MEMORIALS; TOWNSHIP LANDS

Act 50 of 1921

AN ACT to authorize and empower townships to own and acquire land by gift or purchase for the erection of memorials to soldiers and sailors; to authorize the erection of such memorials; to provide for the assessment, levy and collection of taxes therefor, for the custody, control and management of such memorials; to provide for a referendum by the electors thereof; and to prescribe penalties and provide remedies.

History: 1921, Act 50, Eff. Aug. 18, 1921 ;-- Am. 1998, Act 197, Eff. Mar. 23, 1999

The People of the State of Michigan enact:

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35.861 Veterans' memorials; acquisition by township of lands therefor; use.

Sec. 1.

It shall be lawful for, and the several townships in the state of Michigan are hereby authorized and empowered to own and acquire by gift or purchase, land for the purpose of erecting thereon a suitable memorial to soldiers and sailors of any 1 or more of the wars in which the United States of America has been a participant, and to erect and own such memorial or receive the same, or money or property for the same, as a gift. Said memorial may be of such a nature as to be used, maintained and enjoyed in whole or in part as a museum, library, auditorium or for any other public use or purpose, and such land may also be used, enjoyed and improved, in whole or in part, as a park, or the memorial may take such shape or form or be of such a nature as the township board shall adopt.

History: 1921, Act 50, Eff. Aug. 18, 1921 ;-- CL 1929, 944 ;-- CL 1948, 35.861

35.862 Tax levy for purchase of lands for veterans' memorial.

Sec. 2.

For the purpose of providing funds to carry out the provisions of this act, the township board of such township shall at its annual meeting, levy a sufficient tax, in addition to other taxes now authorized by law, upon the real and personal property subject to taxation in such township, and such taxes shall be collected as other taxes are collected, and when collected shall be applied to the payment of any indebtedness incurred by any township coming under the provisions of this act, and to no other purpose: Provided, That the taxes assessed, levied and collected shall not cause the limit of taxes established by law to be exceeded.

History: 1921, Act 50, Eff. Aug. 18, 1921 ;-- CL 1929, 945 ;-- CL 1948, 35.862

35.863 Veterans' memorials on township lands; custody, management and control.

Sec. 3.

The custody, management and control of such memorial and all property belonging thereto or intended to be used in connection therewith, shall be vested in the township board of such township.

History: 1921, Act 50, Eff. Aug. 18, 1921 ;-- CL 1929, 946 ;-- CL 1948, 35.863

35.864 Referendum on purchase of lands for veterans' memorial; petition, notice; ballot, form and contents; publication of results.

Sec. 4.

This act shall not become operative until a majority of the electors voting at any regular or special election duly called shall vote in favor of it and shall so express themselves by ballot, upon the operation or non-operation of this act within their township, when properly submitted to such electors in accordance with the following procedure: Upon the filing with the township clerk, of a petition signed by not less than 100 duly and legally qualified electors of such township praying therein for the submission of this question to the electors of their township, the township board shall thereupon meet and order the submission of the question to the electors of the township at the next regular election, which supplies ample time for proper notices and printing of ballots, or at a special election to be called for that purpose in the discretion of the township board; notices of such submission, the posting thereof, publication thereof, and contents thereof to be governed by the general laws pertaining to regular township elections. Votes on the question of the adoption of the provisions of this act shall be taken, counted and canvassed in the same manner as votes cast for candidates voted for in said regular township election. The vote upon the submission of the provisions of this act shall be by ballot in substantially the following form:

Vote on the proposition: "Shall the township erect or construct a memorial to the soldiers and sailors of all our wars at a cost of not more than $.... nor less than $....?"

(Make a cross (X) in the appropriate square below).

"Shall the township erect or construct a memorial to the soldiers and sailors of all our wars at a cost of not more than $.... nor less than $....?

Yes [ ]

No [ ]."

Ballots shall be furnished by the township board of the township in which submission of this question shall be requested by the requisite number of qualified petitioners of such township, and when voted shall be deposited in a ballot box provided for that purpose. The result of said vote shall be certified to the county clerk and by him to the board of supervisors of the county of which such township is a part, and such county clerk shall also certify the result of such vote to the secretary of state; the result of such election shall also be publicly announced at the polls after the counting of the ballots, and from that time this act will be effective in accordance with the result of such vote.

History: 1921, Act 50, Eff. Aug. 18, 1921 ;-- CL 1929, 947 ;-- CL 1948, 35.864

35.865 Violation of MCL 168.1 to 168.992 applicable to petitions; penalties.

Sec. 5.

A petition under section 4, 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.

History: Add. 1998, Act 197, Eff. Mar. 23, 1999

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