



Sen. Sue Rezin

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1 AMENDMENT TO SENATE BILL 3169

2 AMENDMENT NO. _____. Amend Senate Bill 3169 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Local Library Act is amended by
5 changing Section 4-7 as follows:

6 (75 ILCS 5/4-7) (from Ch. 81, par. 4-7)

7 Sec. 4-7. Each board of library trustees of a city,
8 incorporated town, village or township shall carry out the
9 spirit and intent of this Act in establishing, supporting and
10 maintaining a public library or libraries for providing library
11 service and, in addition to but without limiting other powers
12 conferred by this Act, shall have the following powers:

13 1. To make and adopt such bylaws, rules and
14 regulations, for their own guidance and for the government
15 of the library as may be expedient, not inconsistent with
16 this Act;

1 2. To have the exclusive control of the expenditure of
2 all moneys collected for the library and deposited to the
3 credit of the library fund;

4 3. To have the exclusive control of the construction of
5 any library building and of the supervision, care and
6 custody of the grounds, rooms or buildings constructed,
7 leased or set apart for that purpose;

8 4. To purchase or lease real or personal property, and
9 to construct an appropriate building or buildings for the
10 use of a library established hereunder, using, at the
11 board's option, contracts providing for all or part of the
12 consideration to be paid through installments at stated
13 intervals during a certain period not to exceed 20 years
14 with interest on the unpaid balance at any lawful rate for
15 municipal corporations in this State, except that
16 contracts for installment purchases of real estate shall
17 provide for not more than 75% of the total consideration to
18 be repaid by installments, and to refund at any time any
19 installment contract entered into pursuant to this
20 paragraph by means of a refunding loan agreement, which may
21 provide for installment payments of principal and interest
22 to be made at stated intervals during a certain period not
23 to exceed 20 years from the date of such refunding loan
24 agreement, with interest on the unpaid principal balance at
25 any lawful rate for municipal corporations in this State,
26 except that no installment contract or refunding loan

1 agreement for the same property or construction project may
2 exceed an aggregate of 20 years;

3 5. To remodel or reconstruct a building erected or
4 purchased by the board, when such building is not adapted
5 to its purposes or needs;

6 6. To sell or otherwise dispose of any real or personal
7 property that it deems no longer necessary or useful for
8 library purposes, and to lease to others any real property
9 not immediately useful but for which plans for ultimate use
10 have been or will be adopted but the corporate authorities
11 shall have the first right to purchase or lease except that
12 in the case of the City of Chicago, this power shall be
13 governed and limited by the Chicago Public Library Act;

14 7. To appoint and to fix the compensation of a
15 qualified librarian, who shall have the authority to hire
16 such other employees as may be necessary, to fix their
17 compensation, and to remove such appointees, subject to the
18 approval of the board, but these powers are subject to
19 Division 1 of Article 10 of the Illinois Municipal Code in
20 municipalities in which that Division is in force. The
21 board may also retain counsel and professional consultants
22 as needed;

23 8. To contract with any public or private corporation
24 or entity for the purpose of providing or receiving library
25 service or of performing any and all other acts necessary
26 and proper to carry out the responsibilities, the spirit,

1 and the provisions of this Act. This contractual power
2 includes, but is not limited to, participating in
3 interstate library compacts and library systems,
4 contracting to supply library services, and expending of
5 any federal or State funds made available to any county,
6 municipality, township or to the State of Illinois for
7 library purposes. However, if a contract is for the supply
8 of library services for residents without a public library
9 established under the provisions of this Act, the terms of
10 that contract will recognize the principle of equity or
11 cost of services to non-residents expressed in this Section
12 of this Act, and will provide for the assumption by the
13 contracting party receiving the services of financial
14 responsibility for the loss of or damage to any library
15 materials provided to non-residents under the contract;

16 9. To join with the board or boards of any one or more
17 libraries in this State in maintaining libraries, or for
18 the maintenance of a common library or common library
19 services for participants, upon such terms as may be agreed
20 upon by and between the boards;

21 10. To enter into contracts and to take title to any
22 property acquired by it for library purposes by the name
23 and style of "The Board of Library Trustees of the (city,
24 village, incorporated town or township) of" and by
25 that name to sue and be sued;

26 11. To exclude from the use of the library any person

1 who wilfully violates the rules prescribed by the board;

2 12. To extend the privileges and use of the library,
3 including the borrowing of materials on an individual basis
4 by persons residing outside of the city, incorporated town,
5 village or township. If the board exercises this power, the
6 privilege of library use shall be upon such terms and
7 conditions as the board shall from time to time by its
8 regulations prescribe, and for such privileges and use, the
9 board shall charge a nonresident fee at least equal to the
10 cost paid by residents of the city, incorporated town,
11 village or township, with the cost to be determined
12 according to the formula established by the Illinois State
13 Library. A person residing outside of a public library
14 service area must apply for a non-resident library card at
15 the public library located closest to the person's
16 principal residence. The nonresident cards shall allow for
17 borrowing privileges at all participating public libraries
18 in the regional library system. The nonresident fee shall
19 not apply to privilege and use provided under the terms of
20 the library's membership in a library system operating
21 under the provisions of the Illinois Library System Act,
22 under the terms of any reciprocal agreement with a public
23 or private corporation or entity providing a library
24 service, or to a nonresident who as an individual or as a
25 partner, principal stockholder, or other joint owner owns
26 taxable property or is a senior administrative officer of a

1 firm, business, or other corporation owning taxable
2 property within the city, incorporated town, village or
3 township upon the presentation of the most recent tax bill
4 upon that taxable property, provided that the privilege and
5 use of the library is extended to only one such nonresident
6 for each parcel of such taxable property. Nothing in this
7 item 12 requires any public library to participate in the
8 non-resident card reciprocal borrowing program of a
9 regional library system as provided for in this Section;

10 13. To exercise the power of eminent domain subject to
11 the prior approval of the corporate authorities under
12 Sections 5-1 and 5-2 of this Act;

13 14. To join the public library as a member and to join
14 the library trustees as members in the Illinois Library
15 Association and the American Library Association,
16 non-profit, non-political, 501(c)(3) associations, as
17 designated by the federal Internal Revenue Service, having
18 the purpose of library development and librarianship; to
19 provide for the payment of annual membership dues, fees and
20 assessments and act by, through and in the name of such
21 instrumentality by providing and disseminating information
22 and research services, employing personnel and doing any
23 and all other acts for the purpose of improving library
24 development;

25 15. To invest funds pursuant to the Public Funds
26 Investment Act;

1 16. To accumulate and set apart as reserve funds
2 portions of the unexpended balances of the proceeds
3 received annually from taxes or other sources, for the
4 purpose of providing self-insurance against liabilities
5 relating to the public library.

6 Each board shall enact a policy regarding the privileges
7 and use of the library on an individual basis, including the
8 borrowing of materials, for persons residing at a homeless,
9 emergency, temporary, or other shelter within the library's
10 public service area. A library shall make reasonable
11 accommodations for persons staying at a homeless, emergency,
12 temporary, or other shelter who do not have the usual form of
13 identification, but who can verify residency at the homeless,
14 emergency, temporary, or other shelter within the library's
15 public service area.

16 (Source: P.A. 91-357, eff. 7-29-99; 92-166, eff. 1-1-02.)

17 Section 10. The Public Library District Act of 1991 is
18 amended by adding Section 30-55.7 as follows:

19 (75 ILCS 16/30-55.7 new)

20 Sec. 30-55.7. Use of library privileges. Each board of a
21 district shall enact a policy regarding the privileges and use
22 of the library on an individual basis, including the borrowing
23 of materials, for persons residing at a homeless, emergency,
24 temporary, or other shelter within the district. A library

1 shall make reasonable accommodations for persons staying at a
2 homeless, emergency, temporary, or other shelter who do not
3 have the usual form of identification, but who can verify
4 residency at the homeless, emergency, temporary, or other
5 shelter within the district.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".