

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H2/12/97 H2/18/97

A Bill

ACT 402 OF 1997
HOUSE BILL 1540

4 *By: Representatives Schexnayder, Goodwin, Kidd, Bond, and D. Hudson*
5 *By: Senator Argue*

For An Act To Be Entitled

9 "AN ACT TO AMEND VARIOUS SECTIONS OF SUBCHAPTERS 4 AND 5
10 OF TITLE 13, CHAPTER 2, CONCERNING THE COUNTY PUBLIC
11 LIBRARIES AND LIBRARY SYSTEMS AND CITY LIBRARIES AND
12 LIBRARY SERVICES; TO AMEND CHAPTER 2 OF TITLE 13 TO ADD A
13 NEW SUBCHAPTER 9 ON THE CREATION OF REGIONAL LIBRARY
14 SYSTEMS AND BOARDS OF TRUSTEES; TO REQUIRE ALL MULTIPLE
15 JURISDICTION LIBRARY AGREEMENTS TO BE FORMALIZED IN
16 WRITING WITHIN ONE (1) YEAR; AND FOR OTHER PURPOSES."

Subtitle

18 "TO AMEND THE LAWS CONCERNING THE COUNTY
19 PUBLIC LIBRARIES AND CITY LIBRARIES AND
20 TO PROVIDE FOR CREATING REGIONAL LIBRARY
21 SYSTEMS."
22

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26 SECTION 1. Arkansas Code § 13-2-401 is amended to read as follows:
27 "13-2-401. Establishment.

28 (a) The county quorum courts of the several counties shall have the
29 power and authority to establish, maintain, and operate county ~~free~~ public
30 libraries or public library services or systems in the manner and with the
31 functions prescribed in this subchapter, and counties may appropriate money
32 for these purposes.

33 (b) The county quorum court shall also have the power to establish in
34 cooperation with another county or other counties, a joint ~~free~~ public library
35 or a joint library service or system for the benefit of the cooperating
36 counties.

1 (c) Establishment of county libraries or library systems shall be
 2 evidenced ~~by a regular order of the county court~~ by ordinance of the county
 3 quorum court, or by agreement between the governing bodies of the several
 4 counties participating in a regional library system or coordinating library
 5 services under an interlocal agreement ~~to be duly recorded~~. Appropriations
 6 for the establishment and maintenance thereof shall be in the manner
 7 prescribed by law for expenditures by counties.

8 (d) In addition to county library boards created under Act 244 of 1929,
 9 Arkansas Code §§ 13-2-401, et seq., and subsequent laws, a county quorum court
 10 may, by ordinance, establish a county library board to conduct the affairs of
 11 the county public library or its library services or system in accordance with
 12 the law for establishing other county advisory or administrative boards found
 13 at Arkansas Code § 14-14-705. Beginning January 1, 1998, regardless of the
 14 term length, no person, whether a current trustee or being considered for
 15 appointment as a trustee, who has served two (2) or more consecutive terms
 16 shall be eligible for appointment or reappointment to serve until at least one
 17 (1) year shall have passed since they last served on the board."

18

19 SECTION 2. Arkansas Code § 13-2-402 is amended to read as follows:

20 "13-2-402. Librarian.

21 (a) No person shall be appointed to the office of county librarian
 22 unless prior to appointment ~~he shall have received from the State Library~~
 23 ~~Board a certificate of qualification for the office~~ the person is recommended
 24 for appointment by the county library board, if the board has been created.
 25 ~~The certificate must be filed with the county clerk before any salary claims~~
 26 ~~may be honored.~~

27 (b) The county librarian shall conduct the library according to the
 28 most ~~approved county acceptable~~ library methods ~~and shall attend all State~~
 29 ~~Library Association meetings."~~

30

31 SECTION 3. Arkansas Code § 13-2-404 is amended to read as follows:

32 "13-2-404. County ~~free~~ public library fund - Claims.

33 (a) All tax and other county appropriated funds of the county ~~free~~
 34 public library shall be in the custody of the county treasurer and shall
 35 constitute a separate fund to be known as the county ~~free~~ public library fund.

36 (1) A county which supports a county public library or library

1 system with a library tax under Amendment 38, as amended, shall, by ordinance
2 of the quorum court of the county, levy a tax at a millage rate approved by
3 the voters on all taxable property within the county to be used for the
4 support, operation, and maintenance of the public library or public library
5 system located in the county.

6 (2) In addition to the levy herein authorized, the quorum court
7 in a county may appropriate from any available funds for the support,
8 operation, and maintenance of a public library or public library system
9 located in the county.

10 (3) Further, the quorum court in a county may appropriate from
11 the county funds and any other available funds for the support, operation, and
12 maintenance of a regional public library system in which the county has agreed
13 to participate in coordination with the libraries of other counties and other
14 cities.

15 (b)(1) Funds received by the county ~~free~~ public library by gift,
16 bequest, devise, or donation or from fees or fines may remain in the custody
17 of the county library board, if a board has been created, or deposited with
18 the county treasurer for the county ~~free~~ public library fund if the county
19 library board so chooses or if a board has not been created.

20 (2) Funds retained by the board shall be used by it for the
21 establishment, expansion, construction, maintenance, and operation of the
22 county library.

23 (c)(1) No claims against the county ~~free~~ public library fund shall be
24 approved by the county court until acted upon by the county library board, if
25 the board has been created, and payment authorized by the board.

26 (2) The claims, when certified as valid claims by the board,
27 shall be acted upon as all other claims against the county."
28

29 SECTION 4. Subchapter 4 of Title 13, Chapter 2, of the Arkansas Code of
30 1987, Annotated, is amended to add a new Section 13-2-406 to read as follows:

31 "13-2-406. Library services for outside the county and fees for county
32 public libraries.

33 (a) Any county public library may extend the privilege and use of the
34 library and library services to persons residing outside the county upon the
35 terms and conditions as the library boards may prescribe by regulation or
36 policy.

1 (b) In addition, reasonable reimbursements may be collected by the
2 county public library for providing any special library services beyond the
3 customary library services, provided they are determined in advance and in
4 writing by the library board, if a board has been created."

5

6 SECTION 5. Subchapter 4 of Title 13, Chapter 2, of the Arkansas Code of
7 1987, Annotated, is amended to add a new Section 13-2-407 to read as follows:

8 "13-2-407. Joint city-county and regional public library systems.

9 (a) Any county library board, if it has been created, with the consent
10 of its county quorum court, the board of trustees of any municipal public
11 library, or any group of municipal public libraries, and any combination of
12 counties and cities, may contract with each other or among themselves, to
13 create, maintain and support a joint city-county public library system or
14 regional public library system or may enter into an interlocal cooperation
15 agreement among themselves to coordinate public library services among the
16 different jurisdictions. Such a contract, interlocal agreement, or other
17 arrangement shall contain terms, agreements and conditions as may be agreed
18 upon by the county library board, the county quorum court, and the board of
19 trustees of the several municipalities, with the final approval of the
20 governing body of the cities. The expenses of the regional public library
21 system or the cooperating libraries shall be apportioned between or among the
22 entities concerned on such basis as shall be agreed upon in the ordinance,
23 contract, arrangement or the interlocal agreement. The library system
24 headquarters building shall be located at a place in one of the counties to be
25 agreed upon by the quorum courts of the various counties in the regional
26 public library or with a cooperating library system.

27 (b) Any county library board, if it has been created, may contract with
28 an entity to provide library services at any location.

29 (c) Any joint city-county public library system or regional public
30 library system may extend the privilege and use of the library and library
31 services to persons residing outside the several jurisdictions of the library
32 system upon the terms and conditions as the several library boards may
33 prescribe by regulations or policy.

34 (d) If not provided for by library system or by one of the
35 participating jurisdictions of the library system, all eligible employees of a
36 joint city-county library or a regional public library system shall be

1 entitled to the comparable retirement and fringe benefit coverage as other
2 county employees in the headquarters county. Costs for these benefits shall be
3 apportioned among the participating jurisdictions of the joint city-county
4 library or a regional public library system."

5

6 SECTION 6. Subchapter 4 of Title 13, Chapter 2, of the Arkansas Code of
7 1987, Annotated, is amended to add a new Section 13-2-408 to read as follows:

8 "13-2-408. Injuries to county public library property - Penalty.

9 In addition to any penalties prescribed or any provisions to the
10 contrary in the Arkansas Library Materials Security Law, Arkansas Code
11 §§ 13-2-801 et seq., the county quorum court shall have power to pass
12 ordinances imposing suitable penalties for the punishment of persons
13 committing injury upon library grounds or property, or for injury of or
14 failure to return any book, periodical, or property belonging to the library.
15 The county library board, if a board has been created, or the county librarian
16 may refuse the use of the library to such offenders."

17

18 SECTION 7. Arkansas Code § 13-2-501 is amended to read as follows:

19 "13-2-501. Establishment - Appropriations.

20 (a) The city council or properly constituted municipal authorities or
21 governing body of any city of the first class may by ordinance establish and
22 maintain a public library or reading room for the use and benefit of the
23 inhabitants of the city. The governing body of any city which levies a city
24 library tax in accordance with Amendment 30 of the Arkansas Constitution shall
25 establish, operate, and maintain a city public library or library services for
26 the citizens of the city.

27 (b) In cities of the first class, on petition of five percent (5%) of
28 the voters praying for the establishment of a public library, the city council
29 or properly constituted municipal authorities governing body of the
30 municipality within thirty (30) days after the filing of the petition, shall
31 call an election to be held within sixty (60) days thereafter. The election
32 shall be advertised and conducted as special elections are required by law to
33 be. The ballots shall be marked "FOR Public Library," "AGAINST Public
34 Library." If a majority of the electors voting at the election vote in favor
35 of the establishment of a library, it shall be the duty of the city council or
36 properly constituted municipal authorities the governing body of the

1 municipality immediately to establish a public library and continue to
2 maintain it, in accordance with the provisions of this section.

3 (c) When a library ~~or reading room~~ has been established, the city
4 council or ~~properly constituted municipal authorities~~ the governing body of
5 the municipality may allot, for library purposes, ~~a maximum appropriation of~~
6 ~~one-half (1/2) mill from the revenue derived from all real and personal~~
7 ~~property within the city limits~~ a prescribed proportion of its municipal
8 revenues to be used exclusively for the maintenance of the library ~~or reading~~
9 ~~room~~.

10 (d)(1) A city which supports a city public library or library system
11 with a city library tax under Amendment 30, as amended, shall, by ordinance of
12 the governing body of the municipality, appropriate all tax revenues raised by
13 the millage approved by the voters on all taxable property within the city to
14 be used for the support, operation, and maintenance of the public library or
15 public library system located in the city or for library services from within
16 a library system in which the city participates.

17 (2) In addition to the levy therein authorized, the governing
18 body of the municipality may, at its discretion, make contributions from any
19 available funds for the support, operation, and maintenance of a city public
20 library or public library system located in the city or for library services
21 from within a library system in which the city participates.

22 (3) Further, the governing body of a municipality may, at its
23 discretion, make contributions from the city funds and any other available
24 funds for the support, operation, and maintenance of a joint city-county or
25 regional public library system in which the city has agreed to participate in
26 coordination with the libraries of other cities and other counties."

27

28 SECTION 8. Arkansas Code § 13-2-502 is amended to read as follows:

29 "13-2-502. Board of trustees.

30 (a) When any city council or governing body of a city of the first
31 class has decided to establish and maintain a public library or has decided to
32 provide library services to its citizens through participation in a library
33 system under this subchapter, the mayor of the city with the approval of the
34 city council shall appoint a board of not less than five (5) trustees nor more
35 than seven (7) trustees for the library. The trustees shall be chosen from the
36 citizens at large with reference to their fitness for the office.

1 (b) The trustees shall receive no compensation for their services.
2 Before entering upon the duties of their office, they shall make oath or
3 affirmation before some judicial officer that they will discharge the duties
4 enjoined upon them.

5 (c)(1) Two (2) trustees shall hold office for two (2) years, two (2)
6 for four (4) years, and one (1) or more members for ~~six (6)~~ five (5) years
7 from the January 1 following their appointment in each case. At the first
8 meeting they shall cast lots for their respective terms, reporting the result
9 to the council or governing body. All subsequent terms shall be for ~~six (6)~~
10 five (5) years. Provided, however, all trustees appointed after January 1,
11 1998 shall serve terms of five (5) years and until their successors are
12 appointed and qualified.

13 (2) Beginning January 1, 1998, regardless of the term length, no
14 person, whether a current trustee or being considered for appointment as a
15 trustee, who has served two (2) or more consecutive terms shall be eligible
16 for appointment or reappointment to serve until at least one (1) year shall
17 have passed since they last served on the board.

18 (d) The removal of any trustee permanently from the city or his absence
19 from four (4) consecutive meetings of the board, without due explanation of
20 absence, shall render his office as trustee vacant.

21 (e) Vacancies on the board shall be filled by the mayor with the
22 approval of the city council or governing body.

23 (f) Immediately after their appointment, the trustees shall meet and
24 organize by the election of one of their number as president and by the
25 election of such other officers as they may deem necessary.

26 (g) They shall make and adopt such bylaws, rules, and regulations for
27 their own guidance as they see fit.

28 (h) They shall meet once a ~~month~~ calendar quarter, or more often if
29 necessary, for the transaction of business.

30 (i) They, with the final approval of the city council or governing body
31 of the municipality, shall have the authority to negotiate and carry out all
32 agreements between the city public library and the governing boards of the
33 several city libraries and any counties participating in a joint city-county
34 library or a regional library system or for coordinating any and all library
35 services for their city under an interlocal cooperation agreement."

36

1 SECTION 9. Arkansas Code § 13-2-506 is amended to read as follows:

2 "13-2-506. Injuries to library property - Penalty.

3 ~~_____~~ The In addition to any penalties prescribed or any provisions to the
4 contrary in the Arkansas Library Materials Security Law, Arkansas Code
5 §§ 13-2-801 et seq., the city council or governing body of a city shall have
6 power to pass ordinances imposing suitable penalties for the punishment of
7 persons committing injury upon library grounds or property, or for injury of
8 or failure to return any book, periodical, or property belonging to the
9 library. The board of trustees may refuse the use of the library of such
10 offenders."

11

12 SECTION 10. Arkansas Code § 13-2-507 is amended to read as follows:

13 "13-2-507. Contracts for library services outside the city and fees for
14 special library services.

15 (a) The board may extend the privilege and use of the library ~~and~~
16 ~~reading rooms~~ to persons residing outside the city upon such terms and
17 conditions as the board may prescribe by its regulations or its policies.

18 (b) The board may also contract for library service or for the
19 privilege and use of the library with the county quorum court or with the
20 municipal authorities of a neighboring city, town, or village, or with school
21 authorities.

22 (c) In addition, reasonable reimbursements may be collected by the city
23 public library for providing any special library services beyond the customary
24 library services, provided they are determined in advance and in writing by
25 the board."

26

27 SECTION 11. Arkansas Code § 13-2-508 is amended to read as follows:

28 "13-2-508. Joint municipal libraries and joint city-county libraries.

29 (a) When any city council or governing body of a city of the first
30 class shall have decided to establish and maintain a public library under the
31 terms of this subchapter, the board of trustees for the library appointed
32 pursuant to this subchapter in fulfilling the purposes of this subchapter may
33 contract with the municipal authorities of a neighboring city within this
34 state or without this state if the city limits of the neighboring city so
35 without this state extend to the state line of this state and are contiguous
36 to the city limits of the city of the first class within this state, whereby a

1 common library for the residents of both may be established and maintained by
2 both cities.

3 (b) The contract shall provide for the division of the total cost of
4 establishing, maintaining, and operating the library between the cities, even
5 though the library is located without this state.

6 (c) However, the contract shall become effective only from and after
7 its ratification by a majority of the elected members of the city council or
8 the governing body of a city of the first class.

9 (d) The city board of trustees, with the consent of its governing body
10 of the city, and the county library board, if it has been created, with the
11 consent of the county quorum court, or any group of municipal public
12 libraries, and any combination of them, may contract with each other or among
13 themselves, to create, maintain and support a joint city-county public library
14 system or regional public library system or may enter into an interlocal
15 cooperation agreement among themselves to coordinate public library services
16 among the different jurisdictions. Such a contract or interlocal agreement
17 shall contain terms, agreements and conditions as may be agreed upon by city
18 board of trustees, county library board of trustees, the county quorum court,
19 and the board of trustees of the several municipalities.

20 ~~——(d)~~(e) Any library or joint city-county library or other library system
21 created under this section for coordination of library services when so
22 established and operated shall be a public city library for all the intents
23 and purposes of this subchapter and of Arkansas Constitution, Amendment 30.

24 ~~——(e)~~(f) This section does not repeal any existing law and shall be
25 cumulative to the provisions of §§ 13-2-501 - 13-2-503, 13-2-505 - 13-2-507
26 and 13-2-509."

27

28 SECTION 12. Subchapter 5 of Title 13, Chapter 2, of the Arkansas Code
29 of 1987, Annotated, is amended to add a new Section 13-2-510 to read as
30 follows:

31 "13-2-510. City and town library services.

32 (a) Any city of the first or second class or any incorporated town in
33 Arkansas may provide for library services for, or enter into agreements or
34 contracts for library services with other political subdivisions, or join with
35 other political subdivisions to form regional library systems to provide
36 library services for its citizens. The governing body of the city of the

1 first or second class or an incorporated town may, at its discretion, expend
2 available municipal funds for the support, operation, and maintenance of any
3 service, contract, agreement, or library system in which the municipality
4 participates for library services for its citizens.

5 (b) The provisions of this subchapter shall not be construed to
6 restrict or prohibit any cities of the first class or second class or
7 incorporated towns from entering into interlocal cooperation agreements with
8 other cities, counties, or regional library systems to better coordinate the
9 provision of services to its inhabitants."

10

11 SECTION 13. Title 13, Chapter 2, of the Arkansas Code of 1987,
12 Annotated, is amended to add a new Subchapter 9 to read as follows:

13 "Subchapter 9 - Regional Library System.

14 13-2-901. Title.

15 This subchapter may be referred to and cited as the Regional Library
16 System Law .

17 13-2-902. Purpose.

18 (a) In order to better coordinate the services of libraries and library
19 systems in different counties, as is permitted under both Amendments 30 and 38
20 of the Arkansas Constitution, when city and county public libraries are formed
21 in the various counties of the State of Arkansas and taxes are levied in those
22 cities and counties for the purpose of maintaining and operating a public
23 library or library system, or when counties, cities, or towns form public
24 libraries or provide library services for their citizens without levying
25 specific taxes, they may organize themselves into regional library systems in
26 accordance with this subchapter.

27 (b) The provisions of this subchapter for creating a regional library
28 system in Arkansas shall be supplemental to and in addition to the present
29 laws relating to the powers of counties and municipalities to contract for
30 services and to enter into interlocal cooperation agreements under Arkansas
31 Code §§ 25-20-101, et seq. It shall not be construed to prohibit a county or
32 municipality from joining with other counties or cities to create other
33 regional or multijurisdictional arrangements to provide library services for
34 their citizens.

35 13-2-903. Creation of a regional library system.

36 (a) Any two (2) or more municipalities, any two (2) or more counties,

1 or any one (1) or more municipalities together with any one (1) or more
2 counties are authorized to create and become members of a regional library
3 system as prescribed in this subchapter.

4 (b) Upon the recommendation by the city library board of trustees or
5 the county library board, the governing body of each municipality and county
6 desiring to create and become a member of a regional library system may, by
7 ordinance, determine that it is in the best interest of the municipality or
8 county in accomplishing the purposes of this subchapter to create and become a
9 member of a regional library system to better coordinate the services of
10 libraries of different cities and counties as is permitted under Sections 4 of
11 Amendments 30 and 38 of the Arkansas Constitution, as amended or as is
12 otherwise permitted under interlocal cooperation agreements.

13 (c) The ordinance shall:

14 (1) Set forth the names of the municipalities, counties, or both
15 which are proposed to be initial members of the regional library system;

16 (2) Specify the powers to be granted to the system and its board
17 of trustees and any limitations on the exercise of the powers granted
18 including limitations on the system's area of operations and the use of
19 library system funds and facilities;

20 (3) Specify the number of trustees on the board, the length of
21 terms, and the voting rights of each trustee;

22 (4) Specify the desire that a regional library system be created
23 as a public body and a body corporate and politic under this subchapter;

24 (5) Set forth the name which is proposed for the regional library
25 system;

26 (6) Set forth the terms and conditions for the withdrawal from
27 the regional library system and the division of any regional library system
28 funds or property; and

29 (7) Establish the proportion of financial assistance and support
30 to be apportioned among the participating jurisdiction in the regional library
31 system.

32 (d) The ordinances shall be signed by the mayor of each municipality
33 and county judge of each county, and attested by the respective clerks, and
34 sent to the Secretary of State and to the State Library. He shall receive and
35 file it and shall record it in an appropriate book of record in his office.

36 When the ordinance has been made, filed, and recorded as provided in this

1 subchapter, the system shall constitute a public body and a body corporate and
2 politic under the name proposed in the ordinance.

3 (e) Any ordinance filed with the Secretary of State pursuant to the
4 provisions of this section may be amended from time to time and any other
5 municipality or county may become a new member in the system with the consent
6 of the members of the regional library system evidenced by ordinances of their
7 governing bodies. The amendment shall be signed and filed with the Secretary
8 of State and the State Library in the manner provided in this section.

9 13-2-904. Board of trustees.

10 (a) The management and control of a regional library system shall be
11 vested in a board of trustees, who shall be appointed by the county or
12 municipal library boards from among the membership of the county or municipal
13 library boards, if one is created. In the absence of the county or municipal
14 library board, the governing body of the county or municipality shall appoint
15 the trustees to the regional library board. The number of trustees shall be
16 agreed upon by the governing bodies of the municipality, or municipalities,
17 and with the county quorum courts which have agreed with each other or among
18 themselves, to create, maintain and support the regional library system.

19 (b) Each trustee shall be a resident and qualified elector of the
20 municipality or county represented on the board. Vacancies on the board of
21 trustees of a regional library system shall be filled in the same manner in
22 which members of the board were first appointed.

23 (c) Any trustee who shall not attend three (3) consecutive meetings of
24 the board without reasonable explanation shall be subject to removal by the
25 municipal or county body which is the appointing authority. A trustee shall
26 not receive salary or other compensation for his service; however, a trustee
27 may be reimbursed for necessary travel and mileage expenses if reimbursements
28 are adopted as a policy by the board of trustees.

29 13-2-905. Powers and duties.

30 (a) The board of trustees of the regional library system, immediately
31 after their initial appointment, shall meet and elect the officers as they
32 deem necessary. A quorum of this board shall be a majority of the total
33 number of members. The board shall:

34 (1) adopt such bylaws, rules and regulations and policies for
35 their own guidance, including personnel policies, and for the government of
36 the library system as they deem reasonable and necessary;

1 (2) meet at least once in each calendar quarter;

2 (3) have the custody and supervision of all property of the
3 regional library system, including the rooms or buildings constructed, leased
4 or set apart for the regional system;

5 (4) employ a library system director who shall serve at the will
6 of the board, which shall prescribe his or her duties, and fix his or her
7 compensation;

8 (5) have exclusive control of the finances of the regional library
9 system;

10 (6) cause an annual audit to be performed in accordance with the
11 Arkansas law for audits of local government entities;

12 (7) be responsible for any fine or fee money for special library
13 services and shall accept any grants, gifts of money or property for use of
14 the regional library system and use it for purposes as they deem reasonable
15 and necessary;

16 (8) may purchase and dispose of equipment as provided in Arkansas
17 law for county government purchasing and disposing of county government
18 property;

19 (9) develop and enforce policies and penalties for persons
20 injuring library property and materials or failing to return any book,
21 periodical, or property belonging to the regional library system and they may
22 refuse the use of the library to those offenders; and

23 (10) do all other acts necessary for the orderly and efficient
24 management and control of the regional library system.

25 (b) No expenditure made or contracted by the board of trustees shall be
26 binding on any participating municipalities or counties so as to require any
27 payment in excess of funds made available for library purposes under this
28 subchapter.

29 (c) There shall be one (1) regional library director for each regional
30 library system. The director shall have a Masters degree from an accredited
31 American Library Association program. The library system director shall
32 administer and establish procedures in accordance to policies established by
33 the board of trustees. The director's duties shall include:

34 (1) employment and supervision of library system staff;

35 (2) financial and statistical management for the library system,
36 including initial preparation of the annual budget;

1 (3) reporting to board of trustees on library system operations
2 and services; and

3 (4) other acts necessary for the orderly and efficient
4 administration of the library system.

5 (d) If not provided for by the regional library system or by one of the
6 participating jurisdictions of the library system, all eligible employees of a
7 regional public library system shall be entitled to comparable fringe benefit
8 and retirement benefit coverage as other county employees in the headquarters
9 county. Costs for these benefits shall be apportioned among the participating
10 municipalities and counties of the regional public library system.

11 (e) On a monthly basis each county and municipality supporting a
12 regional library system shall transmit appropriated amounts of tax revenues
13 and other appropriated funds to the regional library system pursuant to the
14 interlocal agreement, the regional library ordinance, or the contract. All
15 regional funds shall be deposited in one or more public depositories
16 previously selected by the board of trustees of the library system. The board
17 of trustees shall, by appropriate order recorded in its minutes, authorize the
18 library director to expend system funds for lawful purposes only and in
19 accordance with its budget. All funds shall be placed in the depository or
20 depositories selected by the board of trustees in the same manner as provided
21 by law for the selection of county depositories. Such depository shall place
22 on deposit with the library director the same securities as required by law
23 for county deposits.

24 (f) The board shall have the power to purchase or lease ground, or to
25 purchase, lease, erect, and occupy appropriate buildings for the use of all
26 public libraries in the system. When a building erected or purchased by the
27 board is not adapted to its purpose or needs, the board may remodel or
28 reconstruct the building. The board may also sell or otherwise dispose of any
29 real or personal property that it deems no longer necessary or useful for
30 library purposes.

31 13-2-906. Annual reports.

32 At the end of each calendar year, the board of trustees of every
33 regional library system shall make a report to the governing body in the
34 county or counties or municipality or municipalities wherein the board serves,
35 showing the condition of the library system during the year and other
36 statistics and information as the board of trustees deems of public interest.

1 13-2-907. Contracts for library services and with other libraries.

2 (a) Regional library systems are authorized to contract with other
3 regional libraries, municipal libraries, county public libraries, or with
4 library authorities of any college or university, or any privately-organized
5 or endowed library, whereby common library branches or buildings or joint
6 library services for the residents or patrons of the participating
7 jurisdictions may be established and maintained in joint effort.

8 (b) The contract shall provide for the division of any cost of
9 establishing, maintaining, and operating the library and library services
10 between the regional library system and the other entity, even though the
11 entity may be located without this state.

12 (c) The contract shall become effective only from and after its
13 ratification by a majority of the members of the board of trustees of the
14 library system. "

15
16 SECTION 14. On and after the effective date of this act, all county
17 public libraries created under the authority of Arkansas Code §§ 13-2-401, et
18 seq., and all city public libraries created under the authority of Arkansas
19 Code §§ 13-2-501, et seq., which have entered into interlocal cooperation
20 agreements or any other formal or informal or contractual arrangements to form
21 a joint city-county library, a regional library or library system, or any
22 other form of multiple jurisdiction library system which are not in written
23 format shall, within one (1) year, formalize and renew in writing all such
24 agreements and contractual arrangements among the libraries.

25
26 SECTION 15. All provisions of this act of general and permanent nature
27 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
28 Revision Commission shall incorporate the same in the Code.

29
30 SECTION 16. If any provisions of this act or the application thereof to
31 any person or circumstance is held invalid, the invalidity shall not affect
32 other provisions or applications of the act which can be given effect without
33 the invalid provisions or application, and to this end the provisions of this
34 act are declared to be severable.

35
36 SECTION 17. All laws and parts of laws in conflict with this act are

1 hereby repealed.

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/s/Rep. Schexnayder, et al

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APPROVED: 3-07-97

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