



# OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

ILLINOIS STATE LIBRARY  
Gwendolyn Brooks Building  
300 South Second Street  
Springfield, Illinois 62701

SYSTEM DIRECTOR'S  
MEMO #11-005

## MEMORANDUM

TO: Illinois Library System Directors

FROM: Anne Craig, Director  
Illinois State Library

DATE: October 4, 2010

RE: Restructuring Documents Needed by the State Librarian

Both Statute and Administrative Rule are prescriptive in the procedure to restructure regional library systems. In the simplest of terms, there are three overall steps which must be taken.

1. Every system board of directors entertaining merger must officially determine to terminate and merge. (See 1 & 2 below.)
2. An application to merge must be submitted by the boards and approved by the State Librarian. (See 3 & 4 below.)
3. An application for a System Area and Per Capita Grant must be submitted to the State Librarian if the new entity wishes to secure State financial aid. (See 5 below.)

### The following documents will be needed for review and approval by the State Librarian:

- 1) Evidence that every System Board has formally voted to dissolve and merge into a single System by xxx date. This is a binding agreement. (Resolution, Proclamation, Board Approved Minutes, etc.) **Due February 1, 2011**
- 2) Intergovernmental Agreement between XXX, XXX, and XXX Systems outlining such things as: independent and separate Board Resolutions; Transition Board; Systems operations prior to Merger; Policies and Activities following merger. **Due April 4, 2011**
- 3) Application to Merge for the State Librarian's Review and Approval **Due April 4, 2011**

23 IL ADC 3030.85 *Merger*: Submission of an application to the State Librarian together with a plan for the creation of the new system. The application contains:

- a. Complete list of all liabilities of the library system
- b. Complete list of all assets of the library system including detailed equipment descriptions

- c. Proposals for distribution of assets and liabilities. The sale of any equipment or real property requires the prior approval of the State Librarian. Every effort shall be made to offer equipment items for the continuance of system services by the successor system or systems or to member libraries.
  - d. A plan for the orderly transition of system services.
- 4) Documentation to Establish New System **Due May 2, 2011**
- Upon the State Librarian's approval of the application to merge, the State Librarian will direct to follow 3030.25 *Establishment of Systems*.
- a. Bylaws and a Plan of Service must meet the standards and objectives of Section 3 of the Act.
  - b. Compliance with:
    - i. 75 ILCS 10/3 *Administration of the Act* and
    - ii. 75 ILCS 10/4 *Establishment of Systems*
- 5) Application for State Aid 23 IL ADC 3035.100 *System Area and Per Capita Grants* **Due June 1, 2011**
- a. Application for Annual Per Capita and Area Grants to the library systems shall be made to the State Librarian prior to July 1 of each year and shall consist of the following:
    - i. Annually updated plan of service 23 IL ADC 3030.65
    - ii. Estimated system budget for the ensuing fiscal year based on current year funding with a contingency plan for anticipated funding for the ensuing year.
  - b. 23 IL ADC 3030.65 *Plan of Service for a Cooperative or Multitype Library System* identifies components of such a Plan:
    - i. Long Range Program
    - ii. Plan for the fiscal year, including specific plans for services
    - iii. An up-to-date listing, with membership categories of all system members
    - iv. A cover sheet, on a form provided by the State Librarian, certifying the plan of service by the Board and system director
    - v. Operational plan
    - vi. Other information requested by the State Librarian

**This summary of information is being provided by the Illinois State Library as a courtesy and does not substitute for the responsibility of the library systems or their attorneys to review the applicable Statutes and Administrative Rules to make sure that what actions are taken in relation to merger are in compliance with the law.**

cc: System Board Presidents  
ISL Managers  
ISL Consultants