

House File 277 - Introduced

HOUSE FILE _____
BY SANDS

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to libraries, including library funding,
2 representation on library boards, information collected by the
3 division of libraries and information services established
4 within the department of education, and a library funding and
5 representation study to be conducted by the commission of
6 libraries.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

8 TLSB 1085YH 82

9 kh/je/5

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1 1 Section 1. Section 256.51, subsection 1, Code 2007, is
1 2 amended by adding the following new paragraph:
1 3 NEW PARAGRAPH. k. Obtain from each library its per person
1 4 costs for providing library services. The division shall
1 5 submit a report of the per capita and per library user costs
1 6 for providing library services by city, county, and district
1 7 to the general assembly by January 15 annually.

1 8 Sec. 2. Section 392.5, Code 2007, is amended to read as
1 9 follows:

1 10 392.5 LIBRARY BOARD.

1 11 1. a. A city library board of trustees functioning on the
1 12 effective date of the city code shall continue to function in
1 13 the same manner until altered or discontinued as provided in
1 14 this section.

1 15 b. In order for the board to function in the same manner,
1 16 the city council shall retain all applicable ordinances, and
1 17 shall adopt as ordinances all applicable state statutes
1 18 repealed by 1972 Iowa Acts, chapter 1088.

1 19 2. A library board may accept and control the expenditure
1 20 of all gifts, devises, and bequests to the library.

1 21 3. a. A proposal to alter the composition, manner of
1 22 selection, or charge of a library board, or to replace it with
1 23 an alternate form of administrative agency, is subject to the
1 24 approval of the voters of the city.

1 25 b. The proposal may be submitted to the voters at any city
1 26 election by the city council on its own motion. Upon receipt
1 27 of a valid petition as defined in section 362.4, requesting
1 28 that a proposal be submitted to the voters, the city council
1 29 shall submit the proposal at the next regular city election.
1 30 A proposal submitted to the voters must describe with
1 31 reasonable detail the action proposed.

1 32 c. If a majority of those voting approves the proposal,
1 33 the city may proceed as proposed.

1 34 d. If a majority of those voting does not approve the
1 35 proposal, the same or a similar proposal may not be submitted
2 1 to the voters of the city for at least four years from the
2 2 date of the election at which the proposal was defeated.

2 3 4. If the city councils of two or more cities enter into a
2 4 chapter 28E agreement for purposes of maintaining a free
2 5 public library, the chapter 28E agreement shall provide for
2 6 the composition, manner of selection, and charge of a library
2 7 board of trustees. The library board shall consist of at
2 8 least one member from each of the cities party to the
2 9 agreement.

2 10 Sec. 3. LIBRARY FUNDING AND REPRESENTATION STUDY. The
2 11 commission of libraries shall conduct a study of public
2 12 library funding and public library costs. The study shall
2 13 include but not be limited to a review of the per capita and
2 14 per library user costs of delivering library services by city,
2 15 county, and district libraries; public and private financial
2 16 support for city, county, and district libraries; funds levied

2 17 for public library financial support pursuant to section
2 18 256.69 or 384.12; contracts entered into by public libraries
2 19 in the state pursuant to section 298.7; and whether
2 20 representation on library boards is equitable. The commission
2 21 shall submit a report of its findings and recommendations to
2 22 the general assembly by January 15, 2008.

2 23 EXPLANATION

2 24 This bill relates to library funding, representation on
2 25 library boards, and information collected by the division of
2 26 libraries and information services established within the
2 27 department of education, and requires the commission of
2 28 libraries to conduct a library funding and representation
2 29 study.

2 30 The bill requires the division to collect information from
2 31 each library regarding its per person costs for providing
2 32 library services. The division is also directed to submit a
2 33 report of the per capita and per library user costs for
2 34 providing library services by city, county, and district to
2 35 the general assembly by January 15 annually.

3 1 The bill provides that if a Code chapter 28E agreement is
3 2 entered into by two or more cities for purposes of maintaining
3 3 a free public library, the 28E agreement shall provide for the
3 4 composition, manner of selection, and charge of a library
3 5 board of trustees and the board must consist of members
3 6 representing each of the cities party to the agreement.

3 7 The commission of libraries is directed to conduct a study
3 8 of public library funding, taxes levied to support libraries,
3 9 public library costs, and whether representation on library
3 10 boards is equitable. The commission shall submit its findings
3 11 and recommendations to the general assembly by January 15,
3 12 2008.

3 13 LSB 1085YH 82
3 14 kh:nh/je/5.1