

1 HOUSE BILL NO. 91
2 INTRODUCED BY C. SPRUNGER
3 BY REQUEST OF THE STATE LIBRARY COMMISSION
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS PROVIDING STATE AID TO PUBLIC
6 LIBRARIES; INCLUDING CERTAIN ACCREDITED TRIBAL COLLEGE LIBRARIES IN THE DEFINITION OF
7 PUBLIC LIBRARY; EXTENDING THE TERMINATION DATE FOR THE PER CAPITA STATE AID FORMULA
8 FOR PUBLIC LIBRARIES; INCREASING THE PER RESIDENT AID AMOUNT; REQUIRING MATCHING
9 FUNDS; PROVIDING FOR CERTIFICATION OF MATCHING FUNDS; PROHIBITING THE STATE LIBRARY
10 COMMISSION FROM DECREASING STATE AID BASED SOLELY ON THE CREDENTIALS OR
11 CERTIFICATION OF THE LIBRARY DIRECTOR; PROVIDING A REVISED STATUTORY APPROPRIATION;
12 AMENDING SECTIONS 22-1-326 AND 22-1-327, MCA; AMENDING SECTION 5, CHAPTER 244, LAWS OF
13 2013, AND SECTION 1, CHAPTER 340, LAWS OF 2017; AND PROVIDING EFFECTIVE DATES."

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
16

17 **Section 1.** Section 22-1-326, MCA, is amended to read:

18 **"22-1-326. State aid to public libraries.** (1) As used in 22-1-326 through 22-1-331, "public library"
19 means a library created under Title 7 or under 22-1-301 through 22-1-317 or an accredited tribal college library
20 that provides services to the public.

21 (2) As provided in 22-1-325 through 22-1-329, the commission shall administer state aid to public
22 libraries and public library districts created and operated under part 7 of this chapter. The commission may not
23 withhold or decrease the amount of state aid based solely on the credentials or certification of the library
24 director or chief librarian. The purposes of state aid are to:

25 (a) broaden access to existing information by strengthening public libraries and public library
26 districts;

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

Amendment - 1st Reading/2nd House-blue - Requested by: John Fuller - (S) Education and Cultural Resources

- 2023

68th Legislature 2023

Drafter: Pad McCracken, 406-444-3595

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

2 (3) Money appropriated for the purposes of this section may not be used to supplant general
3 operating funds of recipient public libraries or public library districts. The commission may withhold a distribution
4 to a library or district that receives less support from a mill levy or local government appropriation than its
5 average for the preceding 3 fiscal years if the decrease may reasonably be linked to money received or
6 expected to be received under 22-1-325 through 22-1-329."

7

8 **Section 2.** Section 22-1-327, MCA, is amended to read:

9 **"22-1-327. State aid -- per capita -- per square mile.** (1) The commission shall distribute grants to
10 public libraries and public library districts on a per capita and per square mile basis.

11 (2) The total amount of annual per capita and per square mile funding to public libraries for each
12 fiscal year is the base amount of ~~40~~50 cents multiplied by the total number of residents of the state as
13 determined by the most recent decennial census of the population produced by the U.S. bureau of the census.

14 (3) The amount determined under subsection (2) is statutorily appropriated, as provided in 17-7-
15 502, from the general fund to the commission for distribution as state aid to public libraries.

16 (4) (A) A RECIPIENT OF MONEY PURSUANT TO THIS SECTION SHALL PROVIDE MATCHING FUNDS IN CASH,
17 NOT IN-KIND CONTRIBUTIONS. THE MATCH MUST REPRESENT \$1 IN VALUE FOR EACH \$1 OF THE GRANT.

18 (B) THE MATCH MAY NOT BE MET BY UTILIZING OTHER MONEY MADE AVAILABLE BY THE STATE OR THE
19 FEDERAL GOVERNMENT. MATCHING MONEY MUST BE CONTRIBUTED BY LOCAL OR TRIBAL COLLEGES OR GOVERNMENTS.

20 (C) TO RECEIVE FUNDING PURSUANT TO THIS SECTION, A CERTIFICATION MUST BE PROVIDED BY A
21 RESPONSIBLE OFFICIAL TO CONFIRM COMPLIANCE WITH 22-1-326(3) AND SUBSECTION (4)(B) OF THIS SECTION.

22 (Subsections (2) and (3) terminate July 1, 2023 ~~2029~~--sec. 1, Ch. 340, L. 2017.)"

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24 **Section 3.** Section 5, Chapter 244, Laws of 2013, is amended to read:

25 **"Section 5. Termination.** [This act] terminates July 1, ~~2017~~2029."

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27 **Section 4.** Section 1, Chapter 340, Laws of 2017, is amended to read:

Amendment - 1st Reading/2nd House-blue - Requested by: John Fuller - (S) Education and Cultural Resources

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1 "Section 1. Section 5, Chapter 244, Laws of 2013, is amended to read:

2 "Section 5. Termination. [This act] terminates July 1, ~~2017~~2023 2029."

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4 NEW SECTION. Section 5. Notification to tribal governments. The secretary of state shall send a
5 copy of [this act] to each federally recognized tribal government in Montana.

6
7 NEW SECTION. Section 6. Effective date. (1) Except as provided in subsection (2), [this act] is
8 effective July 1, 2023.

9 (2) [Sections 3 and 4] and this section are effective on passage and approval.

10 - END -