

1998 PUBLIC AND LOCAL ACTS

[No. 406]

(HB 5201)

AN ACT to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 853 (MCL 380.853), as amended by 1992 PA 263, and by adding section 14.

The People of the State of Michigan enact:

380.14 Petitions; applicability of §§168.1 to 168.992.

[M.S.A. 15.4014]

Sec. 14. A petition under sections 11a, 411a, 412a, 503, 513, 614, 617, 690, 701, 853, 860, 931, 1026, 1032, or 1066, including the circulation and signing of the petition, is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488. A person who violates a provision of the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, applicable to a petition described in this section is subject to the penalties prescribed for that violation in the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

380.853 Petitions; preparation; form; contents; signature; circulation; return of petitions to intermediate superintendent; expiration date. [M.S.A. 15.4853]

Sec. 853. (1) Within 30 days after the receipt of the approval of the state board to the consolidation, the intermediate superintendent shall have petitions prepared for circulation within the designated school districts. The petitions shall be printed or duplicated.

(2) A petition under this section shall be substantially in the form prescribed for other petitions under this act and is subject to section 14.

(3) Official petitions shall be given by the intermediate superintendent to a school elector of the district proposed to be consolidated. A petition shall be circulated only by a school elector of the district. The statement appearing below the signatures of petitioners shall be dated and signed on each page before filing the petition with the intermediate superintendent.

(4) Official petitions shall be returned to the intermediate superintendent before the expiration date stated on the petition that is the sixtieth day after the receipt by the intermediate superintendent of the last certification by a city or township clerk as to the number of registered general electors residing in each of the affected school districts. The expiration date shall be not later than 180 days after the date of approval by the state board.

Conditional effective date.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 5138 of the 89th Legislature is enacted into law.

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Approved December 17, 1998.

Filed with Secretary of State December 21, 1998.

Compiler's note: House Bill No. 5138, referred to in enacting section 1, was filed with the Secretary of State June 25, 1998, and became P.A. 1998, No. 142, Eff. Mar. 23, 1999.
