



# ELECTION NEWS

A special informational bulletin on the implementation of Michigan election law.

---

Michigan Department of State - Ruth Johnson, Secretary of State

Issue No. 100

March 8, 2013

## In this Issue...

This edition of *Election News* offers a series of reminders and points of information related to Michigan Election Law. The following topics are covered:

- **County Clerks Required to Accept Filings and Prepare Ballots for Upcoming ISD Meetings Convened to Fill ISD Board Position**
- **Resources Available from the Bureau of Elections**
- **Have a Question or Need Assistance?**

**County Clerks Required to Accept Filings and Prepare Ballots for Upcoming ISD Meetings Convened to Fill ISD Board Positions**

The statutes which govern the conduct of the biennial meetings convened by intermediate school districts to fill their board positions require county clerks to accept the filings submitted for the positions and prepare the ballots needed for the election of the positions. (MCL 380.612 and 614) The following article outlines the provisions of law which govern the conduct of the meetings and the various duties which must be performed by Michigan's county clerks.

The duties a county clerk must perform to fill ISD board positions are limited in nature and clearly defined under the law. The duties do not have to be considered or documented by the members of the ISD's "coordinating committee."

***Date of meeting:*** The meeting must be conducted by the ISD on the first Monday in June in every odd-numbered year. This year, the meetings will be conducted on Monday, June 3 2013.

***Candidate filing deadline; filing official:*** A candidate must file a petition or a \$100.00 nonrefundable filing fee and an Affidavit of Identity with the ISD's "election coordinator" no later than Monday, May 6, 2013. The ISD's "election coordinator" is the clerk of the county in which the largest number of the district's registered electors reside.

**Petition signature requirements:** The following petition signature requirements apply if the candidate chooses to file a petition as opposed to the \$100.00 nonrefundable filing fee:

**Population of ISD less than 10,000 according to most recent federal census:** minimum of 6 signatures; maximum of 20 signatures.

**Population of ISD 10,000 or more according to most recent federal census:** minimum of 40 signatures; maximum of 100 signatures.

- An “Intermediate School District Nominating Petition” form is available for use by ISD candidates. County clerks are obligated to maintain a supply of the forms and distribute them to interested candidates. The form can be obtained through the commercial suppliers who handle election-related forms. The petition must be circulated on a city/township basis.
- Any registered voter who resides within the intermediate school district can sign the candidate’s petition. An ISD candidate is not required to limit the circulation of his or her petition to his or her constituent school district of residence.
- An elector of the ISD may sign as many petitions as there are positions to fill on the ISD board.
- The county clerk serving as the ISD’s filing official is responsible for determining the sufficiency of any petitions filed by ISD candidates.

**Office term:** ISD board members are elected to 6-year terms. The new terms commence on July 1 following the election.

**Preparation of ballots for meeting:** The county clerk serving as the ISD’s filing official is responsible for preparing the ballots needed for the conduct of the meeting convened by the ISD to fill its board positions.

- The creation of a simple paper ballot which lists the candidates’ names in alphabetical order is recommended.
- Several sets of the ballots should be prepared for the conduct of the meeting in the event that those participating in the meeting must vote more than once as referenced under “Voting and canvassing” below.
- The chairperson of the meeting may accept nominations for an available position “from the floor” if no candidates filed for the position. Consequently, in an instance where no candidates file for an available ISD position, the ballot must contain several lines for the hand entry of the candidates who receive nomination at the meeting.

**Conduct of meeting:** The president and secretary of the ISD are responsible for convening and conducting any meetings held by the ISD to fill its board positions; county clerks are not required to play any role in the conduct of the meetings.

- The meetings are subject to the Open Meetings Act and must be publicly posted as required under the Act. The ISD is responsible for handling the posting requirements.

- The electoral body responsible for electing the ISD board seats which must be filled at the meeting comprises one representative from each constituent school district in the ISD. The board of each constituent school district is required to designate its meeting representative by resolution during the three-week period which precedes the meeting. In addition to designating the school district’s meeting representative, the resolution must identify the candidate the board supports for each ISD board position which must be filled. The statute which governs the process stipulates that the board “shall consider the resolution at not less than 1 public meeting before adopting the resolution.”
- The secretary of the ISD is required to notify the secretary of each constituent school district of the location and time of the meeting at least 10 days before the meeting. The notice must be sent by certified mail.

***Candidate eligibility:*** The statutes which govern the election of ISD board members stipulate that:

- not more than two members of the ISD board “shall be from the same school district unless there are fewer districts than there are positions to be filled”;
- not more than three members of the ISD board may also be serving at the same time as a member of the board of a constituent district or board of directors of a public school academy.

Ensuring compliance with the above stipulations is the responsibility of the ISD board and the ISD officials handling the election of the ISD board members.

***Voting and canvassing:*** The president and secretary of the ISD are responsible for supervising the voting process. The votes are canvassed at the meeting. The statutes which govern the voting process stipulate that each constituent district representative entitled to vote at the meeting is required to vote for the candidate supported for each position by the constituent board he or she represents “at least on the first ballot taken by the electoral body.”

<b>Resources Available from the Bureau of Elections</b>
---

A wide variety of election-related information and materials can be accessed through the Bureau’s Web site at [www.Michigan.gov/elections](http://www.Michigan.gov/elections). The [Information for Election Administrators](#) web page has a wide variety of reference materials, manuals, forms and other useful items specifically geared toward use by election officials. The information and materials currently available on this web page include the following (direct links are also included where available):

[Michigan Election Law](#)

2013 Election Calendars

[E-Pollbook Resources and Information](#)

Archives of previous issues of [Election News](#), [Legislative Updates](#), and [News You Can Use](#)

**Have a Question or Need Assistance?**

If you have a question or need assistance with your election-related duties, please do not hesitate to contact the Michigan Department of State's Bureau of Elections. We will be happy to assist in any way possible!

**Phone:** (517) 373-2540 or (800) 292-5973

**Email:** [elections@michigan.gov](mailto:elections@michigan.gov)

**Fax:** (517) 373-0941

**Mailing address:** Michigan Department of State  
Bureau of Elections  
PO Box 20126  
Lansing, MI 48901-0726