

1 AN ACT relating to public library district boards of trustees.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 173.490 is amended to read as follows:

4 (1) (a) One-third (1/3) of the persons first appointed to the board shall serve for a
5 term of two (2) years, one-third (1/3) for a term of three (3) years and one-
6 third (1/3) for a term of four (4) years. Where the board consists of a number
7 of members not divisible by three (3), one-third (1/3) of the next higher
8 number divisible by three (3), shall serve for a term of two (2) years, one-third
9 (1/3) for a term of three (3) years, and the remaining number shall serve for a
10 term of four (4) years. Thereafter, as their terms expire, the board shall make
11 recommendations on their successors, unless the fiscal court has adopted an
12 alternative appointment process as set forth in paragraph (b) of this
13 subsection, who shall be appointed as set out in paragraph (b) of this
14 subsection.

15 (b) The board shall recommend two (2) persons committed to the provision of
16 library services to the Department for Libraries and Archives for each
17 vacancy, unless the fiscal court has adopted an alternative appointment
18 process as set forth in this paragraph. The names shall be forwarded to the
19 Department for Libraries and Archives, and the state librarian and
20 commissioner shall recommend those names to the county judge/executive.
21 The county judge/executive shall immediately, with the approval of the fiscal
22 court, make the selection from those recommended unless the fiscal court has
23 adopted an alternative appointment process through the passage of a
24 resolution. For fiscal courts that adopt an alternative appointment process, the
25 county judge/executive:

26 ~~1. a. may immediately, with the approval of the fiscal court, make the~~
27 ~~selection from those recommended by the state librarian and commissioner;~~

1 and

2 b. ~~For any appointments the county judge/executive decides not to fill from the~~
3 ~~first recommendations, shall request the Department for Libraries and~~
4 ~~Archives to submit within thirty (30) days two (2) additional recommended~~
5 ~~persons for each unfilled appointment, and, with the approval of the fiscal~~
6 ~~court, may make the selection from those recommendations; and~~

7 2. ~~For any remaining unfilled appointments after the provisions of subparagraph~~
8 ~~1. of this paragraph have been followed,]~~ shall appoint, with the approval of
9 the fiscal court, individuals of his or her choosing no later than sixty
10 (60)~~[thirty (30)]~~ days after the *vacancy occurred*~~[day the county~~
11 ~~judge/executive received the recommendations under subparagraph 1.b. of~~
12 ~~this paragraph and made no appointment therefrom].~~ The county
13 judge/executive shall notify the Department for Libraries and Archives of the
14 name of any individual appointed *under the alternative process*~~[in the manner~~
15 ~~set out in this subparagraph].~~

16 (c) Board members ~~[thus appointed]~~ shall serve a term of four (4) years each,
17 and~~[. Trustees]~~ may serve for two (2) consecutive terms after which they shall
18 not succeed themselves. They may be reappointed no earlier than twelve (12)
19 months following the end of their last service. The members shall hold office
20 until their respective successors are appointed and qualified. After absence of
21 a trustee from four (4) regular monthly meetings of the board during any one
22 (1) year of the trustee's term, the trustee shall be considered to have
23 automatically resigned from the board. An advisory board may be appointed
24 and serve as specified in the bylaws of the board of trustees.

25 (2) Any vacancy occurring in the terms of office of members shall be filled for the
26 unexpired term by the county judge/executive, with the approval of the fiscal court,
27 by appointment on recommendation of the state librarian and commissioner of two

1 (2) names of persons committed to the provision of library services and living in the
2 county in which the vacancy occurred unless the fiscal court has adopted an
3 alternative appointment process through the passage of a resolution. For fiscal
4 courts that adopt an alternative appointment process, the county judge/executive{:

5 ~~(a) 1. May immediately, with the approval of the fiscal court, make the~~
6 ~~appointment on the recommendation of the state librarian and~~
7 ~~commissioner of two (2) names of persons committed to the provision~~
8 ~~of library services and living in the county in which the vacancy~~
9 ~~occurred; and~~

10 ~~2. If the county judge/executive decides not to make the appointment from~~
11 ~~the first recommendations, shall request the Department for Libraries~~
12 ~~and Archives to submit within thirty (30) days two (2) additional~~
13 ~~recommended persons for the unfilled appointment, and, with the~~
14 ~~approval of the fiscal court, may make the selection from those~~
15 ~~recommendations; and~~

16 ~~(b) For any remaining unfilled appointment after the provisions of paragraph (a)~~
17 ~~of this subsection have been followed,} shall appoint, with the approval of the~~
18 ~~fiscal court, an individual of his or her choosing no later than sixty (60){thirty~~
19 ~~(30)} days after the vacancy occurred{day the county judge/executive~~
20 ~~received the recommendations under paragraph (a)2. of this subsection and~~
21 ~~made no appointment therefrom}. Any person appointed in accordance with~~
22 ~~this subsection{paragraph} shall be committed to the provision of library~~
23 ~~services and living in the county in which the vacancy occurred. The county~~
24 ~~judge/executive shall notify the Department for Libraries and Archives of the~~
25 ~~name of any individual appointed by the alternative process{in the manner set~~
26 ~~out in this paragraph}.~~

27 (3) A member of the board may be removed from office as provided by KRS 65.007.

1 ➔Section 2. KRS 173.730 is amended to read as follows:

2 (1) (a) One-third (1/3) of the persons first appointed to the board shall serve for a
3 term of two (2) years, one-third (1/3) for a term of three (3) years and one-
4 third (1/3) for a term of four (4) years. Where the board consists of a number
5 of members not divisible by three (3), one-third (1/3) of the next higher
6 number divisible by three (3), shall serve for a term of two (2) years, one-third
7 (1/3) for a term of three (3) years and the remaining number shall serve for a
8 term of four (4) years. Thereafter, as their terms expire, the board shall make
9 recommendations on their successors, unless the fiscal court has adopted an
10 alternative appointment process as set forth in paragraph (b) of this
11 subsection, who shall be appointed as set out in paragraph (b) of this
12 subsection.

13 (b) The board shall recommend two (2) persons committed to the provision of
14 library services to the Department for Libraries and Archives, for each
15 vacancy, unless the fiscal court has adopted an alternative appointment
16 process as set forth in this paragraph. The state librarian and commissioner
17 shall recommend those names to the county judge/executive. The county
18 judge/executive shall immediately, with the approval of the fiscal court, make
19 the selection from those recommended unless the fiscal court has adopted an
20 alternative appointment process through the passage of a resolution. For fiscal
21 courts that adopt an alternative appointment process, the county
22 judge/executive{:

23 ~~1. a. May immediately, with the approval of the fiscal court, make the~~
24 ~~selection from those recommended by the state librarian and commissioner;~~
25 ~~and~~

26 ~~b. For any appointments the county judge/executive decides not to fill from the~~
27 ~~first recommendations, shall request the Department for Libraries and~~

- 1 ~~Archives to submit within thirty (30) days two (2) additional recommended~~
2 ~~persons for each unfilled appointment, and, with the approval of the fiscal~~
3 ~~court, may make the selection from those recommendations; and~~
- 4 ~~2. For any remaining unfilled appointments after the provisions of subparagraph~~
5 ~~1. of this paragraph have been followed,]~~ shall appoint, with the approval of
6 the fiscal court, individuals of his or her choosing no later than sixty
7 (60)~~[thirty (30)]~~ days after the *vacancy occurred*~~[day the county~~
8 ~~judge/executive received the recommendations under of subparagraph 1.b. of~~
9 ~~this paragraph and made no appointment therefrom].~~ The county
10 judge/executive shall notify the Department for Libraries and Archives of the
11 name of any individual appointed *by the alternative process*~~[in the manner set~~
12 ~~out in this subparagraph].~~
- 13 (c) Board members ~~[thus appointed]~~ shall serve a term of four (4) years each,
14 and~~[. Trustees]~~ may serve for two (2) consecutive terms after which they shall
15 not succeed themselves. They may be reappointed no earlier than twelve (12)
16 months following the end of their last service. The members shall hold office
17 until their respective successors are appointed and qualified. After absence of
18 a trustee from four (4) regular monthly meetings of the board during any one
19 (1) year of the trustee's term, the trustee shall be considered to have
20 automatically resigned from the board. An advisory board may be appointed
21 and serve as specified in bylaws of the board of trustees.
- 22 (2) Any vacancy occurring in the terms of office of members shall be filled for the
23 unexpired term by the county judge/executive, with the approval of the fiscal court,
24 by appointment on recommendation of the state librarian and commissioner of two
25 (2) persons interested in the provision of library services and living in the county in
26 which the vacancy occurred unless the fiscal court has adopted an alternative
27 appointment process through the passage of a resolution. For fiscal courts that adopt

1 an alternative appointment process, the county judge/executive shall:

2 ~~(a) 1. May immediately, with the approval of the fiscal court, make the appointment~~
3 ~~on the recommendation of the state librarian and commissioner of two (2) persons~~
4 ~~interested in the provision of library services and living in the county in which the~~
5 ~~vacancy occurred; and~~

6 ~~2. If the county judge/executive decides not to make the appointment from the first~~
7 ~~recommendations, shall request the Department for Libraries and Archives to~~
8 ~~submit within thirty (30) days two (2) additional recommended persons for the~~
9 ~~unfilled appointment, and, with the approval of the fiscal court, may make the~~
10 ~~selection from those recommendations; and~~

11 ~~(b) For any remaining unfilled appointment after the provisions of paragraph (a) of this~~
12 ~~subsection have been followed,] appoint, with the approval of the fiscal court, an~~
13 ~~individual of his or her choosing no later than sixty (60)[thirty (30)] days after the~~
14 ~~vacancy occurred[day the county judge/executive received the recommendations~~
15 ~~under paragraph (a)2. of this subsection and made no appointment therefrom]. Any~~
16 ~~person appointed in accordance with this subsection[paragraph] shall be committed~~
17 ~~to the provision of library services and living in the county in which the vacancy~~
18 ~~occurred. The county judge/executive shall notify the Department for Libraries and~~
19 ~~Archives of the name of any individual appointed by the alternative process[in the~~
20 ~~manner set out in this paragraph].~~

21 (3) A member of the board may be removed from office as provided by KRS 65.007.