



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2005 Wisconsin Act 420
[2005 Senate Bill 272]

Public Libraries

2005 Wisconsin Act 420 makes various changes to statutes governing public libraries, including:

- Authorizing a county library planning committee's plan of library services to require that a municipality in the county that operates a public library compensate another municipality in the county that operates a public library whenever the latter library provides library services to residents of the municipality that operates the former library. If a library does not comply with such a requirement in a plan of library services, its municipality loses eligibility for exemption from the county library tax.
- Expanding the prior-law requirement that a county (other than a county with a population of at least 500,000) that does not maintain a consolidated public library and that has residents who are not residents of a municipality that maintains a public library must pay an amount equal to at least 70% of the cost of library use by these county residents to each public library in the county. Under the Act, such a county must also pay that amount to each public library in an adjacent county, other than a county with a population of at least 500,000.
- Requiring a public library system, if the territory within the system has fewer than three participating counties and a population under 200,000 as a result of the withdrawal or realignment of participating counties, to realign with an existing system within two years after the date on which the population falls below 200,000.
- Allowing two public library systems to merge with the approval of each public library system board and the county boards of the participating counties. The Act deletes the prior-law requirement for approval by 51% of participating public libraries in the system.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.

- Requiring the head librarian employed by a public library system to be present in the library for at least 10 hours of each week that the library is open to the public, less leave time.
- Requiring a public library system, beginning in 2008, annually to be open to the public an average of at least 20 hours each week, except that if a library is in existence on the effective date of the provision, it must annually be open to the public either an average of at least 20 hours or the number of hours each week that the library was open to the public in 2005, whichever is fewer.
- Requiring a public library system, beginning in 2008, to annually spend at least \$2,500 on library materials.
- Prohibiting a public library system from being established if its establishment would cause the number of public library systems to exceed the number in existence on the effective date of the provision.
- Requiring a city or village that is located entirely in a county that operates and maintains a consolidated public library and that desires to establish a new public library or participate in a joint library to obtain the approval of the county library board, if one exists, and the county board of supervisors. If either disapproves, the city or village may appeal the decision to the State Superintendent of Public Instruction.
- Requiring joint library agreements to include a procedure for adjusting the membership of the board to ensure that it remains representative of the populations of the participating municipalities, to name one of the participants as the library's fiscal agent, and to include a procedure for the distribution of the joint library's assets and liabilities if the joint library is dissolved.

Effective Date: The Act takes effect on June 3, 2006, except that the treatment of the provisions summarized in the second bullet of this memorandum takes effect on July 1, 2006.

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