

Senate Bill 529

Published
July 23, 1965.

CHAPTER 150

AN ACT to repeal 20.535 (intro. par.), as shown by chapter , laws of 1965 (Senate Bill 99), and 20.930 (1) (a) (line 29a), as affected by chapter 18, laws of 1965; to renumber 20.535 (1), as shown by chapter , laws of 1965 (Senate Bill 99), and 43.165 and 43.34, both as affected by chapter 18, laws of 1965; to amend 14.95 (9), 35.85 (2), 43.12 (1), (3) and (4) (intro. par.), as renumbered, 43.13 (1), as renumbered, and 43.14, all as affected by chapter 18, laws of 1965, 43.17 (2), as affected by chapters 18 and 19, laws of 1965, 43.255 (6) and (7), as affected by chapter 18, laws of 1965, 43.27 (4) and 66.19 (1); to repeal and recreate 43.09 and 43.10, both as affected by chapter 18, laws of 1965; and to create 39.02 (28) and 43.11 of the statutes, relating to the transfer of functions of the Wisconsin library commission to the state superintendent of public instruction.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 14.95 (9) of the statutes, as affected by chapter 18, laws of 1965, is amended to read:

14.95 (9) There is created an interdepartmental committee on aging to consist of the administrative head of the state department of public welfare, state industrial commission, state board of health, state board of vocational and adult education, department of public instruction, university of Wisconsin, state board of college regents, the Wisconsin retirement board, *and* the state teachers retirement board, ~~and the free library commission~~ or their designated representatives, who shall advise the commission regarding the operation of the programs for the aging. The committee shall meet at the call of the commission. The commission may create such other advisory committees of technicians and laymen as the objectives of the commission may require.

SECTION 2. 20.535 (intro. par.) of the statutes, as shown by chapter , laws of 1965 (Senate Bill 99), is repealed.

SECTION 3. 20.535 (1) of the statutes, as shown by chapter , laws of 1965 (Senate Bill 99), is renumbered 20.650 (6).

SECTION 4. 20.930 (1) (a) (line 29a) of the statutes, as renumbered and amended by chapter 18, laws of 1965, is repealed.

SECTION 5. 35.85 (2) of the statutes, as affected by chapter 18, laws of 1965, is amended to read:

35.85 (2) Of parts of official reports, pamphlets and magazines, and pamphlet laws, printed by authority of ss. 35.28 and 35.29, one copy to

each person named in lists filed for the purpose of such distributions by the respective state agencies upon whose requisitions the same were printed except that blocks of such publications may be allotted to the requisitioning agency for official use subject to approval of the director. The lists filed by the state superintendent ~~and by the Wisconsin library commission~~ shall designate, by counties, the matter to be distributed to schools of all kinds and school libraries in such counties, respectively, ~~and the matter so designated shall be shipped by freight or express to the county superintendents of schools, who shall make the ultimate distribution at the expense of the counties respectively.~~

SECTION 6. 39.02 (28) of the statutes is created to read:

39.02 (28) LIBRARY DEVELOPMENT. Be responsible for and supervise the library development activities enumerated in s. 43.10 in order to extend and improve library services to the people of the state.

SECTION 7. 43.09 and 43.10 of the statutes, as affected by chapter 18, laws of 1965, are repealed and recreated to read:

43.09 LIBRARY DEVELOPMENT; PURPOSE. There shall be a program administered within the department of public instruction through an administrative division for the extension and improvement of library services throughout the state in order to bring within the reach of all the people of the state increased opportunities for reading, study and free inquiry. Such a program of library services shall have these objectives:

(1) To promote the organization and improvement of public and school library services with respect to their distinctive objectives and scope.

(2) To encourage local governments and public library boards to make the most efficient use of their library resources by co-operating with other local governments to provide more comprehensive library systems in a manner that is in harmony with the geographic, economic, population and other factors influencing the needs and development of local communities.

(3) To plan and co-ordinate on a state-wide basis public library services and school library services.

(4) To promote the development of public library services to serve the needs of all citizens and the development of school library services to provide resources needed for teaching and learning in the schools.

(5) To encourage the co-ordination of public and school library services with other library programs of educational agencies.

43.10 LIBRARY DEVELOPMENT; SUPERINTENDENT OF PUBLIC INSTRUCTION. (1) The superintendent of public instruction shall:

(a) Appoint under the classified service a professionally trained and suitably qualified library administrator as assistant superintendent who shall serve as director of a division for library services under his supervision.

(b) Submit a report to the governor, during the last half of each even-numbered year, regarding the efforts to extend and improve library services throughout the state and the activities and recommendations of the advisory council on library development established under s. 43.11.

(c) Make necessary rules, consistent with law, for the administration of the division.

(d) Accept on behalf of the state grants from the federal government or any agency thereof or gifts or grants from any other source to be used for the purpose designated.

(2) The assistant superintendent for library services shall administer the following services:

(a) Maintain a library to serve individuals and to supplement the collections of public libraries, regional library systems and regional resource centers with specialized information and library resources not appropriately held locally, so that people of the state shall have access to the full range of reference and educational materials, and provide library lending services to state government.

(b) Co-ordinate state-wide library planning and related research and conduct in-service training and programs of recruiting of librarians for public libraries, school libraries and regional systems of libraries; facilitate interlibrary loans among public libraries, regional libraries, regional resource centers and, as far as is practical and desirable, state libraries; and provide a means for co-operation among all libraries in the state.

(c) Provide professional and technical advisory and informational services to public and school libraries, regional library systems and regional resource centers and to their governing bodies and extend consulting services to state agencies and officers for the purpose of improving specialized libraries and to communities desiring to establish libraries.

(d) Certify public librarians under s. 43.12.

(e) Collect library statistics and make studies and surveys of library needs throughout the state and publish the findings.

SECTION 8. 43.11 of the statutes is created to read:

43.11 ADVISORY COUNCIL ON LIBRARY DEVELOPMENT. (1)

For the purposes of co-ordinating library services and increasing public understanding of, and formulating plans for, extending library services, the governor shall appoint 7 persons for terms of 3 years each, who, with the president of the university of Wisconsin, director of the state colleges board of regents, director of the board of vocational and adult education and the director of the state historical society, or their designated representatives, shall constitute the advisory council on library development. The representatives of state agencies shall be ex officio members. Three of the persons appointed by the governor shall be professional librarians and 4 shall be laymen who have demonstrated an interest in library development, at least one of whom shall be a public library board member. The council shall elect a chairman from its members for a term of one year and shall meet at least 3 times a year at the call of the superintendent or its chairman. The members shall not be compensated for their services but those appointed by the governor shall receive actual and necessary travel expenses incurred in the performance of their duties.

(2) The council shall advise the governor and superintendent of public instruction with regard to:

(a) The general policies and activities of the state's program for library development.

(b) The means of co-ordinating on a state-wide basis the public library services and school library services and, as far as practical and desirable, the co-ordination of these services with state libraries.

(3) The director of the division for library services shall provide staff services to the council.

SECTION 9. 43.14 of the statutes, as amended by chapter 18, laws of 1965, is amended to read:

43.14 The director of the library commission is directed to ascertain and report to the department of administration what public libraries in the state, containing more than 1,000 volumes, including the libraries of state colleges, academies and colleges, can suitably care for and advantageously use public documents printed by the state. The director shall designate such libraries as depositories of state documents and shall, from

time to time, prepare lists of such depositories for the use of the department of administration. The department of administration shall furnish each library which is designated as a depository of state documents one set of public documents, as they are published, and also copies of such other reports and documents, printed at the expense of the state, as may be of general interest and supplied to it in sufficient numbers to meet such demand.

SECTION 10. 43.165 of the statutes, as affected by chapter 18, laws of 1965, is renumbered 43.12 and 43.12 (1), (3) and (4) (intro. par.), as renumbered, are amended to read:

43.12 (1) The ~~library commission~~ *assistant superintendent for library services, hereinafter referred to as "director"*, shall issue certificates to librarians and fix and publish necessary standards for public librarians and public libraries *in accordance with s. 43.10 (1)*. The qualifications for public librarians shall be based on education, professional training, and experience. Standards for public libraries shall be based on the population served, adequacy of the building and physical facilities, the quality and number of personnel, book resources and other library materials, financial support, and upon such other standards as ~~the commission shall find~~ *are found* necessary to insure adequate library service. Certificates already granted shall remain in full force and effect.

(3) Application for library certificates under the provisions of this section shall be made in writing to the ~~commission~~ *director* and with each application shall be paid to the ~~commission~~ a fee of \$1.

(4) (intro. par.) The ~~library commission shall not adopt any standard lower than the following minimum standards are established:~~

SECTION 11. 43.17 (2) of the statutes, as affected by chapter 18 and chapter 19, laws of 1965, is amended to read:

43.17 (2) The state superintendent may suspend the operation of the school library law in any school district or subdistrict containing a free public library, or which is located wholly or in part in any incorporated village or city containing a free public library, whenever the board of said free public library during the year ending June 30 next preceding the date of the application for suspension, has expended in the purchase of library books suitable for children in the elementary school grades a sum equal to the sum which would be released by the suspension of the school library law, ~~as certified by the director of the Wisconsin library commission; but~~. The amount so expended by the said board of the free public library for any one year shall not be made the basis of such suspension for more than one year. The state superintendent shall give notice of such suspension to the clerk or secretary of the board of education of the school district affected, and to the district or city superintendent, secretary of state and state treasurer.

SECTION 12. 43.255 (6) and (7) of the statutes, as affected by chapter 18, laws of 1965, are amended to read:

43.255 (6) ~~It is the duty of~~ The county library committee ~~to shall~~ survey and study the library needs of the county and ~~to~~ develop and report to the county board plans and proposals for improving library service within the county. It may promote co-operation between existing library units within the county and aid such units in working out contractual arrangements under existing law for the improvement and extension of library service. It may co-operate with similar committees or other proper authorities of adjoining counties in developing plans for the establishment of multi-county units of library service. The committee may utilize the

consultant services of the ~~Wisconsin library commission~~ *division for library services of the department of public instruction.*

(7) The county library committee shall make annual progress reports to the ~~Wisconsin library commission~~ *library services division.*

SECTION 13. 43.27 (4) of the statutes is amended to read:

43.27 (4) The board may appoint a librarian and such other assistants and employes as they deem necessary, and prescribe their duties and compensation. The librarian in charge of a library established by a county shall hold a 1st grade certificate as provided in s. ~~43.165~~ *43.12.*

SECTION 14. 43.34 of the statutes, as affected by chapter 18, laws of 1965, is renumbered 43.13 and 43.13 (1), as renumbered, is amended to read:

43.13 (1) The ~~Wisconsin library commission~~ *director* may advise any municipal library board *or the governing body of any regional system of libraries,* so far as practicable in the conduct of its work.

SECTION 15. 66.19 (1) of the statutes is amended to read:

66.19 (1) Any city or village may proceed under s. 61.34 (1), ~~section 62.11 (5) or section 66.01~~ to establish a civil service system of selection, tenure and status, and said system may be made applicable to all municipal personnel except the chief executive and members of the governing body, members of boards and commissions including election officials, the teaching staff of the board of education and the board of vocational and adult education, employes subject to s. 62.13, members of the judiciary, and supervisors. In the case of veterans there shall be no restrictions as to age and except that other conditions being equal, a preference shall be given in favor of veterans of any of the wars of the United States. Preference is defined to mean that whenever an honorably discharged veteran competes in any examination he shall be accorded 5 points, and if such veteran has a disability which is directly or indirectly traceable to war service, he shall be accorded another 5 points, in addition to earned ratings therein, ~~excepting that~~ *except* such preference as ~~herein defined~~ shall not be granted to any veteran competing in any such examination who ~~shall~~ *has* not ~~have~~ attained at least a passing grade. Such system may also include uniform provisions in respect to attendance, leave regulations, compensation and payrolls for all personnel included thereunder. The governing body of any city or village adopting a civil service system under the provisions hereof may exempt therefrom the librarians and assistants subject to s. ~~43.165~~ *43.12.*

SECTION 16. Persons presently employed in the state service by the Wisconsin library commission shall be transferred to the department of public instruction and shall retain all of the rights and status which they enjoy in the Wisconsin library commission immediately prior to the effective date of this act. The current director of the Wisconsin library commission shall be placed in the classified service with permanent status at a level comparable to the other directors of the division in the department of public instruction.

SECTION 17. All records, equipment, assets and liabilities and all pending financial and other matters within the scope of the Wisconsin library commission shall be transferred to the superintendent of public instruction on the first day of the month after the effective date of this act.

SECTION 18. Immediately after the effective date of this act the agencies involved shall co-operate to the end that the transfer of functions provided by this act will be efficiently and effectively completed on the transferal date.

SECTION 19. All certificates or other documents issued by the Wisconsin library commission shall continue in effect, subject to such termination or revocation as provided by law.

SECTION 20. All rules, orders, agreements and contracts in effect prior to the effective date of this act shall remain in force under this act until modified or rescinded as provided by law.

SECTION 21. The existing members of the Wisconsin library commission shall continue to serve their unexpired terms on the advisory council for library development. One of the persons appointed for a term beginning July 1, 1965, shall be appointed for 2 years. For the term beginning July 1, 1967, and thereafter, the appointment shall be for 3 years.

SECTION 22. Wherever the term "Wisconsin library commission" appears in the following sections of the statutes, as affected by chapter 18, laws of 1965, the term "superintendent of public instruction" is substituted: 35.85 (6), 35.86 (1), 43.27 (5), 43.28 (3) and 43.31.

SECTION 23. Wherever the term "Wisconsin library commission" or "commission" appears in the following sections of the statutes, as affected by chapter 18, laws of 1965, and as renumbered by this act, the word "director" is substituted: 43.12 (5), (7) and (9) and 43.13 (2).

SECTION 24. This bill is declared to be an emergency appropriation bill, recommended by the joint committee on finance, in accordance with the requirements of section 16.47 (2) of the statutes.

Approved July 19, 1965.
