

## **Massachusetts House of Representatives Bill Summary**

**Bill #:** H.4174

**Title:** An Act relative to the Ayer Library

**Sponsor:** Rep. Danillo Sena

**Committee:** Municipalities and Regional Government

**Hearing Date:** June 24, 2025

**Current Law:** Chapter 123 of the Acts of 1894, An Act to incorporate the Ayer Library, created a corporation to establish and maintain a public library within the town of Ayer. The law sets forth the powers and duties of the incorporators and six-member board of trustees, authorizes them to acquire and hold property, expend money, and perform other functions necessary to support the mission of the library. Section 1 lists the original incorporators and references their "associates and successors." Section 3 states that the corporation shall consist of the six incorporators or their successors, and the board of trustees. Section 4 concerns which persons have control over the corporation's assets and property.

Chapter 371 of the Acts of 1991 amended the 1894 special act by adding language prohibiting activities that would jeopardize its tax-exempt status, such as political activity, and preventing trustees, member, officer or unauthorized individual from benefiting financially from the library corporation. It also added language concerning financial restrictions due to its nonprofit tax status, procedures in the event of dissolution, and how to distribute any remaining assets for a public purpose.

**Summary:** Section 1 of the bill deletes language in section 1 of the 1894 special act that listed the individuals that incorporated the library. It deletes the reference to associates and successors as well, since the trustees are elected by the voters.

Section 2 amends the 1894 special act by deleting the current \$200,000 limit on the value of real or personal property that may be raised or held by the corporation for purposes of the public library.

Section 3 replaces language from the 1894 act concerning the structure and administration of the library by providing for a nine-member board of trustees elected by the town's voters to serve 3-year staggered terms of office. Vacancies that occur before the next annual or special election would be filled by the remaining members of the trustees and the select board at a joint meeting held one week after a public notice.

Section 4 replaces a section in the original act with new language stating that the board of trustees shall control and manage the Ayer Library,

choose from its members the officers (president, vice president, secretary and treasurer) and adopt bylaws and regulations for the library.

Section 5 deletes section 5 of the 1894 special act, concerning the election of the trustees and method for filling vacancies.

Section 6 updates language in section 6 of the special act providing for all money raised or appropriated by the town for the library to be expended by the board of trustees. This would include all gifts, grants or bequests, which would be administered by the board in accordance with the provisions of such appropriations, gifts, grants or bequests.

Section 7 provides for the act to take effect immediately.

**Notes:**

Special legislation approved as Article 32 at the April 28, 2025 Annual Town Meeting; declared approved by unanimous voice vote. Language was approved by the Ayer Library Board of Trustees on March 13, 2025.