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Testimony for SB 129  
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House Local Government Committee  
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Chairman Noenning, Members of the Committee, for the record my name is Darlene Staffeldt and I am your State Librarian. I want to Thank Senator Wheat for carrying this bill and I want to thank all of you for your time and attention today.

Since the passage of the legislation in 2001 which provided for the establishment of public library districts, the State Library has worked with librarians and citizens in four Montana counties (Fergus, Lake, Madison, and Ravalli) who were interested in pursuing the establishment of a library district as a way of ensuring quality library service in their local communities. We have had inquiries from librarians and library trustee in at least three other counties (Carbon, Gallatin, and Missoula) also interested in the Public Library District laws.

County and city attorneys, librarians, and public library trustees who have explored the establishment of a public library district under MCA 22-1-701 have found that current laws are unclear and that the timeframes outlined within are difficult to achieve. In particular, the procedure for allowing existing city and county libraries to join a district at its establishment is ambiguous.

The clarifications that we are requesting include: Sections 1-3: Add Public library districts language to the state aid statues. Public library districts are a type of

public library, legally created by a vote of the electors. Therefore, state aid for public libraries as appropriated by the legislature should be available to public library districts.

Sections 4-5: Establish a clear procedure in the law to allow existing libraries to join a district at establishment. Clarify how existing public libraries can join a library district at establishment. Current law is confusing and seems to state that existing libraries may only join a district once it is formed. In most instances in Montana, library districts will be created with the intent of including an existing library or libraries. The change allows the governing body of existing libraries to make the decision if its library will be included in the initial establishment, thus preserving its authority.

Section 6: Allow public library district trustees to hold title to property for library purposes. Trustees are elected by voters, not appointed by city or county governing bodies; therefore, trustees have a different set of responsibilities than boards created by others. Trustees need to have the authority to own and hold title to the property that they control.

Section 6 9: Allow public library districts to establish a library depreciation reserve fund for the replacement and acquisition of property and capital improvements necessary for the library. Current law allows all other public libraries to establish such an account and governs the investment of these funds.

I will be glad to respond to any questions that you might have. Thank you for your consideration and support of SB 129.