

## CHAPTER 184—H. F. No. 916

[Coded as Sections 140.34 to 140.46]

*An act relating to the establishment and maintenance of law libraries in counties, and providing for the collection of fees for the acquisition and maintenance thereof.*

Be it enacted by the Legislature of the State of Minnesota :

[140.34] **Section 1. County law library established.** Any county may establish a county law library upon the filing of an order by the judge of the judicial district in which the county is situated with the clerk of court of the county.

[140.35] **Sec. 2. Who may use.** Under proper regulations, the use of the library shall be free to the judges of the state, state officials, judges of the district, municipal, and probate courts of the county, city and county officials, members of the bar, and inhabitants of the county.

[140.36] **Sec. 3. Management.** The management of any library so established shall be under a board of either three or five trustees, who shall serve without compensation.

A board of three trustees shall consist of :

(1) A judge of the district court or such person as the judge of the district court may select.

(2) A member of the county board selected by it at the next regular meeting thereof after the order establishing the library is filed and thereafter at the annual election of officers;

(3) One member of the state bar association residing in the county selected by members of the state bar association who reside in the county.

When the board consists of five trustees the additional members shall be a judge of the municipal court, and an additional member of the state bar association with the same qualifications as the first.

[140.37] **Sec. 4. Board of trustees, meeting.** The trustees shall meet immediately after their selection and the

board shall hold its annual meeting thereafter on the first day of the first regular term of the district court in the county in each year. At its first meeting and at each annual meeting thereafter it shall select from its members a president and a secretary to hold office until the next annual meeting.

[140.38] **Sec. 5. By-laws and regulations.** The board of trustees shall adopt by-laws and regulations for the conduct of its business and the government of the library and file same with the clerk of the court.

It may:

- (1) Amend its by-laws and regulations;
- (2) On behalf of the county accept any gift, grant, devise, or bequest or the loan of books or property for the library, and carry out the conditions thereof;
- (3) Purchase or lease books or library facilities, the purchase price to be paid out of the county law library fund.

The title to the library and the property thereof, except such books as are leased or loaned to it, is in the county establishing the library.

The board of trustees may sell or exchange items of property of the library.

[140.39] **Sec. 6. Report of county auditor.** Before the second Monday of January each year the board of trustees shall file with the county auditor a report containing a detailed statement of the receipts and disbursements of the library for the preceding year, also an inventory showing the property belonging to the library or loaned or leased to it.

[140.40] **Sec. 7. Quarters.** The county board shall provide suitable quarters for the use of the library.

[140.41] **Sec. 8. Contribution from district court cases.** Subdivision 1. When the law library is established the clerk of the district court shall collect in each civil suit, action, or proceeding filed in such court, as library fees, the sum of \$1.00 from the plaintiff or person instituting such suit, action, or proceeding at the time of filing the first paper therein, and the

sum of \$1.00 from the defendant or other adverse or intervening party at the time his appearance is entered or when the first paper on his part is filed therein.

Subd. 2. These library fees are taxable as costs in the case.

Subd. 3. The provisions of this act shall not apply to actions or proceedings commenced by the state, the county or any municipality, to garnishment proceedings, to the filing of transcripts, to compensation awards or to complaints in intervention in receivership proceedings.

[140.42] **Sec. 9. Contribution from municipal court cases.** Subdivision 1. When the county law library is established the clerk of any municipal court in such county shall collect in each civil suit, action, or proceeding filed in such court, as law library fees, the sum of \$1.00 from the plaintiff or person instituting such suit, action, or proceeding, at the time of filing the first paper therein.

Subd. 2. These library fees shall be taxable as costs in the case.

Subd. 3. The provisions of this section shall not apply to actions or proceedings commenced by the state, county, or any municipality, or to garnishment proceedings.

[140.43] **Sec. 10. Contribution from probate court cases.** Subdivision 1. When the county law library is established the judge of the probate court in proceedings in his court in the matter of the estate of a deceased person looking to the entry of a decree of distribution of such estate, except in any summary proceeding under MSA 525.51, to collect, as a county law library fee, the sum of \$1.00 from the petitioner instituting the proceeding at the time of the filing of the petition therein.

Subd. 2. Such disbursement shall be an item of expense of administration of the estate, entitling the petitioner to reimbursement therefor out of the estate.

[140.44] **Sec. 11. Deposits with county treasurer.** On the first day of each month, these fees shall be paid to the county treasurer, who shall give his receipt therefor. The

county treasurer may disburse these funds and any other money belonging to this board only upon itemized vouchers, approved by the board.

[140.45] Sec. 12. **Joiner of counties; existing libraries.** Nothing in this chapter shall affect the existence or organization of the county law libraries now established, but such libraries may come under the provisions of this chapter upon proper application.

Two or more counties may unite in the establishment of a joint law library.

[140.46] Sec. 13. **Grant by county board.** The county board may appropriate annually a sum not in excess of \$2,000 for such library purposes.

Approved March 24, 1949.

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CHAPTER 185—H. F. No. 1050

[Not Coded]

*An act relating to county road and bridge tax levies in certain counties.*

Be it enacted by the Legislature of the State of Minnesota :

Section 1. **County board in certain counties; 20 mill levy for road and bridge fund.** In any county having a population of not less than 17,000 nor more than 20,000, according to the 1940 federal census, and having not less than 17 nor more than 18 full and fractional congressional townships, and having a land area of not less than 620 square miles, and having an assessed valuation of more than \$10,000,000, and less than \$11,000,000, exclusive of money and credits, the county board at its July meeting may include in its annual levy not to exceed 20 mills for the county road and bridge fund.

Approved March 24, 1949.