



MEMO

To: Montana State Library Commissioners
From: Jennie Stapp, State Librarian
Subject: Revise Commission bylaws election process
Date: April 2, 2024

At the request of the Commission, section 4. Election of Officers, of the Commission bylaws is revised to better coincide with the appointment of Commission members. This revision is presented for action by the Commission.

BYLAWS OF THE MONTANA STATE LIBRARY COMMISSION

1. MEMBERS

- a. The State Library Commission's composition is defined in statute. MCA 22-1-101

2. COMPENSATION

- a. Members of the Commission shall receive expenses and any compensation as provided by statute. MCA 22-1-101, MCA 2-15-124. All travel for Commission members shall be approved by the Commission.

3. OFFICERS

- a. The Commission has two officers, a chairperson and a vice-chairperson. Officers must be members of the Commission. MCA 22-1-101 specifies "presiding officer".
- b. The chairperson shall preside at all meetings and shall appoint such committees as may be appropriate.
- c. The vice-chairperson shall serve in the absence of the chairperson.
- d. In the absence of both the chairperson and vice-chairperson the chair will appoint a temporary acting chair.

4. ELECTIONS of OFFICERS

- ~~a.—Elections shall be held annually for chairperson and vice-chairperson.~~
- ~~b.—At the last meeting of the fiscal year, which is normally in June, candidates shall self-nominate themselves for office, or be nominated by other commissioners.~~
 1. ~~Commissioners will accept or decline nominations.~~
 2. ~~At this (normally June) meeting, the commission, for the purposes of receiving and discussing officer nominations, shall discuss commission priorities for the coming fiscal year. Nominees shall describe their interests in serving as an officer.~~
 3. ~~The nominees for chair and vice-chair shall make up the slate of prospective officers.~~
- ~~c.—At the first regular meeting of the fiscal year, which is normally held in August, the chairperson and vice-chairperson shall be elected annually from the slate of prospective officers, to serve for the current fiscal year.~~
 1. ~~At this meeting, the chair shall conduct successive votes until one nominee for each office receives a plurality of the votes.~~

- d. ~~Officers remain in their elected positions until a replacement is elected. Newly elected officers will assume their office when elected, normally at the first meeting of the fiscal year in August.~~
- a. Nominations and elections of the chairperson and vice-chairperson shall be held the first regularly scheduled meeting on or after June 1 of each year. The chairperson will ask for nominations for chairperson and vice-chairperson of the Commission membership.
- b. Newly elected officers will assume their office at the next regularly scheduled meeting after the election. Officers remain in their elected positions until a replacement is elected.

5. MEETINGS: QUORUM, RULES, & ATTENDANCE

- a. The commission shall meet at least six times during each calendar year (except in cases of financial exigency), and at such other times as may be appropriate. The goal is to have no more than three months between meetings.
- b. Any four members shall constitute a quorum.
- c. Special meetings may be called by the chairperson or at the request of two members.
- d. The rules contained in "Robert's Rules of Order Newly Revised," shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with Montana law or Administrative Rules or these bylaws. See Addendum for Summary of Motions.
- e. Meetings will be conducted according to Montana's open meeting laws MCA 2-3-103, 23-111, and 2-3-203. A limited amount of time will be set aside on the agenda for comments from observers and visitors on matters within the jurisdiction of the Commission that are not on the agenda. In addition, during the conduct of business, the chairperson will allow public comment on action items on the agenda before the Commission votes. The chair may limit the amount of time available to each speaker as necessary to allow the Commission sufficient time to conduct its business.
- f. If an appointed or designated member of the State Library Commission does not attend and is not designated as excused by the Commission chairperson for two consecutive meetings, the Commission shall request the appointing authority to make a new appointment.

6. MEETING AGENDA

- a. The chair, with input from the State Librarian, shall draft a preliminary meeting agenda. The preliminary agenda will be emailed the Commission 4 weeks before the scheduled meeting.
- b. Commissioners will have one week to request changes or additions to the agenda after receiving the preliminary agenda.
- c. The chair, with input from the State Librarian, will review the agenda changes submitted and finalize the agenda.

- d. Two weeks before the meeting, the final agenda will be emailed to the Commission.
- e. One week before the meeting, the agenda and meeting materials will be posted publicly, and the meeting publicly noticed.
- f. The order of business on the agenda of the State Library Commission, unless otherwise directed by the chair shall be as follows:
 - 1. Consent Agenda
 - 2. Business Items
 - 3. Discussion and Information Items
 - 4. Standing Reports

7. SUBCOMMITTEES AND WORK GROUPS

- a. There is a standing finance committee of the State Library Commission. The finance committee coordinates the Commission's financial oversight responsibilities. Members of the finance committee shall be appointed by the chair at the first meeting of each fiscal year. No more than three commissioners shall serve on the finance committee at any one time. The committee may include as non-voting, ex officio members other nonCommissioners whose experience in accounting, finance, or business may assist the committee and Commission to meet their financial management responsibilities.
- b. There is a standing personnel committee of the State Library Commission. The personnel committee coordinates the Commission's responsibility to employ and evaluate the State Librarian. The committee is charged with annually evaluating the State Librarian. The committee shall be made up of the chair, vice-chair, and a third commissioner appointed by the chair. Members of the personnel committee shall be appointed by the chair at the first meeting of each fiscal year. No more than three commissioners shall serve on the personnel committee at any one time. This committee will be staffed by the State Library's human resources specialist. The committee may include as non-voting, ex officio members other non-Commissioners whose experience in human resources or business may assist the committee and Commission to meet their personnel management responsibilities. The Committee will work with the human resources specialist to determine the evaluation process and timeline that is consistent with the State of Montana's evaluation system and informed by the State Librarian's job description. The State Librarian will be evaluated on accomplishment of goals set by the Commission. The committee will conduct the evaluation and prepare a report for the Commission.
- c. Additional standing committees may be formed by the State Library Commission by amending the bylaws.
- d. Ad Hoc work groups may be formed by the chair of the Commission at the request of the Commission or state library staff. Work groups shall be charged by the chair to accomplish specific, timebound, tasks. Members of work groups will be appointed by the chair. No more than three commissioners shall serve on a work group.

8. STATE LIBRARIAN

- a. In addition to managing the routine affairs of the Commission and attending its meetings, the State Librarian shall:
 1. Present, for Commission approval, quarterly financial reports which accurately portray the financial situation of all funds for which the Commission is responsible.
 2. Present quarterly personnel reports which accurately portray the hiring, resignations, and dismissals of the staff of the Montana State Library.
 3. Present quarterly procurement contract reports which accurately portray Montana State Library's procurement contracts that have been initiated, extended, or have expired.
 4. Carry out policy decisions of the Commission and is responsible for management of the State Library programs. Management information requests by Commission members shall be made to the appropriate staff person with a copy to the State Librarian.
 5. Assist the Commission in preparing an annual report for its submission to the Governor and State Legislature.

9. BYLAWS AMENDMENT & REVIEW

- a. These bylaws may be reconsidered at any commission meeting, the action to amend the bylaws taken at the next regular Commission meeting.
- b. These bylaws shall be placed on the agenda for review, normally at the February meeting each year.