

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4018**

A bill to amend 1917 PA 138, entitled

"An act to authorize the creation of county libraries; to authorize the contracting by the board of supervisors of any county for library service; to authorize the contracting by the board of supervisors of any county or the board of trustees of any regional library with any other municipality for the furnishing of such service; and to provide for a tax for the purposes of this act,"

by amending section 2 (MCL 397.302), as amended by 1994 PA 77.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) To administer the county library fund, there
2 shall be a library board consisting of 5 members appointed by the
3 county board of commissioners for terms of 5 years each, except
4 that the first members shall be appointed for 1, 2, 3, 4, and 5
5 years. In a county with a population of over 1,000,000, the
6 superintendent of the intermediate school district serving the
7 county, or, in a county with a population of over 1,500,000, his
8 or her designee, shall be 1 of the members of the library board

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1 during the superintendent's term of office. OF THE MEMBERS
2 APPOINTED TO THE LIBRARY BOARD BY THE COUNTY BOARD OF COMMISSION-
3 ERS IN A COUNTY WITH A POPULATION OF MORE THAN 700,000 BUT NOT
4 MORE THAN 1,500,000, NOT MORE THAN 1 MEMBER MAY BE A COUNTY COM-
5 MISSIONER, AND THAT MEMBER SHALL HAVE THE SAME VOTING RIGHTS AS
6 OTHER MEMBERS OF THE LIBRARY BOARD.

7 (2) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1), IF A
8 COUNTY COMMISSIONER IS SERVING ON A LIBRARY BOARD AFTER THE
9 EFFECTIVE DATE OF THE 1999 AMENDATORY ACT THAT ADDED THIS SEN-
10 TENCE, ALL OF THE FOLLOWING APPLY:

11 (A) THOSE COUNTY COMMISSIONERS SERVING ON A LIBRARY BOARD
12 MAY SERVE THE REMAINDER OF THEIR TERMS AND MAY BE REAPPOINTED TO
13 THE LIBRARY BOARD.

14 (B) A COUNTY BOARD OF COMMISSIONERS MAY APPOINT A COUNTY
15 COMMISSIONER TO FILL A VACANCY ON THE LIBRARY BOARD CREATED BY A
16 COUNTY COMMISSIONER'S DEPARTURE FROM THE BOARD.

17 (C) IF A COUNTY BOARD OF COMMISSIONERS DOES NOT APPOINT A
18 COUNTY COMMISSIONER TO FILL A VACANCY CREATED BY A COUNTY
19 COMMISSIONER'S DEPARTURE FROM THE BOARD, THAT BOARD POSITION
20 OCCUPIED BY THE DEPARTING COUNTY COMMISSIONER SHALL NOT SUBSE-
21 QUENTLY BE OCCUPIED BY A COUNTY COMMISSIONER.

22 (3) ~~(2)~~ By resolution and only on the request of the
23 county library board, the county board of commissioners in a
24 county with a population of over 1,000,000 may expand the library
25 board to 7 members. If the superintendent of the intermediate
26 school district, or, in a county with a population of over
27 1,500,000, his or her designee, is serving on the library board

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1 when the board is expanded, the 2 additional members shall be
2 appointed to terms that correspond to the term of the member
3 replaced by the superintendent or the superintendent's designee.

4 (4) ~~-(3)-~~ The board shall be a body corporate and shall be
5 authorized to contract for the leasing, construction, or mainte-
6 nance of buildings or quarters, including the acquisition of
7 sites, to house the county library service, and to do any other
8 thing necessary for the conducting of the county library service,
9 the cost of the county library service to be a charge against the
10 county library fund.