

HOUSE BILL No. 4316

February 26, 2013, Introduced by Reps. Howrylak, Kelly, McMillin and Shirkey and referred to the Committee on Elections and Ethics.

A bill to amend 1877 PA 164, entitled

"An act to authorize cities, incorporated villages, and townships to establish and maintain, or contract for the use of, free public libraries and reading rooms; and to prescribe penalties and provide remedies,"

by amending sections 10 and 10a (MCL 397.210 and 397.210a), as amended by 1994 PA 81.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. (1) ~~Fifty~~ **TWO AND ONE-HALF PERCENT OF THE REGISTERED**
2 voters of an incorporated village or township may present to the
3 clerk of the village or township a petition asking that a tax be
4 levied for the establishment of a free public library in the
5 village or township and specifying the rate of taxation, not to
6 exceed 2 mills on the dollar. The tax may be of unlimited duration
7 or the petition may specify the number of years for which the tax
8 shall be levied. The clerk, in the next legal notice of the regular

1 election in that village or township, shall give notice that at the
2 election every voter may vote on the proposition including the rate
3 and any duration of taxation for the free public library.

4 (2) If the majority of all the votes cast in the village or
5 township is for the tax for a free public library, the tax
6 specified in the notice shall be levied and collected in the same
7 manner as other general taxes of that village or township for the
8 period, if any, specified in the petition, and shall be placed in a
9 fund known as the library fund.

10 (3) If a free public library is established, and a board of
11 directors elected and qualified **AS PROVIDED IN SECTION 11**, ~~that~~ **THE**
12 board of directors, on or before the first Monday of September in
13 each year ~~—~~if the free public library is established by a township
14 ~~—~~and on or before the second Monday in April ~~—~~if the free public
15 library is established by an incorporated village, shall prepare an
16 estimate of the amount of money necessary for the support and
17 maintenance of the library for the ensuing year, not exceeding 2
18 mills on the dollar of the taxable property of the village or
19 township. Unless any period specified in the petition for the levy
20 of the tax has expired, the board of directors shall report the
21 estimate to the assessor of the village or the supervisor of the
22 township for assessment and collection in the same manner as other
23 village or township taxes. The tax shall be so assessed and
24 collected. The corporate authorities of the villages or townships
25 may exercise the same powers conferred upon the corporate
26 authorities of cities under this act.

27 (4) A library established under this section constitutes an

1 authority under section 6 of article IX of the state constitution
2 of 1963.

3 Sec. 10a. (1) ~~Fifty~~**TWO AND ONE-HALF PERCENT OF THE REGISTERED**
4 voters of a city may present to the clerk of the city a petition
5 asking that a tax be levied for the establishment of a free public
6 library in that city and specifying a rate of taxation not to
7 exceed 2 mills on the dollar. The tax may be of unlimited duration
8 or the petition may specify the number of years for which the tax
9 shall be levied. The clerk, in the next legal notice of the regular
10 election in that city, shall give notice that at the election every
11 voter may vote upon the proposition. The notice shall specify the
12 rate and any duration of taxation mentioned in the petition.

13 (2) If a majority of all the votes cast in the city upon the
14 proposition is for the tax for a free public library, the tax
15 specified in the notice shall be levied and collected in the same
16 manner as other general taxes of that city for the period, if any,
17 specified in the petition, and shall be placed in a fund to be
18 known as the ~~"library fund"~~**.LIBRARY FUND.**

19 (3) If ~~the~~**A** free public library is established under this
20 section, and a board of directors elected and qualified as provided
21 in section 11, the board of directors on or before the first Monday
22 in September in each year shall prepare an estimate of the amount
23 of money necessary for the support and maintenance of the free
24 public library for the ensuing year, not exceeding 2 mills on the
25 dollar of the taxable property of the city. Unless any period
26 specified in the petition for the levy of the tax has expired, the
27 board of directors shall report the estimate to the legislative

1 body of the city. The legislative body shall cause to be raised by
2 tax upon the taxable property in the city the amount of the
3 estimate in the same manner that other general taxes are raised in
4 the city.

5 (4) A tax levied under this section shall be in addition to
6 any tax limitation imposed by a city charter.