

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 47
93RD GENERAL ASSEMBLY

0241S.03T

2005

AN ACT

To repeal section 182.640, RSMo, and to enact in lieu thereof one new section relating to consolidated public library districts.

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

Section A. Section 182.640, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 182.640, to read as follows:

182.640. 1. A consolidated public library district created under the provisions of sections 182.610 to 182.670 shall be governed by a board of trustees which shall consist of not less than eight trustees to be appointed by the county commission or county executive officers of the counties participating in the consolidated public library district. The county commission or county executive officers of each participating county shall appoint four trustees who are residents of that county **and who reside in the district**, as representatives of its county. No appointed trustee shall be an elective official.

2. The trustees of the existing boards of a county public district shall remain as the representatives of their respective county and shall serve the remainder of their respective term as the governing board of a consolidated public library district. Upon expiration of their term the county commission or county executive officer shall appoint a resident of the respective county **and district** for a four-year term beginning the first day of July or until a successor shall be appointed. **Trustees in office as of August 28, 2005, who reside outside the district shall be deemed to have vacated their trusteeships and successors shall be appointed under subsection 4 of this section.**

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.

16 3. Whenever any member of the board of trustees shall, without good cause, fail to
17 attend six consecutive board meetings of the consolidated public library district or whenever any
18 member of the board of trustees is deemed by the majority of the board of trustees to be guilty
19 of conduct prejudicial to the good order and effective operation of the consolidated public library
20 district, or whenever any member is deemed to be guilty of neglect of duty, then such member
21 may be removed by resolution of the board of trustees duly acted upon, after specification of
22 charge and hearing.

23 4. Vacancies in the board occasioned by removals, resignations, or otherwise shall be
24 reported to the county commission or county executive officers and shall be filled in like
25 manner as original appointments; except that, if the vacancy occurs during an unexpired term,
26 the appointment shall be for only the unexpired portion of that term.

27 5. No person shall be employed by the board of library trustees or by the librarian who
28 is related within the third degree by blood or by marriage to any trustee of the board.

29 6. Except as in sections 182.610 to 182.670 otherwise expressly provided, no trustee of
30 a consolidated public library district shall receive any fee, salary, gratuity or other compensation
31 or remuneration for acting as such; except that, the board of trustees may reimburse its members
32 for actual and necessary expenses incurred in the performance of their duties.

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

38 8. The board shall provide for regularly scheduled meetings of the board to be held
39 monthly; except that, the board shall not be required to meet more than ten times in any calendar
40 year. The board shall make and adopt bylaws, rules and regulations governing the proceedings
41 of the board, including bylaws prescribing the duties of each officer of the board of trustees. No
42 bylaws, rules or regulations shall be contrary to, or inconsistent with, any provision of law.

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

49 10. The board of trustees of a consolidated public library district shall adopt policies for
50 the government of the consolidated public library district that will carry out the spirit and intent
51 of sections 182.610 to 182.670, and the board shall employ a duly qualified graduate librarian
52 as the chief executive and administrative officer of the consolidated public library district

53 charged with the duty of carrying out the policies adopted by the board. The librarian shall serve
54 at the pleasure of the board. The librarian shall have the authority to employ professional library
55 assistants and other employees to fill the positions that are created by the board. The assistants
56 and employees may be dismissed by the librarian.