

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 638
93RD GENERAL ASSEMBLY

Reported from the Committee on Economic Development, Tourism and Local Government, April 11, 2005, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

1341S.03C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 182.707, RSMo, and to enact in lieu thereof one new section relating to qualifications of the chief executive officer of the urban public library district.

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Section A. Section 182.707, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 182.707, to read as follows: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 member of the board of trustees. The mayor of the city comprising the third largest geographic area shall be authorized to appoint one board member two years following the initial appointment. The mayor of the city serving the second largest geographic area shall be authorized to appoint one member four years after the initial appointment.

2. Of the nine members initially appointed to the board of trustees pursuant to subsection 1 of this section, two shall serve for two years, three shall serve for three

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

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

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

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

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

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

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

47 8. A majority of the full board of trustees shall constitute a quorum for the
48 transaction of business. An act of the majority of the trustees present at a meeting at
49 which a quorum is present shall be the act of the board of trustees, except as hereinafter
50 provided. The affirmative vote of a majority of the full board of trustees shall be
51 required to enter into any contract, employ or dismiss the chief administrative officer of
52 the district, effect a merger or consolidation or approve a budget.

53 9. The board of trustees of an urban public library district shall adopt policies
54 for the government of the urban public library district that will carry out the spirit and

55 intent of sections 182.701 to 182.723, and the board of trustees shall employ a [duly
56 qualified graduate librarian as the] chief executive [and] **as** administrative officer of the
57 urban public library district charged with the duty of carrying out the policies adopted
58 by the board of trustees. The [librarian] **chief executive** shall serve at the pleasure
59 of the board of trustees. The [librarian] **chief executive** shall have the authority to
60 employ professional library assistants and other employees to fill the positions that are
61 created by the board of trustees. The assistants and employees may be dismissed by the
62 [librarian] **chief executive**.

✓