

Getting to Know the Library RSAs

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Purpose, RSA 202- A:1



Knowledge and learning, generally diffused through a community are essential to the preservation of a free government . . .



A public library is a valuable supplement to the formal system of free public education and as such deserves adequate financial support from government at all levels.

Important Definitions



- ▶ "Public library": every library which receives regular financial support, at least annually, from public or private sources and which provides regular and currently useful library service to the public without charge. The words may be construed to include reference and circulating libraries, reading rooms and museums regularly open to the public.
- ▶ "Library trustees": governing board of a public library.

Creation & Discontinuance



Town meeting can create (202-A:3) or
discontinue (202-A:18)

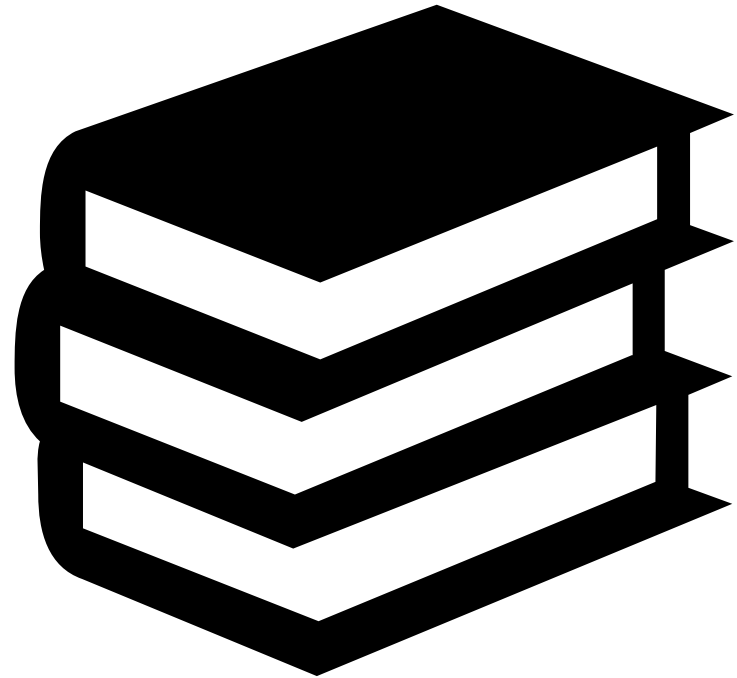
Private bequest

Cooperatives (202-A:4-a)

Contracts for library services (202-A:4-b)

“Forever free”

202-A:5 Status. -
Every public library shall remain forever free to the use of every resident of the town wherein it is located.



Right- to-Know Law

- ▶ Public library is a public agency
- ▶ Library trustees are public body
- ▶ RSA 202-A:3-a/RSA Chapter 91-A



Library Trustees

Elected, three-year terms

Odd number of trustees

Up to 3 alternates (1-year terms)

- RSA 202-A:6, :10; RSA 669:16

No compensation, RSA 202-A:14

City Library Trustees, RSA 202-A:8

Special library trustee, RSA 202-A:7

Trustees' Authority & Duties

RSA 202-A:6, :11

- ▶ Entire custody and management of the public library and of all the property of the town relating thereto, including appropriations
- ▶ Adopt bylaws, rules, and regulations
- ▶ Prepare an annual budget (must comply with budget law!)
- ▶ Expend all moneys raised and appropriated for library
- ▶ Expend income from all trust funds for library purposes
- ▶ Appoint a librarian
- ▶ Appoint other employees, in consultation with the librarian, and determine their compensation and other terms of employment

Trustees' Discretionary Powers RSA 202-A:13



Pay for library courses
and professional
development



Allow nonresidents to
use library



Deposit money with
state to pool purchasing
with state library

Income- generating equipment

- ▶ May retain funds from income-generating equipment, non-lapsing fund
- ▶ Town meeting must adopt
- ▶ Public hearing required
- ▶ RSA 202-A:11-a, :11-b

Annual Reports Required

RSA 202-A:12

- Receipts
- Expenditures
- Property in trustees care/custody
- Bequests/donations
- Book numbers
- Statement on library use
- Submit also to state library

RSA 202-A:12-a: Report
to attorney general

Trustees' authority to accept and expend gifts
(202-A:4-c)

Trustees' authority to accept donated personal
property (202-A:4-d)

Trust funds for library purposes (202-A:22)

Donations

Public Librarian



“Sufficient breadth & depth to give leadership in the use of books and related materials”



Appointed by trustees



Term of office, time of appointment



Administrative head of library



Recommends appointment of other employee

Removal of employees

Discharge or removal

Malfeasance, misfeasance, or inefficiency in office, or incapacity or unfitness

Written statement of grounds/reasons

May request hearing

Not more than 30 days

No change in salary during proceedings



Penalties



Damaging library property, misdemeanor (202-A:23)



Detaining books, violation (202-A:24)



Trustee violating law, misdemeanor (202-A:21)



Thank you for
attending this
NHMA
presentation!

Through the collective power of cities and towns, the New Hampshire Municipal Association promotes effective municipal government by providing education, training, advocacy and legal services.

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