

Penal and civil fines, which are variable across each of our counties, along with state aid to libraries, are the only legislatively directed sources of revenue for libraries. Between 2016 and 2020, in counties in northern Michigan and the Upper Peninsula where snowmobiling is most prevalent, per capita penal fine rates have dropped by as much as 100% (Arenac, Bay, Kalkaska, Montmorency, Schoolcraft) with a median loss of 26.6%.

As fines are eliminated (i.e. legalization of recreational marijuana), or have changed drastically based on local enforcement (as we saw in 2019 in Mackinaw County), the identification and enforcement of new civil fines should be used to support the operational costs of public libraries as provided in the Michigan Constitution. We also know that the libraries in these areas are already inadequately funded, with many depending on penal fines as their main source of funding.

The Michigan Constitution directs fines imposed on people for breaking the law to go to support public libraries and MLA opposes HB 4536 because it diverts civil fines, even if they are new civil fines, away from local libraries.

Article VIII, sec. 9 of the Michigan Constitution states:

“The legislature shall provide by law for the establishment and support of public libraries which shall be available to all residents of the state under regulations adopted by the governing bodies thereof. All fines assessed and collected in the several counties, townships and cities for any breach of the penal laws shall be exclusively applied to the support of such public libraries, and county law libraries as provided by law.”

The passage of HB 4536 would hurt libraries, would ignore the intent of the Michigan Constitution, and would be opposed to the will of the people who enacted that Constitution.

MLA isn't against snowmobiling and it applauds Rep. Borton for introducing HB 4535 to preserve the trails and protect the economic good the trail system brings to northern Michigan. MLA's opposition is directed at HB 4536 as a new source of revenue to maintain the trails when the trail system already receives state appropriations and licensing fees for maintenance.

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We have a very short window to voice our opposition, please make sure to engage your staff, trustees and other library advocates. To make things easy, MLA has drafted a letter of opposition for your use, or better yet, we encourage you to make a personal call to your House member's office within the next two days. Click the button below to visit our website and email your representative today using our web form or use our "Call Your Representative" form for talking points and contact information - just enter your information and your Representative's name and phone number, plus suggested talking points will display on the screen. You can also add any relevant feedback from your call right in the form.

Contact your Michigan House member today to voice your opposition to HB 4536, remind them of the importance of penal fine revenue to libraries and that the Michigan Constitution states that penal fines should be used exclusively for libraries, and ask them to oppose HB 4536. Thank you in advance for taking action for Michigan Libraries.

We encourage you to send an email or make a personal phone call to your Michigan House member to voice your opposition to HB 4536, remind them of the importance of penal fine revenue to libraries, and that the Michigan Constitution states that penal fines should be used exclusively for libraries, and ask them to oppose HB 4536. MLA has provided a template email and talking points (links below) if you decide to make a personal phone call.

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