



PO Box 201800 1515 East 6<sup>th</sup> Avenue Helena, MT 59620 (406) 444-3115

# Memo

**To:** Montana State Library Commission

**From:** Jennie Stapp, State Librarian

**Date:** February 11, 2013

**Re: Legislative Update**

## **House Bill 38:**

The bill transfers authority for the following statutes to the State Library:

- (MCA) 90-1-404 thru 90-1-413 or the Montana Land Information Act;
- (MCA) 7-11-1014 & 7-11-1029 regarding reporting of special district boundaries;
- (MCA) 76-6-212 regarding the management of Conservation Easement data;

This bill had its first hearing in the House State Administration Committee on January 11. In addition to agency support, the bill was supported by former State Chief Information Office Dick Clark and the Montana Association of Counties (MACo). There were no opponents at the hearing. The bill passed unanimously on 2<sup>nd</sup> reading on the House Floor and was referred to House Appropriations where it had a hearing on January 22<sup>nd</sup>. House Appropriations also passed the bill unanimously. House Bill 38 passed the House on 3<sup>rd</sup> reading on January 30. It was transmitted to the Senate where it has been referred to the Senate State Administration Committee. Senator Jon Sesso will carry the bill on the Senate side. We currently await a hearing date.

## **State Library Budget including New Proposals (annual costs):**

On January 17 the State Library had a very successful budget hearing before the Joint Appropriations Subcommittee on Education. I was joined by Commission Chair Richard Quillin and a number of Montana librarians who offered compelling testimony on behalf of the State Library, our budget requests and requests on behalf of the Montana Library

Association. The subcommittee took Executive Action on our budget requests on January 29. The State Library was praised for living within our budget and for sound fiscal management, particularly with regard to how we manage vacant positions. Subcommittee action included:

|   |  |
|---|--|
| <b>DP 52</b>                                  | <b>Present Law Adjustments</b>   |
| <b>Passed unanimously</b>                     | <p>On January 11<sup>th</sup> all budget subcommittees passed Decision Package (DP) 50 to adopt Fiscal Year 12 actual expenditures as agency base budgets across the board. Decision Package (DP) 52 brought back present law adjustments for fixed costs (rent, information technology, etc.) as recommended by the Governor with rates approved by appropriate legislative subcommittees.</p> <p>We await further action by the legislature to adopt present law adjustments for personal services. We've been told that this action will occur in the full House Appropriations Committee and may be tied to the State pay plan.</p> <p>Of note, in a separate motion, Representative Melhoff proposed that the State Library be exempt from vacancy savings requirements, currently 4%. This motion failed but may also be brought back as part of these negotiations.</p> |
| <b>DP 102</b>                                 | <b>Inflationary Increase for Statewide Database costs</b>  |
| <b>\$13,000</b><br><b>Passed unanimously</b>  | The Montana State Library manages contracts with periodical database vendors to provide statewide access to this invaluable content. Funds for these contracts are made available through the Coal Severance Tax Fund however current funding does not allow MSL to keep pace with inflationary costs that average 3-5% annually. Without inflationary increases, MSL is forced to reduce the number of databases available to Montana libraries and patrons.  |
| <b>DP 201</b>                                 | <b>Base Map Service Center transfer to MSL</b>   |
| <b>\$954,062</b><br><b>Passed unanimously</b> | This proposal will formally complete the transfer of the Base Map Service Center from the Department of Administration to the State Library. This transfer includes the <i>transfer</i> of 2.5 FTE and funding authority for Montana Land Information Act coordination, Montana Spatial Data Infrastructure support as approved by the MLIA Council and MLIA grant funds to local and tribal governments. Under this proposal a current .25 modified FTE, an accounting technician in MSL's Central Services Office, would be made a current level .25 FTE.  |
| <b>DP 202</b>                                 | <b>Water Information Systems Manager</b>   |
| <b>\$72,472</b>                               | MCA 90-15-305 directs the Montana Natural Resource Information   |

|   |  |
|---|--|
| <p><b>one-time-only</b></p> <p><b>Passed unanimously</b></p>                        | <p>System (NRIS) to operate the Montana Water Information System (WIS) which “shall make available and readily accessible, in a usable format, to state agencies and other interested persons, information on the state's water resources, out-of-state water resources that affect the state, existing and potential uses, and the existing and potential demand.” This proposal would fund a Water Information Systems Manager, a position that MSL has not had in almost a decade, to more effectively develop and deliver this water information. The need for water information is more critical than ever in Montana. Several state agencies currently maintain in-house hydrography data to support water related business needs such as the State Water Plan, currently being updated by the Dept. of Natural Resources and Conservation under MCA 85-1-203. In addition to being costly to maintain, these local datasets differ across and sometimes within agencies making it difficult to quickly and efficiently pull together data from different work groups to analyze water issues spanning different professional disciplines (water rights vs. water management vs. water quality vs. fisheries). It is for this reason that agencies including DNRC, DEQ and FWP encouraged MSL to put forward this proposal which would enable the state to use a single hydrography.</p> |
| <p><b>DP 203</b></p>  | <p><b>Talking Book Library Digital Transition</b></p>  |
| <p><b>\$25,000</b></p> <p><b>one-time-only</b></p> <p><b>Passed unanimously</b></p> | <p>This one-time-only proposal for the FY14/15 biennium would provide contract funds to support the Montana Talking Book Library's transition from analog cassettes to digital files. TBL currently offers over 1,500 analog titles of Montana local recordings in cassette format. To keep pace with user demands and requirements of the National Library Service, these cassettes should be migrated to an easily accessible digital format for patrons. Additionally TBL would like to offer these and future local Montana recordings in a downloadable format for patrons who are able to download books via the web. TBL does not currently have adequate staff to accomplish this transition.</p>  |
| <p><b>DP 204</b></p>  | <p><b>Reinstate Online Information Resources</b></p>   |
| <p><b>\$40,000</b></p> <p><b>Passed unanimously</b></p>                             | <p>In 2011 MSL lost approximately \$40,000 in operation funds from the Coal Severance Tax fund. MSL was able to absorb some of the cuts because certain database vendors and our web archive vendor, The Internet Archive, were willing to negotiate reduced license fees equal to the percentage of the budget cut. MSL does not anticipate that these vendors will be willing to continue to reduce their costs beyond the current biennium. Further, as a result of the loss of these funds, MSL could not renew the E&amp;E Publishing (Environment</p>  |

|   |  |
|---|--|
|   | & Engineering) database, a database requested and used by several agencies including Department of Natural Resources and Conservation (DNRC), and the Attorney General's office. This proposal brings our Library Information Services operation budget to our 2008 base budget.   |
| <b>DP 300</b>   | <b>Increase Funding for Per Capita/Per Square Mile State Aid to Public Libraries</b>   |
| <b>\$292,936</b><br><b>one-time-only</b><br><b>Passed</b> | DP 300 added \$292,936 each year of the 2015 biennium to fund an increase in the per capita/per square mile state aid to public libraries. This brings the total funding for this state aid to \$395,766 or \$.40/capita for the upcoming biennium. The addition was adopted as a one-time-only, restricted appropriation. |

The subcommittee failed to pass two addition motions, DP 301 which would have given the State Library an additional \$30,000 in one-time-only funds to support the expansion of the courier program, and DP 302, the exemption from vacancy savings described above.

We do not anticipate further action by the subcommittee. Our budget will next be heard by the Full House Appropriations Committee. This step should occur prior to the February 28 transmittal deadline but no date has been determined.

Additionally, the State Library is following numerous bills that have the potential to impact policies and services. The following bills are of particular interest.

**SJ 10** – Senate Joint Resolution 10, sponsored by Senator Windy Boy, would require an interim study to evaluate the efficiency and cooperation of education agencies with particular emphasis on services to the tribes. Agencies proposed for study include the State Library, the Historical Society, the Office of Public Instruction, the Board of Public Education, the Commission of Higher Education, the Arts Council, Tribal Colleges and Tribal Historic Preservation Offices. This bill was passed unanimously by the Senate Education and Cultural Resources Committee. We have few details at this time regarding the extent of the study but I would welcome the opportunity to showcase the support we offer tribal libraries and the level of cooperation that exists between the State Library and these other agencies. It is likely that this bill will pass however passage does not guarantee that the study will take place. The Legislature can only study a limited number of issues during the interim so this proposal would then be ranked against other study requests. Senator Taylor Brown suggested that, if this proposal was not funded for interim study, it might be taken on by the State Tribal Relations Committee.

**HB 203** - On January 22 the House Appropriations Committee heard HB 203, the Montana Library Association's bill to increase funding for per capita/per square mile state aid to public libraries to \$.50/capita, and to allow for an inflationary increase. The Committee has not taken action on the bill however, as stated above, a revised amount for this purpose has been added to the State Library's budget through the subcommittee. This effort continues to receive strong support by both parties.

**SB100** – Senate Bill 100 would allocate a significant portion of Coal Severance Tax (CST) monies for educational purposes. According to the fiscal note, this bill would have reduced the amount of CST funding the State Library receives by more than half. Due to extensive opposition the bill was tabled in committee but a revised fiscal note has been requested so we will continue to monitor its progress.

Several other bills may impact CST funds but, to date, none would reduce funding for State Library services.

**HB 379 and 380** – These bills, sponsored by Representative Lieser, would make it easier to form library districts. In particular, HB 379 would require county commissions to bring the question of the formation of a district to the electorate if 20% of the population served signs a petition supporting the district. The State Library is not planning to take a position on this bill because the potential implications of the proposed changes will be different depending on varying local situations around the state. This makes it impossible to have a statewide perspective and emphasizes the fact that the proposed changes to statute are attempting to resolve a local issue.

These and other bills may be tracked online at:  
[http://laws.leg.mt.gov/legprd/law0203w\\$.startup?P\\_SESS=20131](http://laws.leg.mt.gov/legprd/law0203w$.startup?P_SESS=20131).