

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 476

A bill to amend 1989 PA 24, entitled
"The district library establishment act,"
by amending section 25 (MCL 397.195), as amended by 2002 PA 540;
and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 25. (1) A municipality other than a school district
2 may become a party to an existing agreement if the agreement's
3 requirements concerning the addition of a participating
4 municipality are satisfied, or, in the absence of requirements in
5 the agreement, if each of the following requirements is
6 satisfied:
7 (a) The legislative body of the municipality resolves by
8 majority vote that the municipality become a participating
9 municipality and that all or, pursuant to section 3(2), a portion
10 of the territory of the municipality be added to the district.

1 (b) The resolution is conditioned upon the board's adopting,
2 within a period of time specified in the resolution, amendments
3 to the agreement specified in the resolution. The amendments
4 specified shall reflect the addition of the municipality or of
5 the territory to the district and shall include, but need not be
6 limited to, changes in board representation or the percentage of
7 funds necessary for the establishment and operation of the
8 district library to be supplied by each participating
9 municipality after the municipality becomes a party to the
10 agreement.

11 (c) The board amends the agreement within the time and in the
12 manner specified in the resolution of the legislative body of the
13 municipality. Notwithstanding anything to the contrary in the
14 procedure for amending the agreement set forth in the agreement
15 pursuant to section 4, the amendment shall be made by majority
16 vote of the members of the board elected or appointed and
17 serving.

18 (2) If there is a districtwide library tax, the board shall
19 condition acceptance of the municipality or portion of the
20 territory of the municipality into the district on the
21 authorization of that tax by a majority of the electors of the
22 municipality or portion of the territory of the municipality
23 voting on the proposal.

24 (3) Notwithstanding section 13 or a districtwide tax or taxes
25 authorized by section 13, an existing district library agreement
26 may change the number of mills authorized in the existing
27 district library agreement if 1 or more municipalities or parts

House Bill No. 476 (H-2) as amended December 10, 2003

1 of municipalities join the existing district library district
2 **through a preexisting written agreement with the district library**
3 **board.** The change of the number of mills to be levied in the
4 district library district shall be contingent on the approval by
5 a majority of the voters of the existing district library
6 district voting on the question and on the approval of a majority
7 of the voters of each municipality or part of a municipality
8 seeking to join the existing library district voting on the
9 question. Defeat of the proposal submitted to the electors of
10 the existing district library district shall not have any effect
11 on the validity of the continued levy by the existing district
12 library **[and district library board]** of previously authorized millage.

13 Enacting section 1. Section 25a of the district library
14 establishment act, 1989 PA 24, MCL 397.195a, is repealed.