

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

SENATE BILL NO. 746

BY: LONG (Ed) of the SENATE

and

WIDENER of the HOUSE

AS INTRODUCED

AN ACT RELATING TO CITIES AND TOWNS; AMENDING 11 O.S.

1991, SECTIONS 31-102, 31-104, 31-106, 31-107 AND
31-108, WHICH RELATE TO LIBRARY BOARDS OF
DIRECTORS, POWERS AND DUTIES OF LIBRARY BOARDS OF
DIRECTORS, LIBRARY PENALTIES, LIBRARY DONATIONS,
AND ANNUAL REPORTS OF LIBRARY BOARDS; MODIFYING
MEMBERSHIP QUALIFICATIONS AND TERMS OF SUCH
DIRECTORS; LIMITING NUMBER OF TERMS; LIMITING
REAPPOINTMENT; AUTHORIZING APPOINTMENT AND REMOVAL
OF LIBRARIANS; MODIFYING AUTHORIZATION TO IMPOSE
CERTAIN PENALTIES; MODIFYING DESCRIPTION OF
OFFENSES; MODIFYING PURPOSE AND USE OF LIBRARY
DONATIONS; MODIFYING CONTENT OF ANNUAL REPORTS OF
LIBRARY BOARDS; PROVIDING AN EFFECTIVE DATE; AND
DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 11 O.S. 1991, Section 31-102, is
amended to read as follows:

Section 31-102. The municipal governing body may, in its discretion and by ordinance, place the management and control of the public library under a library board of directors. The library board shall consist of at least five ~~(5)~~ but not more than nine directors, chosen by the municipal governing body ~~from the citizens of the municipality with reference to their fitness for such office.~~ No director shall receive compensation as such. ~~The directors of~~ Directors appointed to the library board shall hold office for a term of ~~five~~ ~~(5)~~ three (3) years from the first day of May following their appointment, and their terms shall be staggered. ~~At the first regular meeting of the board, the directors shall cast lots for respective terms of one (1) year, two (2) years, three (3) years, four (4) years and five (5) years; thereafter the terms of all directors shall be five (5) years~~ No person shall serve more than two successive terms or be appointed for another full term or temporary term until at least two (2) years have elapsed from the end of the second successive term served until the beginning of the next term. The municipal governing body may remove any director for misconduct or neglect of duty. Vacancies in the library board of directors shall be filled in the same manner as original appointments.

SECTION 2. AMENDATORY 11 O.S. 1991, Section 31-104, is amended to read as follows:

Section 31-104. The library board shall ~~exercise~~ have control and supervision ~~over~~ of the public library of the municipality. The library board may appoint a suitable librarian and remove the librarian, subject to approval of the municipal governing body. The board shall fix any fees to be charged by the library and shall have such other powers and authority as may be provided by ordinances of the municipality.

SECTION 3. AMENDATORY 11 O.S. 1991, Section 31-106, is amended to read as follows:

Section 31-106. The ~~municipal governing body~~ library board may impose, ~~by ordinance,~~ finer or suitable penalties for ~~the punishment of persons committing injury upon the municipal library or other property thereof,~~ and for loss of, failure to return, or injury damage to or failure to return any book belonging to the library materials, subject to ordinances which the municipal governing body may enact.

SECTION 4. AMENDATORY 11 O.S. 1991, Section 31-107, is amended to read as follows:

Section 31-107. Any person desiring to make donations of money, personal or real property for the benefit of the municipal library, ~~or for the establishment, maintenance or endowment of public lectures in connection with the library upon any subject designated by the donor in the field of literature, science and the arts (except that lectures in the interest of any political party, politics or sectarian religion are expressly prohibited)~~ shall have the right to vest the title to such money or property in the municipality, to be held and controlled by the municipality, when accepted, according to the terms of the donation. The municipality shall be held and considered to be a special trustee as to such property or money donated.

SECTION 5. AMENDATORY 11 O.S. 1991, Section 31-108, is amended to read as follows:

Section 31-108. The library board shall ~~make, on or before the thirty-first day of July in each year,~~ provide an annual report to the municipal governing body ~~stating:~~

1. ~~The condition of its trust on the thirtieth day of June of that year;~~

2. ~~The various sums of money and property received from the library fund and other sources, and how such monies have been expended and for what purposes;~~

3. ~~The budget for the library for the next fiscal year;~~

~~4. Statistics on the general character and number of books and periodicals which:~~

~~a. are on hand;~~

~~b. are lost or missing;~~

~~c. have been added by purchase, gift or otherwise during the year; and~~

~~d. have been loaned out during the year;~~

~~5. The number of persons making use of the library during the year; and~~

~~6. Such other information, statistics and suggestions as it may deem of general interest on the usage and services of the library on or before July 31 of each year.~~

SECTION 6. This act shall become effective July 1, 1992.

SECTION 7. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-2-1539

SB