

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1150

By: Justice

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6 AS INTRODUCED

7 An Act relating to Multi-District Library Systems;
8 creating the Multi-District Public Library Act;
9 providing short-title; authorizing establishment of
10 certain library system; stating district boundaries;
11 providing for funding; stating procedures for
12 creation of system; requiring certain public vote
13 upon request by citizens; authorizing certain
14 contracts; providing for termination of system;
15 stating accounting requirements for certain funds;
16 prohibiting diversion of taxes; providing for access
17 to certain telecommunication network; providing for
18 appointment of library board of directors; stating
19 terms; providing for vacancies; stating requirements
20 for directors; providing for meetings; providing for
21 open meetings; stating powers and duties of board;
22 authorizing board to impose fines; providing for
23 appointment of librarian; stating qualifications;
24 providing for codification; and providing an
effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 10-101 of Title 65, unless there
is created a duplication in numbering, reads as follows:

MULTI-DISTRICT PUBLIC LIBRARY SYSTEMS

1 This act shall be known and may be cited as the "Multi-District
2 Public Library Act".

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 10-102 of Title 65, unless there
5 is created a duplication in numbering, reads as follows:

6 A. Counties and municipalities are hereby authorized and
7 empowered to join in creation, development, operation and
8 maintenance of public libraries to serve municipalities and
9 adjoining, designated districts with existing, recognizable
10 boundaries such as municipalities and school districts, and to
11 appropriate and allocate funds for the support of Multi-District
12 Libraries. Multi-District libraries shall provide equitable library
13 services to all persons in the district. Multi-District libraries
14 may, with approval of the board of county commissioners and the
15 municipal governing body, establish branch libraries in different
16 parts of the district to accommodate the citizens of the district.

17 B. Special levies of any and all taxes authorized to be levied
18 by counties and municipalities under the Oklahoma Constitution are
19 hereby authorized to be levied for support of Multi-District
20 libraries.

21 C. A Multi-District Library may be created by resolution or
22 ordinance by the board of county commissioners and the governing
23 body of the municipality. The resolution and ordinances shall
24 specify the district to be serviced, organization of the governing

1 board of the Multi-District public library and proposed financing
2 including agreement to call for a vote of the people as necessary
3 for special tax levies.

4 D. Multi-District public libraries may be proposed upon
5 resolution or ordinance of the municipal governing bodies as
6 provided in subsection C of this section or upon presentation of
7 petitions to the board of county commissioners of the county signed
8 by not less than five percent (5%) of the qualified electors of the
9 designated district requesting a vote on library funding. Upon
10 receipt of such petitions from qualified electors, or resolutions or
11 ordinances of the governing body of a municipality, the board of
12 county commissioners shall call a district-wide vote on the proposed
13 Multi-District library funding.

14 E. The board of county commissioners and the governing body of
15 the municipality involved in the creation of the Multi-District
16 public library are authorized to enter into contracts and agreements
17 with each other as necessary to effect the purposes of this act.

18 F. A Multi-District public library created under the provisions
19 of this act may be terminated only by majority vote of qualified
20 electors voting in an election called by petitions signed by not
21 less than twenty percent (20%) of the qualified electors voting in
22 the last preceding general election in the district. If a Multi-
23 District public library is abolished, the assets shall be disposed
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1 of jointly by the board of county commissioners and the municipal
2 governing body.

3 G. When a Multi-District public library has been established,
4 the governing body of the municipality must allot for library
5 purposes a prescribed proportion of its municipal revenues to be
6 used exclusively for the maintenance of the public library. The
7 municipality's allotment cannot be less than its allocation to the
8 public library during the previous fiscal year. The Multi-District
9 library will remain a department of the municipality and receive the
10 same benefits and access to services allocated to other municipal
11 departments.

12 H. All moneys received for the Multi-District library, whether
13 by taxation or otherwise, shall belong to and be designated as the
14 library fund.

15 I. Moneys from federal, state and other sources shall be
16 deposited in a separate library account following procedures as may
17 be agreed upon by the contributing agency.

18 J. Any moneys deposited in the library account shall be kept
19 separate and apart from other funds of the municipality or county
20 and drawn upon by the proper officers of the library designated by
21 the board of county commissioners or governing body of the
22 municipality, or the library board of directors.

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1 K. Property taxes levied for libraries under the Multi-District
2 Public Library Act shall not be diverted from the use for which they
3 were levied.

4 L. When available, the Multi-District public library will have
5 access to a statewide library telecommunication network.

6 SECTION 3. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 10-103 of Title 65, unless there
8 is created a duplication in numbering, reads as follows:

9 A. The Multi-District Library Board shall consist of at least
10 five but not more than nine directors, chosen by the municipal
11 governing body from the citizens of the district with reference to
12 their fitness for such office. Directors shall receive no
13 compensation for their duties. Directors appointed to the library
14 board shall hold office for a term of three (3) years from the first
15 day of May following their appointment, and their terms shall be
16 staggered. The municipal governing body may remove any director for
17 misconduct or neglect of duty. Vacancies in the library board of
18 directors shall be filled in the same manner as original
19 appointments.

20 B. Appointments to the library board shall be made on the basis
21 of ability, a sound understanding of the total responsibilities and
22 objectives of public libraries and active interest in the attainment
23 of Multi-District library goals. Appointive members shall be
24 qualified electors and bona fide residents of the county. No member

1 of the library board shall be in the business of publishing or
2 selling books, periodicals or other forms of library materials or
3 the business of manufacturing or selling library supplies or
4 equipment.

5 C. The library board, immediately after the appointment and
6 qualification of its directors, shall meet and organize by electing
7 one director as president, one director as secretary, and by
8 electing such other officers as the board may deem necessary. The
9 officers shall serve one-year terms beginning on July 1.

10 D. The library board shall meet as often as a majority of the
11 board members deem necessary. The library board shall be subject to
12 the Oklahoma Open Meeting Act. The board shall adopt rules for the
13 transaction of business and keep a record of its functions and
14 activities which shall be a public record. A majority of the board
15 membership shall constitute a quorum.

16 SECTION 4. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 10-104 of Title 65, unless there
18 is created a duplication in numbering, reads as follows:

19 A. The municipal governing body may, in its discretion and by
20 ordinance, place the management and control of the public library
21 under a Multi-District Library Board of Directors, appointed
22 pursuant to the provisions of Section 3 of this act. The board
23 shall fix any fees to be charged by the library and shall have such
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1 other powers and authority as may be provided by ordinances of the
2 municipality.

3 B. The library board shall prepare an annual budget which shall
4 be filed on or before June 1 with the board of county commissioners,
5 the county excise board, the State Auditor and Inspector, the State
6 Board of Equalization, and any municipality that participates in the
7 financial support of the library.

8 C. The municipal governing body shall submit an annual audit of
9 the library fund within ninety (90) days following the close of the
10 fiscal year to the board of county commissioners, the county excise
11 board, the State Auditor and Inspector, and the State Board of
12 Equalization.

13 D. The library board shall have the power, with the approval of
14 the municipal governing body, to purchase grounds and erect thereon
15 a suitable building for the use of the Multi-District public library
16 and to suitably equip the same, and to lease rooms or buildings for
17 the use of the library. The title to any grounds so purchased or
18 leased, as well as any building thereon, shall be taken in the name
19 of the municipality as grantee.

20 E. The library board may impose fines or suitable penalties for
21 loss of, failure to return, or damage to library materials, subject
22 to ordinances which the municipal governing body may enact.

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1 SECTION 5. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 10-105 of Title 65, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The Multi-District Library Board may appoint a librarian on
5 the basis of merit and experience and remove the librarian, subject
6 to approval of the municipal governing body. In districts with a
7 population of twenty thousand (20,000) or more according to the
8 latest Federal Decennial Census, the librarian shall be a graduate
9 of a library school accredited by the American Library Association.

10 B. The librarian shall be the administrative, executive and
11 supervisory officer of the library. The librarian shall appoint and
12 remove staff members and other employees, subject to the ordinances
13 and policies of the municipal governing body.

14 SECTION 6. This act shall become effective November 1, 2012.

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