

Arkansas City and Udall Library Districts; HB 2176

HB 2176 creates the Arkansas City Area Public Library District Act and the Udall Area Public Library District Act (Library Acts). These acts are identical except for references to the cities of Arkansas City and Udall and references to USD 470 (Arkansas City) and USD 463 (Udall). The bill also makes conforming amendments to a statute defining “local public libraries.”

Creation of Library Districts

The Library Acts authorizes the boards of trustees of existing public libraries in the cities of Arkansas City and Udall to adopt resolutions to submit to voters the question of creating a library district and a proposed tax levy amount. The library district territory will be the territory within the boundaries of the relevant school district.

Upon a majority of qualified electors of the proposed library districts voting in favor of the proposed library district, the district will then be established and all contracts, bonds, debts, and other obligations of the existing public libraries will transfer to the new district, except for debts related to the ownership of real estate of the library, which will remain an obligation of the city.

Governance of Library Districts

Library districts under the Library Acts will be governed by seven-member boards of trustees (board or boards). Four members will be appointed by the governing body of the relevant city with one member residing outside the city, and three members living outside the city will be appointed by the relevant board of education. The bill requires board members to be residents of the relevant library district created under the Library Acts. The members will be appointed to terms of four years and will serve until successors are appointed and qualified. Members are eligible for reappointment, but cannot serve more than two consecutive terms without one year of non-service following the second consecutive term. Members will receive no compensation, but will be paid actual expenses associated with their duties.

The boards are required to annually elect a chairperson, secretary, treasurer, and other officers deemed necessary by the board. Regular meetings of the board will be set by the board, and limited special meetings may be called by the chairperson or a majority of the members of the board. The bill requires the board treasurer to provide a bond in an amount set by the board and pay out funds on orders of the board signed by the chairperson and secretary. County treasurers are required to remit funds collected for the board to the board treasurer.

Each board is required to annually adopt a budget for the library following notice and a hearing concerning the budget. The bill requires the budget to state the amount of tax to be collected which will be levied on behalf of the library district by the relevant board of education. The bill requires the tax levy to be submitted to an election upon the filing of a petition signed by at least 5.0 percent of the qualified voters in the tax district. The bill prohibits the proceeds of the tax from supporting a regional system of cooperating libraries for any subsequent calendar year.

The bill states the libraries will cease to be participating libraries in their respective library systems. The bill authorizes each library district created by the bill to submit a petition to join its respective library system as a participating library.

Operation of Libraries

The bill requires the libraries to be free for the use of residents of the respective library districts, subject to rules adopted by the board. The libraries will be permitted to charge non-residents a fee for the use of the library.

The boards will be authorized to exercise the usual powers of a corporation for public purposes. Specifically, the boards will be authorized to:

- Make appropriate rules for the administration of the library;
- Purchase or lease real estate for the library;
- Acquire library materials;
- Employ a librarian and other employees;
- Establish and maintain a traveling library;
- Contract with other libraries or municipalities;
- Receive gifts, grants, and tax proceeds; and
- Make annual reports to the State Librarian and the local board of education.