

By Mr. Navin of Marlborough, petition of Joseph M. Navin relative to the terms and conditions of membership on the Board of Library Commissioners. State Administration.

**The Commonwealth of Massachusetts**

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

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

5 *Section 14.* 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. Upon the expiration of  
9 the term of office of a member of the board, his successor shall be  
10 appointed for a term of five years, except that appointments of  
11 successors to five terms expiring during calendar year 1983 shall be  
12 made for staggered terms as follows: two appointments for two-  
13 year terms; two appointments for three-year terms; one appoint-  
14 ment for a four-year term. A vacancy shall be filled by the governor  
15 for the remainder of the term. The chairman of the board of library  
16 commissioners shall forthwith notify the governor of any such  
17 vacancy.

18 The members of the board shall serve without compensation but  
19 shall be reimbursed for their necessary expenses incurred in the  
20 performance of their duties.

21 No person shall be appointed to serve more than two consecutive  
22 terms. Prior service on the board for a period of less than three  
23 years resulting from an initial appointment or an appointment for

24 the remainder of an unexpired term shall not be considered a full  
25 term.

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

30 A member of the board shall cease to be a member if such  
31 member ceases to be qualified for appointment or if he is absent  
32 from five regularly scheduled meetings during any calendar year.  
33 The chairman of the board shall forthwith notify the governor of  
34 any such disqualification.

35 The board shall prepare and adopt by-laws for the conduct of its  
36 business. Said by-laws shall provide for the election of one of its  
37 members to be chairman of the board, establish the term of office,  
38 and provide for the ways and means for the election of other  
39 officers and their terms of office as deemed necessary by the board.

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

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

1 *Section 15.* This act shall take effect upon its passage.