

4/1/25

Minutes for Chesley Memorial Library (CML) Trustee Work Session, 3/28/25
David R Coursin, Secretary, Pro Tem, of the Board of Trustees. **APPROVED**

In attendance: Betty Smith, Chair; Pat Vaillancourt, Treasurer; David R Coursin, Trustee;
Pat Savage, Alternate; Dana Hochgraf, Alternate; Donna Bunker, Librarian.

The Chair and the Librarian called for the meeting so the Trustees could discuss the potential loss of funding from both federal and state sources. The specific actions that could lead to defunding are described below. They would have a profound effect on CML services to our community, so a special work session was in order.

The meeting was called to order by the Chair at 905am, following a motion, a second, and a unanimous vote of the Trustees.

Background:

Federal Action:

On 3/14/25, President Trump signed Executive Order #14238 stating The Institute for Museum and Library Services (the IMLS) is unnecessary and ordering the IMLS be “eliminated to the maximum extent consistent with applicable law.” The IMLS was further ordered to “reduce the performance” of its “statutory functions and associated personnel to the minimum presence required by law.” NH received \$1.5million from the IMLS in 2024 and the funding is an essential resource for New Hampshire libraries. It supports their ability to share materials between branches statewide and provide access to library resources for citizens throughout the state. It would be difficult to impossible for individual libraries to fund these services by themselves.

State Legislative Action:

On 3/25/25, The NH House Finance Committee was set to vote on Amendment 2025-1300h, legislation intent on eliminating state funding for the NH State Library. The committee session was apparently recessed and continued to 3/31/25 without acting on the amendment. However, cuts to funding for the NH Department of Natural and Cultural Resources (DNCR), may result in the loss of \$300,000 of department funding. It’s very likely this will directly affect CML, since the NHSL is administered through the DNCR and CML provides services that depend on the NHSL.

Pertinent information regarding the scope of trustee responsibilities:

NH RSA 202-A:2 defines a board of town library trustees as the “governing body of the library.” NH RSA 202-A-6 states that the library trustees “shall have the entire custody and management of the public library.”

CML is a member of the NH Library Trustees Association (NHLTA) and CML trustees strive to discharge their board responsibilities in compliance with the relevant NH RSAs and in accordance with the Code of Ethics of the NHLTA. Among other things, the code calls for

trustees to “protect the integrity and purpose of the library as a community institution” and “challenge proposals or actions that are illegal or contrary to the mission.” It defines essential responsibilities of the individual trustee. The first responsibility is to “advocate for the library and library services in the community, state, and nation.”

Discussion:

Given the responsibilities of the Board of Trustees to govern and manage CML, and the Code of Ethics to which all ascribed, all the attendees were understandably very concerned about the impact of the federal and state government actions described above. All attendees are aware that defunding or eliminating the IMLS is projected to decimate or halt interlibrary loans, access to electronic books, and the program for Talking Books for the Blind and Physically Handicapped, among other consequences. All the attendees understand that these are critical services provided to the community by CML.

The attendees considered the range of services that CML provides to the community and chose to concentrate on the current services projected to be the at greatest risk. Ms. Bunker provided the most recent statistics, those from 2024, describing the usage of those services:

- 5,978 visits to the library
- 1,078 active library cards
- 21,545 items loaned out last year including the following:
 - 8,257 eBooks checked out through audiobook download system
 - 1,694 Books involving in Inter-Library Loans

It was clear to all, that the projected cuts or eliminations struck at the heart of critical CML services, and the attendees agreed the Trustees had a responsibility to advocate for the library and its continued state and federal funding through.

The attendees agreed that the first step in this advocacy was to inform the community of the current situation. They discussed how to do this within the guidelines established by state statute and court rulings. NHTLA had responded to a request from the Wadleigh Memorial Library Trustees for a legal opinion regarding the placement of petitions in NH libraries. The NHLTA had obtained one from Stephen C Buckley, Esq, Legal Services Counsel for the NH Municipal Association. He offered the following opinion that all attendees considered in their deliberations:

The Library Trustees for the Wadleigh Memorial Library have the entire custody and management of the library and all town property related to the library. Within the authority to manage the library, the library trustees may exercise the ability to express points of view through the government speech doctrine. A government entity has a right to speak for itself and in so doing, it is entitled to say what it wishes and to select the views that it wants to express.

Sutcliffe v. Epping Sch. Dist., 584 F.3d 314, 318 (1st Cir. 2009). This ability to express a point of view by the library trustees would include the ability to circulate petitions on matters of public policy. However, the process of circulating petitions at the library should not interfere with the ability of library patrons to access and use library services. Furthermore, pursuant to RSA 659:44-a, library employees could not employ library

property or equipment to circulate petitions that would be deemed electioneering. Electioneering is defined to mean to in any way specifically designed to influence the vote of a voter on any question or office.”

CML can inform Northwood citizens through its newsletter, email list, and material posted on the CLM website, chesleylib.com , and Facebook page.

The attendees discussed the possible repercussions from Northwood citizens who disagreed with advocacy in general by the Trustees or advocacy specific to these circumstances. Each attendee agreed that the CLM Trustees were duty bound to Northwood citizens to advocate on the library’s behalf and to do so quickly. The immediate risk of an inadequately informed public was far greater than the potential future risk of advocating.

The Trustees voted unanimously to publicly advocate as Trustees. The attendees reviewed a Public Information Bulletin prepared by Ms. Bunker and discussed edits. The Trustees all agreed on a final version of the bulletin and its title, Chesley Memorial Library Trustees Informational Bulletin, with a plan to distribute it via the above channels.

The attendees discussed the importance of complying with RSA 659:44-a in this undertaking. All agreed there is a critical difference between informing the public and encouraging the public to act in a specific fashion. A public petition has been published online by the Moultonborough Public Library in opposition to defunding or eliminating the IMLS.

The attendees discussed the inclusion of a link to this petition in the Information Bulletin. The Trustees all agreed that it was appropriate to include the link in the Information Bulletin published on the CML website and included it in the newsletter. The Trustees all agreed that the Informational Bulletin published on the CML Facebook page would include a link to the CML webpage for those who wanted more information, but not a link to the petition itself. All agreed that the Bulletin itself made no attempt to persuade a reader to respond in any particular fashion to the Bulletin information, link, or online petition.

Upon completion of the discussion and establishment of this plan supported by all attendees, there was a motion to adjourn that was seconded and passed by the Trustees unanimously. The meeting was adjourned at 10:13 am.

David R Coursin
Secretary, Pro Tem, of the CLM Board of Trustees