DISTRIBUTION OF PENAL FINES TO PUBLIC LIBRARIES
Act 59 of 1964

AN ACT to provide for the distribution of penal fines and their application to the support of public libraries; to provide for the appointment of a county library board to receive penal fines; to define its powers and duties; and to repeal certain acts and parts of acts.

History: 1964, Act 59, Imd. Eff. May 12, 1964.

The People of the State of Michigan enact:

397.31 Public libraries; definitions.

Sec. 1. As used in this act: (a) "Public library" means a library, the whole interests of which belong to the general public, lawfully established for free public purposes by any 1 or more counties, cities, townships, villages, school districts or other local governments or any combination thereof, or by any general or local act, but shall not include a special library such as a professional or technical library or a school library.

(b) "Qualified public library" means any public library which is open to and available to the public at least 10 hours per week or any library which has a contract with a public library board to furnish library services to the public.

History: 1964, Act 59, Imd. Eff. May 12, 1964.

397.32 Penal fines; apportionment to county library boards.

Sec. 2. The proceeds of all fines for any breach of the penal laws of this state when collected in any county and paid into the county treasury, together with all moneys heretofore collected and paid into the county treasury on account of such fines and not already apportioned, shall be apportioned by the county treasurer in accordance with the directions of the state board for libraries, as provided in section 8, before August 1 of each year among those public libraries and county libraries established under Act No. 138 of the Public Acts of 1917, as amended, being sections 397.301 to 397.305 of the Compiled Laws of 1948, or Act No. 250 of the Public Acts of 1931, as amended, being sections 397.151 to 397.158 of the Compiled Laws of 1948, or county library boards in each county entitled to such fines under this act on a per capita basis determined by the population of the governmental unit supporting the library according to the latest decennial or special federal census.

History: 1964, Act 59, Imd. Eff. May 12, 1964.

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397.33 County library board; duties; membership, appointment, terms; contracts for service.

Sec. 3. In any county where there is no public library, or in any county within the boundaries of which there are municipalities which have not established public library service or which do not maintain public libraries, the county board of supervisors shall appoint a county library board to receive the per capita portion of penal fine moneys to be allocated for such areas. The county library board shall consist of 5 members appointed by the county board of supervisors for terms of 5 years each, except that the first members shall be appointed for 1, 2, 3, 4 and 5 years respectively. The board may contract with a qualified public library, within or without the county, to provide public library service for all residents of the county without legal access to a public library.

History: 1964, Act 59, Imd. Eff. May 12, 1964.

397.34 County library board; powers as to new library.

Sec. 4. If, after the appointment of the county library board, the board of supervisors votes to establish a public library as authorized by Act No. 138 of the Public Acts of 1917, as amended, then the county library board appointed under section 3 shall become the governing body of the county library. In addition to the powers and duties granted in Act No. 138 of the Public Acts of 1917, as amended, the county library board shall have all of the powers and duties granted to county library boards by this act.

History: 1964, Act 59, Imd. Eff. May 12, 1964.

397.35 County contracting for service; apportionment of funds; allocation to more than 1 public library.

Sec. 5. (1) If any municipality within a county has not established a public library but is contracting for public library service with the governing body of a legally established public library, it is entitled to receive its per capita share of the penal fine moneys the same as if it had a legally established public library. The moneys shall be used for the provision of public library service for all residents of the municipality.

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(2) If any municipality within a county is supporting more than 1 public library, the penal fines shall be allocated to each public library in ratio to the tax support provided by the municipality to the respective public libraries.

History: 1964, Act 59, Imd. Eff. May 12, 1964.

397.36 Use of penal fine moneys; report.

Sec. 6. The penal fine moneys when received by the proper authorities shall be applied exclusively to the support of public libraries and to no other purpose except as provided in section 7. A report shall be made annually to the state board for libraries as to the receipt and expenditures of the penal fine moneys, and other public moneys, by the governing boards of the public libraries or by the county library boards.

History: 1964, Act 59, Imd. Eff. May 12, 1964.

397.37 Construction of act as to county law libraries.

Sec. 7. This act shall not be construed as affecting the provisions of sections 4845 and 4851 of Act No. 236 of the Public Acts of 1961, being sections 600.4845 and 600.4851 of the Compiled Laws of 1948.

History: 1964, Act 59, Imd. Eff. May 12, 1964.

397.38 Statement of eligible libraries.

Sec. 8. The state board for libraries, prior to July 15 of each year, shall transmit to the clerk and treasurer of each county a statement of the public libraries or the library boards established under section 3 in his county that are entitled to receive penal fines and the population served by each.

History: 1964, Act 59, Imd. Eff. May 12, 1964.

397.39 Rules and regulations.

Sec. 9. The state board for libraries may adopt such rules and regulations to carry out the provisions of this act as may be deemed expedient, in accordance with the provisions of Act No. 88 of the Public Acts of 1943, as amended, being sections 24.71 to 24.82 of the Compiled Laws of 1948, and subject to Act No. 197 of the Public Acts of 1952, as amended, being sections 24.101 to 24.110 of the Compiled Laws of 1948.

History: 1964, Act 59, Imd. Eff. May 12, 1964.

397.40 Repeal.

Sec. 10. Sections 906, 910, 911, 912, 913 and 915 of Act No. 269 of the Public Acts of 1955, as amended, being sections 340.906, 340.910, 340.911, 340.912, 340.913 and 340.915 of the Compiled Laws of 1948, are repealed.

History: 1964, Act 59, Imd. Eff. May 12, 1964.

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