

HOUSE BILL 193

Introduced by Thoft, et al.

1/16	Introduced
1/16	Referred to Appropriations
1/17	Fiscal Note Requested
1-23	Fiscal Note Received
1/24	Fiscal Note Printed
3/13	Hearing
3/17	Committee Report--Bill Passed as Amended
3/20	2nd Reading Passed
3/22	3rd Reading Passed

Transmitted to Senate

3/22	Referred to Finance & Claims
4/14	Hearing
4/15	Committee Report--Bill Concurred as Amended
4/17	2nd Reading Concurred
4/19	3rd Reading Concurred

Returned to House with Amendments

4/20	2nd Reading Amendments Concurred
4/20	3rd Reading Amendments Concurred
4/26	Signed by Speaker
4/26	Signed by President
4/27	Transmitted to Governor
5/16	Signed by Governor
	With Line Item Veto
	Chapter Number 670
	Effective Date: 7/01/89

1 HOUSE BILL NO. 193
 2 INTRODUCED BY Thert Peterson, Gary Schatz, Vincent
 3 Marko, John Peterson, Rife, Connolly, Brown
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR STATE AID
 5 TO PUBLIC LIBRARIES; PROVIDING FOR A DISTRIBUTION OF GRANTS
 6 TO PUBLIC LIBRARIES BY THE STATE LIBRARY COMMISSION ON A PER
 7 CAPITA AND PER SQUARE MILE BASIS; PROVIDING FOR
 8 REIMBURSEMENT FOR INTERLIBRARY LOAN LENDING; PROVIDING THAT
 9 SUCH AID MAY NOT BE USED TO SUPPLANT LOCAL OPERATING SUPPORT
 10 OF LIBRARIES; PROVIDING FOR BASE GRANTS TO LOCAL LIBRARIES
 11 FOR SUPPORT OF COOPERATIVE SERVICES THROUGH FEDERATIONS;
 12 PROVIDING AN APPROPRIATION; AMENDING SECTION 22-1-301, MCA;
 13 AND PROVIDING AN EFFECTIVE DATE."

14
 15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16 NEW SECTION. Section 1. Short title. [This act] may
 17 be cited as the "Information Access Montana Act".

18 NEW SECTION. Section 2. State aid to public
 19 libraries. (1) As provided in [sections 1 through 5], the
 20 commission shall administer state aid to public libraries.
 21 The purposes of state aid are to:

- 22 (a) broaden access to existing information by
 23 strengthening public libraries;
 24 (b) augment and extend services provided by public
 25 libraries; and

1 (c) permit new types of library services based on
 2 local need.

3 (2) Money appropriated for the purposes of this
 4 section may not be used to supplant general operating funds
 5 of recipient public libraries. The commission may withhold a
 6 distribution to a library that receives less support from a
 7 mill levy or local government appropriation than its average
 8 for the preceding 3 fiscal years if such a decrease may
 9 reasonably be linked to money received or expected to be
 10 received under [sections 1 through 5].

11 NEW SECTION. Section 3. State aid -- per capita --
 12 per square mile. The commission shall distribute grants to
 13 public libraries on a per capita and per square mile basis.

14 NEW SECTION. Section 4. State interlibrary loan
 15 program -- reimbursement -- eligibility. (1) Each Montana
 16 library eligible for reimbursement under this section for
 17 participation in the statewide interlibrary loan program
 18 must be reimbursed according to the rules adopted by the
 19 commission.

20 (2) Libraries eligible for interlibrary loan
 21 reimbursement under this section include public libraries,
 22 libraries operated by public schools or school districts,
 23 libraries operated by public colleges or universities,
 24 libraries operated by public agencies for institutionalized
 25 persons, and libraries operated by nonprofit private

1 educational or research institutions.

2 NEW SECTION. Section 5. State multilibrary card. The
3 commission shall develop a program to allow Montana
4 libraries to issue to residents a state multilibrary card as
5 defined in 22-1-301.

6 NEW SECTION. Section 6. Commission rulemaking
7 authority. The commission may adopt rules and procedures for
8 the distribution of state aid to public libraries on a per
9 capita and per square mile basis, for issuance of state
10 multilibrary cards, and for reimbursement for interlibrary
11 loan lending.

12 NEW SECTION. Section 7. Base grants. The commission
13 shall provide a base grant for each public library to
14 support the cooperative activities and services of the six
15 library federations in the state.

16 **Section 8.** Section 22-1-301, MCA, is amended to read:

17 "22-1-301. Definition Definitions. Wherever--the--word
18 "city"--is--used--in--this--part--it Unless otherwise provided,
19 the following definitions apply in this part:

20 (1) "City" means city or town.

21 (2) "Commission" means the state library commission.

22 (3) "Public library" means a library created under
23 22-1-303 through 22-1-317 that provides library services to
24 the public by means of central facilities, branch
25 facilities, or bookmobiles.

1 (4) "State multilibrary card" means a card that is
2 issued to a Montana resident by a public library created
3 under 22-1-303 and that may be used for library services in
4 every public library in the state."

5 NEW SECTION. Section 9. Appropriation. There is
6 appropriated from the state general fund \$3 million to the
7 state library commission for the 1989-91 biennium to direct
8 aid to local public libraries on a per capita and per square
9 mile basis, to reimburse libraries for interlibrary loan
10 lending, reimburse for development and issuance of a state
11 multilibrary card, to provide a base grant for each public
12 library to provide support for federation libraries, and for
13 administration.

14 NEW SECTION. Section 10. Codification instruction.
15 Sections 1 through 7 are intended to be codified as an
16 integral part of Title 22, chapter 1, part 3, and the
17 provisions of Title 22, chapter 1, part 3, apply to sections
18 1 through 7.

19 NEW SECTION. Section 11. Effective date. [This act]
20 is effective July 1, 1989.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB193, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an act entitled: "An act providing for state aid to public libraries; providing for a distribution of grants to public libraries by the State Library Commission on a per capita and per square mile basis; providing for reimbursement for interlibrary loan lending; providing that such aid may not be used to supplant local operating support of libraries; providing for base grants to local libraries for support of cooperative services through federations; providing for a state multilibrary card; providing an appropriation; amending Section 22-1-301, MCA; and providing an effective date."

ASSUMPTIONS:

1. Direct aid to local libraries is computed at \$1.00 per capita based on the last decennial census of each county and \$1.00 per square mile encompassed in each county.
2. The amount necessary to reimburse libraries for interlibrary loan lending charges is estimated at \$200,000 a year.
3. The estimated amount to reimburse for the statewide multilibrary card is \$179,418 per year.
4. The amount of library federation base support for each library is estimated at \$2,000 a library.
5. The amount allocated to the State Library to administer the program is estimated to be \$22,500 per year.

FISCAL IMPACT:Expenditures:

	<u>Proposed Law</u>	
	<u>FY90</u>	<u>FY91</u>
1. Direct aid to local libraries at \$1.00 per capital	\$786,690	\$786,690
2. Direct aid to local libraries at \$1.00 per square mile	145,392	145,392
3. Reimbursement to libraries for interlibrary loan lending	200,000	200,000
4. Reimbursement to libraries for state multilibrary card	179,418	179,418
5. Grants to each library for federation base support at \$2,000 per library	166,000	166,000
6. Administration	22,500	22,500
TOTAL	\$1,500,000	\$1,500,000

Funding:

	<u>FY90</u>	<u>FY91</u>
	<u>Proposed Law</u>	<u>Proposed Law</u>
General Fund	\$ 1,500,000	\$ 1,500,000

Ray Shackelford 1/23/89
 RAY SHACKLEFORD, BUDGET DIRECTOR DATE
 OFFICE OF BUDGET AND PROGRAM PLANNING

Bob Thoft
 BOB THOFT, PRIMARY SPONSOR DATE
 Fiscal Note for HB193, as introduced
HB193

Fiscal Note Request HB193 as introduced

RD-Form BD-15

Page 2

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

1. The maintenance of effort section within the bill means county and city funding for public libraries will continue at present levels and state funds will not replace local funds for library service. Thus, this will have no impact on local expenditures.
2. Grants related to direct aid to public libraries, which will be based on per capita and per square mile, will increase local revenues.
3. Revenue related to reimbursement for interlibrary loan and for the statewide multilibrary card will reward those local libraries which extend their services to Montanans outside their taxing district. The more such services are extended, the greater the reward.
4. The base grant to each public library in support of the library federations will result in cooperative activities and services. Through cooperative purchasing, provision of joint in-service training, and so forth, libraries will be able to acquire such services and resources in a more cost-effective manner.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The effect on expenditures and revenues would be similar in subsequent fiscal years.

HB 193

APPROVED BY COMMITTEE
ON APPROPRIATIONS

HOUSE BILL NO. 193

INTRODUCED BY THOFT, REHBERG, SQUIRES, SCHYE,
ADDY, VINCENT, DARKO, HARPER, PETERSON, O'KEEFE,
CONNELLY, JOHNSON, CLARK, DRISCOLL, J. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR STATE AID
TO PUBLIC LIBRARIES; PROVIDING FOR A DISTRIBUTION OF GRANTS
TO PUBLIC LIBRARIES BY THE STATE LIBRARY COMMISSION ON A PER
CAPITA AND PER SQUARE MILE BASIS; PROVIDING FOR
REIMBURSEMENT FOR INTERLIBRARY LOAN LENDING; PROVIDING THAT
SUCH AID MAY NOT BE USED TO SUPPLANT LOCAL OPERATING SUPPORT
OF LIBRARIES; PROVIDING FOR BASE GRANTS TO LOCAL LIBRARIES
FOR SUPPORT OF COOPERATIVE SERVICES THROUGH FEDERATIONS;
PROVIDING FOR A STATE MULTILIBRARY CARD; PROVIDING AN
APPROPRIATION; AMENDING SECTION 22-1-301, MCA; AND PROVIDING
AN EFFECTIVE DATE."

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be cited as the "Information Access Montana Act".

NEW SECTION. Section 2. State aid to public
libraries. (1) As provided in [sections 1 through 5], the
commission shall administer state aid to public libraries.
The purposes of state aid are to:

(a) broaden access to existing information by

strengthening public libraries;

(b) augment and extend services provided by public
libraries; and

(c) permit new types of library services based on
local need.

(2) Money appropriated for the purposes of this
section may not be used to supplant general operating funds
of recipient public libraries. The commission may withhold a
distribution to a library that receives less support from a
mill levy or local government appropriation than its average
for the preceding 3 fiscal years if such a decrease may
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per square mile. The commission shall distribute grants to
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NEW SECTION. Section 4. State interlibrary loan
program -- reimbursement -- eligibility. (1) Each Montana
library eligible for reimbursement under this section for
participation in the statewide interlibrary loan program
must be reimbursed according to the rules adopted by the
commission.

(2) Libraries eligible for interlibrary loan
reimbursement under this section include public libraries,
libraries operated by public schools or school districts,

libraries operated by public colleges or universities,
libraries operated by public agencies for institutionalized
persons, and libraries operated by nonprofit private
educational or research institutions.

NEW SECTION. Section 5. State multilibrary card. The
commission shall develop a program to allow Montana
libraries to issue to residents a state multilibrary card as
defined in 22-1-301.

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the distribution of state aid to public libraries on a per
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multilibrary cards, and for reimbursement for interlibrary
loan lending.

NEW SECTION. Section 7. Base grants. The commission
shall provide a base grant for each public library to
support the cooperative activities and services of the six
library federations in the state.

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22-1-303 through 22-1-317 that provides library services to
the public by means of central facilities, branch
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issued to a Montana resident by a public library created
under 22-1-303 and that may be used for library services in
every public library in the state."

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lending, reimburse for development and issuance of a state
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library to provide support for federation libraries, and for
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NEW SECTION. Section 10. Codification instruction.
Sections 1 through 7 are intended to be codified as an
integral part of Title 22, chapter 1, part 3, and the
provisions of Title 22, chapter 1, part 3, apply to sections
1 through 7.

NEW SECTION. Section 11. Effective date. [This act]
is effective July 1, 1989.

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 23 is effective July 1, 1989.

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SENATE STANDING COMMITTEE REPORT

page 1 of 2
April 15, 1989

MR. PRESIDENT:

We, your committee on Finance and Claims, having had under consideration HB 193 (third reading copy -- blue), respectfully report that HB 193 be amended and as so amended be concurred in:

Sponsor: Thoft (Bengtson)

1. Page 1, line 18.
Following: line 17
Insert: "

STATEMENT OF INTENT

This bill requires a statement of intent because [section 6] provides for rulemaking by the state library commission. The legislature intends that the rules should include criteria and procedures for:

- (1) granting or withholding funds to individual libraries;
- (2) developing a state multi-library card program;
- (3) approving or denying requests for state multi-library cards;
- (4) governing the usage of multi-library cards;
- (5) reimbursing individual libraries for participation in interlibrary loan programs; and
- (6) generally administering the funds appropriated for this program.

It is the legislature's intent that the rules permit local libraries to broaden their services to meet the needs of their communities, allow greater access to libraries by Montana's citizens, and encourage libraries to use the interlibrary loan program.

It is not the intent of the legislature that this bill allow local governments to decrease their support for public libraries in anticipation of state funding."

2. Page 4, line 9.
Strike: "\$3 million"

3. Page 4, line 10.
Following: "biennium"
Insert: "the following amounts for the designated purposes: (1)"

4. Page 4, line 12.
Following: "basis,"
Insert: "\$932,082; (2)"

SENATE COMMITTEE ON FINANCE AND CLAIMS, HB 193
April 15, 1989
page 2 of 2

5. Page 4, line 13.
Following: "lending,"
Insert: "\$400,000; (3) to"


6. Page 4, line 14.
Following: "card,"
Insert: "\$179,418; (4)"

7. Page 4, line 15.
Following: "libraries,"
Strike: "and"
Insert: "\$166,000; and (5)"

8. Page 4, line 16.
Following: "administration"
Insert: ", \$25,162"

AND AS AMENDED BE CONCURRED IN

Signed: _____


Pete Story, Chairman

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 8 appropriated from the state general fund ~~\$3-million~~ to the
 9 state library commission for the 1989-91 biennium ~~THE~~
 10 FOLLOWING AMOUNTS FOR THE DESIGNATED PURPOSES:

11 (1) to direct aid to local public libraries on a per
 12 capita and per square mile basis, \$932,082;

13 (2) to reimburse libraries for interlibrary loan
 14 lending, \$400,000;

15 (3) TO reimburse for development and issuance of a
 16 state multilibrary card, \$179,418;

17 (4) to provide a base grant for each public library to
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19 (5) for administration, \$25,162.

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1 is effective July 1, 1989.

-End-

State of Montana
Office of the Governor
Helena, Montana 59620
406-444-3111

STAN STEPHENS
GOVERNOR

May 15, 1989

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, MT 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the following line-item veto to House Bill 193, "AN ACT PROVIDING FOR STATE AID TO PUBLIC LIBRARIES; PROVIDING FOR A DISTRIBUTION OF GRANTS TO PUBLIC LIBRARIES BY THE STATE LIBRARY COMMISSION ON A PER CAPITA AND PER SQUARE MILE BASIS; PROVIDING FOR REIMBURSEMENT FOR INTERLIBRARY LOAN LENDING; PROVIDING THAT SUCH AID MAY NOT BE USED TO SUPPLANT LOCAL OPERATING SUPPORT OF LIBRARIES; PROVIDING FOR BASE GRANTS TO LOCAL LIBRARIES FOR SUPPORT OF COOPERATIVE SERVICES THROUGH FEDERATIONS; PROVIDING FOR A STATE MULTILIBRARY CARD; PROVIDING AN APPROPRIATION; AMENDING SECTION 22-1-301, MCA; AND PROVIDING AN EFFECTIVE DATE."

The importance of public libraries in the state of Montana cannot be understated. They are the few facilities where our citizens, young and old, gain access to the nation and the world. They are vital links and are a part of our social fabric.

The State of Montana's financial assistance to local libraries has been non-existent. Montana is one of five states which do not provide state aid to public libraries. Our libraries are closing more often, reducing staff and discontinuing orders and subscriptions. A compelling public policy interest has been demonstrated to me for State participation in maintaining this vital resource.

However, the fiscal and economic plight of this state has increased in the last decade. Increased growth in government spending places a greater burden on the taxpaying public, discourages business startups and deteriorates our statewide economy. To permit such a first time massive infusion of public

The Honorable John Vincent
The Honorable Jack Galt
May 15, 1989
Page Two

state dollars to public libraries generally supported by local communities is not a wise use of public funds.

I shall not veto the entire bill. I am, however, compelled to exercise the power of line-item veto, keeping intact the components of the bill that are essential to curtail the downward experiences of the public library.

I support the \$400,000 appropriation to reimburse libraries for interlibrary loan lending. This amount encourages and provides a mechanism for the sharing of library resources. I support the \$166,000 appropriation to provide a base grant for each public library to support library federations. There are six federations of libraries in the state. This appropriation is an essential component in public library operation.

I line-item veto the appropriation of \$932,082 found in Section 9, Appropriation, of the Enrolled Copy of House Bill 193. This amount would provide direct reimbursement of State dollars to libraries. The shift from local to State financial support for local libraries in the 1989-91 biennium has not been demonstrated to be compelling.

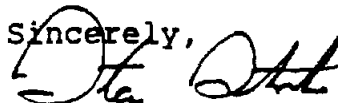
I line-item veto the appropriation of \$179,418 found in Section 9, Appropriation, of the Enrolled Copy of House Bill 193. This appropriation is another first time State appropriation for an unproven program of a state multi-library card.

I line-item veto an appropriation for administration of \$25,162 found on page 5, Appropriation, of the Enrolled Copy of House Bill 193. The administration costs do not directly benefit the library user and should be absorbed with existing staff.

I leave intact \$566,000 of State appropriations to our public libraries.

I append to the bill, at the time of my signing, this statement of the items I have line-item vetoed and my objections thereto. I urge your concurrence with this line-item veto.

Sincerely,



STAN STEPHENS
Governor