

Act No. 367
Public Acts of 1994
Approved by the Governor
December 26, 1994
Filed with the Secretary of State
December 27, 1994

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994**

Introduced by Rep Profit

ENROLLED HOUSE BILL No. 5940

AN ACT to amend section 4 of Act No 77 of the Public Acts of 1951 entitled as amended An act providing for the specific taxation of low grade iron ore of low grade iron ore mining property and of rights to minerals in lands containmg low grade iron ores to provide for the collection and distribution of the specific tax to make an appropriation and to prescribe the powers and duties of the state geologist and township supervisors and treasurers with respect to the specific tax as amended by Act No 277 of the Public Acts of 1987 being section 211 624 of the Michigan Compiled Laws

The People of the State of Michigan enact

Section 1 Section 4 of Act No 77 of the Public Acts of 1951 as amended by Act No 277 of the Public Acts of 1987 being section 211 624 of the Michigan Compiled Laws is amended to read as follows

Sec 4 (1) If the specific tax determined under section 3 is less than the specific tax determned under section 2 then section 2 shall govern

(2) The township supervisor shall remove from the list of land descriptions assessed and taxed under the general property tax act Act No 206 of the Public Acts of 1893 as amended being sections 211 1 to 211 157 of the Michigan Compiled Laws the land descriptions of property taxed under this act and shall enter the land descriptions on a separate roll The township supervisor shall spread the specific tax against the property and the township treasurer shall collect the specific tax at the same time in the same manner and subject to the same collection charges as general property taxes Property listed and taxed under this act shall be subject to return and sale for nonpayment of taxes in the same manner at the same time and under the same penalties as property returned and sold for nonpayment of taxes levied under Act No 206 of the Public Acts of 1893 as amended A valuation shall not be determined for a description hsted under this act and the property shall not be considered by the county board of commissioners or by the state board of equalization in connection with county or state equahzation for taxation purposes If a low grade iron ore mining property is located in more than 1 township the state geologist shall determine the portion attributable to each township Except as provided in subsection (5) sums collected under this act shall be distributed by the township treasurer to school districts and governmental units in the same proportion as the general property taxes are distributed The distribution calculations for 1987 shall exclude the value of a power generating facility or a portion of a power generating facility that qualifies as low grade iron ore mining property The amounts distributed may be used by the school districts and governmental units for operating expenses for capital improvements and for the accumulation of reserves in a building and site fund or for the payment of interest or principal on bonds

(3) The tax provided in this act shall be in lieu of an ad valorem tax on any of the following

- (a) The low grade iron ore
- (b) The low grade iron ore mining property

(c) The mining of the low grade iron ore mining property

(d) The production of iron ore pellets or other concentrated or agglomerated products

(e) The iron ore pellets or other concentrated or agglomerated merchantable products

(f) Land occupied by or used in connection with the mining transportation and beneficiation of the ore and shipping of iron ore pellets or other concentrated or agglomerated merchantable products

(4) For specific taxes levied after 1993 to determine the proportion for the disbursement of taxes under this section and for attribution of taxes under subsection (5) for the specific taxes collected pursuant to this act the number of mills levied for local school district operating purposes to be used in the calculation shall equal the number of mills for local school district operating purposes levied in 1993 minus the number of mills levied under the state education tax act Act No 331 of the Public Acts of 1993 being sections 211 901 to 211 906 of the Michigan Compiled Laws for the year for which the disbursement is calculated

(5) For specific taxes levied after 1993 and school operating purposes the amount that would otherwise be disbursed to a local school district shall be paid instead to the state treasury and credited to the state school aid fund established by section 11 of article IX of the state constitution of 1963

This act is ordered to take immediate effect

Co Clerk of the House of Representatives

Secretary of the Senate

Approved

Governor