

**SUBSTITUTE FOR
SENATE BILL NO. 546**

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 2, 3, 4, 5, 7, 9, 10, 10a, 10c, 11, 14, 15, and 16 (MCL 397.202, 397.203, 397.204, 397.205, 397.207, 397.209, 397.210, 397.210a, 397.210c, 397.211, 397.214, 397.215, and 397.216), section 2 as amended by 2000 PA 99, sections 10, 10a, and 10c as amended by 1994 PA 81, section 11 as amended by 2002 PA 160, and sections 14 and 16 as amended and section 15 as added by 1984 PA 128.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) If a city council decides to establish and
2 maintain a public library and reading room under this act, the

1 mayor of that city shall, with the approval of the city council,
 2 appoint a **GOVERNING** board of 5 ~~directors~~**MEMBERS** for the library
 3 and reading room, chosen from the citizens at large, with reference
 4 to their fitness for that office. Not more than 1 member of the
 5 city council ~~shall~~**MAY** be at ~~any 1 time~~ a member of the board **AT**
 6 **ANY 1 TIME**.

7 (2) If a city council decides, after the first ~~appointments~~
 8 **APPOINTMENT** of the **GOVERNING** board ~~of directors as provided in~~
 9 **UNDER** subsection (1), that the purposes of the library and reading
 10 room would be better served by a different number of members on the
 11 ~~appointed~~**GOVERNING** board, ~~of directors,~~ the city council may by
 12 ordinance change the number of members to an odd number not less
 13 than 5 or more than 9.

14 (3) The term of office for each member of the ~~appointed~~
 15 **GOVERNING** board ~~of directors~~ may be changed by ordinance to a term
 16 of not less than 2 years or more than 5 years.

17 (4) Notwithstanding ~~the provisions of~~ section 3, if the term
 18 of office is changed by ordinance by a city council, the term of
 19 office for subsequent appointments by the mayor shall be the same
 20 as prescribed by the ordinance.

21 Sec. 3. The offices of boards of directors ~~heretofore~~
 22 appointed **BEFORE JULY 1, 1932** under this act, consisting of 9
 23 members, are ~~hereby declared vacant on~~**EFFECTIVE** July 1, 1932, and
 24 a board of 5 ~~directors~~**MEMBERS** to succeed them or a board of
 25 ~~directors of~~ 5 members for a library newly established ~~hereunder~~
 26 **UNDER THIS ACT** shall be first appointed as follows: 1 ~~director~~
 27 **MEMBER** shall be appointed for a term of 5 years, 1 ~~director~~**MEMBER**

1 shall be appointed for a term of 4 years, 1 ~~director~~ **MEMBER** shall
 2 be appointed for a term of 3 years, 1 ~~director~~ **MEMBER** shall be
 3 appointed for a term of 2 years, 1 ~~director~~ **MEMBER** shall be
 4 appointed for a term of 1 year, and annually thereafter the mayor
 5 shall appoint 1 member ~~of such board of directors~~ for a term of 5
 6 years. The mayor may, by and with the consent of the city council,
 7 remove any ~~director~~ **MEMBER** for misconduct or neglect of duty.

8 Sec. 4. ~~Vacancies~~ **A VACANCY** in the **GOVERNING** board of
 9 ~~directors occasioned~~ **A LIBRARY OCCASIONED** by ~~removals,~~ **REMOVAL,**
 10 resignation, or otherwise, shall be reported to the city council ~~7~~
 11 and ~~be filled in like~~ **THE SAME** manner as **THE** original appointments,
 12 **APPOINTMENT**, and no ~~director~~ **MEMBER** shall receive compensation as
 13 such.

14 Sec. 5. ~~Said directors~~ **THE GOVERNING BOARD OF A LIBRARY** shall,
 15 immediately after appointment, meet and organize, by the election
 16 of ~~1 of their number~~ **1 MEMBER AS** president, and by the election of
 17 ~~such other officers as they may deem necessary. They~~ **THE GOVERNING**
 18 **BOARD** shall make and adopt ~~such by laws,~~ **BYLAWS**, rules, and
 19 regulations for ~~their~~ **ITS** own guidance and for the government of
 20 the library and reading room, ~~as may be expedient, not inconsistent~~
 21 **CONSISTENT** with this act. ~~They shall have the~~ **THE GOVERNING BOARD**
 22 **HAS** exclusive control of the expenditure of all ~~moneys~~ **MONEY**
 23 collected to the credit of the library fund, ~~and of the~~
 24 construction of any library building, and ~~of the~~ supervision, care,
 25 and custody of the grounds, rooms, or buildings constructed,
 26 leased, or set apart for that purpose. ~~÷ Provided, That all moneys~~
 27 **ALL MONEY** received for ~~such~~ **THE** library shall be deposited in the

1 treasury of ~~said-**THE**~~ city to the credit of the library fund, and
 2 shall be kept separate and apart from other ~~moneys-**MONEY**~~ of such
 3 **THE** city, and drawn upon by the proper officers of ~~said-**THE**~~ city ,
 4 upon the properly authenticated vouchers of the library board. ~~Said~~
 5 **THE GOVERNING** board ~~shall have power to-**MAY**~~ purchase or lease
 6 grounds , ~~to-**AND**~~ occupy, lease, or erect an appropriate building or
 7 buildings for the use of ~~said-**THE**~~ library; ~~shall have-**HAS THE**~~ power
 8 to appoint a suitable librarian and necessary assistants , ~~and fix~~
 9 their compensation; and ~~shall also have power to remove such~~
 10 appointees. , ~~and-**THE GOVERNING BOARD**~~ shall , ~~in general,~~ carry out
 11 the spirit and intent of this act in establishing and maintaining a
 12 public library and reading room.

13 Sec. 7. The ~~said-**GOVERNING**~~ board of ~~directors-**APPOINTED UNDER**~~
 14 **SECTION 2** shall make, ~~at the end of each and every year from and~~
 15 ~~after the organization of such library, a-**ANNUALLY**~~ report to the
 16 city council , ~~stating the condition of their trust at the date of~~
 17 ~~such report the various sums of-**ON THE**~~ money received from the
 18 library fund and from other sources, and how ~~such moneys have-**THE**~~
 19 **MONEY HAS** been expended , ~~and for what purposes; the number of~~
 20 books and periodicals on hand; the number added by purchase, gift,
 21 or otherwise during the year; the number lost or missing; the
 22 number of visitors attending; the number of books loaned out, and
 23 the general character and kind of ~~such-**THOSE**~~ books; , ~~with such-**AS**~~
 24 **WELL AS** other statistics, information, and suggestions as ~~they may~~
 25 ~~deem of general interest.-**IT DEEMS APPROPRIATE.**~~ All ~~such portions~~
 26 of ~~said-**THE**~~ report as ~~-**THAT**~~ relate to the receipt and expenditure of
 27 money, as well as the number of books on hand, books lost or

1 missing, ~~and~~ OR books purchased, shall be verified by affidavit.

2 Sec. 9. Any person desiring to ~~make donations of~~ **DONATE** money,
3 personal property, or real estate for the benefit of ~~such~~ **A** library
4 ~~, shall have~~ **HAS** the right to vest the title to money or real
5 estate ~~so~~ donated in ~~the~~ **A GOVERNING** board ~~of directors~~ created
6 under this act, to be held and controlled by ~~such~~ **THAT** board ~~, when~~
7 accepted ~~, according to the terms of the deed, gift, devise, or~~
8 bequest of ~~such~~ **THE** property. ~~, and as to such property, the said~~
9 **THE GOVERNING** board shall be held and considered ~~to be~~ **A** special
10 ~~trustees.~~ **TRUSTEE OF MONEY, PERSONAL PROPERTY, OR REAL ESTATE**
11 **DONATED UNDER THIS SECTION.**

12 Sec. 10. (1) Fifty voters of an incorporated village or
13 township may present to the clerk of the village or township a
14 petition asking that a tax be levied for the establishment of a
15 free public library in the village or township and specifying the
16 rate of taxation, not to exceed 2 mills on the dollar. The tax may
17 be of unlimited duration or the petition may specify the number of
18 years for which the tax shall be levied. The clerk, in the next
19 legal notice of the regular election in that village or township,
20 shall give notice that at the election every voter may vote on the
21 proposition including the rate and any duration of taxation for the
22 free public library.

23 (2) If the majority of all the votes cast in the village or
24 township is for the tax for a free public library, the tax
25 specified in the notice shall be levied and collected in the same
26 manner as other general taxes of that village or township for the
27 period, if any, specified in the petition, and shall be placed in a

1 fund known as the library fund.

2 (3) If a free public library is established and a **GOVERNING**
 3 ~~board of directors~~ elected and qualified, that board, ~~of directors,~~
 4 on or before the first Monday of September in each year ~~, if the~~
 5 **FOR A** free public library ~~is~~ established by a township, and on or
 6 before the second Monday in April ~~, if the~~ **IN EACH YEAR FOR A** free
 7 public library ~~is~~ established by an incorporated village, shall
 8 prepare an estimate of the amount of money necessary for the
 9 support and maintenance of the library for the ensuing year, not
 10 exceeding 2 mills on the dollar of the taxable property of the
 11 village or township. Unless any period specified in the petition
 12 for the levy of the tax has expired, the **GOVERNING** board ~~of~~
 13 ~~directors~~ shall report the estimate to the assessor of the village
 14 or the supervisor of the township for assessment and collection in
 15 the same manner as other village or township taxes ~~. The~~ **AND THE**
 16 tax shall be so assessed and collected. ~~The~~ **A** corporate ~~authorities~~
 17 **AUTHORITY** of ~~the villages~~ **A VILLAGE** or ~~townships~~ **TOWNSHIP** may
 18 exercise the same powers conferred upon the corporate ~~authorities~~
 19 **AUTHORITY** of ~~cities~~ **A CITY** under this act.

20 (4) A library established under this section constitutes an
 21 authority under section 6 of article IX of the state constitution
 22 of 1963.

23 Sec. 10a. (1) Fifty voters of a city may present to the clerk
 24 of the city a petition asking that a tax be levied for the
 25 establishment of a free public library in that city and specifying
 26 a rate of taxation not to exceed 2 mills on the dollar. The tax may
 27 be of unlimited duration or the petition may specify the number of

1 years for which the tax shall be levied. The clerk, in the next
2 legal notice of the regular election in that city, shall give
3 notice that at the election every voter may vote upon the
4 proposition. The notice shall specify the rate and any duration of
5 taxation mentioned in the petition.

6 (2) If a majority of all the votes cast in the city upon the
7 proposition is for the tax for a free public library, the tax
8 specified in the notice shall be levied and collected in the same
9 manner as other general taxes of that city for the period, if any,
10 specified in the petition, and shall be placed in a fund to be
11 known as the "library fund".

12 (3) If the free public library is established under this
13 section, and a **GOVERNING** board ~~of directors~~ **IS** elected and
14 qualified as provided in section 11, the board, ~~of directors~~ on or
15 before the first Monday in September in each year, shall prepare an
16 estimate of the amount of money necessary for the support and
17 maintenance of the free public library for the ensuing year, not
18 ~~exceeding~~ **TO EXCEED** 2 mills on the dollar of the taxable property
19 of the city. Unless any period specified in the petition for the
20 levy of the tax has expired, the **GOVERNING** board ~~of directors~~ shall
21 report the estimate to the legislative body of the city. The
22 legislative body shall ~~cause to be raised~~ **RAISE** by tax upon the
23 taxable property in the city the amount of the estimate in the same
24 manner that other general taxes are raised in the city.

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

27 Sec. 10c. (1) If a city, village, or township has voted on,

1 approved, and established a library pursuant to this act and the
 2 ~~library~~ **GOVERNING** board ~~of directors~~ by resolution determines that
 3 the estimate of the amount of money necessary for the support and
 4 maintenance of the library exceeds the previously authorized
 5 millage or that, if the previously authorized millage was approved
 6 for a specific number of years, the millage should be renewed, the
 7 question of increasing the library millage to not more than 2 mills
 8 or of renewing the millage shall be placed on the ballot for
 9 approval at the next regular annual election for that city,
 10 village, or township or at a special election for that city,
 11 village, or township. The increase or renewal may be of unlimited
 12 duration or the question may specify the number of years for which
 13 the increase or renewal shall be levied. The costs of a special
 14 election shall be paid from the library fund.

15 (2) If ~~, before the effective date of the amendatory act that~~
 16 ~~added this subsection,~~ a library millage was renewed in the manner
 17 provided by subsection (1) **BEFORE APRIL 11, 1994**, that millage
 18 renewal is hereby validated.

19 Sec. 11. (1) Immediately after a city, a village, or a
 20 township has voted to establish a free public library, **THE CITY,**
 21 **VILLAGE, OR TOWNSHIP SHALL ESTABLISH** a ~~library~~ **GOVERNING** board
 22 ~~shall be established by the city, village, or township as~~
 23 ~~prescribed~~ **PROVIDED** in subsections (3) and (4).

24 (2) If a city, village, or township has a free public library
 25 ~~which~~ **THAT** has not elected a ~~library~~ **GOVERNING** board, including a
 26 city library and **GOVERNING** board ~~of directors~~ established under
 27 sections 1 to 10, the city, village, or township shall establish a

1 ~~library-GOVERNING~~ board as ~~prescribed-PROVIDED~~ in subsections (3)
2 and (4).

3 (3) The legislative body of a city, village, or township
4 described in subsection (1) or (2) shall appoint a provisional
5 ~~library-GOVERNING~~ board of 6 ~~directors-MEMBERS~~ who shall hold
6 office until the next ~~annual or biennial city, or village,~~
7 ~~election,~~ or township election, of a permanent ~~library-GOVERNING~~
8 board.

9 (4) A permanent ~~library-GOVERNING~~ board shall be established
10 for a city, village, or township described in subsection (1) or (2)
11 as follows:

12 (a) In a city or village ~~holding~~ **THAT HOLDS** an annual
13 election, 6 ~~directors-MEMBERS~~ shall be elected. The terms of 2 of
14 the ~~directors-MEMBERS~~ shall be 1 year; the terms of 2 of the
15 ~~directors-MEMBERS~~ shall be 2 years; and the terms of 2 of the
16 ~~directors-MEMBERS~~ shall be 3 years. Each year thereafter, 2
17 ~~directors-MEMBERS~~ shall be elected for 3-year terms.

18 (b) In a city or village that holds biennial elections, 6
19 ~~directors-MEMBERS~~ shall be elected. The terms of 2 of the ~~directors~~
20 **MEMBERS** shall be 2 years; the terms of 2 of the ~~directors-MEMBERS~~
21 shall be 4 years; and the terms of 2 of the ~~directors-MEMBERS~~ shall
22 be 6 years. Biennially thereafter, 2 ~~directors-MEMBERS~~ shall be
23 elected for 6-year terms.

24 (C) **IN A CITY OR VILLAGE THAT HOLDS ELECTIONS FOR CITY OR**
25 **VILLAGE OFFICERS EVERY 4 YEARS, 6 MEMBERS SHALL BE ELECTED FOR 4-**
26 **YEAR TERMS.**

27 (D) ~~(e)-~~In a township ~~holding~~ **THAT HOLDS** elections for

1 township officers every 4 years, 6 ~~directors~~ **MEMBERS** shall be
 2 elected for 4-year terms. ~~at the primary and general elections in~~
 3 ~~1984. A term of office shall not be shortened by this subdivision.~~
 4 ~~A director scheduled by this section before March 31, 1981, to be~~
 5 ~~elected at a time other than 1984 shall not be elected on the date~~
 6 ~~scheduled, but shall continue in office until a successor takes~~
 7 ~~office pursuant to the election of 1984.~~

8 **(E)** ~~(d)~~ The ~~directors~~ **MEMBERS** shall be nominated and elected
 9 on nonpartisan ballots. A candidate for city, village, or township
 10 ~~library director~~ **GOVERNING BOARD MEMBER** shall **BE A QUALIFIED**
 11 **ELECTOR OF THAT CITY, VILLAGE, OR TOWNSHIP AND SHALL** file
 12 nonpartisan nominating petitions bearing the signatures of a number
 13 of registered and qualified electors of that city, village, or
 14 township as follows:

15 (i) For a city, village, or township having a population of
 16 9,999 or less, not less than 6 or more than 20 signatures.

17 (ii) For a city, village, or township having a population of
 18 10,000 or more, not less than 40 or more than 100 signatures.

19 **(F)** ~~(e)~~ In lieu of the nominating petitions prescribed in
 20 subdivision ~~(d)~~, **(E)**, an individual may file with the clerk
 21 conducting an election a \$100.00 nonrefundable fee to have his or
 22 her name placed on the ballot.

23 **(G)** ~~(f)~~ The Michigan election law, 1954 PA 116, MCL 168.1 to
 24 168.992, ~~shall govern~~ **GOVERNS** the circulation and filing of
 25 nonpartisan nominating petitions and the conduct of nonpartisan
 26 elections under this section. **A NONPARTISAN ELECTION CONDUCTED**
 27 **UNDER THIS SECTION SHALL BE HELD IN CONJUNCTION WITH THE CITY,**

1 VILLAGE, OR TOWNSHIP'S NEXT REGULARLY SCHEDULED PRIMARY OR GENERAL
2 ELECTION.

3 (5) ~~A director~~ EXCEPT AS OTHERWISE PROVIDED IN THIS
4 SUBSECTION, A MEMBER shall hold office until a successor is elected
5 and qualified. THE OFFICE OF MEMBER BECOMES VACANT WHEN THE
6 INCUMBENT DIES, RESIGNS, IS CONVICTED OF A FELONY, IS REMOVED FROM
7 OFFICE BY THE GOVERNOR UNDER SECTION 10 OF ARTICLE V OF THE STATE
8 CONSTITUTION OF 1963, OR, EXCEPT AS OTHERWISE PROVIDED IN THIS
9 SUBSECTION, CEASES TO BE A QUALIFIED ELECTOR OF THE CITY, VILLAGE,
10 OR TOWNSHIP IN WHICH HE OR SHE WAS APPOINTED OR ELECTED. A MEMBER
11 WHO IS SERVING A TERM ON A LIBRARY GOVERNING BOARD ON THE EFFECTIVE
12 DATE OF THE AMENDATORY ACT THAT ADDED THIS SENTENCE AND WHO DURING
13 THAT TERM CEASES TO BE A QUALIFIED ELECTOR OF THE CITY, VILLAGE, OR
14 TOWNSHIP IN WHICH HE OR SHE WAS APPOINTED OR ELECTED MAY SERVE THE
15 REMAINDER OF THE TERM, BUT MAY NOT SEEK ANOTHER TERM ON THE LIBRARY
16 GOVERNING BOARD OF THAT CITY, VILLAGE, OR TOWNSHIP UNLESS HE OR SHE
17 MEETS THE REQUIREMENTS OF SUBSECTION (4) (E) .

18 (6) A CITY OR VILLAGE library GOVERNING board shall fill a
19 vacancy in a ~~directorship~~ MEMBERSHIP by appointment of ~~a person~~ AN
20 INDIVIDUAL to hold office until the next REGULAR election AT WHICH
21 CITY OR VILLAGE OFFICERS ARE ELECTED. A TOWNSHIP LIBRARY GOVERNING
22 BOARD SHALL FILL A VACANCY IN A MEMBERSHIP BY APPOINTMENT OF AN
23 INDIVIDUAL TO HOLD OFFICE UNTIL THE NEXT GENERAL NOVEMBER ELECTION.

24 (7) A provisional or permanent ~~library~~ GOVERNING board has the
25 powers prescribed in section 5.

26 Sec. 14. (1) Upon receipt of a petition signed by not less
27 than 10% of the electors in any township based on the highest vote

1 cast at the last regular election for township officers of the
2 township, addressed to the township board, requesting that a
3 meeting be called of the electors in the township, to consider
4 making a contract with any township, city, or village supporting
5 and maintaining a free public circulating library and reading room
6 under this act, or under any special act, for the use of its
7 privileges by the residents of the township, the township board
8 shall call a meeting of the electors of the township by posting
9 ~~notices~~ **A NOTICE** in at least 5 public places within the township
10 not less than 10 days before the meeting. The electors present at
11 the meeting shall determine whether the township shall enter into a
12 contract for the use of a free public circulating library and
13 reading room in any township, city, or village and the rate of
14 taxation to be levied for the purpose of paying for that use if the
15 electors decide to enter into such a contract. However, a tax so
16 levied shall not exceed 1 mill of the state equalized valuation of
17 the township. If a majority of those present and voting are in
18 favor of the township contracting for the use of a free public
19 circulating library and reading room maintained in any township,
20 city, or village, the township board may enter into a contract and
21 shall levy and collect the tax provided for in this subsection,
22 which ~~tax when collected~~ shall be placed in a fund to be known as
23 the "library fund". The money in the library fund shall be paid
24 over by the township treasurer to the treasurer of the township,
25 city, or village in which the library is located ~~—~~ on the first day
26 of January, February, and March of each year, to be disbursed
27 ~~subject to the provisions of~~ **UNDER** section 5. This subsection is

1 not a limitation on the contractual power of a legislative body of
2 a city, village, or township under section 13.

3 (2) Notwithstanding any contrary provision in a township,
4 city, or village charter, the ~~library~~**GOVERNING** board of ~~directors~~
5 **A LIBRARY** of a township, city, or village supporting and
6 maintaining a free public circulating library and reading room
7 under this act, or under any special act, may enter into a contract
8 with another township, city, or village to ~~permit~~**PROVIDE** the
9 residents of that other township, city, or village **WITH** the full
10 use of the library and reading room, upon terms and conditions ~~to~~
11 ~~be agreed upon between the library~~**GOVERNING** board of ~~directors~~**THE**
12 **LIBRARY** and the legislative body of the other township, city, or
13 village. A contract entered into ~~pursuant to~~**UNDER** this subsection
14 shall be executed for a term of 3 years, shall be automatically
15 extended for an indefinite term after the initial 3-year period,
16 and shall be terminable by either party only ~~on the giving of~~**UPON**
17 6 months' notice of the intent to terminate the contract.

18 Sec. 15. (1) In a county ~~which~~**THAT** does not have a county
19 library established under ~~Act No. 138 of the Public Acts of 1917,~~
20 ~~being sections 397.301 to 397.305 of the Michigan Compiled Laws,~~
21 **1917 PA 138, MCL 397.301 TO 397.305**, or counties in which the
22 population exceeds 1,000,000, a contract for use of library
23 services under section 13 may provide for joint representation on
24 the library **GOVERNING** board. ~~of directors.~~ A joint library
25 **GOVERNING** board shall not have more than 9 ~~directors~~**MEMBERS**.

26 (2) A contract for use of library services that provides for
27 joint representation may provide that a ~~director~~**MEMBER** serving on

1 a ~~library-GOVERNING~~ board on the day before the establishment of a
2 joint ~~library-GOVERNING~~ board shall become a ~~director-MEMBER~~ of the
3 joint ~~library-GOVERNING~~ board and shall serve out the balance of
4 his or her unexpired term.

5 (3) A contract for the use of library services shall specify
6 all of the following:

7 (a) Whether ~~those directors~~ **MEMBERS** added to an existing
8 ~~library-GOVERNING~~ board to create a joint ~~library-GOVERNING~~ board
9 are elected or appointed.

10 (b) The method of election or appointment of ~~those directors~~
11 **MEMBERS** added to an existing ~~library-GOVERNING~~ board to create a
12 joint ~~library-GOVERNING~~ board.

13 (c) Lengths of terms of office of ~~those directors~~ **MEMBERS**
14 added to an existing ~~library-GOVERNING~~ board to create a joint
15 ~~library-GOVERNING~~ board. The terms of the added ~~directors~~ **MEMBERS**
16 shall be staggered. If a contract establishing a joint ~~library~~
17 **GOVERNING** board is terminated, the terms of all added ~~directors~~
18 ~~shall~~ **MEMBERS** end on the date of termination.

19 (d) The method of removal of, and the causes upon which
20 removal may be based for, a ~~director-MEMBER~~ added to an existing
21 ~~library-GOVERNING~~ board to create a joint ~~library-GOVERNING~~ board.

22 (e) The method of filling a vacancy in the office of a
23 ~~director-MEMBER~~ added to an existing ~~library-GOVERNING~~ board to
24 create a joint ~~library-GOVERNING~~ board. A vacancy shall be filled
25 for the balance of the unexpired term.

26 (f) Any other provision ~~which~~ **THAT** is considered necessary or
27 advisable.

(4) Selection, length of terms, manner of filling vacancies, and removal of the ~~directors~~**MEMBERS** of the existing library **GOVERNING** board who become ~~directors~~**MEMBERS** on the joint library **GOVERNING** board ~~shall continue to be~~**ARE** governed by state law or by the township, city, or village charter.

(5) If a contract for use of library services that provides for joint representation does not provide that ~~directors~~**MEMBERS** on the existing **GOVERNING** board become ~~directors~~**MEMBERS** on the joint ~~library~~**GOVERNING** board, the offices of the ~~directors~~**MEMBERS** of the existing **GOVERNING** board shall be vacated on the date the joint **GOVERNING** board assumes jurisdiction and the contract shall include ~~those~~**THE** provisions required by subsection (3), which shall apply to the entire joint ~~library~~**GOVERNING** board.

(6) A joint ~~library~~**GOVERNING** board established under this section has the same powers and duties as a ~~city library~~**GOVERNING** board **OF A LIBRARY** under sections 5 to 7.

Sec. 16. After fulfilling the contractual requirements, the people of a township, village, or city ~~which~~**THAT** has contracted for library services with another township, village, or city ~~shall~~ have all rights in the use and benefits of the library that they would have if they lived in the township, village, or city where the library is established, subject to uniform rules and regulations established by the **GOVERNING** board. ~~of library directors.~~