

1 **SENATE FLOOR VERSION**

2 March 25, 2013

3 ENGROSSED HOUSE
4 BILL NO. 1331

By: Lockhart and Nollan of the
House

5 and

6 Ellis of the Senate

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9 An Act relating to public libraries; amending 65 O.S.
10 2011, Section 4-103, which relates to the governing
11 board of multicounty library systems; modifying
membership appointment criteria; deleting certain
membership positions; and declaring an emergency.

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

15 SECTION 1. AMENDATORY 65 O.S. 2011, Section 4-103, is
16 amended to read as follows:

17 Section 4-103. ~~(a)~~ A. The Board of Trustees of a library
18 system containing two or more counties, herein defined as a
19 multicounty library system, shall consist of at least five (5)
20 members. There shall be at least one member from each county
21 appointed by the board of county commissioners. Additional members
22 shall be appointed for each city within the system with a ~~population~~
23 ~~of two thousand (2,000) or more~~ public library located in the city,
24 with these appointments to be made by the governing body of the

1 city. ~~In addition, any town with a population of at least one~~
2 ~~thousand (1,000), a distance of at least thirty (30) miles from the~~
3 ~~next nearest town having a board member, shall be entitled to a~~
4 ~~member, appointed by the governing board of such town, for a term of~~
5 ~~three (3) years. In counties with no city with a population of two~~
6 ~~thousand (2,000) or more, a member shall be appointed by the~~
7 ~~governing body of the county seat city or town. Should the board~~
8 ~~-serving a multicounty unit result in fewer than five members,~~
9 ~~additional board members shall be appointed on a proportional basis~~
10 ~~agreed upon by the county governments involved.~~

11 ~~(b)~~ B. Any member serving on a system board as of the effective
12 date of this act shall continue to serve until the end of the
13 current term for which they were appointed. Thereafter,
14 appointments shall be made as provided for in subsection A of this
15 section.

16 C. Initial appointments shall be distributed among one-, two-
17 and three-year terms, with one-third (1/3) of the appointments to be
18 made for one (1) year, one-third (1/3) to be made for two (2) years
19 and one-third (1/3) for three (3) years. Subsequent appointments
20 shall be for three-year terms, except in the case of an appointment
21 to fill a vacancy in the membership of the system board, which
22 appointment shall be for the remainder of the unexpired term of the
23 member where death, resignation or removal has created the vacancy.
24 A partial term of not more than eighteen (18) months served

1 immediately prior to a full three-year term shall not be counted as
2 a full term. No person shall serve more than two full successive
3 terms. Provided that a person who previously served for two (2)
4 successive terms or less may be reappointed if two (2) years has
5 expired since the person's last service on the board. All tenure of
6 initial and future appointees shall expire on June 30 of the
7 designated year. A member of a system board once qualified can
8 thereafter be removed by the appointive authority during his term of
9 office only for misconduct or neglect of duty.

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

20 ~~(d)~~ E. All system board members shall serve thereon without
21 compensation except actual and necessary travel expenses as
22 authorized by the State Travel Reimbursement Act. Individual
23 memberships for systems board members in state, regional, and
24 national library associations and expenses incurred in attending

1 conferences of these associations, board meetings and other library
2 and library-related meetings may be paid from library funds upon
3 proper authorization of the board.

4 SECTION 2. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

8 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
9 March 25, 2013 - DO PASS

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