dis-  
15 tricts 30 days after the ~~annual~~ REGULAR SCHOOL election at  
16 which the question is submitted. The reorganized intermediate  
17 school district ~~shall be~~ IS a single intermediate school dis-  
18 trict subject to this part.

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

1 pupils in membership in its combined constituent districts at the  
2 time of reorganization shall call a meeting of the members of the  
3 interim intermediate school board for the purpose of organization  
4 within 15 days after the effective date of the reorganization.  
5 The secretary of the interim intermediate school board shall pro-  
6 vide for the election of a board of the reorganized intermediate  
7 school district under ~~section 617~~ CHAPTER XIV OF THE MICHIGAN  
8 ELECTION LAW. ~~At the first election there shall be elected 3~~  
9 ~~members of a board for 6 years, 2 for 4 years, and 2 for 2~~  
10 ~~years. Their successors shall be elected biennially on the first~~  
11 ~~Monday of June for terms of 6 years. The time from the date of~~  
12 ~~election to the next July 1 shall be considered 1 year.~~

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

22 (8) If, ~~prior to~~ BEFORE reorganization of the intermediate  
23 school districts each of the combining intermediate school dis-  
24 tricts adopted special education programs by referendum pursuant  
25 to part 30 and approved the same annual property tax rates for  
26 the education of handicapped persons, the special education

1 programs and the annual property tax rates shall continue in  
2 effect in the reorganized intermediate school district.

3       Sec. 702. (1) An intermediate school district may be  
4 annexed to another intermediate school district if the intermedi-  
5 ate school board of the annexing intermediate school district  
6 approves the annexation by resolution, and a majority of the  
7 school electors of the intermediate school district to be annexed  
8 voting on the question at ~~an annual~~ A REGULAR or special SCHOOL  
9 election in the intermediate school district approve the  
10 annexation. If prior to annexation the annexing intermediate  
11 school district adopts a special education program by referendum  
12 pursuant to part 30, the intermediate school electors of the  
13 intermediate school district to be annexed must vote to adopt  
14 that special education program and annual tax rate. The vote on  
15 the question shall be by ballot furnished by the intermediate  
16 school board of the intermediate school district to be annexed.  
17 Before the election is held, the annexing intermediate school  
18 board shall obtain the approval of the ~~state board~~  
19 SUPERINTENDENT OF PUBLIC INSTRUCTION of the proposed annexation.

20       (2) Within 10 days after the election, each constituent dis-  
21 trict secretary shall file the result with the secretary of the  
22 intermediate school ~~district~~ BOARD, and 5 days later the inter-  
23 mediate school board secretary shall file the election result  
24 with the secretary of the INTERMEDIATE SCHOOL board of the annex-  
25 ing intermediate school district. Within 15 days after the  
26 annexation election the intermediate school board of the annexed  
27 intermediate school district shall account to the intermediate

1 school board of the annexing intermediate school district for the  
2 funds and property in its hands and shall turn over the ~~same~~  
3 FUNDS AND PROPERTY to that INTERMEDIATE SCHOOL board. Property  
4 and money belonging to the annexed intermediate school district  
5 shall become the property of the annexing intermediate school  
6 district. The outstanding indebtedness of the annexed intermedi-  
7 ate school district shall become the liability of the annexing  
8 intermediate school district. Upon receipt of the funds and  
9 property, the members of the annexed intermediate school board  
10 shall be released from liability ~~therefor~~ FOR THE FUNDS AND  
11 PROPERTY and their offices terminated.

12 (3) The annexation is effective on the latest date on which  
13 the election was held in a constituent district of the annexed  
14 intermediate school district. The secretary of the intermediate  
15 school board of the annexing intermediate school district shall  
16 give written notice of the annexation to the ~~state board~~  
17 SUPERINTENDENT OF PUBLIC INSTRUCTION within 15 days after the  
18 annexation election. Within 30 days after annexation, the board  
19 of the annexing intermediate school district shall appoint 2  
20 school electors of the annexed intermediate school district to  
21 membership on the intermediate school board of the reorganized  
22 intermediate school district, who shall serve until ~~July~~  
23 JANUARY 1 after the next ~~biennial~~ INTERMEDIATE SCHOOL DISTRICT  
24 election. Notification of the appointments shall be filed with  
25 the ~~state board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION. If the  
26 appointments are not made within the 30 days, the ~~state board~~  
27 SUPERINTENDENT OF PUBLIC INSTRUCTION shall make the

1 appointments. At the next ~~biennial~~ INTERMEDIATE SCHOOL  
2 DISTRICT election, members of the intermediate school board shall  
3 be elected in the number and for the terms required in section  
4 701. The terms of the members of the intermediate school board  
5 whose terms have not expired shall determine the terms of the  
6 additional members to be elected.

7       Sec. 703. (1) An intermediate school district comprised of  
8 less than 5 constituent districts and having no bonded indebted-  
9 ness may be disorganized and its constituent districts attached  
10 to contiguous intermediate school districts under this section.

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

22       (3) The intermediate superintendent of the intermediate  
23 school district ~~which~~ THAT is to be disorganized shall give 30  
24 days' notice of the time and place of the meeting of the interme-  
25 diate school board and of the proposed plan for disorganization  
26 by publication of the notice in a newspaper of general  
27 circulation in the intermediate school district. The



1 intermediate school board shall present the adopted plan for  
2 dissolution to the board of each of its constituent districts and  
3 to the intermediate school board of each intermediate school dis-  
4 trict whose boundaries would be enlarged by the proposal.

5 (4) The intermediate superintendent of each intermediate  
6 school district whose boundaries would be enlarged by the disso-  
7 lution shall give 30 days' notice of the time and place of the  
8 meeting of the intermediate school board and of the recommended  
9 plan for enlargement of the intermediate school district by pub-  
10 lication of the notice in a newspaper of general circulation in  
11 the intermediate school district.

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

24 (6) The intermediate school boards of the intermediate  
25 school districts to which territory is attached by dissolution  
26 shall meet jointly, sitting as a single board, and make an  
27 equitable distribution of the money, property, and other assets

1 belonging to the disorganized INTERMEDIATE SCHOOL district among  
2 the intermediate school districts affected. The territory of  
3 constituent districts transferred to other intermediate school  
4 districts by dissolution shall be subject to all taxes levied for  
5 purposes of the intermediate school district to which trans-  
6 ferred, including taxes for the retirement of bonded indebted-  
7 ness, special education programs, and area vocational-technical  
8 education programs.

9 (7) Within 30 days after a district attaches to a contiguous  
10 intermediate school district under this section, the board of the  
11 intermediate school district whose boundaries have been enlarged  
12 by the dissolution may appoint 2 school electors of constituent  
13 districts, 1 of whom shall be an elector of the attached dis-  
14 trict, to membership on the intermediate school board.  
15 Intermediate school board members appointed pursuant to this sub-  
16 section shall serve until ~~July~~ JANUARY 1 after the next  
17 ~~biennial~~ INTERMEDIATE SCHOOL DISTRICT election. The intermedi-  
18 ate school board may determine 1 initial term of less than ~~6~~ 4  
19 years for 1 of the additional members to be elected at the  
20 ~~biennial~~ INTERMEDIATE SCHOOL DISTRICT election. Notification  
21 of an appointment shall be filed with the ~~state board~~  
22 SUPERINTENDENT OF PUBLIC INSTRUCTION.

23 Sec. 705. (1) Beginning in 1997, and IN each year after  
24 1997, a regional enhancement property tax may be levied by an  
25 intermediate school district at a rate not to exceed 3 mills to  
26 enhance other state and local funding for local school district

1 operations if approved by a majority of the intermediate school  
2 electors voting on the question.

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

1 and if requested in the resolutions, the intermediate school  
2 board shall submit the question of levying a regional enhancement  
3 property tax within the intermediate school district on the  
4 ballot at a special election ~~under section 662~~ called by the  
5 intermediate school board for that purpose not earlier than 90  
6 days ~~or later than 120 days~~ after the resolution requirements  
7 are met.

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

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

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

1           Sec. 856. (1) If the intermediate superintendent of schools  
2 is presented with petitions signed by school electors in each  
3 SCHOOL district ~~to the number of not less than 50% of the number~~  
4 ~~of registered general electors residing in each primary school~~  
5 ~~district as of the date the intermediate superintendent releases~~  
6 ~~petitions, and by school electors of not less than~~ IN A NUMBER  
7 AT LEAST EQUAL TO 5% of the number of ~~registered general~~ SCHOOL  
8 electors residing in ~~other school districts~~ EACH SCHOOL  
9 DISTRICT, the intermediate superintendent shall cause the ques-  
10 tion of consolidation to be submitted to the vote of the school  
11 electors of the school districts at THE NEXT REGULAR SCHOOL ELEC-  
12 TION OR a special election. ~~called to be held within 90 days~~  
13 ~~after the receipt of the petitions.~~

14           ~~(2) The special election shall be held on a date approved by~~  
15 ~~the county election scheduling committee under section 639 of Act~~  
16 ~~No. 116 of the Public Acts of 1954, as amended, being section~~  
17 ~~168.639 of the Michigan Compiled Laws.~~

18           (2) ~~(3)~~ Petitions ~~shall~~ ARE not ~~be~~ required in a  
19 school district operating 12 grades if a resolution adopted by  
20 the board of the SCHOOL district requesting consolidation of  
21 school districts has been filed with the intermediate  
22 superintendent.

23           ~~(4) Each city and township clerk shall certify to the~~  
24 ~~intermediate superintendent the number of registered general~~  
25 ~~electors residing in a school district upon request of the inter-~~  
26 ~~mediate superintendent.~~

1           Sec. 857. (1) The question of establishing a consolidated  
 2 school district shall be submitted to the school electors at A  
 3 REGULAR SCHOOL ELECTION OR AT a special election held for that  
 4 purpose. In voting to form the consolidated school district, a  
 5 school district operating 12 grades shall vote separately as a  
 6 unit. The remaining school districts to be included in the con-  
 7 solidation shall vote together as a unit.

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

13           (2) ~~(3)~~ The elections shall be held on the same day and  
 14 during the same hours. ~~Each school district shall vote as pro-~~  
 15 ~~vided in part 12.~~

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

1 ~~notify the secretary of the board of each school district~~ of the  
2 date of the consolidation election at least 60 days before the  
3 election.

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

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

8       (Names of school districts to be consolidated to be listed  
9 here)

10       Yes (    )

11       No    (    )".

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

17       ~~(3) The secretary of the board of each school district oper=~~  
18 ~~ating 12 grades shall provide printed ballots for the election~~  
19 ~~and supply all election materials necessary for the election.~~  
20 ~~The board of each school district shall appoint the necessary~~  
21 ~~school electors to the board of election inspectors.~~

22       ~~(4) The members of the intermediate school board shall act~~  
23 ~~as the board of election inspectors for the election held in~~  
24 ~~school districts operating less than 12 grades. The intermediate~~  
25 ~~board may appoint additional persons to a board of election~~  
26 ~~inspectors. If more than 1 place for holding the election is~~  
27 ~~designated by the intermediate superintendent, the members of the~~

1 ~~intermediate school board shall be apportioned by the~~  
2 ~~intermediate superintendent to the boards of election~~  
3 ~~inspectors. If a member of the intermediate school board or~~  
4 ~~other person appointed to a board of election inspectors is~~  
5 ~~unable to be present at the election or is required to leave~~  
6 ~~during the hours the polls are open, the remaining members of the~~  
7 ~~board of election inspectors may appoint another person to fill~~  
8 ~~the vacancy.~~

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

12       ~~(2) (6)~~ The affirmative vote of a majority of the school  
13 electors voting on the question in each of the election units  
14 ~~shall be~~ IS necessary to effect the consolidation of the school  
15 districts. The consolidation shall become effective as of the  
16 date of the official canvass.

17       ~~(3) (7)~~ The members of the intermediate school board and  
18 other inspectors of election acting in the election unit of a  
19 school district operating less than 12 grades shall receive the  
20 same compensation for conducting the election as is authorized  
21 for election inspectors in a general state election. If the con-  
22 solidation becomes effective, expenses incurred for the election  
23 in each election unit shall be certified to the board of the con-  
24 solidated school district. The school board OF THE CONSOLIDATED  
25 SCHOOL DISTRICT shall pay election ~~costs~~ REIMBURSEMENTS from  
26 the funds of the consolidated school district. If the  
27 proposition to consolidate is not approved, the intermediate



1 school board shall determine the expenses of the election held in  
 2 the election unit operating less than 12 grades and apportion the  
 3 ~~expenses~~ REQUIRED REIMBURSEMENTS equally among the school dis-  
 4 tricts of the election unit. Each school board of the election  
 5 unit shall pay the apportionment to the ~~intermediate school~~  
 6 ~~board~~ LOCAL UNIT OF GOVERNMENT THAT CONDUCTED THE ELECTION.

7       Sec. 860. (1) If the petitions filed with an intermediate  
 8 superintendent under section 853 request submission of the ques-  
 9 tion of assuming the bonded indebtedness of 1 or more of the  
 10 school districts proposing consolidation, or the question of  
 11 increasing the constitutional limitation on taxes of the consoli-  
 12 dated school district for operating purposes to the school elec-  
 13 tors at the consolidation election, the intermediate superinten-  
 14 dent shall include the question or questions in the notice of the  
 15 election propositions filed with each of the election units.  
 16 ~~under section 857.~~

17       (2) A request for including assumption by the consolidated  
 18 school district of the bonded indebtedness of 1 or more of the  
 19 districts proposing consolidation shall be stated on the petition  
 20 after the names of the school districts to be consolidated in  
 21 substantially the following form:

22       "We petition that the question of assumption and payment by  
 23 the proposed consolidated school district of the bonded indebted-  
 24 ness of \_\_\_\_\_ be submitted to the  
 25       (name of school district or districts)  
 26 electors at the same election in which the proposed consolidation  
 27 is submitted", and if applicable,

1 "We petition that the question of increasing the  
2 constitutional limitation on taxes which may be assessed against  
3 all property in the proposed consolidated school district by  
4 \_\_\_\_\_ mills for a period of \_\_\_\_\_ years, ~~19\_\_\_ to 19\_\_\_~~ TO  
5 \_\_\_\_, inclusive, for operating purposes, be submitted to the elec-  
6 tors at the same election with the question of consolidating the  
7 above listed districts".

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

18 Sec. 861. ~~(1)~~ Within 10 days after the date of the offi-  
19 cial canvass of the consolidation election, the intermediate  
20 school board of the intermediate school district containing the  
21 territory of the consolidated school district shall appoint  
22 school electors of the SCHOOL district in the number required by  
23 the classification of the school district to act as a board for  
24 the SCHOOL district. If a consolidated school district includes  
25 territory in more than 1 intermediate school district, the  
26 appointment shall be made by the intermediate school board of  
27 each intermediate school district acting jointly as a single

1 board. Within 7 days after appointment, each member shall file  
 2 with the intermediate superintendent an acceptance of the office,  
 3 accompanied by a written affidavit setting forth the fact of eli-  
 4 gibility ~~as provided in section 1102~~ FOR OFFICE. ~~Except as~~  
 5 otherwise provided in subsection (2), each EACH appointed board  
 6 member shall hold office until ~~June thirtieth~~ DECEMBER 31 next  
 7 following appointment. A new board shall be elected at the first  
 8 ~~annual~~ REGULAR SCHOOL election held after the effective date of  
 9 consolidation in the manner prescribed ~~in part 3 or part 4~~ BY  
 10 LAW for the election of a first board.

11 ~~(2) If the effective date of the consolidation is between~~  
 12 ~~the thirtieth day prior to the annual election and December 31,~~  
 13 ~~the board appointed by the intermediate school board at its first~~  
 14 ~~meeting shall call a district election to be held within 45 days~~  
 15 ~~after the day of the meeting. At the election, a board of the~~  
 16 ~~requisite number of members shall be elected for terms required~~  
 17 ~~for the election of a first board in section 111 or section 211.~~  
 18 ~~The election shall be in lieu of the first annual election, and~~  
 19 ~~the first year of each term of office shall extend until July 1~~  
 20 ~~following the next succeeding annual election. The board shall~~  
 21 ~~hold its first meeting and elect officers as provided in section~~  
 22 ~~114 or section 231.~~

23 Sec. 931. (1) An intermediate school board may divide a  
 24 constituent district ~~which~~ THAT has no bonded indebtedness and  
 25 attach the parts thereof to 2 or more operating school districts  
 26 if requested to do so by resolution of the board of the school  
 27 district to be divided, or if petitioned by not less than 5% of

1 the registered school electors residing in the district on the  
2 date the petition is received, and if the school electors of the  
3 district, voting on the question at ~~an annual~~ A REGULAR or spe-  
4 cial SCHOOL election, approve the division.

5 (2) The city or township clerk shall certify to the interme-  
6 diate superintendent the number of registered school electors  
7 residing in a school district when requested by the intermediate  
8 superintendent.

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

14 (4) The resolution of the intermediate school board to which  
15 the school district to be divided is constituent shall clearly  
16 describe the division. The description of the division shall be  
17 based on the resolution of the board of the school district to be  
18 divided or on the petition of the school electors.

19 Sec. 932. (1) The ~~secretary of the~~ board of the school  
20 district to be divided shall call an election at which the ques-  
21 tion of the division of the school district shall be submitted to  
22 the school electors. Vote on the proposition shall be by ballot  
23 in the form determined by the intermediate school board and shall  
24 clearly describe the division. Before an election is held, the  
25 ~~state board~~ SUPERINTENDENT OF PUBLIC INSTRUCTION shall approve  
26 the proposed division and the attachment of the parts to existing  
27 operating school districts. The election in the school district

1 to be divided shall be held not later than ~~60 days~~ THE NEXT  
2 AVAILABLE DATE FOR A REGULAR SCHOOL ELECTION OR SPECIAL SCHOOL  
3 ELECTION following the date of approval by the ~~state board~~  
4 SUPERINTENDENT OF PUBLIC INSTRUCTION.

5 (2) The affirmative vote of a majority of the school elec-  
6 tors voting on the question ~~shall be~~ IS necessary to ratify the  
7 action of the intermediate school board.

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

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

17 (5) Within 30 days after the filing of the certified state-  
18 ment of the vote approving the division, the intermediate school  
19 board, by resolution, shall declare the school district divided,  
20 attach the territory ~~thereof~~ to the specified operating school  
21 districts, and make an equitable distribution of the money, prop-  
22 erty, and other material belonging to the SCHOOL district among  
23 the SCHOOL districts to which the territory is attached.

24 (6) If the effective date is determined by the resolution of  
25 the board or by the petition of the school electors under section  
26 931, the intermediate school board shall declare the school  
27 district divided on that date.

1           Sec. 945. Upon receipt of an order transmitted pursuant to  
2 section 944 and approving the division of the school district,  
3 the board of the school district to be annexed, divided, and  
4 transferred shall provide by resolution for the election on the  
5 question of annexing, dividing, and transferring the school  
6 district. ~~which~~ THE election shall be conducted and canvassed  
7 in the dividing district ~~pursuant to parts 12 and 13~~ AS PRO-  
8 VIDED IN THE MICHIGAN ELECTION LAW. The question to be submitted  
9 to the electors shall be whether the territory of the dividing  
10 school district shall be annexed and transferred in the manner  
11 specified in the resolution of the dividing school district.

12           SEC. 1206. A SCHOOL DISTRICT, LOCAL ACT SCHOOL DISTRICT, OR  
13 INTERMEDIATE SCHOOL DISTRICT REGULAR SCHOOL ELECTION OR SPECIAL  
14 SCHOOL ELECTION SHALL BE ADMINISTERED AND CONDUCTED AS PROVIDED  
15 IN CHAPTER XIV OF THE MICHIGAN ELECTION LAW. A SCHOOL DISTRICT,  
16 LOCAL ACT SCHOOL DISTRICT, OR INTERMEDIATE SCHOOL DISTRICT MAY  
17 USE GENERAL OPERATING FUNDS TO REIMBURSE UNITS OF LOCAL GOVERN-  
18 MENT INVOLVED IN ADMINISTERING AND CONDUCTING A REGULAR SCHOOL  
19 ELECTION OR SPECIAL SCHOOL ELECTION FOR THE SCHOOL DISTRICT,  
20 LOCAL ACT SCHOOL DISTRICT, OR INTERMEDIATE SCHOOL DISTRICT, AS  
21 REQUIRED UNDER THE MICHIGAN ELECTION LAW.

22           Sec. 1212. (1) If approved by the school electors of the  
23 school district, the board of a school district may levy a tax of  
24 not to exceed 5 mills on the state equalized valuation of the  
25 school district each year for a period of not to exceed 20 years,  
26 for the purpose of creating a sinking fund to be used for the  
27 purchase of real estate for sites for, and the construction or

1 repair of, school buildings. The sinking fund tax levy is  
 2 subject to the 15 mill tax limitation provisions of section 6 of  
 3 article IX of the state constitution of 1963 and the property tax  
 4 limitation act, ~~Act No. 62 of the Public Acts of 1933, as~~  
 5 ~~amended, being sections 211.201 to 211.217a of the Michigan~~  
 6 ~~Compiled Laws~~ 1933 PA 62, MCL 211.201 TO 211.217A. A school  
 7 district that levies a sinking fund tax under this section shall  
 8 have an independent audit of its sinking fund conducted annually,  
 9 including a review of the uses of the sinking fund, and shall  
 10 submit the audit report to the department of treasury. If the  
 11 department of treasury determines from the audit report that the  
 12 sinking fund has been used for a purpose other than those autho-  
 13 rized for the sinking fund under this section, the school dis-  
 14 trict shall repay the misused funds to the sinking fund from the  
 15 school district's operating funds and shall not levy a sinking  
 16 fund tax under this section after the date the department of  
 17 treasury makes that determination.

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

21 (3) The question of levying taxes for the purpose of creat-  
 22 ing a sinking fund shall be by ballot in substantially the fol-  
 23 lowing form:

24 "Shall \_\_\_\_\_ levy \_\_\_\_\_ mills  
 25 (legal name of school district)  
 26 to create a sinking fund for the purpose of \_\_\_\_\_  
 27 \_\_\_\_\_

1 for a period of \_\_\_\_\_ years?

2 Yes ( )

3 No ( )".

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

8 Sec. 1216. Except as provided in ~~part 7a, part 3a, and in~~  
9 section 1a of chapter 7 of the municipal finance act, ~~Act No.~~  
10 ~~202 of the Public Acts of 1943, being section 137.1a of the~~  
11 ~~Michigan Compiled Laws~~ 1943 PA 202, MCL 137.1A, money raised by  
12 tax shall not be used for a purpose other than that for which it  
13 was raised without the consent of a majority of the school elec-  
14 tors of the district voting on the question at ~~an annual~~ A  
15 REGULAR or special ~~meeting or~~ SCHOOL election.

16 Sec. 1351. (1) Until May 1, 1994, a school district may  
17 borrow money and issue bonds of the district to defray all or a  
18 part of the cost of purchasing, erecting, completing, remodeling,  
19 improving, furnishing, refurnishing, equipping, or reequipping  
20 school buildings, including library buildings, structures, ath-  
21 letic fields, playgrounds, or other facilities, or parts of or  
22 additions to those facilities; acquiring, preparing, developing,  
23 or improving sites, or parts of or additions to sites, for school  
24 buildings, including library buildings, structures, athletic  
25 fields, playgrounds, or other facilities; purchasing school  
26 buses; participating in the administrative costs of an urban  
27 renewal program through which the school district desires to



1 acquire a site or addition to a site for school purposes;  
2 refunding all or part of existing bonded indebtedness; or accom-  
3 plishing a combination of the purposes set forth in this  
4 subsection. In addition, until December 31, 1991 a school dis-  
5 trict may borrow money and issue bonds to defray all or part of  
6 the cost of purchasing textbooks.

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

24 (3) A school district shall not issue bonds under this part  
25 for an amount greater than 15% of the total assessed valuation of  
26 the district, except as provided in section 1356. The bonded  
27 indebtedness of a district shall not extend beyond a period of 30

1 years. Refunding bonds or the refunding part of a bond issue  
2 shall not be considered to be within the 15% limitation but shall  
3 be considered to be authorized in addition to the 15%  
4 limitation. A bond qualified under section 16 of article IX of  
5 the state constitution of 1963 and implementing legislation shall  
6 not be included for purposes of calculating the 15% limitation.  
7 Bonds issued pursuant to this part are subject to the municipal  
8 finance act, 1943 PA 202, MCL 131.1 to 139.3, except that bonds  
9 issued for a purpose described in section 1274a may be sold at a  
10 public or publicly negotiated sale at the time or times, at the  
11 price or prices, and at a discount as determined by the board of  
12 the school district.

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

21 SEC. 1351C. IN ADDITION TO ALL OTHER REQUIREMENTS UNDER LAW  
22 FOR ISSUANCE OF BONDS UNDER THIS ACT, A SCHOOL DISTRICT SHALL NOT  
23 ISSUE BONDS UNDER ANY SECTION OF THIS ACT UNLESS THE LANGUAGE ON  
24 THE BALLOT USED IN SUBMITTING THE QUESTION OF ISSUING THE BONDS  
25 INCLUDES THE ESTIMATED ANNUAL COST TO THE SCHOOL DISTRICT OR  
26 INTERMEDIATE SCHOOL DISTRICT OF REPAYING THE BONDS, EXPRESSED  
27 BOTH PER PUPIL AND PER CLASSROOM AFFECTED BY THE PROJECT FOR

1 WHICH THE BONDS ARE TO BE ISSUED. THE DEPARTMENT OF TREASURY  
2 SHALL DEVELOP AND DISTRIBUTE TO SCHOOL DISTRICTS GUIDELINES ON  
3 CALCULATING THE AMOUNTS DESCRIBED IN THIS SECTION.

4 Sec. 1361. (1) School district elections upon the issuance  
5 of bonds shall be held and conducted ~~as elections in registra-~~  
6 ~~tion districts~~ in accordance with ~~part 13~~ THIS ACT AND CHAPTER  
7 XIV OF THE MICHIGAN ELECTION LAW. Members of the SCHOOL board ~~of~~  
8 ~~education~~ shall not serve on a board of election inspectors.

9 (2) The question shall be submitted by ballot in substan-  
10 tially the following form:

11 "Shall ..... ,  
12 (here state the legal name of the school district)  
13 county/or counties of ..... and state of  
14 Michigan, borrow the sum of not to exceed .....  
15 dollars (\$.....) and issue its bonds therefor,  
16 for the purpose of .....? THE ESTIMATED ANNUAL  
17 COST OF REPAYING THE BONDS IS \$..... PER PUPIL AND  
18 \$..... PER CLASSROOM AFFECTED BY THE PROJECT.

19 Yes ( )  
20 No ( )".

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

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

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

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

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

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

23          Sec. 1722. (1) The question of adopting sections 1722 to  
24 1729 may be submitted to the school electors of an intermediate  
25 school district at ~~an annual~~ A REGULAR SCHOOL election or at a  
26 special election held in each of the constituent districts.  
27 Sections 1722 to 1729 shall be effective if approved by a

1 majority of the school electors of an intermediate school  
2 district voting at an election called and conducted under  
3 ~~sections~~ SECTION 661. ~~and 662.~~

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

7 Sec. 1732. The ballot submitting the question of borrowing  
8 money for the purpose of issuing bonds under section 1731 shall  
9 be in substantially the following form:

10 "Shall \_\_\_\_\_

11 (legal name of the intermediate school district)

12 state of Michigan, borrow the sum of not to exceed

13 \$\_\_\_\_\_ and issue its bonds therefor, for the purpose

14 of\_\_\_\_\_? THE ESTIMATED ANNUAL COST OF REPAYING THE

15 BONDS IS \$\_\_\_\_\_ PER PUPIL ENROLLED IN THE SPECIAL EDUCATION

16 PROGRAM AND \$\_\_\_\_\_ PER CLASSROOM AFFECTED BY THE PROJECT.

17 Yes ( )

18 No ( )".

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

22 (a) Section 662, MCL 380.662.

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

24 Enacting section 2. This amendatory act takes effect  
25 January 1, 2003.

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

4 (a) Senate Bill No. 439

5

6 (b) Senate Bill No. 440

7

8 (c) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
9 no. 00635'01 a \*).

10 (d) Senate Bill No. 444

11