

---

# **Guidelines for Running a Mill Levy Campaign**

**April 2012**



# Table of Contents

<b>Quick Summary of the Process</b> .....	<b>3</b>
<b>Questions to Consider When Thinking About Obtaining Additional Mills for the Library</b> .....	<b>4</b>
<b>Process for Acquiring Additional Mills for the Library</b> .....	<b>5</b>
<b>The Election Calendar</b> .....	<b>6</b>
<b>Keeping It Legal</b> .....	<b>7</b>
<b>Circulating the Petition</b> .....	<b>8</b>
<b>Getting Out the Vote</b> .....	<b>9</b>
<b>Tips for the Mill Levy Campaign</b> .....	<b>10</b>
<b>Appendices</b> .....	<b>11</b>

# Chapter 1

## Quick Summary of the Process

- ◆ Discuss whether or not to go for additional mills and what the boundaries of your area will be - city, county, city plus part of county
- ◆ Talk to local government officials about their support
- ◆ Develop an election calendar
- ◆ Gather volunteers to help with campaign
- ◆ If necessary go through a petition process to get the levy vote on the ballot
- ◆ Volunteers campaign for mill levy (staff must stay out of this part of the process)
- ◆ Have election

## Chapter 2

# Questions to Consider When Thinking About Obtaining Additional Mills for the Library

- ♦ What are the benefits (short term/long term) of obtaining additional mills for the library?
- ♦ What are the (short term/long term) consequences of not seeking additional funding?
- ♦ What are the (short term/long term) consequences of failing to pass a levy?
- ♦ Can taxpayers bear the additional mill?
- ♦ What is the overall mill levy? The city and/or county must take all of the mills into account before asking for more. Sometimes the local governing body can give you mills from the general fund, but it's more common for them to ask you to go through the voting process.
- ♦ Is there enough support for additional mills for the library?
- ♦ Who should you ask for additional mills? It could be city residents only, but it could also be a part of the county or the entire county. However if you are a city library there are special considerations that must be addressed before going for anything beyond city mills. Please contact MSL staff for more information.
- ♦ What should the duration of the levy be?

# Chapter 3

## Process for Acquiring Additional Mills for the Library

- ◆ Board decides how many mills to ask for, the duration of the mill levy, and when and how they would like people to vote on the issue. Be sure to consider the pros and cons of a mail in ballot versus one held at the polls. The board should develop an election calendar to help them through the process. SEE NEXT SECTION. The library board then approaches their local government officials (city council or county commission)
- ◆ If city/county agrees to a vote on the additional mills, it can pass a resolution putting a vote on the ballot. The city/county needs to pass this resolution at least 75 days before the vote.
  - ◆ Required language can be found in MCA 15-10-425, but here is a summary of the language required.

Specific purpose for which the money will be used

The specific amount of money or mills to be raised. The board will need to decide if it is going to ask for a specific number of mills or a specific amount of money. If the library is located in a growing or stable community a specific number of mills is the best choice. If a library is located in a community that is losing population and seeing the value of their mill go down a specific amount of money might be the best choice.

Whether the levy is durational (1, 3, 5 years or something else) or whether it is permanent

- ◆ If the city/county will not pass a resolution the board will need a petition signed by at least 5% of resident taxpayers asking for a vote to be put on the ballot. Required language for the petition can be found in MCA 15-10-425 and is essentially the same as what is listed above. The petition must be delivered to the county or city at least 90 days before the vote.
- ◆ Upon a resolution or receipt of valid petition and then a resolution from the city/county the issue is put to a vote of the people.
- ◆ Library should form a committee comprised of friends and supporters of the library who will campaign for the additional mills. Boards and library staff cannot use public monies or resources (ie. Staff time) to support the mill levy.

# The Election Calendar

January - March	Board defines goals and prepares budget for upcoming year, determines if an exceeded mill levy election will be needed
April - May	Trustees communicate with city or county commissioners about budget and the exceeded mill levy needs.
June - July	Board seeks out the legal requirements and ballot language.
August - September	Trustees recruit for Board/citizens' task force and appoint task force members.
October - December	Task force identifies funding sources and develops the petition. Task force presents recommendations to the trustees. Trustees adopt task force recommendations and support petition.
January	Task force circulates petition, which must be signed by at least five percent of the resident taxpayers. Trustees meet with city or county clerk to review ballot language. Trustees and commissioners meet to discuss petition and election. Trustees and task force hold an informational meeting about the adopted mill levy vote.
February	Board files petition with governing body at least 90 days prior to the general election. Task force recruits a citizens' campaign committee.
March - May	Citizen's campaign committee prepares facts, fliers and other materials; holds information meetings for the public; and implements other steps in publicity campaign.
June	Election*

\*Develop comparable timelines for elections not in June by working back from the date of election.

# Keeping It Legal

- ◆ The Commissioner of Political Practices office has created a list of online resources that you might find helpful: <http://www.politicalpractices.mt.gov/>

Library staff and the director should not campaign for the mill levy while on professional time. They can answer questions, but should not indicate how people should vote. Please see MCA 2-2-121 (3a) (<http://data.opi.mt.gov/bills/mca/2/2/2-2-121.htm>) for more information about this issue.

- ◆ Along with the above issue make sure that your task force and committee is a totally independent entity. This committee will solicit, collect, expend, and track election contributions and expenditures. This committee will need to raise funds for signs, advertisements, and other costs of campaigning for a mill levy. **A Friends of the Library group or a dedicated Library Foundation can also perform the functions of this task force.**
- ◆ Advertisements for the election should carry the name of the committee and the name of the treasurer. You don't want this to become an issue during your campaign, so take precautions beyond what is legally required. Under no circumstance should you use tax dollars to support election advertising.

See the Lewis & Clark Library's one page sheet ([/For\\_Librarians/Online\\_Publications/Mill\\_Levy\\_Campaign/samples/Staff\\_Board\\_Considerations.pdf](/For_Librarians/Online_Publications/Mill_Levy_Campaign/samples/Staff_Board_Considerations.pdf)) about mill levies and the role of the board and employees for a great example of words to live by.

## Circulating the Petition

Petitions containing the name of not less than 5% of resident taxpayers must be presented to the city council or county commissioners. Get as many signatures as possible to avoid problems if some names are disqualified. More names also show support for the mill levy.

- ◆ Petition carriers should be active supporters for the library. If possible ask for help from people who are property owners, have good standing in the community, and understand the issues. Hold a meeting where both the library issues and the petition process are explained to petition carriers.
- ◆ Provide good written and oral instructions for petition carriers. Give the carriers these instructions to assure that the petitions will be correct and legal. Use the petition process as a public relations tool for the library.

Here are some tips and instructions for petition carriers:

- ◆ Petition signers must be registered voters within the area that will be voting on the mill levy. If the signer isn't sure whether or not s/he is a registered voter, recommend s/he not sign the petition until s/he verifies his/her residency and voter registration.
- ◆ Signers must include their entire address, city and zip code and length of residence.
- ◆ Telephone numbers are optional. Carriers should explain this to signers and let signers know that the telephone numbers will only be used to remind the signer of the hearing and to vote at the election.
- ◆ Petition carriers should sign their own petition on one of the signer's lines as well as making the notarized signature at the bottom of the petition.
- ◆ Petition carriers should not allow a spouse to sign for the other spouse.
- ◆ Petition carriers must sign the bottom of the petition in the presence of a notary public and they must have their signature notarized. This is extremely important, as all names will be invalidated if the petition is not notarized.

Have petition carriers turn in the petition to someone on the election committee or task force rather than the county clerk. The petitions can then be checked for flaws, etc. before they are officially turned in. Once you have presented the petition to the county clerk, s/he has 15 days to either reject the petition if it is insufficient or certify that the petition is sufficient.

# Chapter 7

## Getting Out the Vote

Make up lists of supporters including names and phone numbers. Recruit volunteers to call these supporters immediately before the election or on Election Day itself to remind them to vote. You can use the petition as a formal list or make one of your own if you did not have to follow the petition process. Offer rides to those who cannot easily get to the polls. Obviously you should make these preparations in advance of the election itself.

# Chapter 8

## Tips for the Mill Levy Campaign

- ◆ Work to get local endorsements from groups like the Chamber of Commerce, Rotary Club, or other service organizations
- ◆ Ask community opinion leaders and library supporters to write letters to the editor.
- ◆ Speak with local service organizations about why the library needs the additional mills and how the money will benefit the community.
- ◆ Strive to get the attention of local news media - hopefully in a positive way
- ◆ Create a fact sheet that answers common questions
  - ◆ How many mills does the library need?
  - ◆ What will it cost the average taxpayer?
  - ◆ How will the money be used?
- ◆ Compare the cost of the mill with other common purchases that people make like buying coffee or a hardback book.
- ◆ Be creative. For example one library created a coloring sheet for kids that said "Get Out to Vote." The sky's the limit when it comes to getting the word out to your community.

# Appendices

- ◆ Staff and Board Considerations - Lewis and Clark Library

## LEWIS AND CLARK PUBLIC LIBRARY MILL LEVY

### BOARD OF TRUSTEES

- A member of a board, commission, council, or committee may solicit support for or opposition to the mill levy, unless the member is also a full-time public employee
- If the board, commission, council, or committee has rulemaking authority, then the member is restricted from soliciting support or opposition

### EMPLOYEES OF LEWIS AND CLARK LIBRARY

- A public officer or public employee may not use public time, facilities, equipment, supplies, personnel, or funds to solicit support for or opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue
- Exception – employee may solicit or oppose the measure if it is properly incidental to another activity required or authorized by law, such as the function of an elected public officer, the officer's staff, or the legislative staff in the normal course of duties
- With respect to ballot issues, properly incidental activities are restricted to:
  - the activities of a public officer, the public officer's staff, or legislative staff related to determining the impact of passage or failure of a ballot issue on state or local government operations

### GENERAL CONSIDERATIONS

- Public funds may not be expended for any form of commercial advertising in support of or opposition to a bond issue or levy submitted to the electors
- The restrictions for soliciting or opposing a levy are not intended to restrict the right of a public officer or public employee to express personal political views
- Although the statute sets forth rules of conduct for public officers and employees, it is not personal political speech that is prohibited, but rather the use of public time or resources in the presentation or furtherance of political speech. Thus, a public officer or employee may engage in political speech, including the support or opposition of a candidate or ballot issue, as long as the political speech does not involve the use of public time, facilities, equipment, supplies, personnel, or funds