

Research Aids

Funds for libraries:

O-Jur3d: Librar § 5

Am-Jur2d: Pub Sec § 266

[BUREAU OF MUNICIPAL RESEARCH]

§ 3375.46 Bureau of municipal research and information may be established.

Any board of library trustees of a school district may enter into an agreement with any municipal corporation located in such school district for the establishment of a bureau of municipal research and information. The agreement shall provide for the rendering of such services by and under the supervision and control of such board, and upon such terms, as are agreed upon between such board and municipal corporation.

HISTORY: RS § 3998-2; 96 v 8; 100 v 16; GC § 7635; 110 v 407; 115 v PtII, 275; 122 v 533; Bureau of Code Revision. Eff 10-1-53.

Research Aids

School libraries, and public library service in school districts:

O-Jur3d: Librar § 15

[LIBRARY EXAMINERS]

§ 3375.47 Board of library examiners; term of office; duties.

The librarians of the two public libraries of largest circulation in the state, the state librarian, and two persons representing rural library work and chosen by the state library board constitute a state board of library examiners. The members chosen by the state library board shall serve for four years. The state board of library examiners shall examine applicants for the position of county district librarian. The members of the state board of library examiners shall receive no compensation but their necessary expenses shall be paid from the appropriation for the state library board on the warrant of that body. Such members may adopt rules and regulations for the government of the state board of library examiners and for carrying out this section. No person who has not received a certificate of qualification from the state board of library examiners shall be employed as librarian in charge of any county library district. The county librarian and his assistants shall be appointed and their salaries fixed by the board of trustees of the county library district, and shall also be allowed necessary traveling expenses incurred on the business of the library within the county, upon approval of the board of trustees of the county library district. In addition, the county librarian shall attend and take part in an annual state convention of county librarians, for which railroad expenses shall be allowed out of the county library district fund.

HISTORY: GC § 7643-8; 109 v 351, § 8; Bureau of Code Revision. Eff 10-1-53.

The provisions of § 27 of H.B. 670 (146 v —), as most recently amended by H.B. 95 of the 125th General Assembly, read in part as follows:

SECTION 3. That Section 27 of Sub. H.B. 670 of the 121st General Assembly be amended to read as follows:

"Sec. 27. The following agencies shall be retained pursuant to division (D) of section 101.83 of the Revised Code and shall expire on December 31, 2004:

AGENCY NAME	REVISED CODE OR UNCODIFIED SECTION
...	...
State Board of	3375.47
Library Examiners	...
...	...

Ohio Administrative Code

State board of library examiners—
Certification standards. OAC ch. 3376-1.

Comparative Legislation

Board of librarians:

FL—Stat Ann § 257.02

IN—Code § 20-14-1-2

KY—Rev Stat Ann § 171.240

MI—Comp Laws Ann § 397.14

PA—CSA tit 24 § 4202 et seq

Research Aids

State board of library examiners:

O-Jur3d: Librar § 8

Am-Jur2d: Pub Off §§ 287, 288

[LAW LIBRARIES]

§ 3375.48 Compensation of law librarians.

The judges of the court of common pleas of any county in which there is a law library association which furnishes to all of the members of the Ohio general assembly, the county officers and the judges of the several courts in the county admission to its library and the use of its books free of charge, upon the appointment by the board of trustees of such association of a person to act as librarian thereof, or of a person to act as librarian and not more than two additional persons to act as assistant law librarians thereof, shall fix the compensation of such persons, which shall be paid from the county treasury.

HISTORY: RS § 2678; Bates § 1536-935; 70 v 162; 85 v 3; 91 v 207; 92 v 49; 94 v 237; 97 v 72; GC § 3054; Bureau of Code Revision, 10-1-53; 127 v 25 (Eff 8-30-57); 136 v H 390 (Eff 8-6-76); 146 v H 284. Eff 3-4-96.

Cross-References to Related Sections

Board of county commissioners shall provide for law library.
RC § 3375.49.

Comparative Legislation

Law libraries:

CA—Educ § 19177

IL—Comp Stat Ann ch 55 § 5/5-39001

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KY—Rev Stat Ann § 172.100
MI—Comp Laws Ann § 397.17
NY—Educ § 247
PA—CSA tit 24 § 4201

Research Aids

Law libraries:
O—Jur3d: Librar § 10
Am—Jur2d: Pub Off § 275

CASE NOTES AND OAG

INDEX

Access to county law library
Assistant law librarians
Compatibility of offices
Compensation of law librarians
Computerized legal research
Recoverability of unlawful compensation
Vacation benefits

Access to county law library

A county law library, whether or not it receives public funds, has no statutory duty to afford members of the general public free access to its facility: OAG No. 96-013 (1996).

Assistant law librarians

Assistant law librarians of a county law library, hired under the auspices of RC § 3375.48, are included in the civil service pursuant to RC § 124.11(A)(7)(b) and are employees within the meaning of RC § 124.01(F): OAG No. 91-061 (1991).

Compatibility of offices

An individual may simultaneously hold the positions of county auditor employee and county law librarian if that individual's duties as county auditor employee do not include conducting or participating in an audit of the county law library association: OAG No. 89-052 (1989).

An assistant county prosecutor may not hold the position of treasurer of the county law library association: OAG No. 84-087 (1984).

The offices of an assisting prosecuting attorney and secretary-treasurer of a county law library association, established pursuant to RC § 1713.28, within the same county, are incompatible and may not be held concurrently by the same person: OAG No. 71-025 (1971).

The position of county court judge and the position of county law librarian are incompatible: OAG No. 65-006 (1965).

A court constable appointed under GC § 1692 (RC § 2701.07), may hold the position of law librarian, created under GC § 3054 (RC § 3375.48), if it is physically possible for him to perform the duties of both positions: 1929 OAG p. 1663 (1929).

Compensation of law librarians

A full-time county employee who served as a part-time county law librarian and who was compensated in yearly lump-sum payments is entitled to service credit for each biweekly pay period during which she actually worked as a county law librarian, regardless of the number of installments in which her compensation was paid (1982 OAG No. 82-055, syllabus paragraph two, approved and followed): OAG No. 88-095 (1988).

Pursuant to RC § 3375.49, the board of county commissioners shall provide to the county law library association at the expense of the county, suitable rooms, sufficient and suitable bookcases, and heating and lighting for the rooms. Pursuant to RC § 3375.48, the compensation of the law

librarian and up to two assistants shall be paid from the county treasury: OAG No. 88-104 (1988).

An individual is entitled to be compensated under RC § 3375.48 only for services rendered to a county law library association as either a law librarian or assistant law librarian: OAG No. 84-087 (1984).

This section limits the compensation of the librarian of a county law library to be paid out of public funds to the amount fixed by the judge or judges of the common pleas court, and the trustees of a law library association do not have authority to provide for additional compensation: 1946 OAG No. 1243 (1946).

When the court has fixed the compensation of a duly appointed law librarian it is mandatory that the commissioners appropriate funds for the payment thereof: 1941 OAG No. 3681 (1941).

Computerized legal research

A law library association that provides the public officials specified in RC § 3375.48, including the county prosecuting attorney, access free of charge to the county law library and its books, has no duty to provide the prosecuting attorney a computerized legal research service free of charge (1973 OAG No. 73-071, overruled in part): OAG No. 95-017 (1995).

Recoverability of unlawful compensation

County funds paid pursuant to RC § 3375.48 to a person who did not serve as the librarian or an assistant librarian of a county law library are recoverable by the county prosecutor: OAG No. 84-087 (1984).

Vacation benefits

For purposes of computing vacation benefits under RC § 325.19(A), a full-time county employee is entitled to prior service credit for time served as a county law librarian who was appointed and compensated pursuant to RC § 3375.48: OAG No. 88-095 (1988).

§ 3375.49 Board of county commissioners shall provide for law library.

For the use of the law library referred to in section 3375.48 of the Revised Code, the board of county commissioners shall provide, at the expense of the county, suitable rooms with sufficient and suitable bookcases in the county courthouse or, if there are no suitable rooms in the courthouse, any other suitable rooms at the county seat with sufficient and suitable bookcases. The librarian or person in charge of the law library shall receive and safely keep in these rooms the law reports and other books furnished by the state for use of the court and bar. The board of county commissioners shall heat and light any such rooms. The books, computer communications console that is a means of access to a system of computerized legal research, microform materials and equipment, videotape materials and equipment, audio or visual materials and equipment, other materials and equipment utilized in conducting legal research, and furniture of the law library association that are owned by, and used exclusively in, the law library are exempt from taxation.

HISTORY: RS § 2679; Bates § 1536-936; 69 v 165; 70 v 141; 71 v 49; 82 v 216; 84 v 34; 86 v 231; 97 v 73; 98 v 18; GC § 3055; Bureau of Code Revision, 10-1-53; 138 v H 559 (Eff 1-15-81); 139 v S 114. Eff 10-27-81.

Research Aids

Law libraries:
O—Jur3d: Librar § 10; Tax § 527