

LEGISLATIVE BILL 1236

Approved by the Governor March 21, 1990

Introduced by Smith, 33

AN ACT relating to public libraries; to amend sections 51-211 and 51-212, Reissue Revised Statutes of Nebraska, 1943; to define terms; to provide for certain free services; to provide for fees for certain services; to prohibit the denial of service as prescribed; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

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

Section 1. For purposes of sections 51-201 to 51-219:

(1) Basic services shall include, but not be limited to, free loan of circulating print and nonprint materials from the local collection and general reference and information services; and

(2) Nonbasic services shall include, but not be limited to, use of:

(a) Photocopying equipment;

(b) Telephones, facsimile equipment, and other telecommunications equipment;

(c) Media equipment;

(d) Personal computers; and

(e) Videocassette recording and playing equipment.

Sec. 2. That section 51-211, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-211. (1) The library board shall have the power to erect, lease, or occupy an appropriate building for the use of such library; and to appoint a suitable librarian and assistants, to fix their compensation, and to remove ~~their~~ such appointees at pleasure. It shall have the power to establish rules and regulations for the government of such library as may be deemed necessary for its preservation and to maintain its usefulness and efficiency. It shall have the power to fix and impose, by general rules, penalties and forfeitures for trespasses upon or injury to the library grounds, rooms, books, or other property, ~~ex~~ for failure to return any book, or for violation of any bylaw, rule.

or regulation and to fix and impose reasonable fees, not to exceed the library's actual cost, for nonbasic services. The board, and shall have and exercise such power as may be necessary to carry out the spirit and intent of sections 51-201 to 51-219 and section 1 of this act in establishing and maintaining a public library and reading room.

(2) The public library shall make its basic services available without charge to all residents of the political subdivision which supplies its tax support.

(3) No service shall be denied to any person because of race, sex, religion, age, color, national origin, ancestry, physical handicap, or marital status.

Sec. 3. That section 51-212, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

51-212. Every Except as provided in section 51-211, every library and reading room supported by public tax shall be forever free to the use of the inhabitants of the city, village, county, or township maintaining such library, subject always to such reasonable regulations as the library board may adopt to render such library of the greatest use to the inhabitants of said the city, village, county, or township. The board may exclude from the use of the library and reading rooms any person who shall willfully violates or refuses violate or refuse to comply with rules and regulations established for the government thereof.

Sec. 4. The Revisor of Statutes shall assign section 1 of this act within sections 51-201 to 51-219 and any reference to sections 51-201 to 51-219 shall include section 1 of this act.

Sec. 5. That original sections 51-211 and 51-212, Reissue Revised Statutes of Nebraska, 1943, are repealed.