

# Memo

**To:** State Library Commission

**From:** Darlene Staffeldt, State Librarian

**Date:** November 18, 2009

**Re:** **Butte-Silver Bow Public Library Supreme Court's decision**

Good news! Attached is the Montana Supreme Court's decision affirming the district court's grant of summary judgment in favor of the Butte-Silver Bow Public Library Board of Trustees. There's really nothing earth-shattering in the decision – it's a fairly straightforward analysis and application of the plain language of the statutes. The court soundly rejected the county's argument that the Butte Library does not qualify as a "public library" under Montana law, relying specifically on the "heretofore established" language in § 22-1-314, MCA. The court found that the Library Board, and not the county, has the authority to set the salaries and compensation of Library employees.