

**COUNTY OF DUNN  
MENOMONIE, WISCONSIN  
NOTICE OF PUBLIC MEETING**

In accordance with the provisions of Section 19.84, Wisconsin Statutes, notice is hereby given that a public meeting of the **Library Planning Committee** is to be held **Tuesday, December 6<sup>th</sup>, 2022** at **10:00 AM** in **Room 54 of the Dunn County Government Center**, 3001 US Hwy 12 #, Menomonie, Wisconsin. Items of business to be discussed or acted upon at this meeting are listed below:

**AGENDA**

1. Call to Order
2. Call of the Roll
3. Approval of Minutes
4. Public Comment
5. Reports of Library Directors
6. Items to be Placed at the Request of the Chair for Discussion by the Library Planning Committee:
  - A. Ridgeland Public Library formation
7. Consideration of Action to be Taken by the Library Planning Committee:
  - A. Scheduling of Public Hearing Dunn County Plan for Library Services
8. Announcements
9. Next Meeting Date: To be determined

Gary Stene, Chair



Andrew Mercil, Dunn County Clerk

Dunn County Library Planning Committee

MINUTES

December 14, 2021

**DRAFT**

Menomonie Public Library, Menomonie Wisconsin

1. Call to Order: Chairman Jim Anderson called the meeting to order at 4:30 p.m.
2. Roll Call: Committee members present: Chairman Jim Anderson, Pat Eggert, Vaughn Hedlund, Brian Johnson, Don Kuether, Gary Stene and James Tripp. Lisa Bragg-Hurlburt, Ginny Julson and Joleen Sterk were also present.
3. Approval of Minutes: Gary Stene moved to approved the minutes from the June 29, 2021 Library Planning Committee meeting, seconded by Pat Eggert. Motion carried by voice vote.
4. Public Comment: No members of the public addressed the committee.
5. Library Director Reports:
  - A. Boyceville Public Library: Director Ginny Julson reported on library programs including Summer Library Programs that were held outside, the nature of smaller groups due to COVID, and safety measures that are in place to minimize viral spread. Her staff is seeking ways to interact with the public without big programs. One idea is to offer monthly take-home projects for different ages, and to offer games for checkout. The Village is in the investigation phase of considering a new library building, and should know more in a month.
  - B. Colfax Public Library: Director Lisa Bragg-Hurlburt also described how programs have been modified for COVID safety. They have provided families with take-home craft projects, and hosted two summer events at the fairgrounds, in order to better spread out. Circulation has been down, book clubs have met outside through the fall, and storytimes require pre-registration. Fundraising for an elevator for the building continues...over \$25,000 has been raised to date. Lisa is cautiously optimistic about a community development block grant, and has appreciated IFLS-sponsored continuing education offerings.
  - C. Clarella Hackett Johnson Library: Supervisor Johnson read a report from Director Shelly Rae...Sand Creek has been busy with monthly virtual teen collaborations, take and make crafts, an indoor snowball fight with Santa, and an upcoming lockin on New Years Eve.
  - D. Menomonie Public Library: Joleen Sterk shared a summary of library activities, as well as an update on COVID response and current programming. There was 1 COVID positive staff member, but excellent mitigation strategies prevented any further spread.
  - E. IFLS: Pat Eggert and Jim Tripp reported on Wisconsin Library Association conference activities, as IFLS Board Members. John Thompson, director of the

IFLS library system, was awarded the WLA Librarian of the Year award. In 2022, the IFLS board of directors will visit 3 member libraries. On January 19th, Jim Tripp will be presenting a webinar on library advocacy.

6. Items to be Placed at the Request of the Chair for Discussion by the Library Planning Committee: Dunn County Plan for Library Services.

Chairman Anderson recognized the work that Bob Colson did in helping to ensure that a County Library Plan was in place and updated prior to COVID. Discussion continued regarding library advocacy work, and a goal of keeping library funding reimbursement at 100% for Dunn County libraries.

7. Consideration of Action to be taken by the Library Planning Committee: Dunn County Plan for Library Services.

Chairman Anderson asked committee members to review said plan, paying particular attention to the inventory of services appendix. Also review committee meeting minutes to determine if it went to a public hearing, was ratified and was formally adopted by the County Board. Please contact Chairman Anderson with any comments.

8. Announcements: There is an app available for the MORE library catalog for both iOS and Android devices.

Chairman Anderson announced that he will not be seeking re-election in 2022. He suggested scheduling a meeting of the Library Planning Committee prior to the spring 2022 election.

9. Next Meeting Date: Recording secretary does not have an established date for the next meeting, but would like to submit the second Tuesday of March (**March 8, 2022**) at **4:30 pm** for your consideration.

Chairman Anderson declared the meeting adjourned at 5:44 pm.

Respectfully submitted,  
Joleen Sterk, Director, Menomonie Public Library

**Dunn County Library Planning Committee**  
**MINUTES**  
**August 16, 2022**  
**DRAFT**  
**Dunn County Government Center, Menomonie, Wisconsin**

1. Call to Order: Chair Gary Stene called the meeting to order at 10:00 a.m.
2. Roll Call: Committee members present: Chair Gary Stene, Pat Eggert, Vaughn Hedlund, Don Kuether, James Tripp, Jim Zons, and Brian Johnson. Lisa Bragg-Hurlburt, Ginny Julson, Shelly Rae, and Andrew Mercil were also present.
3. Approval of Minutes: Minutes will be approved at the next Library Planning Committee meeting.
4. Public Comment: No members of the public addressed the committee.
5. Library Director Reports:
  - A. Boyceville Public Library: Ginny Julson provided an update on current programming for 2022, including expanded children's programming, National Park Service Ranger education, and a tour of the Bullfrog Fish Farm. Summer circulation is up, book club members have increased, and the 21<sup>st</sup> annual Cucumber Run is scheduled. Ginny announced her retirement in Spring of 2023.
  - B. Clarella Hackett Johnson Library (Sand Creek): Shelly Rae provided an update including drop-in programs for children which encourages library exploration, newspaper flower pot programming. Circulation is up over 1,200 for summer. Shelly Rae responded to questions from the committee.
  - C. Colfax Public Library: Lisa Bragg-Hurlburt provided an update on current programming including a return to in-person programming, while retaining some of the safe space practices learned during the pandemic, breaking story time and children's programming up into smaller groups. Local businesses donated prizes for children for summer programming. Adult programming has returned, including Michael Perry attending in September, paid for by a library thrift sale, which raised over \$4,000 to cover costs. Circulation is up for summer, exceeding post-COVID levels. Lisa Bragg-Hurlburt responded to questions from the committee.
6. Items to be Placed at the Request of the Chair for Discussion by the Library Planning Committee:
  - A. Dunn County Plan for Library Services: Chair Stene provided an overview on the process and the need for approval to refer to the County Board. James Tripp informed the committee that the plan can only be approved after a public hearing before referring to the Dunn County Board.
7. Consideration of Action to be Taken by the Library Planning Committee:
  - A. Dunn County Plan of Library Services: Gary Stene moved to approve the revisions to the Dunn County Plan of Library Services and to forward the revised plan to the Executive Committee after completion of the public hearing, seconded by Pat Eggert. Motion carried by voice vote. Jim Zons will schedule the public hearing in conjunction with a future Community Resources and Tourism Committee meeting and provide guidance on notice requirements, publications and public hearing procedures.
8. Announcements: James Tripp announced that IFLIS had their first in person meeting in 2 years. Jim Zons asked about how a library is recognized as a library, as Ridgeland is not recognized. James Tripp stated it is a statutory requirement, municipalities must pass a resolution and sign an agreement that they will levy taxes to pay for the library, which would then initiate circulation funding from the County. Need a qualified Director, and other qualifications including an opinion from the Department of Public Instruction on whether a library should be formed. The Dunn County Board of Supervisors have passed 2 resolutions of support for a library formation in Ridgeland. Discussion about inviting interested parties in forming the Ridgeland Library to a meeting to discuss options and next steps. Reach out to John Thompson (director of IFLIS) and Kirstin Huset to the December 6, 2022 meeting. Shelly Rae announced that next week is Trustee Training week with IFLIS and to encourage library board members to attend.

9. Next Meeting Date: Tuesday, December 6<sup>th</sup>, 2022 at 10am in Room 54 of the Dunn County Government Center.

Supervisor Hedlund made a motion to adjourn, Supervisor Johnson seconded. Chair Stene declared the meeting adjourned at 10:55 a.m.

Respectfully Submitted,  
Andrew Mercil, County Clerk

## CHAPTER 43

## LIBRARIES

43.001	Legislative findings and declaration of policy.	43.21	Consolidated public library systems.
43.01	Definitions.	43.24	State aid.
43.03	General duties of state superintendent.	43.27	Distribution of materials from resources for libraries and lifelong learning collection to public library systems.
43.05	General duties of the division.	43.30	Public library records.
43.06	Collection and maintenance of data.	43.52	Municipal libraries.
43.07	Council on library and network development.	43.53	Joint libraries.
43.09	Certificates and standards.	43.54	Municipal library board composition.
43.11	County library planning committees.	43.57	Consolidated county libraries and county library services.
43.12	County payment for library services.	43.58	Powers and duties.
43.13	Division review.	43.60	County appointments to municipal and joint public library boards.
43.15	Standards for public library systems.	43.64	County tax.
43.16	Resource libraries.	43.70	Common school fund.
43.17	Public library systems; general provisions.	43.72	Library exchanges.
43.18	Withdrawal, abolition and expulsion.		
43.19	Federated public library systems.		

**43.001 Legislative findings and declaration of policy.****(1)** The legislature recognizes:

- (a) The importance of free access to knowledge, information and diversity of ideas by all residents of this state;
- (b) The critical role played by public, school, special and academic libraries in providing that access;
- (c) The major educational, cultural and economic asset that is represented in the collective knowledge and information resources of the state's libraries;
- (d) The importance of public libraries to the democratic process; and
- (e) That the most effective use of library resources in this state can occur only through interlibrary cooperation among all types of libraries and the effective use of technology.

**(2)** The legislature declares that it is the policy of this state to provide laws for the development and improvement of public libraries, school libraries and interlibrary cooperation among all types of libraries.

**History:** 1985 a. 177; 1997 a. 150.

Municipal libraries are a matter of statewide concern. Accordingly, home rule provisions will not justify local departures from the provisions of ch. 43. 76 Atty. Gen. 203.

**43.01 Definitions.** In this chapter:

- (1)** "Department" means the department of public instruction.
- (2)** "Division" means the division for libraries and technology in the department.
- (3)** "Municipality" means a city, village, town, tribal government or tribal association, or a school district that maintained and operated a public library facility prior to December 17, 1971.
- (4)** "Network" means a formal arrangement between libraries or other informational service organizations whereby materials, information and services are exchanged and made available to potential users.
- (5)** "Public library system" means a system established as either a federated public library system under s. 43.19 or a consolidated public library system under s. 43.21.
- (6)** "State superintendent" means the state superintendent of public instruction.
- (7)** "Tribal college" means an accredited college, operated or controlled by a federally recognized American Indian tribe or band in this state, that meets the requirements of 25 USC 1804.

**History:** 1971 c. 152; 1977 c. 418; 1979 c. 347; 1983 a. 189; 1985 a. 177 ss. 4, 5; 1993 a. 335; 1995 a. 27 ss. 1967, 9145 (1); 1997 a. 27; 2001 a. 48; 2011 a. 158; 2015 a. 306.

**43.03 General duties of state superintendent.** The state superintendent shall:

- (1)** Promote, assist and plan the organization, development and improvement of school library media services to provide the resources needed for teaching and learning in the schools.
- (2)** Promote, assist, plan and coordinate the organization, development and improvement of public library services and public library systems to serve the needs of all citizens in the state.
- (3)** (a) Promote cooperation and resource sharing among public libraries, school libraries, other types of libraries and related agencies.  
(b) Plan, coordinate, evaluate and set statewide priorities for the development of networks to enable library cooperation and resource sharing within this state and between this state and resource providers in other states.
- (d) Submit to the council on library and network development a biennial report which describes the programs and policies carried out under pars. (a) and (b) in the preceding biennium and the programs and policies to be carried out under pars. (a) and (b) in the succeeding biennium.
- (4)** Plan and coordinate the provision of library services to groups with special needs, including institutional residents, the physically and mentally handicapped, the socially and economically disadvantaged and racial and ethnic minorities.
- (5)** Accept, on behalf of the state, grants from the federal government or any federal agency or gifts or grants from any other source to be used for the purposes designated under this chapter.
- (6)** Enter into an annual contract with the public library in a 1st class city for the provision of library services to physically handicapped persons, including the blind and visually handicapped, certified by competent authority as unable to read or use conventional printed materials as a result of physical limitations. For the purpose of this subsection, "competent authority" means any member of the medical or allied professions, and professional persons in the fields of public health, education, library service, rehabilitation, social work and public welfare.
- (7)** Contract for service with libraries and other resource providers in and outside of this state to serve as resources of specialized library materials and information not available from the resources for libraries and lifelong learning service under s. 43.05 (11).
- (8)** Establish procedures necessary for the internal administrative operation of the division.

(9) Develop and maintain a computer database containing bibliographic and library holding information for all types of library materials owned by libraries throughout the state to serve as a resource sharing tool and assist libraries in developing computerized bibliographic databases.

(10) Disseminate information regarding appropriate continuing education activities available to librarians, library board members, library support staff and other related professionals.

**History:** 1979 c. 347; 1985 a. 177; 1995 a. 27; 1997 a. 27; 1999 a. 185; 2011 a. 158.

**43.05 General duties of the division.** The division shall:

(1) Coordinate and conduct continuing education programs for librarians of school library media programs, public libraries, public library systems and institutional library programs.

(2) As it deems appropriate, assist libraries in the identification and recruitment of qualified personnel.

(3) Provide professional and technical advisory, consulting and informational services to assist:

(a) School districts establishing, maintaining or expanding school library media programs and facilities;

(b) Public libraries, municipalities establishing, maintaining or expanding public libraries, counties establishing, maintaining or expanding public library services, public library systems and their governing bodies;

(c) State agencies and officers; and

(d) Institutional library programs.

(4) Collect library statistics and conduct studies and surveys of library needs throughout the state and report and publish the findings. The research shall be coordinated with statewide library planning.

(5) Designate a librarian to serve as a coordinator of activities for state document depository libraries under ss. 35.81 to 35.835 and to fulfill its responsibilities under ss. 35.81 to 35.835.

(6) Recommend and distribute standards for school library programs and facilities to school library media programs, standards for public libraries to public library governing bodies and standards for institutional library programs to governing bodies and administrators of institutional library programs and to heads of departments, as defined under s. 15.01 (8), which administer institutional libraries.

(7) Establish standards for public library systems under s. 43.09 (2).

(8) Establish standards for and issue certificates to public librarians under s. 43.09 (1).

(9) Approve the establishment of public library systems under s. 43.13.

(10) Administer aids to public library systems under s. 43.24.

(11) Maintain a resources for libraries and lifelong learning service to supplement the collections of all types of libraries in this state by providing specialized materials not appropriately held and information sources not provided by local libraries or readily available from other area or state-level resource providers. The service shall provide specialized library and information services to state agency libraries and state employees, institution libraries, public library systems, public libraries, school libraries, and other types of libraries according to policies developed by the division. Library and information services may include development of collections of specialized materials, interlibrary loan services, reference services, provision of database search services, and maintenance of a statewide database of library materials. The service may contract with state agencies and libraries to provide library material cataloging and processing services.

(12) Assist the council on library and network development in the preparation of the descriptive and statistical report to be prepared by the council under s. 43.07 (5).

(13) Carry out such other programs and policies as directed by the state superintendent.

(14) (a) In this subsection, “participating municipality” has the meaning given in s. 43.18 (1) (ag).

(b) Conduct a review of a public library system if at least 30 percent of the libraries in participating municipalities that include at least 30 percent of the population of all participating municipalities state in the report under s. 43.58 (6) (c) that the public library system did not adequately meet the needs of the library. If the division determines that the public library system did not adequately meet the needs of libraries participating in the system, it shall prepare an advisory plan suggesting how the public library system can so do in the future, including suggestions designed to foster intrasystem communications and local dispute resolution. The advisory plan shall be distributed to the public library system board, the boards of all libraries participating in the system and the county boards of all counties participating in the system.

**History:** 1979 c. 347; 1983 a. 189 s. 329 (27); 1985 a. 29, 177, 332; 1991 a. 285; 1995 a. 27; 1997 a. 27, 150; 1999 a. 83, 185; 2011 a. 158.

**43.06 Collection and maintenance of data.** (1) The division may perform any of the following activities to collect and maintain public library-related data, including all of the following:

(a) Purchase licenses for data collection software.

(b) Train library staff on the effective use of data in decision-making.

(c) Establish digital processes for the efficient collection, analysis, and reporting of data to library patrons and staff.

(d) Create dashboard tools for libraries to use internally in analyzing, and to report to the public about, library use.

(e) Develop, implement, and maintain technology systems that allow for secure, interoperable data exchange and the automation of work processes.

(f) Create an automated system for the initial certification and recertification of public librarians, as described in s. 43.09 (1).

(g) Establish library user authentication systems.

(2) From the appropriation accounts under s. 20.255 (1) (e) and (ek), the division may fund the activities described in sub. (1).

**History:** 2017 a. 142.

**43.07 Council on library and network development.**

The state superintendent and the division shall seek the advice of and consult with the council on library and network development in performing their duties in regard to library service. The state superintendent or the administrator of the division shall attend every meeting of the council. The council may initiate consultations with the department and the division. The council shall:

(1) Make recommendations to the division in regard to the development of standards for the certification of public librarians and standards for public library systems under s. 43.09.

(2) Advise the state superintendent in regard to the general policies and activities of the state’s program for library development, interlibrary cooperation and network development.

(3) Advise the state superintendent in regard to the general policies and activities of the state’s program for the development of school library media programs and facilities and the coordination of these programs with other library services.

(4) Hold a biennial meeting for the purpose of discussing the report submitted by the state superintendent under s. 43.03 (3) (d). Notice of the meeting shall be sent to public libraries, public library systems, school libraries and other types of libraries and related agencies. After the meeting, the council shall make recommendations to the state superintendent regarding the report and any other matter the council deems appropriate.

(5) On or before July 1 of every odd-numbered year, transmit to the state superintendent a descriptive and statistical report on the condition and progress of library services in the state and recommendations on how library services in the state may be improved. The state superintendent shall include the report as an addendum to the department’s biennial report under s. 15.04 (1) (d).

(6) Review that portion of the budget of the department relating to library service. Recommendations of the council in regard to the budget shall accompany the department's budget request to the governor.

(7) Receive complaints, suggestions and inquiries regarding the programs and policies of the department relating to library and network development, inquire into such complaints, suggestions and inquiries, and advise the state superintendent and the division on any action to be taken.

**History:** 1979 c. 347; 1983 a. 524; 1985 a. 177; 1995 a. 27; 1997 a. 27.

**43.09 Certificates and standards.** (1) PUBLIC LIBRARIANS. The division shall issue certificates to public librarians and promulgate, under ch. 227, necessary standards for public librarians. The qualifications for public librarians shall be based on education, professional training and experience. Any relevant instruction, as defined in s. 440.075 (1), that an applicant for a certificate has obtained in connection with any military service, as defined in s. 111.32 (12g), counts toward satisfying any requirement for instruction for a certificate under this subsection if the applicant demonstrates to the satisfaction of the division that the instruction obtained by the applicant is substantially equivalent to the instruction required for the certificate. Certificates already granted prior to December 17, 1971, shall remain in effect.

(2) PUBLIC LIBRARY SYSTEMS. The division, by rule, may promulgate necessary standards for public library systems. If promulgated, such rules shall be consistent with s. 43.15 and shall be established in accordance with ch. 227, except that the division shall hold a public hearing prior to adoption of any proposed rule. In addition to the notice required under s. 227.17, the division shall endeavor to notify each public library of such public hearings.

**History:** 1971 c. 152; 1979 c. 347; 1985 a. 177; 1985 a. 182 s. 57; 1997 a. 150; 2011 a. 120; 2017 a. 331.

**Cross-reference:** See also ch. PI 6, Wis. adm. code.

**43.11 County library planning committees.** (1) CREATION. Any county board may appoint a county library planning committee under this section. If a county board, in a county where all public library service is administered or coordinated by an existing county library board or where there is a single-county public library system board, determines to appoint a committee under this section, the existing library board may serve as the county library planning committee. The county board shall notify the division immediately upon appointment of the committee.

(3) DUTIES AND POWERS. (a) The committee may prepare a new plan for the organization of a county or multicounty system, revise an existing plan or change the boundaries of a public library system. It shall conduct public hearings concerning these plans, revisions and changes to which representatives of all libraries in the county shall be invited.

(b) The committee's final report, including a new plan, revisions to an existing plan or changes to the boundaries of a public library system and copies of any written agreements necessary to implement the proposal, shall be filed with the county board and submitted to the division. Plans for multicounty systems shall include a method for allocating system board membership among the member counties.

(c) The plan of library service for a county, whether for a single county or a multicounty system, shall provide for library services to residents of those municipalities in the county not maintaining a public library under this chapter. The services shall include full access to public libraries participating in the public library system and the plan shall provide for reimbursement for that access. Services may include books-by-mail service, bookmobile service, the establishment of additional libraries or other services deemed appropriate by the committee. Services may be provided by contracting with existing public libraries in the county or in adjacent counties or with the public library system or by creating a county library organization under this chapter. The plan of library service

for a county may provide for improving public library service countywide and in municipalities that have libraries. The plan shall specify the method and level of funding to be provided by the county to implement the services described in the plan, including the reimbursement of public libraries for access by residents of those municipalities in the county not maintaining a public library.

(d) The plan of library services for a county may include minimum standards of operation for public libraries in the county. The county shall hold a public hearing on any standards proposed under this paragraph. The standards shall take effect if they are approved by the county and the public library boards of at least 50 percent of the participating municipalities in the county that contain, according to the most recent estimate prepared under s. 16.96, at least 80 percent of the population of participating municipalities in the county.

(e) The plan of library services for a county may require that a municipality located in whole or in part within the county that operates a public library compensate another municipality located in whole or in part within the county that operates a public library whenever the latter public library provides library services to residents of the municipality that operates the former public library. The plan's compensation for each loan may not exceed the actual cost of the loan, as defined by the department by rule.

**History:** 1971 c. 152; 1981 c. 20; 1985 a. 29, 177; 1993 a. 184; 1997 a. 150; 2005 a. 420.

**43.12 County payment for library services.** (1) (a) By March 1 of each year, each of the following payments of not less than the minimum amount calculated under par. (b) shall be made:

1. Except as provided in subd. 2., by a county that does not maintain a consolidated public library for the county under s. 43.57 and that contains residents who are not residents of a municipality that maintains a public library under s. 43.52 or 43.53, to each public library in the county and to each public library in an adjacent county, other than a county with a population of at least 750,000 or a county that maintains a consolidated public library for the county.

2. If the adjacent county maintains a consolidated public library and provides the notice under sub. (1m), by a county that does not maintain a consolidated public library for the county under s. 43.57 and that contains residents who are not residents of a municipality that maintains a public library under s. 43.52 or 43.53, to the consolidated public library for the adjacent county providing the notice under sub. (1m).

3. If a county maintains a consolidated public library and provides a notice under sub. (1m), by that county to each public library in an adjacent county, other than a county with a population of at least 750,000, that provides a statement to the county under sub. (2).

(b) The minimum amount under par. (a) shall be calculated to equal 70 percent of the amount computed by multiplying the number of loans of material made by the library during the prior calendar year, for par. (a) 1. or 3., to residents of the county who are not residents of a municipality that maintains a public library under s. 43.52 or 43.53, or, for par. (a) 2., to residents of the county who are not residents of a municipality that contains a branch of the consolidated library, as reported under sub. (2), by the amount that results from dividing the total operational expenditures of the library during the calendar year for which the number of loans are reported, not including capital expenditures or expenditures of federal funds, by the total number of loans of material made by the public library during the calendar year for which the loans are reported.

(c) The library board of the public library entitled to a payment under this subsection may direct the county to credit all or a portion of the payment to a county library service or library system for shared services.



**(1m)** If a county maintains a consolidated public library, the library shall provide a notice not later than April 1 to any public library from which it requests payment under sub. (1).

**(2)** By July 1 of each year, each public library lying in whole or in part in a county shall provide a statement to the county clerk of that county and to the county clerk of each adjacent county, other than a county with a population of at least 750,000, that reports all of the following:

(a) The number of loans of material made by that library during the prior calendar year to residents of the county, or adjacent county, who are not residents of a municipality that maintains a public library under s. 43.52 or 43.53.

(b) If the library is in a county that is adjacent to a county with a consolidated library system, the number of loans of material made by that library during the prior calendar year to residents of the adjacent county who are not residents of a municipality that contains a branch of the consolidated library.

(c) The total number of loans of material made by that library during the previous calendar year.

**(3)** A county may enter into an agreement with its participating municipalities or with a public library system to pay no less than the amounts determined under sub. (1) to the public library system for distribution to the public libraries that participate in that system.

**(4)** Upon request of a county clerk, a public library shall provide access to all books and records used to determine the amount computed under sub. (2).

**(5m)** Nothing in this section prohibits a county from providing funding for capital expenditures.

**(6)** The county library board or, if no county library board exists, the county itself, shall either distribute the aid provided by the county to the public libraries, as provided in the plan prepared under s. 43.11, or shall transfer the aid for distribution to the public library system in which it participates.

**(7)** This section does not apply to a county having a population of 750,000 or more.

**(8)** For the purposes of this section, a county that provides library service solely under s. 43.57 (2m) is a county that maintains a consolidated public library, and a tribal college–county joint library under s. 43.57 (2m) is a branch of the consolidated library.

**History:** 1997 a. 150; 2005 a. 226, 420; 2007 a. 97; 2013 a. 157; 2015 a. 306; 2017 a. 207 s. 5.

**43.13 Division review.** **(1)** (a) No public library system may be established without the approval of the division. In reviewing final reports submitted by county library planning committees, the division shall consider, in addition to the standards set forth in s. 43.15, the proposed system territory, organization and financing, initial and long–range plans for library services, the role of existing multi–jurisdictional service programs in the territory and plans for cooperation with adjoining systems and with other kinds of libraries in the territory.

(b) If the division approves a final report, it shall report such approval to the appropriate county boards and county library planning committees. Upon acceptance by the county boards, the division shall certify to the appropriate county boards the establishment of the public library system proposed by the report, specifying the effective date of the establishment of the system.

**(2)** A public library system board may submit to the division a plan for the alteration in the territory included within the system or for a change in system organization from a federated to a consolidated system or vice versa. If the change proposed by the plan is approved, the division shall certify such fact to the system board, specifying the effective date of the change.

**(3)** The effective date of the establishment of a system under sub. (1) or of a change under sub. (2) shall be January 1 of the year specified by the division.

**(4)** Any decision by the division under this section may be appealed to the state superintendent.

**History:** 1971 c. 152; 1995 a. 27; 1997 a. 27; 2005 a. 226.

**43.15 Standards for public library systems.** A public library system shall not be established unless it meets the requirements under this section.

**(1) POPULATION.** The territory within the system shall:

(a) Have a population of 100,000 or more. If, because of the withdrawal or realignment of participating counties, a public library system has fewer than 3 participating counties and a population under 200,000, the remaining parts of the system shall realign with an existing system within 2 years after the date on which the population falls below 200,000.

(b) After July 1, 1998, no new system may be established unless it serves a population of at least 200,000.

**(2) FINANCIAL SUPPORT.** Each county proposed to be included within a system shall demonstrate, to the satisfaction of the division, its ability to provide adequate funding to implement the plan submitted under s. 43.11 (3) and the report submitted under s. 43.13 (1).

**(3) TERRITORY INCLUDED.** (a) A consolidated system shall consist of one county only. A federated system shall consist of one or more counties.

(b) No more than one system may be established within a single county. If the territory of a municipality lies in 2 or more counties which are not in the same public library system, the municipal library board or, if no such board exists, the municipal governing body shall determine the system in which the municipality will participate.

(c) If the territory of a joint library lies in 2 or more counties that are not in the same public library system, the joint library board or, if no such board exists, the governing bodies of the municipalities and counties that created the joint library shall determine the system in which the joint library will participate.

**(4) METHOD OF ORGANIZATION.** (a) A public library system may be organized as a single–county federated public library system, a multicounty federated public library system, or a single–county consolidated public library system. Two public library systems may merge with the approval of each public library system board and the county boards of the participating counties.

(b) A county may participate in a federated public library system if it does all of the following:

1. Adopts and maintains the plan of library service submitted and approved under ss. 43.11 (3) and 43.13 (1).

2. Provides the financial support for library services required under sub. (2).

3. Enters into a written agreement with the public library system board to participate in the system and its activities and to furnish library services to residents of those municipalities in the county not maintaining a public library.

(c) A municipal, county or joint public library may participate in a public library system if it meets all of the following requirements:

1. Is established under this chapter. A tribal college–county joint library under s. 43.57 (2m) is a library established under this chapter.

2. Is located in a county that participates in a public library system.

3. Is authorized by its municipal governing body or county board to participate in the public library system. If the library is a tribal college–county joint library, it is authorized by an agreement under s. 43.57 (2m).

4. Enters into a written agreement with the public library system board to participate in the system and its activities, to participate in interlibrary loan of materials with other system libraries, and to provide, to any resident of the system area, the same library services, on the same terms, that are provided to the residents of

the municipality or county that established the member library. This subdivision does not prohibit a municipal, county, or joint public library from giving preference to its residents in library group programs held for children or adults if the library limits the number of persons who may participate in the group program, or from providing remote access to a library's online resources only to its residents.

6. Employs a head librarian who is certified as a public librarian by the department and whose employment requires that he or she be present in the library for at least 10 hours of each week that the library is open to the public, less leave time.

7. Beginning in 2008, annually is open to the public an average of at least 20 hours each week except that for a library in existence on June 3, 2006, annually is open to the public 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.

8. Beginning in 2008, annually spends at least \$2,500 on library materials.

(d) A county may establish a consolidated public library system in which the included county and its underlying communities form a single system. The county may, for such purposes, take over and acquire any library property by consent of the authority controlling that property.

(5) CAPITAL COSTS EXCLUDED. For the purpose of determining the amount of financial support required under sub. (4) (b) 2., amounts spent for capital projects shall be excluded.

(5m) LIMIT. A public library system may not be established if its establishment would cause the number of public library systems to exceed the number in existence on June 3, 2006.

**History:** 1971 c. 152; 1981 c. 197; 1985 a. 29, 177; 1987 a. 399; 1989 a. 286; 1991 a. 269; 1995 a. 27 s. 9145 (1); 1995 a. 270; 1997 a. 27, 150; 2005 a. 226, 420; 2007 a. 97; 2011 a. 32; 2015 a. 306; 2017 a. 365 s. 111.

**Cross-reference:** See also s. PI 6.06, Wis. adm. code.

**43.16 Resource libraries.** (1) (a) Each public library system shall have at least one system resource library. Annually, prior to the expiration of its agreement with its existing system resource library, the public library system board shall negotiate with the member public library with the largest annual operating budget of all member libraries to serve as a system resource library in the following year. If the board and the proposed resource library are unable to reach an agreement for the following year before the expiration date of any existing agreements with resource libraries, the existing agreements shall be extended for one year or until an agreement is reached with that proposed resource library, whichever occurs earlier. The division shall notify the public library system board, the existing resource libraries and the proposed resource library of the extension and, during the period of extension, shall attempt to mediate an agreement between the public library system board and the proposed resource library. If the division determines that the public library system board and the proposed system resource library are unable to reach an agreement before the end of the one-year period, the division shall propose an alternative agreement, which shall be binding if it is acceptable to the proposed system resource library. If the alternative agreement is unacceptable to the proposed system resource library, the board shall negotiate with the member public library with the next largest annual operating budget of all member public libraries to serve as a system resource library in the following year.

(am) An existing contract may be extended under par. (a) only if it was entered into on or after May 8, 1990.

(b) The procedure under par. (a) shall be repeated with member public libraries in decreasing order of the size of their annual operating budgets until an agreement is reached with a member public library to serve as a system resource library. Except as provided in par. (a), no agreement may extend beyond December 31 of any year.

(2) If the member public library selected to serve as a system resource library under sub. (1) fails to meet all of the following

requirements, the system board shall enter into a supplementary contract with the academic library with the largest operating budget of all academic libraries in the system area, or with a resource library in an adjacent system, that meets all of the following requirements:

(a) The library has a collection of at least 100,000 volumes.

(b) The library is open to the public at least 50 hours each week.

(c) The library employs at least one full-time, permanent reference librarian with a master's degree in library science.

**History:** 1989 a. 286.

**43.17 Public library systems; general provisions.**

(1) BOARD TERMS. Every public library system shall be governed by a board appointed under s. 43.19 or 43.21. No person employed by a public library that is a member of a public library system may be appointed to the public library system board. Upon the initial establishment of a board, the members shall be divided as nearly as possible into 3 equal groups to serve for terms expiring on January 1 of the 2nd, 3rd and 4th years, respectively, following their appointment. Thereafter, regular terms shall be for 3 years and shall commence on January 1. Vacancies shall be filled for the unexpired term in the same manner as regular appointments are made.

(2) BOARD ORGANIZATION AND MEETINGS. As soon as practicable after the initial establishment of a system, and thereafter in January of each year, the board shall organize by the election, from among its members, of a president and such other officers as it deems necessary. The board shall meet at least once every 2 months.

(2m) ADVISORY COMMITTEE. Every public library system may appoint a public library advisory committee to, among other things, advise the system board about the status and needs of libraries in the system, serve as a conduit of information between the system board and individual libraries in the system and make recommendations to the system board relating to libraries in the system.

(3) FISCAL YEAR. The fiscal year of each federated public library system whose territory lies within 2 or more counties shall be the calendar year.

(4) SYSTEM ADMINISTRATION. Notwithstanding ss. 59.17 (2) (br) and 59.18 (2) (b), responsibility for administration of a public library system shall vest in a head librarian who shall be appointed by and directly responsible to the public library system board.

(5) ANNUAL REPORT. Annually, at the time required by the division, each public library system shall report to the division on its operations, expenditures and territory served during the preceding year, shall submit a plan describing the program for library service to be carried out in the subsequent year and shall furnish such other information as the division requires.

(6) COOPERATIVE SERVICES. A public library system may contract with another such system, or with other libraries, library organizations or resource centers within this state or in adjacent states, to provide or receive library services.

(7) EXISTING EMPLOYEES. No person employed by a participating public library at the time of the establishment of a public library system shall lose, because of such establishment, any salary, fringe benefit or other employment rights in existence at that time.

(8) RETIREMENT. If any employee of a participating employer under the Wisconsin retirement system becomes, by virtue of the establishment of a public library system, an employee of that library system, the library system shall become a participating employer under the Wisconsin retirement system.

(9) CONTRACTS, BIDDING AND BORROWING. (a) All contracts for public construction made by a federated public library system whose territory lies within 2 or more counties or by a federated public library system whose territory lies within a single county with a population of at least 750,000 shall be let by the public library system board to the lowest responsible bidder in accord-

ance with s. 62.15 (1) to (11) and (14). For purposes of this section, the system board possesses the powers conferred by s. 62.15 on the board of public works and the common council. All contracts made under this section shall be made in the name of the federated public library system and shall be executed by the system board president and such other board officer as the system board designates.

(b) A public library system board of a multicounty library system may borrow money to accomplish any of its purposes, but the outstanding amount of such loans at any time may not exceed an amount equal to the system board's receipts for the prior fiscal year. A federated public library system whose territory lies within 2 or more counties may obtain a state trust fund loan to accomplish any of its purposes, but the outstanding amount of a federated public library system's state trust fund loans, together with all other indebtedness of the system, may not exceed an amount equal to the system's receipts for the prior fiscal year.

(10) **BORROWERS' CARDS.** Except as provided in sub. (11), all public libraries in a public library system shall honor the valid borrowers' cards of a public library in an adjacent public library system, other than the Milwaukee County Federated Library System. The requirement under this subsection does not apply to the Milwaukee County Federated Library System.

(11) **COST OF LENDING SERVICES.** (a) In this subsection, "loan" means a unit of service that involves the checking out of a single item from a library to an individual for use outside the library for a specific period of time.

(b) A public library in a public library system may refuse to honor valid borrowers' cards of a public library in an adjacent public library system if, in the most recent year in which the public library honored such cards, the total amount of the reimbursement received by the public library from that adjacent public library system, and from counties and municipalities that are located in that adjacent public library system, is less than the adjusted cost incurred for that year by the public library in honoring the cards.

(c) For purposes of par. (b), the adjusted cost shall be calculated by determining the actual cost for each loan incurred by the public library honoring the cards for a given year in the manner provided by the rules promulgated by the department under s. 43.24 (2) (n) and multiplying that amount by the remainder calculated by subtracting 500 from the total number of loans made in that year by the public library to borrowers from the adjacent public library system. For purposes of this paragraph, a renewal of a loan constitutes a separate loan.

(d) Any reimbursement made by a county under par. (b) may not result in a reduction in the level of support for public library services provided by that county to residents of that county.

(e) If a public library in a given public library system refuses to honor the valid borrowers' cards from an adjacent public library system, annual meetings shall be held between representatives of the affected public library systems to discuss the resulting lack of services to the affected borrowers and the costs of providing such services. The affected public library systems shall provide the division with written minutes of these meetings.

**History:** 1971 c. 152; 1981 c. 96; 1985 a. 29, 176, 177; 1985 a. 332 s. 253; 1989 a. 286; 1991 a. 272; 1993 a. 383; 1995 a. 201; 1997 a. 150; 1999 a. 9; 2001 a. 16, 103; 2005 a. 226; 2017 a. 207 s. 5.

**43.18 Withdrawal, abolition and expulsion. (1) WITHDRAWAL.** (ag) In this subsection, "participating municipality" means a municipality that operates a public library and is a member of a public library system.

(am) Not less than 3 years after affiliating with a public library system, a participating municipality or a county may withdraw from the system by adoption of a resolution by a two-thirds vote of its governing body under pars. (ar) and (b), if the resolution is adopted at least 6 months prior to the close of the system's fiscal year. The resolution shall become effective at the close of the system's fiscal year.

(ar) With the approval of the governing bodies of participating municipalities that contain, according to the most recent estimate prepared under s. 16.96, at least 80 percent of the population of participating municipalities in the county, a county may withdraw from a federated public library system whose territory lies within 2 or more counties.

(b) A participating municipality may withdraw from a federated public library system.

(2) **ABOLITION.** A county may abolish a public library system whose territory lies only within that county, except that a county containing a 1st class city may abolish such a public library system only with the consent of the municipalities within the system.

(2m) **EXPULSION.** With the approval of the division, a public library system may expel, or reduce aids or services to, a municipality or county that fails to meet the requirements under s. 43.15 (2) or (4).

(3) **PROCEDURE.** (a) Prior to taking any action to abolish or withdraw under this section, the county board or other municipal governing body shall hold a public hearing on the proposed action and shall publish a class 1 notice, under ch. 985, of the hearing. Notice of the hearing also shall be given by registered mail not less than 30 days prior to the hearing to the governing body of every other municipality and county participating in the public library system, to the public library system board and to the division.

(b) A municipality or county withdrawing or expelled under this section from a public library system is responsible for its allocated share of the outstanding liabilities of the system on the effective date of its withdrawal or expulsion.

(c) Upon taking final action under this section to withdraw from or abolish a public library system, the county board or other municipal governing body shall give notice, by registered mail, of the action taken to the governing body of every other municipality and county participating in the public library system, to the public library system board and to the division.

(d) Prior to expelling a municipality or county from a public library system, the system board shall notify the municipality or county and the division, by registered mail, of the reason for the action under consideration and shall hold a public hearing concerning the action. The system board shall file a plan for alteration of the system territory under s. 43.13 (2) by November 15 of the year preceding the year in which the expulsion will take effect under s. 43.13 (3) and the division shall adjust state aid under s. 43.24 accordingly.

(e) A municipality or county that has withdrawn or that has been expelled from a public library system may participate in a public library system only by fulfilling the requirements for initial participation under s. 43.15 (4) (b) or (c) and by adopting a new plan of library service for the county.

**History:** 1971 c. 152; 1981 c. 197; 1985 a. 29; 1997 a. 150; 1999 a. 83.

**43.19 Federated public library systems. (1)** (a) In a federated public library system whose territory lies within a single county, the system board shall consist of 7 members nominated by the county executive, or by the county board chairperson in a county without a county executive, and approved by the county board. At least 3 members of the system board, at the time of their appointment, shall be active voting members of library boards governing public libraries of participating municipalities, and at least one of these shall be a member of the library board governing the resource library. At least one but not more than 2 members of the county board shall be members of the system board at any one time.

(b) 1. Except as provided in subd. 2., in a federated public library system whose territory lies within 2 or more counties, the system board shall consist of at least 11 and not more than 20 members nominated by the county executive in each county in the system, or by the county board chairperson in a county without a county executive, and approved by each county board in the system. Appointments shall be in proportion to population as nearly

as practical, but, except as provided in subd. 2., each county shall be represented by at least one member on the system board. Each county board may appoint one county board member to the system board. The public library board governing the designated resource library shall have at least one member on the system board. The remaining system board members shall include such representatives of the library boards governing public libraries of participating municipalities and counties and public members appointed from the counties at large as the county board determines.

2. A system board appointed under subd. 1. may consist of more than 20 members if the county boards, acting jointly, determine that each county in the system shall be represented by at least 2 members on the system board.

(2) (a) Except as otherwise provided in this paragraph, a federated public library system whose territory lies within a single county shall be deemed an agency of the county and a federated public library system whose territory lies within 2 or more counties shall be deemed a joint agency of those counties. A federated public library system whose territory lies within 2 or more counties constitutes a separate legal entity for the purposes of having the exclusive custody and control of all system funds, holding title to and disposing of property, constructing, enlarging and improving buildings, making contracts and suing and being sued. A federated public library system whose territory lies within a single county with a population of 750,000 or more constitutes a separate legal entity solely for the purposes of having the exclusive custody and control of all system funds, making contracts and providing benefits to its employees under ch. 40.

(b) A federated public library system board shall have the powers of a public library board under s. 43.58 with respect to system-wide functions and services. The local library boards shall retain responsibility for their public libraries in all other areas.

**History:** 1971 c. 152; 1985 a. 177; 1993 a. 383; 1997 a. 150; 2015 a. 99; 2017 a. 207 s. 5.

**43.21 Consolidated public library systems.** (1) In a consolidated public library system, the system board shall consist of 7 or 9 members appointed by the county board. In the initial appointment of a system board, at least 3 members of the system board, at the time of their appointment, shall be active voting members of library boards governing public libraries consolidated into the system. At least one but not more than 2 members of the county board shall be members of the system board at any one time.

(2) (a) A consolidated public library system shall be deemed an agency of the county by which created.

(b) A consolidated public library system board shall have the powers of a library board under ss. 43.58 and 43.60 and shall be responsible for the total program of public library service for the system territory.

(3) If it is consistent with the terms thereof, a gift, bequest or endowment to a public library becoming part of a consolidated public library system may be taken over by the system board. The system board shall maintain the gift, bequest or endowment for the benefit of the library to which it was given.

**History:** 1971 c. 152; 1985 a. 177 ss. 23, 71; 1993 a. 241.

**43.24 State aid.** (1) Each public library system shall be paid state aid for the operation and maintenance of the system. Except as provided in pars. (b) and (c), the amount paid to each system shall be determined as follows:

(a) 1. Determine the percentage change in the total amount appropriated under s. 20.255 (3) (qm) between the previous fiscal year and the current fiscal year, except that for the 2009–10 fiscal year, determine the percentage change in the total amount appropriated under s. 20.255 (3) (e), 2007 stats., and s. 20.255 (3) (qm) in the previous fiscal year, and s. 20.255 (3) (qm) in the current fiscal year.

2. Multiply the amount of state aid received by the system in the previous fiscal year by the sum of 1.0 and the result under subd. 1. expressed as a decimal.

(b) If the territory of a public library system is altered, the department shall adjust the aid paid to that system under par. (a). The department shall promulgate rules establishing the method the department will use to make the adjustment.

(c) Beginning in the fiscal year in which the total amount of state aid appropriated for public library systems under s. 20.255 (3) (qm), as determined by the department, equals at least 11.25 percent of the total operating expenditures for public library services from local and county sources in the calendar year ending in that fiscal year, the amount paid to each system shall be determined by adding the result of each of the following calculations:

1. Multiply the system's percentage of the state's population by the product of the amount appropriated under s. 20.255 (3) (qm) and 0.85.

2. Multiply the system's percentage of the state's geographical area by the product of the amount appropriated under s. 20.255 (3) (qm) and 0.075.

3. Divide the sum of the payments to the municipalities and counties in the system under subch. 1 of ch. 79 for the current fiscal year, as reflected in the statement of estimated payments under s. 79.015, by the total of all payments under subch. 1 of ch. 79 for the current fiscal year, as reflected in the statement of estimated payments under s. 79.015, and multiply the result by the product of the amount appropriated under s. 20.255 (3) (qm) and 0.075.

(2) For a public library system to qualify for and maintain its eligibility for state aid under this section it shall ensure that all of the following are provided:

(a) Written agreements that comply with s. 43.15 (4) (c) 4. with all member libraries.

(b) Backup reference, information and interlibrary loan services from the system resource library, including the development of and access to specialized collections, as evidenced by a written agreement with that library.

(d) Referral or routing of reference and interlibrary loan requests from libraries within the system to libraries within and outside the system.

(e) In-service training for participating public library personnel and trustees.

(fm) Electronic delivery of information and physical delivery of library materials to participating libraries.

(g) Service agreements with all adjacent library systems.

(h) Professional consultant services to participating public libraries.

(i) Any other service programs designed to meet the needs of participating public libraries and the residents of the system area, as determined by the public library system board after consultation with participating public libraries.

(k) Promotion and facilitation of library service to users with special needs.

(L) Cooperation and continuous planning with other types of libraries in the system area, which results in agreements with those libraries for the appropriate sharing of library resources to benefit the clientele of all libraries in the system area.

(m) Planning with the division and with participating public libraries and other types of libraries in the area in regard to library technology and the sharing of resources. By January 1, 2000, and by every 5th January 1 thereafter, the public library system shall submit to the division a written plan for library technology and the sharing of resources.

(n) That, if the system reimburses a participating public library for the costs of providing interlibrary borrowing services to an individual who holds a valid borrower's card of another participating public library, the reimbursement shall not exceed the actual costs incurred by the public library in providing such ser-

vices. The department shall promulgate rules for determining actual costs for the purposes of this paragraph.

(3) Annually, the division shall review the reports and proposed service plans submitted by the public library systems under s. 43.17 (5) for conformity with this chapter and such rules and standards as are applicable. Upon approval, the division shall certify to the department of administration an estimated amount to which each system is entitled under this section. Annually on or before December 1 of the year immediately preceding the year for which aids are to be paid, the department of administration shall pay each system 75 percent of the certified estimated amount from the appropriation under s. 20.255 (3) (qm). The division shall, on or before the following April 30, certify to the department of administration the actual amount to which the system is entitled under this section. On or before July 1, the department of administration shall pay each system the difference between the amount paid on December 1 of the prior year and the certified actual amount of aid to which the system is entitled from the appropriation under s. 20.255 (3) (qm). The division may reduce state aid payments when any system or any participant thereof fails to meet the requirements of sub. (2). Beginning September 1, 1991, the division may reduce state aid payments to any system if the system or any participant in the system fails to meet the requirements of s. 43.15 (4).

(3m) If the appropriation under s. 20.255 (3) (qm) in any one year is insufficient to pay the full amount under sub. (1), state aid payments shall be prorated among the library systems entitled to such aid.

(4) The division shall assure through an annual audit and adjustment of aids, as necessary, that no more than 20 percent of the funds received by systems are used for administrative purposes.

(5) Any interest earned from the investment of state aid paid to each public library system under sub. (3) shall be allocated to the library system receiving the aid payments.

**History:** 1971 c. 152; 1971 c. 211 s. 126; 1971 c. 336; 1973 c. 243 s. 82; 1977 c. 29; 1979 c. 34, 347; 1981 c. 20; 1983 a. 27 s. 2202 (42); 1985 a. 29, 177; 1989 a. 21, 286; 1991 a. 272; 1993 a. 16, 490; 1995 a. 27, 225; 1997 a. 150; 1999 a. 9, 99; 2003 a. 33; 2005 a. 420; 2009 a. 28; 2011 a. 158; 2013 a. 165 s. 115; 2017 a. 59.

**Cross-reference:** See also ss. PL 6.07 and 6.11, Wis. adm. code.

**43.27 Distribution of materials from resources for libraries and lifelong learning collection to public library systems.** The division may disperse to public library systems, without charge, materials from the collection of the resources for libraries and lifelong learning service that the division determines are not appropriately held in the collection of the resources for libraries and lifelong learning service.

**History:** 1979 c. 347; 1993 a. 335; 2011 a. 158.

**43.30 Public library records. (1b)** In this section:

(ae) “Collection agency” has the meaning given in s. 218.04 (1) (a).

(ag) “Custodial parent” includes any parent other than a parent who has been denied periods of physical placement with a child under s. 767.41 (4).

(b) “Law enforcement officer” has the meaning given in s. 165.85 (2) (c).

(1m) Records of any library which is in whole or in part supported by public funds, including the records of a public library system, indicating the identity of any individual who borrows or uses the library’s documents or other materials, resources, or services may not be disclosed except by court order or to persons acting within the scope of their duties in the administration of the library or library system, to persons authorized by the individual to inspect such records, to custodial parents or guardians of children under the age of 16 under sub. (4), to libraries under subs. (2) and (3), or to law enforcement officers under sub. (5).

(2) A library supported in whole or in part by public funds may disclose an individual’s identity to another library for the purpose of borrowing materials for the individual only if the library to

which the individual’s identity is being disclosed meets at least one of the following requirements:

(a) The library is supported in whole or in part by public funds.

(b) The library has a written policy prohibiting the disclosure of the identity of the individual except as authorized under sub. (3).

(c) The library agrees not to disclose the identity of the individual except as authorized under sub. (3).

(3) A library to which an individual’s identity is disclosed under sub. (2) and that is not supported in whole or in part by public funds may disclose that individual’s identity to another library for the purpose of borrowing materials for that individual only if the library to which the identity is being disclosed meets at least one of the requirements specified under sub. (2) (a) to (c).

(4) Upon the request of a custodial parent or guardian of a child who is under the age of 16, a library supported in whole or in part by public funds shall disclose to the custodial parent or guardian all library records relating to the use of the library’s documents or other materials, resources, or services by that child.

(5) (a) Upon the request of a law enforcement officer who is investigating criminal conduct alleged to have occurred at a library supported in whole or in part by public funds, the library shall disclose to the law enforcement officer all records pertinent to the alleged criminal conduct that were produced by a surveillance device under the control of the library.

(b) If a library requests the assistance of a law enforcement officer, and the director of the library determines that records produced by a surveillance device under the control of the library may assist the law enforcement officer to render the requested assistance, the library may disclose the records to the law enforcement officer.

(6) (a) Subject to par. (b) and notwithstanding sub. (1m), a library that is supported in whole or in part by public funds may report the following information as provided in par. (c):

1. Information about delinquent accounts of any individual who borrows or uses the library’s documents or other materials, resources, or services.

2. The number and type of documents or materials that are overdue for each individual about whom information is submitted under subd. 1.

(b) If a public library discloses information as described in par. (a), the information shall be limited to the individual’s name, contact information, and the amount owed to the library.

(c) A library may report the information as described in par. (a) to any of the following:

1. A collection agency.

2. A law enforcement agency, but only if the dollar value of the individual’s delinquent account is at least \$50.

**History:** 1981 c. 335; 1991 a. 269; 2003 a. 207; 2007 a. 34, 96; 2009 a. 180; 2015 a. 169.

**43.52 Municipal libraries. (1)** Any municipality may establish, equip and maintain a public library, and may annually levy a tax or appropriate money to provide a library fund, to be used exclusively to maintain the public library. The municipality may enact and enforce police regulations to govern the use, management and preservation of the public library. Any municipality desiring to establish a new public library shall obtain a written opinion by the division regarding the feasibility and desirability of establishing the public library before final action is taken. The division shall render its opinion within 30 days of the time the request is received.

(1m) (a) Any town desiring to establish a new public library or participate in a joint library under s. 43.53 shall in addition to the requirement under sub. (1) obtain the approval of the county library board, if one exists, and the county board of supervisors before final action is taken. The county library board and the county board of supervisors shall render decisions within 90 days of the request being received. A town may appeal to the state

superintendent a decision of the county library board or the county board of supervisors that disapproves the participation by the town in a joint library with a municipality located in another county. The state superintendent shall hold a public hearing on the appeal within 60 days after receiving notice of the appeal. The state superintendent shall publish a class 1 notice under ch. 985 of the hearing and shall also provide notice of the hearing to the town board, the county board of supervisors and the county library board. The state superintendent shall decide the appeal within 30 days after the adjournment of the public hearing.

(b) Any city or village that is entirely located in a county that operates and maintains a consolidated public library for the county under s. 43.57, and that desires to establish a new public library or participate in a joint library under s. 43.53, shall, in addition to the requirement under sub. (1), obtain the approval of the county library board, if one exists, and the county board of supervisors before final action is taken. The county library board and the county board of supervisors shall render decisions within 90 days of the request being received. The common council or village board may appeal to the state superintendent a decision of the county library board or the county board of supervisors that disapproves the participation by the city or village in a joint library with a municipality located in another county. The state superintendent shall hold a public hearing on the appeal within 60 days after receiving notice of the appeal. The state superintendent shall publish a class 1 notice under ch. 985 of the hearing and shall also provide notice of the hearing to the common council or village board, the county board of supervisors, and the county library board. The state superintendent shall decide the appeal within 30 days after the adjournment of the public hearing.

(2) Every public library shall be free for the use of the inhabitants of the municipality by which it is established and maintained, subject to such reasonable regulations as the library board prescribes in order to render its use most beneficial to the greatest number. The library board may exclude from the use of the public library all persons who willfully violate such regulations.

(3) Any municipality may purchase or acquire one or more sites, erect one or more buildings and equip the same for a public library or any library already established; or may adopt, take over and acquire any library already established, by consent of the authorities controlling the same.

(4) A municipal library may contract with library organizations within this state or in adjacent states to provide or receive library services.

**History:** 1971 c. 152 s. 16; 1977 c. 418; 1985 a. 177 ss. 26 to 28, 47; 1989 a. 286; 1997 a. 150; 2005 a. 226, 420.

A library can charge user fees for any services that fall outside of a library's inherent information-providing functions; core "library services" must be provided free of charge to the inhabitants of the municipality. 73 Atty. Gen. 86.

Municipal libraries may not charge a fee for lending video cassettes that are part of a reasonable permanent collection, but may charge for lending additional copies. Municipal libraries may not charge a fee for online searching of bibliographic or informational databases. 78 Atty. Gen. 163.

**43.53 Joint libraries.** (1) Joint libraries may be created by any 2 or more municipalities or by a county and one or more municipalities located in whole or in part in the county, by appropriate agreement of their governing bodies. Section 43.52 applies to joint libraries.

(2) Joint library agreements under sub. (1) shall contain provisions necessary to establish a library board under s. 43.54, including a procedure for adjusting the membership of the board to ensure that it remains representative of the populations of the participating municipalities, as shown by the most recent federal census, under s. 43.54 (1m) (a) 1.; perform the duties under s. 43.58; and own and operate the physical facilities. A joint library agreement shall also do all of the following:

(a) Name one of the participants as the library's fiscal agent, who is responsible for the payroll, benefit administration, insurance, and financial record keeping and auditing for the library. The participant's costs of providing the services under this para-

graph count toward the financial support required of the participant under s. 43.15 (4) (b) 2.

(b) Include a procedure for the distribution of a joint library's assets and liabilities if the joint library is dissolved.

(3) A joint library may not be established unless it includes at least one municipality with a public library established before May 8, 1990.

**History:** 1971 c. 152 s. 19; Stats. 1971 s. 43.56; 1985 a. 177 ss. 33, 34; Stats. 1985 s. 43.53; 1989 a. 286; 1995 a. 270; 2005 a. 420; 2011 a. 32.

**43.54 Municipal library board composition.** (1) (a) Each public library established under s. 43.52 shall be administered by a library board composed in each city of the 2nd or 3rd class or school district of 9 members, in each city of the 4th class of 7 members and in each village, town, tribal government or tribal association of 5 members. Two additional members may be appointed to a library board for a village, town, tribal government or tribal association so that the board has 7 members. Members shall be residents of the municipality, except that not more than 2 members may be residents of other municipalities. Members shall be appointed by the mayor, village president, town chairperson, tribal chairperson or school board chairperson, respectively, with the approval of the municipal governing body. Up to 5 additional members may be appointed under s. 43.60 (3).

(am) Each public library established in a 1st class city shall be administered by a library board consisting of the president of the board of school directors or his or her designee, the superintendent of schools or his or her designee, a member of the county board of supervisors who resides in the county, 3 alderpersons and 6 public members. The county board member shall be appointed by the county executive or county administrator and confirmed by the county board for a 4-year term commencing on May 1. The 3 alderpersons shall be appointed by the mayor on the 3rd Tuesday in April from among those alderpersons serving 4-year terms and shall serve on the library board during their aldermanic terms. The 6 public members shall be residents of the city. Five of the public members shall be appointed by the mayor on the 3rd Tuesday in April to staggered 4-year terms. One of the public members appointed by the mayor under this paragraph shall be designated by the mayor as his or her representative on the board. One public member shall be appointed by the president of the common council on the 3rd Tuesday in April for a 4-year term. The public member appointed by the president of the common council under this paragraph shall be designated by the president of the common council as his or her representative on the board.

(b) Upon their first appointment, the members shall be divided as nearly as practicable into 3 equal groups to serve for 2-, 3- and 4-year terms, respectively. Thereafter, each regular appointment shall be for a term of 3 years. Vacancies shall be filled for unexpired terms in the same manner as regular appointments are made.

(c) The appointing authority shall appoint as one of the members a school district administrator, or the administrator's representative, to represent the public school district or districts in which the public library is located. Not more than one member of the municipal governing body shall at any one time be a member of the library board.

(d) No compensation shall be paid to the members of a library board for their services, except as follows:

1. Members may be reimbursed for their actual and necessary expenses incurred in performing duties outside the municipality if so authorized by the library board.

2. Members may receive per diem, mileage and other necessary expenses incurred in performing their duties if so authorized by the library board and the municipal governing body.

(e) A majority of the membership of a library board constitutes a quorum, but any such board may, by regulation, provide that 3 or more members thereof shall constitute a quorum. For library boards organized under par. (am), a majority of those seats on the board that are currently filled constitutes a quorum.

**(1m)** (a) Boards appointed for joint libraries under s. 43.53 shall:

1. Consist of 7 to 11 members and be representative of the populations of the participating municipalities.

2. Be appointed by the head of the municipal governing body of each participating municipality and county board chairperson of the participating county.

(b) Subsections (1) (b) to (e) and (2) apply to joint library boards.

**(2)** As soon as practicable after the first appointments, at a date and place fixed by the appointing officer, and annually thereafter within 60 days after the beginning of terms, the members of the library board shall organize by the election, from among their number, of a president and such other officers as they deem necessary.

**(3)** In any city of the 2nd or 3rd class, the common council may, by a two-thirds vote, provide for the reduction of the number of appointive members of the library board to 7. Thereupon, whenever a term expires or a vacancy occurs, no appointment shall be made until the number of such members has been so reduced, whereupon the remaining members shall be by lot divided by the common council into 3 classes, 3 to serve for 3 years, 2 to serve for 2 years and 2 to serve for one year, respectively, from the date of such completed reduction, and thereafter each regular appointment shall be for a term of 3 years.

**History:** 1971 c. 152 ss. 19, 20; 1977 c. 418; 1981 c. 197; 1983 a. 27, 192, 214, 538; 1985 a. 177; 1987 a. 286; 1991 a. 269, 316; 1993 a. 184; 1997 a. 150; 2005 a. 226; 2009 a. 207.

**43.57 Consolidated county libraries and county library services.** **(1)** CONSOLIDATED COUNTY LIBRARIES. (a) A county board may establish and maintain a consolidated public library for the county, and may for such purpose adopt, take over and acquire any libraries already established, by consent of the authorities controlling those libraries.

(b) If it is consistent with the terms thereof, a gift, bequest or endowment to a public library becoming a part of a consolidated county library may be taken over by the county library board. The county library board shall maintain the gift, bequest or endowment for the benefit of the library to which it was given.

(c) A consolidated county library may become part of a federated multicounty system organized under s. 43.19.

(d) A consolidated county library may contract with library organizations within this state or in adjacent states to provide or receive library services.

**(2)** JOINT LIBRARIES. A county board may authorize the formation of a joint library under s. 43.53 and may participate in a joint library board under s. 43.54.

**(2m)** TRIBAL COLLEGE–COUNTY JOINT LIBRARIES. (a) A county board may enter into an agreement with a tribal college to maintain a public library for the county.

(b) An agreement under par. (a) shall require all of the following:

1. That the tribal college annually provide to the county board an accounting of the expenditure of any appropriations received from the county.

2. Except as provided in this subdivision, that the tribal college make the library free for the use of the inhabitants of the county. The tribal college may prescribe reasonable regulations for the use of the library so as to render the use of the library most beneficial to the greatest number of persons. The tribal college may exclude from the use of the library all persons who willfully violate the regulations.

(c) Sections 43.52 to 43.54 do not apply to a tribal college–county joint library under this subsection.

**(3)** COUNTY LIBRARY SERVICES. A county board may establish and maintain a county library service to serve the residents of the county who do not live in municipalities that have established libraries under s. 43.52 or 43.53 or to improve the library services

of municipal libraries established under s. 43.52 or 43.53. The county library service may operate a library or library service program or may contract with library organizations within this state or in adjacent states for services.

**(4)** BOARD APPOINTMENT. (a) In a county with a consolidated county library under sub. (1), the county board chairperson shall, with the approval of the county board, appoint a 7–member or 9–member county library board.

(b) In a county operating a county library service under sub. (3), the county board chairperson shall, with the approval of the county board, appoint a 7–member library board.

(bm) 1. In a county with a tribal college–county joint library under sub. (2m), there shall be a 3–member county library board. One member shall be appointed by the tribal college, one member shall be appointed by the American Indian tribe or band that controls the college, and one member shall be appointed by the county board.

2. A board under this paragraph shall have any powers provided in the agreement under sub. (2m), shall advise the library on any matter related to library service, and shall, within 60 days of the conclusion of the fiscal year of the county, provide the report under s. 43.58 (6) to the county and the division.

(c) Boards appointed under pars. (a) and (b) shall include at least one school district administrator of a school district located in whole or in part in the county, or that school district administrator's designee, and one or 2 county board supervisors. Boards appointed under par. (b) shall include, in addition, representatives of existing library boards under s. 43.54 and persons residing in municipalities not served by libraries.

(d) Boards appointed under pars. (a) and (b) have the powers and duties of a library board under s. 43.58.

**(5)** TERMS OF OFFICE, COMPENSATION, OFFICERS, DUTIES. (a) 1. Upon the initial establishment of a board under sub. (4) (a) or (b), the members shall be divided as nearly as practicable in 3 equal groups to serve for 2–, 3– and 4–year terms, respectively, following their appointment. Thereafter, terms shall be for 3 years. Vacancies shall be filled for unexpired terms in the same manner as regular appointments are made.

2. Upon the initial establishment of a board under sub. (4) (bm), the member appointed by the county board shall serve for a 2–year term, the member appointed by the American Indian tribe or band shall serve for a 3–year term, and the member appointed by the tribal college shall serve for a 4–year term. Thereafter, terms shall be for 3 years. Vacancies shall be filled for unexpired terms in the same manner as regular appointments are made.

(b) No compensation shall be paid to the members of a board under sub. (4) (a) to (bm) for their services, except as follows:

1. Members may be reimbursed for their actual and necessary expenses incurred in performing their duties if so authorized by the board.

2. Members may receive per diem, mileage and other necessary expenses incurred in performing their duties if so authorized by the board and the county board.

(c) A majority of the membership of a board under sub. (4) (a) to (bm) constitutes a quorum, but any such board may, by resolution, provide that 3 or more members constitute a quorum.

(d) As soon as practicable after the first appointments, at a date and place fixed by the appointing officer, and annually thereafter within 30 days after the beginning of terms, the members of the board shall organize by the election, from among their number, of a president and such other officers as they deem necessary.

(e) Section 43.52 (2) applies to consolidated county libraries and county library services.

(f) A library organized under this section may participate in a public library system subject to s. 43.15.

**(6)** GIFTS AND GRANTS. Any county may receive, by bequest or gift, property for the purpose of establishing a public library for the county and may enter into an agreement to maintain a public

library in consideration thereof, and shall be bound to faithfully perform such agreement. In such case the library board appointed under sub. (4) or, in the absence of a library board, the county board may properly administer the same.

**History:** 1971 c. 152 s. 25; Stats. 1971 s. 43.57; 1981 c. 282 s. 47; 1985 a. 177 ss. 35 to 41, 51; 1989 a. 286; 1993 a. 241; 1995 a. 354; 2015 a. 306; 2021 a. 240 s. 30.

**43.58 Powers and duties. (1)** The library board shall have exclusive control of the expenditure of all moneys collected, donated or appropriated for the library fund, and of the purchase of a site and the erection of the library building whenever authorized. The library board also shall have exclusive charge, control and custody of all lands, buildings, money or other property devised, bequeathed, given or granted to, or otherwise acquired or leased by, the municipality for library purposes.

**(2)** (a) The library board shall audit and approve all expenditures of the public library and forward the bills or vouchers covering the expenditures, setting forth the name of each claimant or payee, the amount of each expenditure, and the purpose for which it was expended, to the appropriate municipal or county financial officer or, in the case of a school district, the school district clerk. The library board shall include a statement, signed by the library board secretary or other designee of the library board, that the expenditure has been incurred and that the library board has audited and approved the expenditure. The appropriate municipal, county, or school district official shall then pay the bill as others are paid.

(b) Notwithstanding par. (a), regular wages or salary or other recurring payments, authorized by the library board and verified by the appropriate library official, may be paid by the appropriate municipal, county, or school district official by the date due or, in the case of salaries, by the regular pay day. The library board shall audit and approve any such payment at its next regular meeting.

**(3)** Any person having a claim or demand against the municipality or county growing out of any act or omission of the library board shall file with the library board a written statement thereof. If the claim or demand or any part thereof is disallowed, the claimant may bring an action against the municipality or county.

**(4)** Notwithstanding ss. 59.17 (2) (br) and 59.18 (2) (b), the library board shall supervise the administration of the public library and shall appoint a librarian, who shall appoint such other assistants and employees as the library board deems necessary, and prescribe their duties and compensation.

**(5)** The library board may employ competent persons to deliver lectures upon scientific, literary, historical or educational subjects; and may cooperate with the University of Wisconsin System, technical college district boards, the historical society, the department, cooperative educational service agencies, school boards and other educational institutions to secure such lectures or to foster and encourage by other means the wider use of books and other resource, reference and educational materials upon scientific, historical, economic, literary, educational and other useful subjects.

**(6)** (a) Within 60 days after the conclusion of the fiscal year of the municipality or county in which the public library is located, the library board, including a library board under s. 43.57 (4) (bm), shall make a report to the division and to its governing body or, for a library board under s. 43.57 (4) (bm), the county board of the county in which the library is located. The report shall state the condition of the library board's trust and the various sums of money received for the use of the public library during the year, specifying separately the amounts received from appropriations, from the income of trust funds, from rentals and other revenues of the public library and from other sources. The report shall state the condition of all funds in the library board's control and shall state in detail the disbursements on account of the public library during that fiscal year.

(b) The report to the division shall include data concerning library materials, facilities, personnel, operations and such other information as the division requests.

(c) The report to the division shall contain a statement by the library board indicating whether the public library system in which the library participated during the year of the report did or did not provide effective leadership and adequately meet the needs of the library and an explanation of why the library board believes so. The division shall design the form of the statement so that it may be removed from the report and forwarded to the division before it is sent to the public library system.

**(7)** The library board may receive, manage and dispose of gifts and donations as follows:

(a) All persons wishing to make donations of property for the benefit of a public library may vest the title thereto in the library board, to be held and controlled by the board, when accepted, according to the terms of the deed of gift, devise or bequest. As to such property the board shall be deemed special trustees.

(b) 1. In this paragraph, "community foundation" means a charitable organization, described in section 501 (c) (3) of the Internal Revenue Code and exempt from federal income tax under section 501 (a) of the Internal Revenue Code, dedicated to encouraging and assisting charitable activities and enterprises in a designated community in this state and having expertise in finance, fund development, and grantmaking.

2. If a gift, bequest, or endowment is made to any public library, the library board may pay or transfer the gift, bequest, or endowment, or its proceeds, to the treasurer of the municipality or county in which the public library is situated; may entrust the gift, bequest, or endowment to a public depository under ch. 34; may pay or transfer the gift, bequest, or endowment to the library board's financial secretary; or may, subject to subd. 3., pay or transfer the gift, bequest, or endowment to a charitable organization, described in section 501 (c) (3) of the Internal Revenue Code and exempt from federal income tax under section 501 (a) of the Internal Revenue Code, the purpose of which is providing financial or material support to the public library or to a community foundation. A payment or transfer of a gift, bequest, or endowment by a library board to a charitable organization described in this paragraph made prior to March 19, 2008, is not invalid as lacking statutory authority to make the payment or transfer. If the library board pays or transfers the gift, bequest, or endowment to the financial secretary, the financial secretary may invest the gift, bequest, or endowment as permitted under s. 66.0603 (1m) or 112.11 (3); or may delegate investment authority for the gift, bequest, or endowment as permitted under s. 66.0603 (2) or 112.11 (5). The financial secretary shall hold office only during membership on the library board and shall be elected annually at the same time and in the same manner as the other officers of the library board.

3. A library board may pay or transfer a gift, bequest, or endowment to a charitable organization described in subd. 2. or to a community foundation only if the library board and the charitable organization or the community foundation agree, in writing and at the time of the payment or transfer of the gift, bequest, or endowment, to each of the following:

a. The charitable organization or the community foundation agrees to make disbursements from and of the gift, bequest, or endowment to the library board upon the written request of the library board.

b. Subject to subd. 3. bm., the library board retains control over the manner in which any disbursement made under subd. 3. a. is used.

bm. The library board's use of any disbursement made under subd. 3. a. shall be consistent with the intent of the donor of the gift, bequest, or endowment and with the agreement between the



library board and the charitable organization or community foundation.

c. The library board exercises its rights over the use of each disbursement made under subd. 3. a. in accordance with the law applicable to trust investments and the provisions of this chapter.

(c) If any such treasurer or financial secretary holds any property belonging to the public library, the library board shall require a bond from the treasurer or financial secretary to the library board in such sum, not less than the amount of such property so held by him or her, and with such sureties as the library board requires. The bond shall be conditioned in substantially the same form as the ordinary bond required from the treasurer of the municipality or county, with the necessary changes.

(d) The treasurer or financial secretary shall make an annual report to the library board showing in detail the amount, investment, income and disbursements from the trust funds in his or her charge. Such report shall also be appended to the annual report of the library board under sub. (6).

(e) In the case of a gift for a library building, the library board of the municipality shall have the exclusive right to select and contract for the purchase of a site.

(8) Except as provided under sub. (6), this section does not apply to a library board under s. 43.57 (4) (bm).

**History:** 1971 c. 152 ss. 10, 20; 1977 c. 26, 418; 1985 a. 176; 1985 a. 177 ss. 42, 43, 48 to 50, 52; 1985 a. 225, 332; 1987 a. 252; 1993 a. 399; 1995 a. 201, 264; 1997 a. 150; 2005 a. 226; 2007 a. 61; 2009 a. 33; 2011 a. 163; 2015 a. 306; 2021 a. 240 s. 30.

Municipal libraries are a matter of statewide concern. Accordingly, home rule provisions will not justify local departures from the provisions of ch. 43. 76 Atty. Gen. 203.

#### 43.60 County appointments to municipal and joint public library boards. (3)

(a) A county chairperson, with the approval of the county board, may appoint from among the residents of the county additional members to the library board of a public library of a municipality located in whole or in part in the county, for a term of 3 years from the May 1 following the appointment, and thereafter for a term of 3 years, as follows:

1. If the annual sum appropriated by the county to the public library is equal to at least one–sixth, but less than one–third, of the annual sum appropriated to the public library by any municipality in which the public library is located during the preceding fiscal year, one additional member.

2. If the annual sum appropriated by the county to the public library is equal to at least one–third, but less than one–half, of the annual sum appropriated to the public library by any municipality in which the public library is located, 2 additional members.

3. If the annual sum appropriated by the county to the public library is equal to at least one–half, but less than two–thirds, of the annual sum appropriated to the public library by any municipality in which the public library is located, 3 additional members.

4. If the annual sum appropriated by the county to the public library is equal to at least two–thirds, but less than the annual sum appropriated to the public library by any municipality in which the public library is located, 4 additional members.

5. If the annual sum appropriated by the county to the public library is equal to at least the annual sum appropriated to the public library by any municipality in which the public library is located, 5 additional members.

(b) For a joint public library of 2 or more municipalities, the “annual sum appropriated to the public library by any municipality in which the public library is located” under par. (a) is the total sum appropriated by all of the municipalities participating in the joint library.

(c) A county chairperson may appoint a county supervisor to serve as a member of a library board of a public library of a municipality under par. (a), but no more than one county supervisor so appointed may serve on the library board at the same time.

(4) If an additional member appointed to a library board under sub. (3) (a) loses the status upon which the appointment was

based, he or she ceases to be a member of the library board effective on the following May 1.

**History:** 1971 c. 152 s. 23; Stats. 1971 s. 43.60; 1981 c. 197; 1985 a. 177; 1989 a. 56; 1991 a. 269; 2005 a. 226.

**43.64 County tax. (1)** The county board of a county expending money for public library service to its inhabitants may levy a tax to provide funds for such service and shall include any amount of tax under this subsection in the amount of taxes determined to be levied under s. 70.62 (1).

(2) (a) In this subsection, “library fund” means the funds raised by the city, village, town or school district by tax levy or appropriation under s. 43.52 (1).

(b) Except as provided in sub. (2m), any city, town, village or school district in a county levying a tax for public library service under sub. (1) shall, upon written application to the county board of the county, be exempted from the tax levy, if the city, town, village or school district making the application levies a tax for public library service and appropriates and expends for a library fund during the year for which the county tax levy is made a sum at least equal to an amount calculated as follows:

1. Divide the amount of tax levied by the county for public library service under sub. (1) in the prior year, less the amount levied for public library capital expenditures, by the equalized valuation of property in that area of the county that was subject to the county property tax levy for public library services in the prior year.

2. Multiply the amount determined under subd. 1. by the equalized valuation of property in the city, village, town or school district for the current year.

(c) Notwithstanding sub. (2m), any city, village, town, or school district in a county levying a tax for public library service under sub. (1) is exempt from the tax levy if all of the following apply:

1. The city, village, town, or school district is included in a joint library under s. 43.53.

2. The city, village, town, or school district levies a tax for public library service, less the amount levied for public library capital expenditures, and appropriates and spends for a library fund during the year for which the county tax levy is made an amount that is not less than the average of the previous 3 years.

(2m) No city, village, town or school district is exempt from the tax levy under sub. (2) for any year if, by September 1 of the year preceding the year for which the tax is levied, the county board determines that the public library of the city, village, town or school district that is a member of the public library system has not complied with standards approved under s. 43.11 (3) (d) and (e).

(3) Each city, town, village or school district participating in a joint library under s. 43.53 shall be treated individually in determining its eligibility for tax exemption under sub. (2).

**History:** 1971 c. 152 s. 16; 1977 c. 418; 1981 c. 20; 1983 a. 27; 1985 a. 177; 1997 a. 150; 2005 a. 226, 420; 2013 a. 20.

A municipality having a traveling library service within its municipal limits could raise a library fund for that service and be exempted from the county tax by meeting the requirement of s. 43.25 (4), 1969 stats. [now sub. (2)]. 60 Atty. Gen. 389.

A town, city, or village that does not maintain a public library, but makes contributions to a nearby public library, cannot be exempted from the county library tax levy under sub. (2). 65 Atty. Gen. 182.

A municipality, otherwise qualified, is entitled to an exemption under sub. (2) when the county has not acted to levy a tax specifically designated as a county library tax but does finance money expended for public library services to its inhabitants by a general tax levy. 72 Atty. Gen. 190.

**43.70 Common school fund. (1)** No later than October 15 of each year, each school district administrator shall certify to the state superintendent, on forms provided by the state superintendent, a report of the number of persons residing in the school district on the preceding June 30, as reported under s. 120.18 (1) (a).

(2) Annually by January 10, the state superintendent shall apportion the amount that is estimated to be appropriated under s. 20.255 (2) (s) in the current school year to the school districts in

**13 Updated 19–20 Wis. Stats.****LIBRARIES 43.72**

proportion to the number of persons resident therein, as shown by the report certified under sub. (1).

(3) Immediately upon making such apportionment, the state superintendent shall certify to the department of administration the estimated amount that each school district is entitled to receive under this section and shall notify each school district administrator of the estimated amount so certified for his or her school district. The department of administration shall distribute each school district's aid entitlement in one payment on or before May 1. The amount paid to each school district shall be based upon the amount in the appropriation account under s. 20.255 (2) (s) on April 15. Moneys distributed under this section may be expended only for the purchase of instructional materials from the state historical society for use in teaching Wisconsin history and for the purchase of library books and other instructional materials for school libraries, but not for public library facilities operated by school districts under s. 43.52, in accordance with rules promulgated by the state superintendent. In addition, a school district may use the moneys received under this section to purchase school library computers and related software if the school board consults with the person who supervises the school district's

libraries and the computers and software are housed in the school library. Appropriate records of all purchases under this section shall be kept and necessary reports thereon shall be made to the state superintendent.

**History:** 1971 c. 152 s. 12; 1977 c. 418; 1985 a. 332 s. 251 (6); 1989 a. 31, 359; 1995 a. 27; 1997 a. 27, 87; 2001 a. 16; 2003 a. 33; 2007 a. 20; 2011 a. 105.

**43.72 Library exchanges.** (1) School library books and other instructional material belonging to one school district may be loaned to another school district for use in any school library of that school district.

(2) Any public library board and school board may make such exchanges and loans of books and other instructional material as are agreed upon for the purpose of increasing the efficiency of both libraries and ensuring the best service to the schools and all citizens.

(3) Any school district that borrows materials through a public library system shall reciprocate by sharing with other participating libraries materials that are not in immediate or constant demand by the school library's primary clientele, as determined by the school district.

**History:** 1971 c. 152 s. 14; Stats. 1971 s. 43.72; 1985 a. 177.

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## Dunn County Plan

1 message

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**John Thompson** <thompson@ifls.lib.wi.us>

Wed, Nov 30, 2022 at 4:22 PM

To: Shelly Rae <rae@sandcreekpl.org>, Joleen Sterk <sterkj@menomonielibrary.org>, Lisa Bragg-Hurlburt <hurlburt@colfaxpubliclibrary.org>, Ginny Julson <ginnyjulson@boycevillelibrary.org>

Cc: "Mercil, Andrew" <amercil@co.dunn.wi.us>

Hello All,

I was reviewing the draft of the board appointment chart in the current draft of the plan. There are some areas that need some clarification and revisions.

The main one is confirming who is actually doing the appointment and approval of the appointment of the County representatives on your library boards. If the County Board Chair and County Board are approving the appointment they are in addition to the ones appointed by your respective municipalities. The totals for some seem off.

Villages are required to have 5 municipal appointments but can increase it to 7.

Towns are required to have 5 municipal appointments but can increase it to 7.

3<sup>rd</sup> Class Cities (Confirmation is needed that Menomonie took the steps to move from a 4<sup>th</sup> Class City to a 3<sup>rd</sup> Class City—It meets the population requirements) are required to have 9 members appointed by the City unless the City has taken action to decrease that number to 7.

*43.54(3) (3) In any city of the 2nd or 3rd class, the common council may, by a two-thirds vote, provide for the reduction of the number of appointive members of the library board to 7. Thereupon, whenever a term expires or a vacancy occurs, no appointment shall be made until the number of such members has been so reduced, whereupon the remaining members shall be by lot divided by the common council into 3 classes, 3 to serve for 3 years, 2 to serve for 2 years and 2 to serve for one year, respectively, from the date of such completed reduction, and thereafter each regular appointment shall be for a term of 3 years.*

The County Board appointments would be above those numbers.

**43.54(1)(a)** (a) Each public library established under s. 43.52 shall be administered by a library board composed in each city of the 2nd or 3rd class or school district of 9 members, in each city of the 4th class of 7 members and in each village, town, tribal government or tribal association of 5 members. Two additional members may be appointed to a library board for a village, town, tribal government or tribal association so that the board has 7 members. Members shall be residents of the municipality, except that not more than 2 members may be residents of other municipalities. Members shall be appointed by the mayor, village president, town chairperson, tribal chairperson or school board chairperson, respectively, with the approval of the municipal governing body. Up to 5 additional members may be appointed under s. 43.60 (3).

The other issues is the term of the appointments. The appointments should be three year terms even for Village Board and City Council members. Those are allowable but not required appointments. If the municipality chooses to replace them because they are no longer on the Board/Council they would be filling the unexpired term of the prior person.

Library	Board Composition
Boyceville (5 municipal appointees plus additional county appointments)	<p><b>Municipal Appointments</b> 1 Municipal Board Representative</p> <p>School District Administrator or their designee</p> <p>3 additional Representatives</p> <p><b>County Appointments</b> 1 County Board Representative</p>
Colfax (7 municipal appointees plus additional county appointments)	<p><b>Municipal Appointments</b> 1 Municipal Board Representative</p> <p>School District Administrator or their designee</p> <p>3 additional Representatives</p> <p><b>County Appointments</b> 1 County Board Representative</p>
Menomonie (Class 3 City-- 9 members appointed by the municipality plus additional county appointments)	<p><b>Municipal Appointments</b> School District Administrator or their designee 1 City Council Representative 5 additional Representatives</p> <p><b>County Appointments</b> 1 County Board Member 4 additional County Representatives</p>
Sand Creek (5 municipal appointments plus additional county appointments)	<p><b>Municipal Appointments</b> School District Administrator or their designee 4 Township Representatives</p> <p><b>County Appointments</b></p>
All terms are 3 Years per State Statute 43.54 and 43.60. This includes any representatives from the Village Board or City Council.	<b>43.54(1)(b)</b> (b) Upon their first appointment, the members shall be divided as nearly as practicable into 3 equal groups to serve for 2-, 3- and 4-year terms, respectively. Thereafter, each regular appointment shall be for a term of 3 years. Vacancies shall be filled for unexpired terms in the same manner as regular appointments are made.

**43.54 Municipal library board composition.**

**(1)**

(a) Each public library established under s. [43.52](#) shall be administered by a library board composed in each city of the 2nd or 3rd class or school district of 9 members, in each city of the 4th class of 7 members and in each village, town, tribal government or tribal association of 5 members. Two additional members may be appointed to a library board for a village, town, tribal government or tribal association so that the board has 7 members. Members shall be residents of the municipality, except that not more than 2 members may be residents of other municipalities. Members shall be appointed by the mayor, village president, town chairperson, tribal chairperson or school board chairperson, respectively, with the approval of the municipal governing body. Up to 5 additional members may be appointed under s. [43.60 \(3\)](#).

Please let me know if you have any questions.

John

John Thompson, Director

IFLS Library System

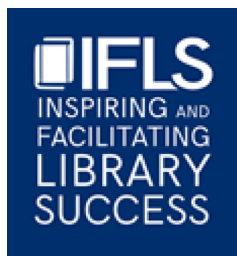
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***Dunn County***

***Plan of Library  
Service***

Adopted 2007

Revised 2008

Revised 2009

Revised 2013

**Revised 2020**

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## I. Introduction

~~The four municipalities of Dunn County; Boyceville, Colfax, Menomonie, and Sand Creek, offer library service to Dunn County. The county developed this plan for the financial support of the service provided by these libraries.~~

**These Dunn County municipalities: Boyceville, Colfax, Menomonie, Elk Mound and Sand Creek, offer library services. Dunn County residents who live outside of these municipalities receive library services either from Dunn County libraries or from libraries located outside of the County's boundaries. The County developed this plan to reimburse libraries for the costs of serving Dunn County residents.**

## II. Vision Statement

Dunn County shall continue to promote equitably and adequately funded libraries which provide equitable access to library services for all residents of Dunn County through the cooperative efforts of involved units of government.

## III. Background

- A. Requirements for a County Library Planning Committee as per Wisconsin Statutes 43.11.

43.11.1 CREATION. Any county board may appoint a county library planning committee under this section. If a county board, in a county where all public library service is administered or coordinated by an existing county library board or where there is a single-county public library system board, determines to appoint a committee under this section, the existing library board may serve as the county library planning committee. The county Board shall notify the division immediately upon appointment of the committee.

43.11.3 DUTIES AND POWERS.



## Dunn County Library Service Plan

- (a) The committee may prepare a new plan for the organization of a county or multicounty system, revise an existing plan or change the boundaries of a public library system. It shall conduct public hearings concerning these plans, revisions and changes to which representatives of all libraries in the county shall be invited.
- (b) The committee's final report, including a new plan, revisions to an existing plan or changes to the boundaries of a public library system and copies of any written agreements necessary to implement the proposal, shall be filed with the county board, and submitted to the division. Plans for multi-county systems shall include a method for allocating system board membership among the member counties.
- (c) The plan of library service for a county, whether for a single county or a multicounty system, shall provide for library services to residents of those municipalities in the county not maintaining a public library under this chapter. The services shall include full access to public libraries participating in the public library system, and the plan shall provide for reimbursement for that access. Services may include books-by-mail service, bookmobile service, the establishment of additional libraries or other services deemed appropriate by the committee. Services may be provided by contracting with existing public libraries in the county or in adjacent counties, or with the public library system, or by creating a county library organization under this chapter. The plan of library service for a county may provide for improving public library service countywide and in municipalities that have libraries. The plan shall specify the method and level of funding to be provided by the county to implement the service described in the plan, including the reimbursement of public libraries for access by residents of those municipalities in the county not maintaining a public library.
- (d) The plan of library services for a county may include minimum standards of operation for public libraries in the county. The county shall hold a public hearing on any standards proposed under this paragraph. The standards shall take effect if they are approved by the county and the public library boards of at least 50% of the participating municipalities in the county that contain, according to the most recent estimate prepared under Section 16.96, at least 80% of the population of participating municipalities in the county.

- (e) The plan of library services for a county may require that a municipality located in whole or in part within the county that operates a public library compensate another municipality located in whole or in part within the county that operates a public library whenever the latter public library provides library services to residents of the municipality that operates the former public library. The plan's compensation for each loan may not exceed the actual cost of the loan, as defined by the department by rule.

B. History of Library Development and Planning in the County

As members of ~~the Indianhead Federated Library System (IFLS)~~ **IFLS** since 1978, the four public libraries in the county have access to library consultants who provide information service such as reference, interlibrary loan service, and support for children's services, and services for special needs. Each library is eligible for both state and federal grants through IFLS. The Library directors meet on an as needed basis to discuss items of mutual interest and explore methods of providing equitable library services. Since 2004, greater emphasis has been placed on the equitable funding by those library users who use these libraries but live outside the municipal area.

C. County Membership in ~~the Indianhead Federated Library System~~ **IFLS**.

By virtue of its membership in ~~the Indianhead Federated Library System~~ **IFLS**, the Chair of the County Board appoints two citizens of Dunn County to the Board, one of which is usually a member of the County Board.

## IV. Current Library Services to County Residents

- A. Inventory of Services. **See Attachment 1.**
- B. Governance Structure of Library Organizations. **See Attachment 2.**
- C. Library Usage Statistics for County Residents. Current statistical data is available from the Dunn County Clerk.

## V. Required Funding Under Act 150

Information and data related to compliance with Act 150 is available from the Dunn County Clerk.

## VI. Goals and Objectives

- A. Goal: Provide equitable access to library services to all residents of Dunn County.

Objectives:

- 1) Each library shall continue to provide hours of operation and a range of services in accordance with Wisconsin Statutes 43.11 (c).
- 2) Continue to provide service to special individuals, childcare centers, nursing homes and group homes, on an individual library basis.
- 3) All libraries will provide interlibrary loans in the manner prescribed by IFLS and will follow System guidelines, policies, and procedures.
- 4) All libraries will continue to provide shared research and information service.
- 5) Continue courier service among public libraries.
- 6) Each public library will participate in MORE.
- 7) The Menomonie Public Library will develop, strengthen and maintain strategic partnerships to improve library service by;
  - a) Continuing to foster development of the Elk Mound Branch
  - b) Supporting increased programming and services of the Elk Mound Branch

- B. Goal: Promote equitably and adequately funded libraries.

Objectives:

- 1) State Statute 43.12 (1) requires the home county to reimburse libraries for at least 70% of the cost of serving home rural residents. County libraries will continue to seek 100% reimbursement of the costs associated with serving home rural residents.
  - a. Total operating expenditures are divided by the total circulation, which represent the library's cost per circulation.

## Dunn County Library Service Plan

The cost per circulation is multiplied by the home county non-resident circulation, which is the total cost for serving home county residents.

- 2) Maintain the compensation to outside county libraries at a rate of 70% of the cost of circulation.
- 3) Continue to work with legislators to promote equitable funding of libraries.

C. Goal: Develop cooperative efforts between involved units of government and the Library Planning Committee.

Objectives:

1) The Library Planning Committee should meet on a quarterly basis. The meeting location should rotate between each municipal library. Other units of government and librarians should be invited to participate.

D. Goal: Maintain communication between the Library Planning Committee and the County Board and its standing committee.

Objectives:

1) The Library Planning Committee shall make an annual library service report to the County Board.

2) The Library Planning Committee shall make library service status reports as requested by the Chair of the Community Resources and Tourism Committee.

E. Goal: Maintain the relevancy of the Library Plan

Objectives:

1) Maintain a continuing planning process including an evaluation component and mechanisms to pursue implementation of recommendations for change.

- F. Goal: Dunn County will continue to be represented on the IFLS Advisory Council of Libraries.
  
- G. Goal: Encourage the Dunn County librarians to communicate and cooperate effectively and to hold meetings as needed on a rotating location basis.
  
- H. Goal: To make county residents aware of the scope of library services.

Objectives:

- 1) Publicize library services and programs within each library service area utilizing techniques such as.
  - a. Local press releases.
  - b. Submit special interest stories to local newspapers.
  - c. Provide information and links to Dunn County to be published on the County's social media network.
  - d. Develop and maintain a local social media presence.

- I. Goal: To enhance future library use by supporting literacy

Objectives:

- 1) Encourage all libraries to serve as Literacy Volunteers.
  
- 2) Encourage all libraries to maintain a variety of materials to support “new readers” of all ages and abilities.

- J. Goal: Encourage all libraries to achieve compliance with the most recent addition of the Wisconsin Library Standards
  - 1) Each library will be encouraged to establish a long- range plan of library services.
  - 2) Each library will be encouraged to set benchmarks for compliance with Wisconsin Library Standards.

## **VII. Implementation**

Individual libraries in the county will provide the services listed in Section IV. Reimbursement to the libraries for rural library use will be provided by the Dunn County Clerk's Office based on figures submitted to the office in the form of the annual Department of Public Instruction report. These payments are made as direct cash payments to the municipal library boards of trustees per the requirement in Wisconsin Statutes 43.12.

## **VIII. Updating, Evaluating, and Amending the Plan**

This plan is subject to the passing of time, which may make objectives and recommendations obsolete. Plan monitoring and evaluation is an ongoing process and will eventually lead to plan updates. The time that elapses between adoption and the need to update the plan, depends on the merits of the changes. On an annual basis, or when plan updates occur the Dunn County Library Planning Committee will make a report to the Community Resources and Tourism Committee.

## **IX. Attachments**

- 1) Inventory of Services
- 2) Governance Structure of Library Organizations

ATTACHMENT 1

INVENTORY OF SERVICES

(Unless otherwise noted the list of services is available at each Dunn County Library)

**Each library offers a variety of programs and services, some of which may not be available at all facilities. Such programs and services include but are not limited to the following;**

- ~~Books in print~~
- **Books, audio books, audiovisual materials, e-materials and programming for children and adults**
- ~~Videos and DVD's~~
- ~~Music on CD~~
- ~~CD-ROM learning software for children available the Menomonie Library~~
- Reference and readers advisory service
- Computer and Internet training for the public
- ~~Training Dunn County patrons about Act 150 pickup location~~ **Information about Act 51 pickup locations**
- ~~Programming for children and adults~~
- ~~Magazine and newspaper subscriptions~~
- Community and family history
- Outreach services
- Interlibrary loans
- Internet, **mobile Wi Fi hotspots** or Wi-Fi access for the public
- Online information resources
- Computer work stations for the public
- ~~E-readers and e-content~~
- Copy machines, **faxing and scanning devices** ~~are available at all libraries~~
- Microfilm reader available at the Menomonie Library



## Dunn County Library Service Plan

- Meeting room(s) available at the Menomonie and Boyceville Libraries
- Continuing education for the staff and board members
- Annual reports
- Tours and library orientation
- Summer reading **library** programs and incentives
- Displays
- ~~• Literacy collection to improve reading skills~~
- ~~• Tables and seating~~
- Income tax form are available at the Boyceville and Menomonie Libraries
- ~~• Self checkout and pick up of items at the Menomonie Library~~

ATTACHMENT 2

GOVERNANCE STRUCTURE OF LIBRARY ORGANIZATIONS

All four libraries in Dunn County are governed by municipal boards which meet monthly and are appointed by their municipality. Rural representatives are appointed in accordance with Wisconsin Statutes 43.60(3). When the funding from the county reaches more than one third of the total funding, the County Board Chair may appoint an additional county member to the local library board. Current board composition and terms of service are as follows:

Dunn County Library Service Plan

Library	Board Composition	Terms
Boyceville (5)	<del>1 Village</del> <b>Board</b> Representative 1 County <b>Board</b> Representative <del>1 Board of Education</del> <del>Representative</del> <b>School District</b> <b>Administrator</b> 1 Municipal Representative 1 Rural Representative	3 Years 2 Years Indefinite 1 Year 3 years
Colfax (7)	<del>1 Village</del> <b>Municipal</b> Representative 1 County <b>Board</b> Representative <del>1 Board of Education</del> <del>Representative</del> <b>School District</b> <b>Administrator</b> <del>2 Village Board</del> <b>Municipal</b> Representatives 2 Rural Representative	3 Years 2 Years Indefinite 2 Years 3 years
Menomonie Municipal (7)  (County (5)	<b>Municipal Board</b> <del>1 Board of Education</del> <del>Representative</del> <b>School District</b> <b>Administrator</b> 1 City Council Representative 5 Citizen At Large  <b>County Board</b> 5 County <b>Board</b> Representatives	3 Years <del>3</del> 1 Year 3 Years 3 Years
Sand Creek (5)	3 Township Representatives 1 County <b>Board</b> Representative <del>1 Board of Education</del> <del>Representative</del> <b>School District</b> <b>Administrator</b>	3 Years 2 Years Indefinite

