

PUBLIC AND LOCAL ACTS

OF

THE LEGISLATURE

OF THE

State of Michigan

PASSED AT THE

REGULAR SESSION OF 1954

CONTAINING JOINT RESOLUTIONS, AMENDMENTS TO
CONSTITUTION AND ABSTRACTS OF PROCEEDINGS
RELATIVE TO CHANGE OF BOUNDARIES OF TOWN-
SHIPS AND INCORPORATION, ETC., OF CITIES AND
VILLAGES.



COMPILED BY

OWEN J. CLEARY

SECRETARY OF STATE

FRANKLIN DEKLEINE COMPANY, STATE PRINTERS, LANSING, MICHIGAN
1954



JOINT RESOLUTIONS

[No. 1.]

A JOINT RESOLUTION proposing an amendment to section 23 of article 10 of the state constitution, relative to distribution of sales tax revenues.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to section 23 of article 10 of the state constitution, relative to distribution of sales tax revenues, is hereby proposed, agreed to and submitted to the people of this state:

ARTICLE X.

State sales tax, distribution; school districts, allocation, special school aid fund, expenditure; appropriation for school employees' retirement system.

Sec. 23. On and after July 1, 1955, there shall be returned to local governmental units by the method hereinafter set forth, $\frac{1}{2}$ cent of a state sales tax levy on each dollar of sales of tangible personal property on the 1946 statutory base (not rate). The state disbursing authority shall remit to counties as a whole on a population basis and payment shall be made to the county treasurer who shall remit to the respective cities, townships and villages within the county on a per capita basis. Population computation shall be based on the last and each succeeding state-wide federal census for purposes of division among counties and upon the same basis or upon any special federal county-wide census, whichever is later, for intra-county division purposes: Provided, That there shall be excluded from such computation 50% of the total number of persons who are wards, patients and/or convicts committed to and/or domiciled in any city institution located outside the boundaries of said city or committed to or domiciled in any county, state or federal tax supported institution, provided such persons were included in said federal census. All remittances provided shall be made on a quarterly basis.

On and after July 1, 1955, there shall be set aside for the school districts 2 cents of a state sales tax levy on each dollar of sales of tangible personal property on the 1946 statutory base (not rate), to be allocated among said school districts by law. Such taxes so collected shall be deposited in a special school aid fund and be expendable only by legislative appropriations for aid to the school districts and school employees retirement purposes as shall be provided by law. Said school aid fund shall be separate and distinct from the state general fund.

Prior to any division or allocation of the sales tax, the cost of collection as determined by the department of revenue shall be deducted from total collections and credited to the general fund of the state.

The legislature shall by law appropriate from the school aid fund for such public school employees retirement systems as shall from time to time be in effect under the laws of this state an amount which shall not be less than 5% nor more than $7\frac{1}{2}\%$ of the salaries of school district employees participating in the respective retirement systems: Provided, That such percentages shall apply only to that portion of salary as may be provided by law: Provided, That at no time shall the legislature levy a sales tax of more than 3%.

The provisions of section 23 of article 10 as constituted prior to the effective date of this amendment shall continue in force and effect until July 1, 1955, and all sums collected and payable thereunder shall be paid.

Resolved further, That the foregoing amendment shall be submitted to the people of the state at the next regular election. The secretary of state is hereby required to certify said proposed amendment to the clerks of the various counties of the state in the manner required by law. It shall be the duty of the board of election commissioners of each county to prepare ballots for the use of the electors when voting on said proposed amendment, which ballot, after setting forth the proposed amendment, in accordance with the provisions of section 3 of article 17 of the constitution, shall be substantially in the following form:

"Vote on amendment to section 23 of article 10 of the state constitution.

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VILLAGES.



COMPILED BY

JAMES M. HARE

SECRETARY OF STATE

AND THE

MICHIGAN COMPILATION COMMISSION

SPEAKER-HINES AND THOMAS, INC., STATE PRINTERS, LANSING, MICH.—1955

AMENDMENTS TO THE CONSTITUTION

AMENDMENT to the constitution relative to the elective franchise and residence requirements in a city or township, proposed by joint resolution at the 1953 regular session and ratified by the people at the general election November 2, 1954.

ARTICLE III.

Sec. 1. In all elections every inhabitant of this state being a citizen of the United States; and every inhabitant of Indian descent, a native of the United States, shall be an elector and entitled to vote; but no one shall be an elector and entitled to vote at any election, unless he or she shall be above the age of 21 years and has resided in this state 6 months, and in the city or township in which he or she offers to vote 30 days next preceding such election; Provided, That a registered qualified elector who shall move into another city or township in this state within said 30 day period shall be entitled to vote in the city or township in which registered and from which he has last removed on filing a sworn affidavit to that effect with the election board of the city or township from which he has last removed; Provided further, That no qualified elector in the actual military service of the United States or of this state or in the army or navy thereof, or any student while in attendance at any institution of learning, or any person engaged in teaching in the public schools of this state, or any regularly enrolled member of any citizens' military or naval training camp, held under the authority of the government of the United States or the state of Michigan, or any member of the legislature while in attendance at any session of the legislature, or said member's immediate family during such time, or commercial traveler, or any qualified elector employed upon or in the operation of railroad trains in this state, or any sailor engaged and employed on the great lakes or in coastwise trade, shall be deprived of a vote by reason of absence from the township, ward or state in which he or she resides; and the legislature shall provide by law the manner in which and the time and place at which such absent electors may vote and for the canvass and return of their votes: Provided further, That the legislature shall have power to pass laws covering qualified electors who may be necessarily absent from other causes than above specified: And provided further, That there shall be no denial of the elective franchise at any election on account of sex: And provided further, That the legislature may provide by law that the electors of a township may cast their ballots at a township polling place located within the limits of a city which has been incorporated from territory formerly a part of the township.

AMENDMENT to the constitution relative to the distribution of sales tax revenues, proposed by joint resolution at the 1954 regular session and ratified by the people at the general election November 2, 1954.

ARTICLE X.

Sec. 23. On and after July 1, 1955, there shall be returned to local governmental units by the method hereinafter set forth, $\frac{1}{2}$ cent of a state sales tax levy on each dollar of sales of tangible personal property on the 1946 statutory base (not rate). The state disbursing authority shall remit to counties as a whole on a population basis and payment shall be made to the county treasurer who shall remit to the respective cities, townships and villages within the county on a per capita basis. Population computation shall be based on the last and each succeeding state-wide federal census for purposes of division among counties and upon the same basis or upon any special federal county-wide census, whichever is later, for intra-county division purposes: Provided, That there shall be excluded from such computation 50% of the total number of persons who are wards, patients and/or convicts committed to and/or domiciled in any city institution located outside the boundaries of said city or committed to or domiciled in any county, state or federal tax supported institution, provided such persons were included in said federal census. All remittances provided shall be made on a quarterly basis.

On and after July 1, 1955, there shall be set aside for the school districts 2 cents of a state sales tax levy on each dollar of sales of tangible personal property on the 1946 statutory base (not rate), to be allocated among said school districts by law. Such taxes so collected shall be deposited in a special school aid fund and be expendable only by legislative appropriations for aid to the school districts and school employees retirement purposes as shall be provided by law. Said school aid fund shall be separate and distinct from the state general fund.

Prior to any division or allocation of the sales tax, the cost of collection as determined by the department of revenue shall be deducted from total collections and credited to the general fund of the state.

The legislature shall by law appropriate from the school aid fund for such public school employees' retirement systems as shall from time to time be in effect under the laws of this state an amount which shall not be less than 5% nor more than $7\frac{1}{2}\%$ of the salaries of school district employees participating in the respective retirement systems: Provided, That such percentages shall apply only to that portion of salary as may be provided by law: Provided, That at no time shall the legislature levy a sales tax of more than 3%.

The provisions of section 23 of article 10 as constituted prior to the effective date of this amendment shall continue in force and effect until July 1, 1955, and all sums collected and payable thereunder shall be paid.

AMENDMENT to the constitution relative to the authorization of the bonding of the state in the sum of not to exceed \$80,000,000.00 for military service between June 27, 1950 and December 31, 1953, proposed by joint resolution at the 1954 regular session and ratified by the people at the general election, November 2, 1954.

ARTICLE X.

Sec. 26. The state shall borrow not to exceed \$80,000,000.00, pledge its faith and credit and issue its serial notes or serial bonds therefor, with maturities of not to exceed \$1,000,000.00 in each of the years 1956 to 1965, both inclusive, and \$13,000,000.00 in each of the years 1966 to 1968, both inclusive, and \$14,000,000.00 in each of the years thereafter, for the purpose of paying to each person, or if deceased to the surviving husband or wife, child or children, or to the surviving mother, father, person standing in loco parentis, brothers and sisters, in the order named, of any person who served in the military, naval, marine or coast guard forces of the United States, including women serving in auxiliary branches thereof, between June 27, 1950, and December 31, 1953, who served honorably and faithfully therein during said period, who was a resident of this state at the time of entering such service and for a period of at least 6 months prior to entering therein, and whose service continued for more than 60 days during said period, the sum of \$10.00 for each month, or major fraction thereof, of service during said period in any state of the United States, and the District of Columbia, and the sum of \$15.00 for each month, or major fraction thereof, of service during said period outside any state of the United States, and the District of Columbia, but not to exceed a total payment of \$500.00 to any one person: Provided, That there shall be paid to the surviving husband or wife, child or children, or to the surviving dependent mother, father, person standing in loco parentis, brothers and sisters, in the order named, of each person who has heretofore died or who shall hereafter die from service connected causes incurred between June 27, 1950, and December 31, 1953, a sum equal to the difference between what he has received and the sum of \$500.00: Provided further, That no payment shall be made under the provisions of this section in any case in which payment has been made or shall hereafter be made under the provisions of section 25 of this article, payment both under the provisions of this section and section 25 of this article being expressly prohibited.

The state administrative board is authorized and directed to provide by resolution from time to time for the issuance and sale of serial notes or serial bonds at the lowest