

By Mr. Cerasoli of Quincy, petition of Robert A. Cerasoli, Steven V. Angelo, Angelo M. Scaccia, Barbara E. Gray and John H. Loring relative to the terms and conditions of members of the Board of Library Commissioners. State Administration.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Eighty-Five.

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AN ACT RELATIVE TO THE TERMS AND CONDITIONS OF LIBRARY COMMISSIONERS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 78, Section 14 of the General Laws, as  
2 most recently amended by Chapter 565 of the Acts of 1977, is  
3 hereby amended by striking out section 14 and inserting in place  
4 thereof the following section: —

5 *Section 1.* There shall be a board of library commissioners for  
6 the Commonwealth, in this section and in sections fifteen to thirty,  
7 inclusive, called the Board, consisting of nine residents of the  
8 commonwealth appointed by the governor, "two of whom shall  
9 come from either Berkshire, Hampden, Hampshire, or Franklin  
10 Counties; two of whom shall come from Worcester County, four of  
11 whom shall come from either Suffolk, Norfolk, Essex, Middlesex,  
12 Plymouth, Bristol, Barnstable, Dukes, or Nantucket Counties, and  
13 one of whom shall come from either or among any of the aforemen-  
14 tioned counties." Upon the expiration of the term of office of a mem-  
15 ber of the board, his successor shall be appointed for a term of five  
16 years, except that appointments of successors to five terms expiring  
17 during calendar year 1988 shall be made for staggered terms as  
18 follows: two appointments for two-year terms; two appointments  
19 for three-year terms; one appointment for a four-year term. A  
20 vacancy shall be filled by the governor for the remainder of the  
21 term. The chairman of the board of library commissioners shall  
22 forthwith notify the governor of any such vacancy.

23 The members of the board shall serve without compensation but  
24 shall be reimbursed for their necessary expenses incurred in the  
25 performance of their duties.

26 No person shall be appointed to serve more than two consecutive  
27 terms. Prior service on the board for a period of less than three  
28 years resulting from an initial appointment or an appointment for  
29 the remainder of an unexpired term shall not be considered a full  
30 term.

31 No member of said board shall be employed by or derive direct  
32 compensation from any library media center in the commonwealth  
33 as defined under Chapter 78, Section 19E, or serve as a member of  
34 the governing board of any such library media center.

35 A member of the board shall cease to be a member if such  
36 member ceases to be qualified for appointment or if he is absent  
37 from five regularly scheduled meetings during any calendar year.  
38 The chairman of the board shall forthwith notify the governor of  
39 any such disqualification.

40 The board shall prepare and adopt by-laws for the conduct of its  
41 business. Said by-laws shall provide for the election of one of its  
42 members to be chairman of the board, establish the term of office,  
43 and provide for the ways and means for the election of other officers  
44 and their terms of office as deemed necessary by the board.

45 The board shall appoint a director and determine his duties and  
46 responsibilities and may at its discretion remove him. The director  
47 shall, subject to appropriation, receive such salary as the board may  
48 determine and such other prerequisites as the board may approve.  
49 The director shall not be subject to the provisions of section nine A  
50 of chapter thirty or of chapter thirty-one.

51 Subject to appropriation and to the approval of the board the  
52 director shall appoint or release such professional and subprofes-  
53 sional staff as the functions, powers, and duties of the board shall  
54 require; provided, however, that the provisions of said section nine  
55 A of said chapter thirty and said chapter thirty-one shall not apply  
56 to any such appointments or release.