

Senate Bill 99

In The Senate

January 12, 1981

Introduced and referred  
to Committee on State  
Administration.

Fiscal note requested.

January 19, 1981

Fiscal note returned.

January 28, 1981

Committee recommend bill  
do not pass.

1 Senate BILL NO. 99  
 2 INTRODUCED BY Thomas

3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE ROLE OF  
 5 THE STATE LIBRARY COMMISSION REGARDING LIBRARY FEDERATIONS"  
 6 FUNDING AND BOARDS OF TRUSTEES; PROVIDING FOR ADMINISTRATIVE  
 7 RULES; AMENDING SECTIONS 22-1-103, 22-1-404, AND 22-1-405,  
 8 MCA."

9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 22-1-103, MCA, is amended to read:

12 "22-1-103. State library commission -- authority. The  
 13 state library commission shall have the power to:

14 (1) give assistance and advice to all tax-supported or  
 15 public libraries in the state and to all counties, cities,  
 16 towns, or regions in the state which may propose to  
 17 establish libraries, as to the best means of establishing  
 18 and improving such libraries;

19 (2) maintain and operate the state library and make  
 20 provision for its housing;

21 (3) accept and expend in accordance with the terms  
 22 thereof any grant of federal funds which may become  
 23 available to the state for library purposes;

24 (4) make rules and establish standards for the  
 25 administration of the state library, and for the control,

1 distribution, and lending of books and materials, ~~and for~~  
 2 ~~the operation of library federations;~~

3 (5) serve as the agency of the state to accept and  
 4 administer any state, federal, or private funds or property  
 5 appropriated for or granted to it for library service or  
 6 foster libraries in the state and establish regulations  
 7 under which funds shall be disbursed;

8 (6) provide library services for the blind and  
 9 physically handicapped;

10 (7) furnish, by contract or otherwise, library  
 11 assistance and information services to state officials,  
 12 state departments, and residents of those parts of the state  
 13 inadequately serviced by libraries;

14 (8) act as a state board of professional standards and  
 15 library examiners and develop standards for public libraries  
 16 and adopt rules for the certification of librarians;

17 (9) designate areas for the establishment of  
 18 federations of libraries and designate the headquarters  
 19 library for such federations."

20 Section 2. Section 22-1-404, MCA, is amended to read:

21 "22-1-404. Board of trustees -- coordinator. (1) ~~In--e~~  
 22 ~~Each~~ library federation there shall be ~~have~~ a board of  
 23 ~~trustees with advisory powers only, the operation of which~~  
 24 ~~shall be representative of the entities and populations~~  
 25 ~~participating in the library federation having--been~~

1 ~~specified by contract. The board of trustees of each~~  
 2 ~~participating library shall name one of their members to the~~  
 3 ~~federation advisory board of trustees, and each~~  
 4 ~~participating entity without a duly appointed library board~~  
 5 ~~shall name a layman to represent that entity on the library~~  
 6 ~~federation board of trustees. Pursuant to rules adopted~~  
 7 ~~under 22-1-103, the state library commission may specify the~~  
 8 ~~selection, membership composition, and terms of office of~~  
 9 ~~members of the library federations' boards of trustees and~~  
 10 ~~may establish guidelines for the federations concerning the~~  
 11 ~~selection, membership composition, and terms of office of~~  
 12 ~~each federation board of trustees.~~

13 (2) The librarian of the headquarters library shall  
 14 serve as the coordinator of the federation and as a  
 15 nonvoting member of the federation advisory board of  
 16 trustees."

17 Section 3. Section 22-1-405, MCA, is amended to read:

18 "22-1-405. Boards of trustees -- authority --  
 19 resolution of disagreements. (1) The board of trustees of a  
 20 library federation, jointly with the board of trustees of  
 21 the federation headquarters library, shall ~~act as an advisor~~  
 22 ~~to the participating libraries and their boards of trustees~~  
 23 exercise approval authority over all applications to the  
 24 Montana state library commission for federal or state funds  
 25 of any kind which may become available to the library

1 federation through the state library commission.

2 (2) Except as provided in subsection (1), the board of  
 3 trustees of a library federation may act only as an advisor  
 4 to the participating libraries and their boards of trustees.  
 5 Control over the budgets and administrative policies of  
 6 participating libraries shall remain in their boards of  
 7 trustees as provided in 22-1-309.

8 (3) Any disagreement among participants in a library  
 9 federation regarding the apportionment of funds or grants  
 10 received from the state library commission shall be resolved  
 11 by the state library commission."

-End-

---

STATE OF MONTANA

REQUEST NO. 91-81

FISCAL NOTE

Form BD-15

---

In compliance with a written request received January 14, 19 81, there is hereby submitted a Fiscal Note for Senate Bill 99 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

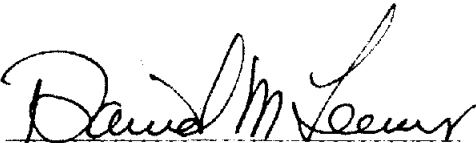
---

Description of Proposed Legislation

A proposal to remove certain statutory requirements regarding the composition of library federations' board of trustees and to allow the library commission more flexible guidelines.

Fiscal Impact

No fiscal impact.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-17-81

---