

CHAPTER 134

LIBRARIES

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134.01 MAINTENANCE. Every school district may provide library facilities as part of its school equipment according to the standards of the state board of education.

[1921 c. 397 s. 1] (3015)

134.02 FUNDS. The school board of any district may vote sufficient funds for the maintenance of the school library, appoint a librarian, and make rules for the use and management of the library.

[1921 c. 397 s. 2] (3016)

134.03 TAX LEVY. In cities and villages of less than 2,000 inhabitants not levying a tax for public library purposes, the school board may maintain a public library for the use of all residents of the district and provide ample and suitable rooms for its use in the school buildings and in any independent school district embracing any such village, where a library building has been erected with funds donated for library purposes, the school district may levy an annual tax of not more than three mills, the proceeds of which tax shall be used for the support and maintenance of this library and known as the "library fund."

Upon a library being so established in any such school district, whose library building has been erected with funds acquired by gift or donation, the school board is empowered to appoint a library board of nine members, of which each member of the school board shall be a member ex officio.

The remaining members of such library board shall be appointed by the school board, one of which remaining members shall hold office for one year, one for two years, and one for three years, from the first Saturday of September following their appointment, the term of office of each being specified in such appointment; annually thereafter, such school board shall appoint a member of the library board for the term of three years and until his successor shall qualify. Such school board may remove any member so appointed for misconduct or neglect. Vacancies in such board shall be filled by appointment for the unexpired term. Members of such board shall receive no compensation for their services as such.

Immediately after appointment, such board shall organize by electing one of its members as president and one as secretary and from time to time it may appoint such other officers and employees as it deems necessary. The secretary, before entering upon his duties, shall give bond to the school district in an amount fixed by the library board, conditioned for the faithful discharge of his official duties. The library board shall adopt such by-laws and regulations for the government of the library and reading-room and for the conduct of its business as may be expedient and conformable to law. It shall have exclusive control of the expenditures of all money collected for, or placed to the credit of, the library funds, and of the rooms and buildings provided for library purposes. All moneys received for such library fund shall be kept in the treasury of the school district, credited to the library fund, and be paid out only upon itemized vouchers approved by the library board. The library board may fix the compensation of employees and remove any of them at pleasure.

All books or other property given, granted, conveyed, donated, devised, or bequeathed to, or purchased by, such library shall vest in, and be held in the name

of, such school district. Every library and reading-room established hereunder shall be free to the use of the inhabitants of the school district, subject to such reasonable regulations as the directors may adopt.

When so established, no such library shall be abandoned without a two-thirds majority vote of the electors cast at any annual or special school meeting called for the purpose.

When so established, in cases where the building has been erected with funds so donated, no such library shall be abandoned without a two-thirds majority vote of the electors cast at any annual or special school meeting called for the purpose.

[1921 c. 397 s. 3; 1929 c. 210] (3017)

134.04 STATE DEPARTMENT OF EDUCATION TO FURNISH LIST OF BOOKS. The state department of education shall from time to time prepare and amend a list of books suitable for school libraries, including dictionaries and other books of reference, histories and works of biography, literature, political economy, agriculture, travel, and science.

[1921 c. 397 s. 4] (3018)

134.05 STATE TO PAY ONE-HALF. Upon receiving from any district a certified statement, approved by the county superintendent, showing the purchase of books specified and included in the list prepared under the foregoing section, the appointment of a librarian for each library, and the making of proper provisions for the care thereof, and for the free circulation of books suitable for circulation, the state commissioner of education shall furnish such district a requisition on the state auditor for one-half the purchase price, within the limitations of section 128.11, relating to state aid to public schools.

[1921 c. 397 s. 5] (3019)

134.06 SCHOOL AND VILLAGE LIBRARIES MAY COMBINE. Any school board may contract with the board of any approved county, city, or village library to become a branch of this public library and to receive therefrom library books suited to the needs of the pupils in the school and for the community according to the standards established in the rules of the state board of education. In the event of a contract between the school board and the public library board, the school board may place in the public library such books belonging to the school library as may be more useful in the public library for students and the community and the school board shall annually pay to the library board the school library book fund and the state library aid to which such school district is entitled. All books purchased by this public library from funds provided by the school district or state school library aid shall be selected from the state list for school libraries.

In the event of the making of such contract, a librarian shall be employed who meets the standards of the state board of education and the school board and the library board may jointly employ such librarian, who may spend her time partly in the school and partly in the library.

[1921 c. 397 s. 6] (3020)

134.07 LIBRARIES, READING ROOMS; TAX. Subdivision 1. The governing body of any city or village may establish and maintain a public library, a public reading room, or both, for the use of its inhabitants. By ordinance it may set apart for the benefit thereof any public property of the city or village. Except as provided in subdivision 2, in any village and in any city of the second, third, or fourth class, the governing body thereof may levy an annual tax of not more than five mills on the dollar, of all taxable property therein. The proceeds of any such tax shall be known as the library fund.

Subd. 2. The governing body of any city of the fourth class located in any county having over 7,000 and less than 9,000 inhabitants and over 70 full and fractional congressional townships, operating under a home rule charter, may levy an annual tax of not to exceed five mills for such purposes, notwithstanding any limitation contained in its home rule charter.

[R L s 2255; 1913 c 509 s 1; 1945 c 319 s 1; 1953 c 434 s 1; 1953 c 686 s 1; 1955 c 120 s 1] (5661)

134.08 WHEN ESTABLISHED BY VOTE; EXISTING LIBRARIES. If such library or reading-room be not otherwise established, the governing body of the municipality, upon the petition of 50 freeholders thereof, shall submit the question of such establishment to the voters at the next municipal election. If two-thirds of

the votes cast on the question be in the affirmative, the governing body shall establish the library or reading-room and levy a yearly tax for its support, within the limits fixed by section 134.07. All public libraries and reading-rooms heretofore established and now existing in cities or villages are continued and all ordinances setting apart public property for their support are hereby confirmed. Nothing in sections 134.08 to 134.15 shall be construed as abridging any power or duty in respect to libraries conferred by any city or village charter.

[R. L. s. 2256] (5662)

134.09 DIRECTORS; TERM; REMOVAL. Subdivision 1. When any such library or reading room is established, except in any city of the first class operating under a home rule charter, the mayor of the city or president of the village, with the approval of the council, shall appoint a board of five, seven or nine directors, but not more than one of whom shall at any time be a member of such governing body, such appointments to be made prior to the first meeting of such library board after the end of the fiscal year. If nine are appointed, three shall hold office for one year, three for two years and three for three years. If seven members be appointed, three shall hold office for one year, two for two years, and two for three years; if five be appointed, two shall hold office for one year, two for two years, and one for three years. The number of directors on the board shall be determined by resolution or ordinance adopted by the council. All terms shall end with the fiscal year. Annually thereafter such mayor or president shall appoint for the term of three years and until their successors qualify a sufficient number of directors to fill the places of those whose term or terms expire.

Subd. 2. The mayor or president, by and with the consent of the council, may remove any director for misconduct or neglect.

Subd. 3. Terms of directors in office at the time Laws 1945, Chapter 46, takes effect shall expire at the end of the city's or village's fiscal year current at the expiration of their terms as heretofore provided.

Subd. 4. Upon recommendation of a majority of any library board created under the provisions of subdivision 1, the governing body of such city or village may abolish such library board at the end of any fiscal year provided that such governing body shall simultaneously establish a successor library board of either five, seven or nine members by resolution or ordinance. In the event of such resolution or ordinance, the mayor, with the approval of the council, shall appoint a library board of the number of members as provided by said resolution or ordinance. If nine are appointed, three shall hold office for one year, three for two years and three for three years. If seven members be appointed, three shall hold office for one year, two for two years, and two for three years; if five be appointed, two shall hold office for one year, two for two years, and one for three years. Annually thereafter such mayor shall appoint for the term of three years and until their successors qualify a sufficient number of directors to fill the places of those whose term or terms expire. All terms shall end with the fiscal year.

[R L s 2257; 1943 c 245 s 1; 1945 c 46 s 1, 2; 1961 c 235 s 1] (5663)

134.10 VACANCIES; COMPENSATION. Vacancies in the board of directors shall be reported to the council and filled by like appointment for the unexpired term. Directors shall receive no compensation for their services as such.

[R. L. s. 2258] (5664)

134.11 ORGANIZATION OF BOARD; RULES. Immediately after appointment, such board shall organize by electing one of its number as president and one as secretary, and from time to time it may appoint such other officers and employees as it deems necessary. The secretary, before entering upon his duties, shall give bond to the municipality in an amount fixed by the directors, conditioned for the faithful discharge of his official duties. The board shall adopt such bylaws and regulations for the government of the library and reading-room and for the conduct of its business as may be expedient and conformable to law. It shall have exclusive control of the expenditure of all moneys collected for or placed to the credit of the library fund, of the construction of library buildings, and of the grounds, rooms, and buildings provided for library purposes. All moneys received for such library shall be paid into the city or village treasury, credited to the library fund, kept separate from other moneys of the municipality, and paid out only upon itemized vouchers approved by the board. The board may lease rooms for library use, fix

the compensation of employees, and remove any of them at pleasure. With the approval of the council, the board may purchase grounds and erect a library building thereon.

[R. L. s. 2259] (5665)

134.12 BENEFITS OF LIBRARY. Subdivision 1. **Non-residents to receive.** Any board of directors may admit to the benefits of its library persons not residing within the municipality under regulations and upon conditions as to payment and security prescribed by it.

Subd. 2. **Loan of books, contracts.** The board may contract with the county board of the county in which the library is situated or the county board of any adjacent county, or with the governing body of any neighboring town, city, or village, to loan books of the library, either singly or in traveling libraries, to residents of the county, town, city, or village.

Subd. 3. **Use of free public library.** Any such county board or governing body may contract with the board of directors of any free public library for the use of the library by the residents of the county, town, city, or village who do not have the use of a free library, upon the terms and conditions as those granted residents of the city or village where the library is located, and to pay such board of directors an annual amount therefor. Any such county board or governing body may establish a library fund by levying an annual tax of not more than two mills on the dollar of all taxable property which is not already taxed for the support of any free public library and all taxable property which is situated outside of any city or village in which is situated a free public library.

[R L s 2260; 1905 c 257; 1913 c 509 s 2; 1951 c 217 s 1] (5666)

NOTE: See also section 375.33.

134.13 DIRECTORS NOW IN OFFICE; REPORT; EXCEPTIONS. The directors of any such library or reading room in office under existing laws shall so continue until the expiration of their terms, but their successors shall be appointed and vacancies filled under the provision of sections 134.08 to 134.15. At the first regular meeting of the board following the end of each fiscal year of a village or city, the board shall report to the governing body of the municipality all amounts received during the preceding year and the sources thereof, the amounts expended and for what purposes, the number of books on hand, the number purchased and loaned, and such other information as it deems advisable. A copy of such report shall be filed with the Library Division, State Department of Education. Nothing in this section shall apply to libraries in cities of the first class.

[R. L. s. 2261; 1911 c. 181 s. 1; 1945 c. 40 s. 1] (5667)

134.14 TITLE TO PROPERTY; FREE USE. All property given, granted, conveyed, donated, devised, or bequeathed to, or otherwise acquired by, any municipality for a library or reading-room shall vest in, and be held in the name of, such municipality and any conveyance, grant, donation, devise, bequest, or gift made to, or in the name of, any public library or library board shall be deemed to have been made directly to such municipality. Every library and reading-room established under sections 134.08 to 134.15 shall be forever free to the use of the inhabitants of the municipality subject to such reasonable regulations as the directors may adopt.

[R. L. s. 2262] (5668)

134.15 GIFTS; CONTRACTS. With the consent of the governing body of any city or village, expressed by ordinance or resolution, and within the limitations of sections 134.08 to 134.15 as to the rate of taxation, the library board may accept any gift, grant, devise, or bequest made or offered by any person for library purposes, or for the establishment, enlargement, or maintenance of an art gallery or museum in connection with its library, and may carry out the conditions of such donation. The municipality in all such cases is authorized to acquire a site, levy a tax, and pledge itself by ordinance or resolution to a perpetual compliance with all the terms and conditions of the gift, grant, devise, or bequest so accepted.

[R. L. s. 2263] (5669)

134.16 CERTAIN VILLAGES AND TOWNS TO ESTABLISH PORTABLE AND CIRCULATING LIBRARIES. The board of supervisors of any town containing five or more governmental townships and having a total population of 15,000, including villages therein which are not separated from the town for election and assessment purposes, may establish and maintain a portable circulating library for the education, benefit, and welfare of the people of the town.

For this purpose, the board may purchase and equip a motor vehicle and furnish

a driver, a librarian, and such further clerical assistance as it shall deem reasonably necessary for the maintenance of such library, and the library board of such village is hereby authorized to cooperate with the town in the maintenance thereof and to loan books and periodicals to the town on such terms as it shall prescribe.

All expenditures made for the purposes of this section shall be within and not above the limitations now prescribed by law for the general fund of such town.

[1933 c. 176 s. 1] (5669-1)

134.17 SALARY OF LIBRARIAN. The council or other governing body of any city of the first class in the state is hereby authorized to fix the salary of the librarian of the public library of such city and to refix the same from time to time at such sum as the council or other governing body may deem advisable.

This section shall apply only to cities having a home rule charter adopted pursuant to the Constitution of the State of Minnesota, Article 4, Section 36.

[1913 c. 199 ss. 1, 2] (1592-8, 1592-9)

134.18 PRIVILEGES EXTENDED TO COUNTIES AND VILLAGES. Any public library board in any city of the first class in this state, whether such board was created by and under the general laws or by special act of the legislature, may enter into arrangement with the authorities of the county within which it is located, or with the authorities of any adjoining county, or with the authorities of any village within any such county, whereby the inhabitants of any such county or village may secure the privileges of using the library and museums of any such library board and the authorities of any such county or village are hereby authorized to defray the expenses any such arrangement may involve.

[1907 c. 289 s. 1] (1591)

134.19 ONE MILL TAX FOR LIBRARY BOARD. There may be annually levied by, or for the benefit of, any public library board in any city of the first class in this state, whether such board was created by and under the general laws or by special act of the legislature, a tax of not to exceed one mill upon each dollar of the property in such city, as the value of such property has been assessed and determined for the purposes of general taxation.

[1907 c. 289 s. 2] (1592)