

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 209

BY LOCAL GOVERNMENT COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-2607, IDAHO CODE, TO PROVIDE AN
2 EXCEPTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2608,
3 IDAHO CODE, TO REVISE PROVISIONS REGARDING LIBRARY DIRECTORS AND TO
4 MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN
5 EFFECTIVE DATE.
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 33-2607, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 33-2607. POWERS AND DUTIES OF TRUSTEES. In addition to the powers
11 elsewhere contained in this chapter and notwithstanding the provisions of
12 title 50, Idaho Code, the board of trustees of each city library shall have
13 the following powers and duties:

- 14 (1) To establish bylaws for its own governance;
- 15 (2) To establish policies and rules of use for the governance of the li-
16 brary or libraries under its control; to exclude from the use of the library
17 any and all persons who violate such rules;
- 18 (3) To establish, locate, maintain, and have custody of libraries to
19 serve the city, and to provide suitable rooms, structures, facilities,
20 furniture, ~~apparatus~~ apparatuses, and appliances necessary for library
21 service;
- 22 (4) With the approval of the city:
 - 23 (a) To acquire real property by purchase, gift, devise, lease, or oth-
24 erwise;
 - 25 (b) To own and hold real and personal property and to construct build-
26 ings for the use and purposes of the library;
 - 27 (c) To sell, exchange, or otherwise dispose of real or personal prop-
28 erty when no longer required by the library; and
 - 29 (d) To insure the real and personal property of the library;
- 30 (5) To prepare and adopt a budget for review and approval by the city
31 council;
- 32 (6) To control the expenditures of money budgeted for the library;
- 33 (7) To accept or decline gifts of money or personal property, in accor-
34 dance with library policy, and under such terms as may be a condition of the
35 gift;
- 36 (8) To hire, supervise, and evaluate the library director, except as
37 provided in section 33-2608, Idaho Code;
- 38 (9) To establish policies for the purchase and distribution of library
39 materials;
- 40 (10) To attend all meetings of the board of trustees;
- 41 (11) To maintain legal records of all board business; and

1 (12) To exercise such other powers, not inconsistent with law, neces-
2 sary for the orderly and efficient management of the library.

3 SECTION 2. That Section 33-2608, Idaho Code, be, and the same is hereby
4 amended to read as follows:

5 33-2608. LIBRARY DIRECTOR -- DUTIES -- OTHER EMPLOYEES. (1) The Except
6 as provided in subsection (2) of this section, the board of trustees of each
7 city library shall appoint the library director, who shall serve at the plea-
8 sure of the board. The library director shall be an employee of the city and
9 shall advise the board, implement policy set by the board, supervise all li-
10 brary staff, and ~~shall~~ acquire library materials, equipment, and supplies.
11 The library director shall attend all board meetings but shall not vote.

12 (2) The city council may designate the library director as a position
13 to be hired and terminated in the same manner as a category of city employees
14 that it determines. If so designated, the board may advise the city council
15 and the mayor or city manager on the job performance of the library director.
16 Any such job performance reports shall be treated in the same manner as city
17 employee personnel records.

18 ~~(2)~~ (3) With the recommendation of the library director, the board
19 shall budget to hire other employees as may be necessary for the operation
20 of the library. The library director shall hire or oversee the hiring of all
21 other employees based on the policies, procedures, and job descriptions of
22 the city. These employees shall be employees of the city and subject to the
23 city's personnel policies and classifications unless otherwise provided by
24 city ordinance.

25 SECTION 3. An emergency existing therefor, which emergency is hereby
26 declared to exist, this act shall be in full force and effect on and after
27 July 1, 2025.