

LEGISLATIVE BILL 1033

Approved by the Governor January 19, 1972

Introduced by Committee on Miscellaneous Subjects, J. James Waldron, 42nd District, Chairman; Ellen E. Craft, 45th District; Herbert J. Duis, 39th District; Eugene T. Mahoney, 5th District; William Skarda, Jr., 7th District; Richard Maresh, 32nd District; Thomas C. Kennedy, 21st District; Jerome Warner, 25th District

AN ACT to amend sections 51-309, 51-314, 51-315, and 51-401 to 51-410, Reissue Revised Statutes of Nebraska, 1943, relating to libraries; to change the name of the Nebraska Public Library Commission; to increase the membership of the library commission; to designate the terms of members; to provide for a director; to redefine powers and duties as specified; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 51-309, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-309. All employees of the county library whose duties require special training in library work shall be graded in grades to be established by the county librarian, with the advice and approval of the ~~executive secretary~~ director of the Nebraska Public Library Commission, according to the duties required of them, experience in library work, and other qualifications for the service required. Before appointment to a position in the graded service, the candidate must pass an examination appropriate to the position sought, satisfactory to the county librarian, and show a satisfactory experience in library work. Work in approved library schools or libraries, or certificates issued by the state board for the certification of librarians or board of library examiners, may be accepted by the county librarian in lieu of such examination. The county librarian may also accept as apprentices, without compensation, candidates possessing personal qualifications satisfactory to him, and may dismiss the same at any time if in his judgment their work is not satisfactory to him.

Sec. 2. That section 51-314, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-314. The county or regional libraries of the state shall be under the general supervision of the executive--secretary director of the Nebraska Public Library Commission, who shall from time to time, either personally or by one of his assistants, visit the county or regional libraries and inquire into their condition. The actual and necessary expenses of such visits shall be paid out of the Nebraska Public Library Commission Fund. The executive-secretary director of the Nebraska Public Library Commission may call a convention of county or regional librarians, to assemble at such time and place as he shall deem most convenient, for the discussion of questions pertaining to the supervision and administration of the county or regional libraries as shall properly be brought before it. It is hereby made the duty of all the county or regional librarians to attend and take part in the proceedings of such convention. The actual and necessary expenses of the county or regional librarians attending the convention shall be paid out of the county or regional library fund.

Sec. 3. That section 51-315, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-315. The county or regional librarian shall, on or before July 31 in each year, report to the county or regional library commission and to the executive secretary director of the Nebraska Public Library Commission on the condition of the county or regional library, for the year ending June 30 preceding. Such reports shall, in addition to other matters deemed expedient by the county or regional librarian, contain such statistical and other information as may be deemed desirable by the executive-secretary director. For this purpose the executive-secretary director may send to the several county librarians, instructions or question blanks in order to obtain the material for a comparative study of library conditions in the state.

Sec. 4. That section 51-401, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-401. A Nebraska Public Library Commission is hereby established composed of five six members to be appointed by the Governor, one to serve one year, one for two years, one for three years, one for four years, and one for five years, and thereafter the Governor shall

appoint a new member annually to serve for a term of five three years and no person shall be appointed to more than two successive terms. The new member provided for by this section shall be appointed for an initial term of three years.

Sec. 5. That section 51-402, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-402. The members of the Nebraska Public Library Commission shall serve without pay. They shall receive remuneration for traveling and actual expenses incurred while engaged in the business of the commission. These expenses shall be paid out of the funds of the Nebraska Public Library Commission.

Sec. 6. That section 51-403, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-403. The powers and duties of the Nebraska Public Library Commission shall be (1) to make rules and regulations not inconsistent with law for its government and operations, (2) to appoint an executive--secretary a director, at a salary to be fixed by the commission, who shall be a technically trained, qualified, and experienced librarian, a graduate of an American Library Association accredited library school, to administer the work of the commission as hereinafter specified, (3) to require the executive-secretary director to execute an official bond to the State of Nebraska in the penal sum of three thousand dollars, (4) to authorize the executive secretary director to employ such assistance as may be necessary to properly carry out the requirements of sections 51-401 to 51-410, ~~(5) to sell or exchange duplicate copies of books and magazines, which are no longer of use to the commission, or to deposit such books and periodicals on indefinite loan in any tax-supported library in Nebraska,~~ (6) ~~to prescribe rules and regulations governing the use of books, periodicals, and other material belonging to the commission,~~ (5) to be responsible for the statewide promotion, development, and coordination of library programs and services in accordance with nationally acceptable library standards, (6) to receive, as the legally designated state governmental agency, federal library funds which by federal law are to be dispersed within the state by a prescribed formula, (7) to accept and administer any gifts, bequests, and legacies which, in the opinion of the executive-secretary director and the commission, may be of value to it, and (8) to make a biennial report for the past two fiscal years to the Governor of its

activities and the progress of its work on or before December 15 in each even-numbered year.

Sec. 7. That section 51-403.03, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-403.03. Section 51-403 shall be so interpreted as to effectuate its general purpose, to provide, in the public interest, adequate compensation as therein provided for the executive-secretary director of the Nebraska Public Library Commission; and to permit a change of such salary as soon as same may become operative under the Constitution of the State of Nebraska.

Sec. 8. That section 51-404, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-404. It shall be the duty of the executive secretary director of the commission (1) to administer the work and activities of the commission, (2) to purchase books, periodicals, other library materials, and all necessary equipment and supplies for the commission, (3) to keep a catalogue of all books, and periodicals and other library materials belonging to the commission, ~~(4) to keep bound and repaired all books, periodicals, and papers belonging to the commission;~~ (4) (4) to keep a record of all books and property added to the library of the commission, and the cost thereof, and ~~(5) to keep a record of all books, and periodicals and other library materials loaned by the commission and notify the borrowers of the expiration period of the loan, and (6) to keep fiscal and other operational records in accordance with state regulations.~~

Sec. 9. That section 51-405, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-405. Any library, community, local organization, either incorporated or unincorporated governmental agency, or any body of citizens or taxpayers organized for library purposes shall, upon complying with the rules prescribed by the Nebraska Public Library Commission, be entitled to the privileges of sections 51-404 to 51-410 the commission's services.

Sec. 10. That section 51-406, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-406. Any books, collection of books or other property of the ~~public---library~~ Nebraska Library Commission may be loaned to any library, college, school, university-extension-center, chautauqua-circle, literary society, study-club, or other association approved by the rules of the Nebraska Public Library Commission, under such rules for the safekeeping, preservation, care, handling and management of the same as may be fixed by said the Nebraska Public Library Commission.

Sec. 11. That section 51-407, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-407. The ~~executive-secretary~~ director shall each year obtain from all libraries in the state reports showing the conditions, growth, development and manner of conducting such libraries, together with such other facts and statistics regarding the same as may be deemed of public interest by the Nebraska Public Library Commission.

Sec. 12. That section 51-408, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-408. The ~~executive-secretary~~ director shall when asked give advice and instruction to all libraries or individuals and to all communities which may propose to establish libraries as to the best means for establishing, organizing and administering such libraries, selecting and cataloging books, and other duties of library management. The ~~executive--secretary~~ director shall, so far as possible, promote and assist by counsel and encouragement the formation of libraries where none exist, and the ~~executive--secretary~~ director may send one of his employees or assistants to aid in organizing new libraries or improving those already established.

Sec. 13. That section 51-409, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-409. Offices for the Nebraska Public Library Commission shall be provided in the State Capitol building:

Sec. 14. That section 51-410, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-410. The ~~executive--secretary~~ director may from time to time as needed draw a voucher signed by himself in favor of any party to whom money is due, stating in such voucher what the money is to be used for. Upon presentation of such order the Director of Administrative Services shall draw his warrant upon the State Treasurer for the amount thereof, not exceeding the amount of the appropriation for the purposes of the Nebraska Public Library Commission.

Sec. 15. That original sections 51-309, 51-314, 51-315, and 51-401 to 51-410, Reissue Revised Statutes of Nebraska, 1943, are repealed.