

DISTRICT LIBRARIES

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Senate Bill 512 (Substitute H-1)

Sponsor: Sen. Bev Hammerstrom

House Committee: House Oversight, Elections, and Ethics

Senate Committee: Government Operations

Complete to 6-13-05

A SUMMARY OF SENATE BILL 512 AS REPORTED FROM HOUSE COMMITTEE

The bill would amend the District Library Establishment Act to do the following:

- Allow a single municipality (except for a school district) with a population of 5,000 or more to establish a district library if the municipality had made an assertive effort over at least three consecutive years to form a district library with other municipalities; the municipality had received approval of a plan of service from the state librarian; and the municipality otherwise met the requirements of a district library and met any other requirements imposed by the state librarian.
- Permit amendments to an agreement establishing a district library to provide for the merging of two or more district libraries.
- Require a referendum to be scheduled on the formation of a district library upon the petition of at least five percent of registered electors residing in each affected municipality, and require the referendum to include a millage request. If passed, the participating municipalities of a new library district would appoint an interim governing board to prepare an agreement and map, and submit those to the department within 180 days. If an existing district library, the district board would vote to accept or reject the new municipality within 30 days.
- Allow two or more district libraries to merge if all the following conditions were satisfied: a) the governing boards by majority vote approved the merger, and all territory located within their jurisdictional service areas was included; b) the approving resolution was conditioned upon majority vote of approval by the governing boards of all participating municipalities within a period of time specified in the resolution; c) by a majority vote of the library boards, the agreement was amended to reflect the merger; d) the amendments to the agreement included changes in board representation, the percentage of funds necessary from each participant municipality, a revised legal description of the district, and a map that clearly showed the revised service area; and e) all amendments and resolutions were submitted to the state library.
- If there were a district-wide library tax being levied by a participating library at the time of the merger, the tax would remain in effect and could be considered as a portion (or all) of that library's contribution in the merger. A district-wide tax would be extinguished

upon the approval of a merged district library district-wide tax, by the majority of the electorate residing in the merged district libraries' jurisdiction limits.

- Require that a proposal for a district-wide tax be certified for inclusion on the ballot at the next general election, the state primary immediately preceding the general election, or a special election "held on an otherwise regularly scheduled election date."
- Delete current requirements that require a district library in certain cases to reimburse a school district for the actual costs of conducting an election for district library board members or a district-wide tax; instead, the bill would specify that if an election for district library board members was held in conjunction with the regular election of a participating school district, the school district election coordinator would charge the district library for additional costs the school district incurs.
- Allow the state librarian to initiate proceedings to dissolve a district library if the state librarian found the district library did not qualify for distribution of state aid and penal fines; the library board had not met in the last 12 months; and the library lacks funding to provide adequate services.
- Exclude a school district from the act's definition of "municipality" for the purpose of establishing a new district library after January 1, 2015.

MCL 397.172 et al

FISCAL IMPACT:

The bill would have no fiscal impact on state government. District libraries levy millages only with voter approval.

Legislative Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.