

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 638

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CUNNINGHAM (86).

Read 1st time February 24, 2005 and copies ordered printed.

Read 2nd time February 28, 2005 and referred to the Special Committee on Urban Issues March 3, 2005.

Reported from the Special Committee on Urban Issues March 7, 2005 with recommendation that the bill Do Pass by Consent. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

Reported from the Committee on Rules March 10, 2005 with recommendation that the bill Do Pass by Consent with no time limit for debate.

Perfected by Consent March 22, 2005.

STEPHEN S. DAVIS, Chief Clerk

1341L.01P

AN ACT

To repeal section 182.707, RSMo, and to enact in lieu thereof one new section relating to public library districts.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 182.707, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 182.707, to read as follows:

182.707. 1. An urban public library district created under the provisions of sections 182.701 to 182.723 shall be governed by a board of trustees which shall consist of nine members. The initial board of trustees shall be appointed by the board of directors of the nine director urban school district, no later than fifteen business days following an election approving creation of an urban public library district. The new board of trustees shall meet and organize within ten days of appointment, or as soon after as reasonably practicable. After the initial appointments, successor trustees shall be appointed by the mayors of the three cities in which the greatest portion of the geographic area of the new urban public library district is located. Seven trustees shall be appointed by the mayor of the city in which the greatest percentage of the geographic area served is located. The mayor of each of the other two cities shall be entitled to appoint one

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

11 member of the board of trustees. The mayor of the city comprising the third largest geographic
12 area shall be authorized to appoint one board member two years following the initial
13 appointment. The mayor of the city serving the second largest geographic area shall be
14 authorized to appoint one member four years after the initial appointment.

15 2. Of the nine members initially appointed to the board of trustees pursuant to subsection
16 1 of this section, two shall serve for two years, three shall serve for three years and four shall
17 serve for four years. At the time of the organizational meeting of the initial library board
18 appointed by the board of education, the nine appointed members shall decide by drawing lots
19 which shall serve for two, three or four years. After the initial members of the board of trustees
20 have been appointed in the manner set forth above, members shall be appointed to serve terms
21 of four years, except that a member appointed to fill a vacancy in a term of office shall be
22 appointed to serve only the remainder of that term. Each member appointed shall serve until his
23 successor in office is appointed and qualified.

24 3. Each member of the board of trustees shall be at least twenty-five years of age and
25 shall be a resident of the urban public library district and shall have resided within the state of
26 Missouri for at least one year next preceding his or her appointment.

27 4. Vacancies in the board of trustees occasioned by removals, resignations, or otherwise
28 shall be reported to the mayor of the appropriate appointing city, and shall be filled in like
29 manner as original appointment; except that, if the vacancy occurs during an unexpired term, the
30 appointment shall be for only the unexpired portion of that term.

31 5. No trustee shall receive any fee, salary, gratuity or other compensation or
32 remuneration for acting as such, except that the board of trustees may reimburse its members for
33 actual and necessary expenses incurred in the performance of their duties.

34 6. The board of trustees shall have a president, secretary, and a treasurer and such other
35 officers as the board may select. All officers of the board of trustees shall be selected by the
36 board. All officers of the board of trustees shall serve at the pleasure of the board and shall not
37 receive any salary, gratuity or other compensation or reimbursement for acting as such, except
38 the treasurer, who may also serve as secretary.

39 7. The board of trustees shall provide for regularly scheduled meetings of the board to
40 be held monthly. The board of trustees shall make and adopt bylaws, rules and regulations
41 governing the proceedings of the board, including bylaws prescribing the duties of each officer
42 of the board of trustees. No bylaws, rules or regulations shall be contrary to, or inconsistent with,
43 any provision of law.

44 8. A majority of the full board of trustees shall constitute a quorum for the transaction
45 of business. An act of the majority of the trustees present at a meeting at which a quorum is
46 present shall be the act of the board of trustees, except as hereinafter provided. The affirmative

47 vote of a majority of the full board of trustees shall be required to enter into any contract, employ
48 or dismiss the chief administrative officer of the district, effect a merger or consolidation or
49 approve a budget.

50 9. The board of trustees of an urban public library district shall adopt policies for the
51 government of the urban public library district that will carry out the spirit and intent of sections
52 182.701 to 182.723, and the board of trustees shall employ a [duly qualified graduate librarian
53 as the] chief executive and administrative officer of the urban public library district charged with
54 the duty of carrying out the policies adopted by the board of trustees. The librarian shall serve
55 at the pleasure of the board of trustees. The librarian shall have the authority to employ
56 professional library assistants and other employees to fill the positions that are created by the
57 board of trustees. The assistants and employees may be dismissed by the librarian.