THE DISTRICT LIBRARY ESTABLISHMENT ACT (EXCERPT)
Act 24 of 1989

397.173a Referendum on question of becoming district library or joining existing district library; filing, approval, and review of petition; approval by electors; establishment of new-district library; appointment of interim board; vote by district library board to accept or reject new proposed participating municipality.

Sec. 3a. (1) Upon petition by not less than 5% of the registered electors residing in the affected municipality, municipalities, or the portion of a municipality, requesting a referendum on the question of becoming a district library or joining an existing district library, the clerk of each affected municipality, upon verifying the required number of signatures on the petitions, shall file a copy of the petition with the department and submit the question of whether the municipality should become a participating municipality to the vote of the electors of the municipality at the next general election or special election called for that purpose and conducted in accordance with the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

(2) If the question of the petition under subsection (1) relates to the joining of an existing district library, before circulating the petition for signatures, the supporters of the petition may submit the proposal and the petition language to the existing district library board for review and approval. The district library board shall vote by resolution to accept or reject the proposed new participating municipality within 30 days of receiving a copy of the proposed petition. If the proposal is approved by the district library board and the referendum is passed by the electors, the district library shall amend its agreement to incorporate the new participating municipality.

(3) The referendum submitted to the electors under this section shall include a request for a millage to fund the new district or the municipality's obligation to the existing district. For district libraries with appointed boards, the referendum shall include language regarding the appointment of new members to represent any new participating municipality.

(4) If approved by a majority of the electors in the affected municipality voting on the question, the municipality shall proceed to become a participating municipality in the manner provided under this act.

(5) A new district library established under this section shall consist of 2 or more municipalities and be governed by an elected board as provided under section 11. The board required under this subsection shall be elected not later than 1 year from the date the electors approve the new district.

(6) If a new district library is created under this section, each participating municipality shall appoint members to an interim governing board in a number proportional to its population in relationship to the entire district. The interim board shall prepare and submit the agreement and map required by this act to the department no later than 180 days from the date the electors approve the new district. If the agreement and map are not submitted as required by this subsection, the agreement and map shall be prepared by the state librarian.

(7) If the district library board has not approved the new participating municipality under subsection (2) and the petition is submitted to the electors for approval and passes, the board of the district library shall vote within 30 days following certification of the election results whether to accept or reject the new proposed participating municipality. If the new participating municipality is accepted, the district library shall amend its agreement to incorporate the new participating municipality.

History: Add. 2005, Act 60, Imd. Eff. July 7, 2005.

Popular name: District Libraries Act

Compiler's note: For transfer of powers and duties of library of Michigan and state librarian, except pertaining to services for blind and physically handicapped and those related to census data functions, to department of education, see E.R.O. No. 2009-26, compiled at MCL 399.752.