ENROLLED HOUSE
BILL NO. 2530

By: Hamilton, Boyd (Betty), Tyler, Ferguson and Reese of the House

and

Long (Ed) of the Senate

An Act relating to public libraries; amending 65 O.S. 1991, Section 4-103, as amended by Section 9, Chapter 322, O.S.L. 1992 (65 O.S. Supp. 1995, Section 4-103), which relates to the governing boards of certain public libraries; exempting certain partial terms from being considered a full term in relation to certain board members; and declaring an emergency.

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

SECTION 1. AMENDATORY 65 O.S. 1991, Section 4-103, as amended by Section 9, Chapter 322, O.S.L. 1992 (65 O.S. Supp. 1995, Section 4-103), is amended to read as follows:

Section 4-103. (a) The Board of Trustees of a library system containing two or more counties, herein defined as a multicounty library system, shall consist of at least five (5) members. There shall be at least one member from each county appointed by the board of county commissioners. Additional members shall be appointed for each city within the system with a population of two thousand (2,000) or more, with these appointments to be made by the governing body of the city. In addition, any town with a population of at least one thousand (1,000), a distance of at least thirty (30) miles from the next nearest town having a board member, shall be entitled to a member, appointed by the governing board of such town, for a term of three (3) years. In counties with no city with a population of two thousand (2,000) or more, a member shall be appointed by the governing body of the county seat city or town. Should the board serving a multicounty unit result in fewer than five members, additional board members shall be appointed on a proportional basis agreed upon by the county governments involved.

(b) Initial appointments shall be distributed among one-, two- and three-year terms, with one-third (1/3) of the appointments to be made for one (1) year, one-third (1/3) to be made for two (2) years and one-third (1/3) for three (3) years. Subsequent appointments shall be for three-year terms, except in the case of an appointment to fill a vacancy in the membership of the system board, which appointment shall be for the remainder of the unexpired term of the member where death, resignation or removal has created the vacancy. <u>A partial term of not more than eighteen (18) months served immediately prior to a full three-year term shall not be counted as a full term.</u> No person shall serve more than two full successive terms. Provided that a person who previously served for two (2) successive terms or less may be reappointed if two (2) years has expired since the person's last service on the board. All tenure of

initial and future appointees shall expire on June 30 of the designated year. A member of a system board once qualified can thereafter be removed by the appointive authority during his term of office only for misconduct or neglect of duty.

(c) Appointments to the system board shall be made on the basis of ability, a sound understanding of the total responsibilities and objectives of public libraries and an active interest in the attainment of these comprehensive goals. Appointive members shall be qualified electors and bona fide residents of the counties from which they are appointed. No member of the system board shall in any way be connected with the business of publishing or selling books, periodicals or other forms of library materials nor with the business of manufacturing or selling library supplies or equipment.

(d) All system board members shall serve thereon without compensation except actual and necessary travel expenses as authorized by the State Travel Reimbursement Act. Individual memberships for systems board members in state, regional, and national library associations and expenses incurred in attending conferences of these associations, board meetings and other library and library-related meetings may be paid from library funds upon proper authorization of the board.

SECTION 2. 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.

Passed the House of Representatives the 6th day of March, 1996.

Speaker of the House of Representatives

Passed the Senate the 26th day of March, 1996.

President of the Senate