COUNTY LIBRARIES
Act 138 of 1917

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.

History: 1917, Act 138, Eff. Aug. 10, 1917;—Am. 1931, Act 249, Eff. Sept. 18, 1931.

The People of the State of Michigan enact:

397.301 County libraries; establishment, contracts for service, tax.

Sec. 1. The board of supervisors of any county shall have the power to establish a public library free for the use of the inhabitants of such county and they may contract for the use, for such purposes, of a public library already established within the county, with the body having control of such library, to furnish library service to the people of the county under such terms and conditions as may be stated in such contract. The amount agreed to be paid for such service under such contract and the amount which the board may appropriate for the purpose of establishing and maintaining a public library shall be a charge upon the county and the board may annually levy a tax on the taxable property of the county, to be levied and collected in like manner as other taxes in said county and paid to the county treasurer of said county and to be known as the library fund.

History: 1917, Act 138, Eff. Aug. 10, 1917;—CL 1929, 8084;—Am. 1931, Act 249, Eff. Sept. 18, 1931;—Am. 1943, Act 206, Imd. Eff. Apr. 17, 1943;—CL 1948, 397.301;—Am. 1956, Act 150, Eff. Aug. 11, 1956.

397.302 Library board; purpose; appointment and terms of members; voting; vacancy; expansion of board; board as body corporate; powers; cost of service.

Sec. 2. (1) To administer the county library fund, there shall be a library board consisting of 5 members appointed by the county board of commissioners for terms of 5 years each, except that the first members shall be appointed for 1, 2, 3, 4, and 5 years. In a county with a population of over 1,000,000, the superintendent of the intermediate school district serving the county, or, in a county with a population of over 1,500,000, his or her designee, shall be 1 of the members of the library board during the superintendent's term of office. Of the members appointed to the library board by the county board of commissioners in a county with a population of more than 700,000 but not more than 1,500,000, not more than 1 member may be a county commissioner, and that member shall have the same voting rights as other members of the library board.

(2) Except as otherwise provided in subsection (1), if a county commissioner is serving on a library board after the effective date of the 1999 amendatory act that added this sentence, all of the following apply:

(a) Those county commissioners serving on a library board may serve the remainder of their terms and may be reappointed to the library board.

(b) A county board of commissioners may appoint a county commissioner to fill a vacancy on the library board created by a county commissioner's departure from the board.

(c) If a county board of commissioners does not appoint a county commissioner to fill a vacancy created by a county commissioner's departure from the board, that board position occupied by the departing county commissioner shall not subsequently be occupied by a county commissioner.

(3) By resolution and only on the request of the county library board, the county board of commissioners in a county with a population of over 1,000,000 may expand the library board to 7 members. If the superintendent of the intermediate school district, or, in a county with a population of over 1,500,000, his or her designee, is serving on the library board when the board is expanded, the 2 additional members shall be appointed to terms that correspond to the term of the member replaced by the superintendent or the superintendent's designee.

(4) The board shall be a body corporate and shall be authorized to contract for the leasing, construction, or maintenance of buildings or quarters, including the acquisition of sites, to house the county library service, and to do any other thing necessary for the conducting of the county library service, the cost of the county library service to be a charge against the county library fund.

History: 1917, Act 138, Eff. Aug. 10, 1917;—CL 1929, 8085;—Am. 1937, Act 113, Imd. Eff. June 24, 1937;—Am. 1943, Act 206, Imd. Eff. Apr. 17, 1943;—CL 1948, 397.302;—Am. 1966, Act 67, Imd. Eff. June 9, 1966;—Am. 1974, Act 110, Imd. Eff. May 21, 1974;—Am. 1985, Act 191, Imd. Eff. Dec. 20, 1985;—Am. 1994, Act 77, Imd. Eff. Apr. 11, 1994;—Am. 1999, Act 48, Imd. Eff. June 15, 1999.

397.303 Contract for use of existing library; county library fund.

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Sec. 3. In case a contract shall be made with an existing library, the county library fund shall be administered by the county library board and such contract, and all services provided for thereunder, shall be supervised by the county library board; and all employees engaged in the execution and carrying out of such contract shall be county employees, except those furnished and employed by the library rendering such services in accordance with or fulfillment of such contract.

History: 1917, Act 138, Eff. Aug. 10, 1917;—CL 1929, 8086;—Am. 1937, Act 113, Imd. Eff. June 24, 1937;—Am. 1943, Act 206, Imd. Eff. Apr. 17, 1943;—CL 1948, 397.303.

397.304 County library fund; disbursement.

Sec. 4. Said fund shall be paid by the county treasurer upon the order or warrants of said library board.

History: 1917, Act 138, Eff. Aug. 10, 1917;—CL 1929, 8087;—Am. 1943, Act 206, Imd. Eff. Apr. 17, 1943;—CL 1948, 397.304.

397.305 Contract for service to municipality; tax; effect of establishment of municipal library.

Sec. 5. Any county possessing a county library or any board of trustees of a regional library may enter into a contract with 1 or more counties, townships, villages, cities and/or other municipalities to secure to the residents of such municipality such library service as may be agreed upon, and the money received for the furnishing of such service shall be deposited to the credit of the library fund. Any municipality contracting for such library service shall have the power to levy a library tax in the same manner and amount as authorized in section 1 hereof for the purpose of paying therefor. Any municipality contracting for such library service may at any time establish a public library free for the use of its inhabitants, whereupon its contract for said service may be continued or terminated on such terms as may be agreed upon between the parties thereto.

History: Add. 1931, Act 249, Eff. Sept. 18, 1931;—CL 1948, 397.305.

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