

Memo

To: Montana State Library Commission

From: Jennie Stapp, State Librarian

Date: March 27, 2012

Re: Executive Planning Process priorities

The following represents the current State Library priorities for Legislative and Budget requests for the 2013 Legislative Session. Staff welcomes input on priorities from the Commission and action is requested from the Commission to approve this list of priorities. This information will be shared with the Governor's Office of Budget and Program Planning.

Proposed Legislative Changes:

- To formally complete the transfer of the Base Map Service Center from the Department of Administration to the State Library the following updates must be made to the Montana Code Annotated:
 - (MCA) 90-1-404 thru 90-1-413 or the Montana Land Information Act,
 - (MCA) 7-11-1014 regarding reporting of special district boundaries;
 - and (MCA) 76-6-212 regarding the management of Conservation Easement data.

The updated language is included below.

State Library New Proposals (annual costs):

NP001	Base Map Service Center transfer to MSL
\$1,522,252	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 six 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. Additionally, this proposal includes a \$35,000 General Fund request to increase agency IT support staff from 1 FTE to 1.5 FTE. Currently MSL has one network administrator. This person supports a small data center with nearly a dozen physical and virtual servers, provides primary desktop support for more than 40 staff,

	manages software and license compliance, supports IT procurement, manages MSL's active directory for identity management and security, supports three computer labs, conference room workstations and six public access computers. Workload on this position has significantly increased with the addition of the Base Map Service Center staff and is reflected in increased comp time and an inability to regularly use annual leave. As more and more of our information resources are made available online and as demand of digital services continues to increase, additional IT staff support is critical.
NP002	Early Literacy Position (0.5 FTE) *
\$31,000	By providing a staff person dedicated to supporting early literacy development in Montana libraries, this proposal will increase the capacity of libraries throughout Montana to recognize and realize their full potential as community hubs for healthy child and family development, parent and community involvement and lifelong learning beginning at birth. Early literacy is a niche not filled elsewhere in Montana's education system and This proposal addresses one of the most often made requests by Montana libraries. MSL has tried to meet the needs of Montana libraries to support early literacy initiatives within current staff levels but staff cannot keep up with demand for services.
NP003	Professional Librarian *
\$50,000	This proposal will reinstate a position that was lost during the 2011 session. Without this position the Library Information Services program has struggled to keep up with requests for new information resources and specifically requests for natural resource information about Montana. As a result of the loss of this position, MSL had to significantly reduce the amount of Federal Depository information collected and much of the federal documents recently received remain unprocessed. Additionally, response time to respond to reference requests is slower, outreach to agencies is less routine, support for our internal programs has significantly lessened, and patrons are less informed about the information resources available.
NP004	Montana Resource Sharing Initiative
\$220,874	This proposal will provide additional funding to give more Montana libraries access to a suite of online services that are fundamental to information management and resource discovery and access. Funding for these services would offset costs currently paid at the local level through an enrollment fee by participating libraries, costs that have become increasingly difficult to afford in the current economic climate. Enabling Montana libraries to have access to these online tools ensures that all Montanans have access to the widest possible collection of information resources. Further, the ability to discover these resources, coupled with a successful courier program is at the heart of library resource sharing in Montana.
NP005	Information Technology Needs *
\$37,000	This proposal would increase operating funds for on-going information technology expenditures. Over the last two biennia MSL replaced information technology hardware including workstations and servers and/or extended the warranties on a number of servers in anticipation of MSL's current reduced IT budget for the FY12/13 biennium. Over the FY14/15 biennium, MSL needs to replace much of this equipment that is

	nearing the end of its useful life. Specifically, MSL anticipates the need to purchase new and/or replace approximately 12 staff workstations and 3 servers each year plus MSL will need to replace two training labs with 12 laptops each. These funds would bring our IT budget back to near our 2008 base budget.
NP006	Inflationary Increase for Statewide Database costs
\$13,000	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 Montanan libraries and patrons.
NP007	Reinstate Online Information Resources
\$40,000	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&E Publishing (Environment & 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.
NP008	Montana Cadastral Infrastructure
\$192,250	This proposal would shift current funding for cadastral data maintenance off of MLIA funds, freeing up those dollars to continue to support the Montana Spatial Data Infrastructure and to make more grant funds available for local and tribal governments to do GIS. Financial benefits to the private sector, state agencies, and private citizens far exceed the cost of the investment. According to a 2009 study by DOA, at a minimum, the cadastral infrastructure has returned \$46,000,000 in value over the last 10 years, with the real benefit total being probably far greater. This proposal is supported by the Montana Land Information Advisory Council and has verbal support from Harold Blattie, Executive Director of the Montana Association of Counties.
NP009	Water Information Systems Manager
\$72,800	MCA 90-15-305 directs the Montana Natural Resource Information 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.
NP010	Increase to Natural Heritage Program Contract
\$11,067	This proposal would allow MSL to fund the contract with the University of Montana for the operation of the Natural Heritage Program at the same level as the FY2008-2009 biennium.
NP011	State Publications Digitization Project
\$545,000	This one-time-only proposal for the FY14/15 biennium supports MSL's statutory mandate to provide permanent public access to state government information by enabling MSL to rapidly complete our on-going process to digitize our legacy state publications collection. These publications are in high demand; current usage statistics show that use of the digital state publications is more than 40 times higher than the print equivalent. The total cost of this proposal includes two temporary contract staff, shipping costs and the cost to digitize the remaining 25,000 print publications. Without this injection of one-time-only funds, digitation will continue at the current pace and will take more than a dozen years to complete.
NP012	Talking Book Library Digital Transition
\$25,000	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.

* Represents FTE and funding that was lost during the 2011 Legislative Session

Request from Montana Library Association:

- Outcome pending MLA Board meeting scheduled during the MLA conference. Possible requests include support for OCLC, MontanaLibrary2Go, the MSC, the Courier project and/or the Montana Memory Project.

MCA

90-1-401. Short title. This part may be cited as the "Montana Land Information Act".

90-1-402. Purpose. The purpose of this part is to develop a standardized, sustainable method to collect, maintain, and disseminate information in digital formats about the natural and artificial land characteristics of Montana. Land information changes continuously and is needed by businesses, citizens, governmental entities, and others in digital formats to be most effective and productive. This part will ensure that digital land information is collected consistently, maintained accurately in accordance with standards, and made available in common ways for all potential uses and users, both private and public. This part prioritizes consistent collection, accurate maintenance, and common availability of land information to provide needed, standardized, and uniform land information in digital formats.

90-1-403. Definitions. As used in this part, unless the context requires otherwise, the following definitions apply:

- (1) "Account" means the Montana land information account created in [90-1-409](#).
- (2) "Council" means the land information advisory council established in [90-1-405](#).
- (3) "Department" means the ~~department of administration~~ [montana state library](#) provided for in ~~2-15-1001~~ [22-1-201](#).
- (4) "Digital format" means information that is scanned, electronically drawn, layered through the GIS, or digitized by other electronic methods.
- (5) "Geographic information system" or "GIS" means an organized collection of computer hardware, software, land information, and other resources, including personnel, that is designed to or assists to efficiently collect, maintain, and disseminate all forms of geographically referenced information.
- (6) "Land information" means data that describes the geographic location and characteristics of natural or constructed features and boundaries within or pertaining to Montana.

90-1-404. Land information -- management -- duties of department.

- (1) The department shall:
 - (a) serve as the administrator of the account;
 - (b) work with all federal, state, local, private, and tribal entities to develop and maintain land information;
 - (c) annually develop a land information plan that describes the priority needs to collect, maintain, and disseminate land information. The land information plan must have as a component a proposed budget designed to accomplish the goals and objectives of the plan.
 - (d) present the land information plan to the council for review and endorsement;
 - (e) establish, by administrative rule, an application process and a granting process that must be used to distribute funds in the account. The granting process must give preference to interagency or intergovernmental grant requests whenever multiple state agencies, local governments or agencies, or Indian tribal governments or tribal entities have partnered together to meet a requirement of the land information plan.
 - (f) review all grant applications from state agencies, local governments or agencies, and Indian tribal governments or tribal entities for the purpose of implementing the land information plan;
 - (g) monitor the use of grant funds distributed to a state agency, a local government or agency, or an Indian tribal government or tribal entity or to any combination of state, local, and Indian tribal governments or entities to ensure that the use of the funds complies with the purposes of this part;
 - (h) coordinate the development of ~~technological~~ [GIS related](#) standards for creating land information;
 - (i) serve as the primary point of contact for national, regional, state, and other GIS coordinating groups for the purpose of channeling issues and projects to the appropriate individual, organization, agency, or other entity;
 - (j) provide administrative and staff support to the council, including paying the expenses of the council;
 - (k) annually prepare a budget to carry out the department's responsibilities described in this section;
 - (l) report to the governor and the legislature, as provided for in [5-11-210](#), on the progress made in the ongoing collection, maintenance, standardization, and dissemination of land information; and

(m) implement the conservation easement information requirements as provided for in [76-6-212](#).

(2) To fulfill the responsibilities described in subsection (1), the department or any recipient of funds granted pursuant to this part may contract with a public or private entity.

90-1-405. Land information advisory council -- appointments -- terms -- vacancies -- compensation.

(1) There is a land information advisory council.

(2) The council is composed of the following members:

(a) the ~~director of the department~~ [state librarian](#) or the ~~director's~~ [state librarian's](#) designee who shall:

(i) serve as the presiding officer of the council; or

(ii) appoint the presiding officer from among the other members of the council;

(b) the ~~director of the department of administration~~ [state librarian](#) or the ~~state librarian's~~ [director's](#) designee;

(c) to be appointed by the governor:

(i) the directors of four other departments established in Title 2, chapter 15. A director may designate a person to act in the director's absence.

(ii) three persons who represent county or municipal government, at least one of whom is active in land information systems;

(iii) two persons who are employed by the U.S. department of agriculture;

(iv) two persons who are employed by the U.S. department of the interior;

(v) two persons who are active in land information systems and represent public utilities or private businesses;

(vi) one person who represents Indian tribal interests;

(vii) one person who represents the Montana university system;

(viii) two persons who are members of a Montana association of GIS professionals; and

(ix) one person who represents the interests of a Montana association of registered land surveyors;

(d) one member of the Montana state senate, appointed by the committee on committees, who must be appointed prior to the appointment of the member described in subsection (2)(e); and

(e) one member of the Montana house of representatives, appointed by the speaker of the house of representatives, who may not be a member of the same political party as the member of the senate appointed under subsection (2)(d).

(3) Each council member is appointed for a 2-year term that begins on July 1 of the odd-numbered year and ends on June 30 of the succeeding odd-numbered year. A member may be reappointed to the council.

(4) A vacancy on the council must be filled in the same manner as the original appointment, and the person appointed to fill the vacancy shall serve for the remainder of the unexpired term.

(5)

(a) A member of the council who is not a legislator or an employee of the state or a political subdivision of the state is eligible to be reimbursed and compensated, as provided in [2-15-124](#).

(b) A member of the council who is not a legislator but is an employee of the state or a political subdivision of the state is not entitled to compensation but is entitled to be reimbursed for expenses, as provided in [2-18-501](#) through [2-18-503](#).

(c) A legislator who is a member of the council is eligible to be compensated and reimbursed, as provided in [5-2-302](#).

90-1-406. Land information advisory council -- duties -- advisory only.

(1) The council shall:

- (a) advise the department with regard to issues relating to the geographic information system and land information;
- (b) advise the department on the priority of land information, including data layers, to be developed;
- (c) review the land information plan described in [90-1-404](#) and advise the department on any element of the plan;
- (d) advise the department on the development and management of the granting process described in [90-1-404\(1\)\(e\)](#);
- (e) advise the department on the management of and the distribution of funds in the account;
- (f) assist in identifying, evaluating, and prioritizing requests received from state agencies, local governments, and Indian tribal government entities to provide development of and maintenance of services relating to the GIS and land information;
- (g) promote coordination of programs, policies, technologies, and resources to maximize opportunities, minimize duplication of effort, and facilitate the documentation, distribution, and exchange of land information; and
- (h) advocate for the development of consistent policies, standards, and guidelines for land information.

(2) The council functions in an advisory capacity, as defined in [2-15-102](#).

90-1-409. Montana land information account.

- (1) There is established in the state special revenue fund a Montana land information account.
- (2) All money received by the department of revenue pursuant to [7-4-2637\(3\)\(a\)\(iii\)](#) must be deposited in the account.
- (3) Funds in the account must be invested pursuant to Title 17, chapter 6, part 2. All interest and income earned on funds in the account accrue to and must be deposited in the account.

90-1-410. Montana land information account -- distribution of funds.

- (1) The department shall annually prepare a budget to carry out the department's responsibilities described in [90-1-404](#). Money in the account may be used to fund all or a portion of the budget or to otherwise accomplish the purposes of this part.
- (2) A state agency, a local government, or an Indian tribal government entity may apply to the department for funds in the account for the purposes described in this part.
- (3) The department shall ensure that funds distributed under this section are managed by the recipient of the funds according to standards and practices established by the department to allow for the greatest use and sharing of the land information.

90-1-411. Montana land information account -- use of funds -- action by department -- hearing.

- (1) Money in the account may be used only for the purposes of this part, including purchasing technology to assist in collecting, maintaining, or disseminating land information and funding the budget required under [90-1-410](#).
- (2) If the department determines that a recipient of funds from the account has not used or is not using funds in the manner prescribed by the department, the department may, after notice and hearing as provided for in Title 2, chapter 4, suspend further payment to the recipient.
- (3) A recipient to whom the department has suspended payments under this section is not eligible to receive further funds from the account until the department determines that the recipient is using funds in the manner prescribed by the department.

90-1-413. Rulemaking.

- (1) The department shall adopt rules regarding:
 - (a) designing and implementing the process to develop the land information plan described in [90-1-404\(1\)\(c\)](#);
 - (b) the application and granting processes provided for in [90-1-404\(1\)\(e\)](#);
 - (c) the monitoring process provided for in [90-1-404\(1\)\(g\)](#); and
 - (d) the process for coordinating [technological-GIS related](#) standards for creating land information provided for in [90-1-404\(1\)\(h\)](#).
- (2) The department may adopt other rules considered to be necessary for the effective administration of this part.

7-11-1014. Additional reporting procedures -- coordination of information collection, transfer, and accessibility. (1) Within 60 days after the creation of a special district or by January 1 of the effective tax year, whichever occurs first, the governing body shall provide to the department of revenue a:

- (a) legal description of the special district;
- (b) map of its boundaries;
- (c) list of the property taxpayers or owners of real property within the special district's boundaries; and
- (d) copy of the resolution establishing the special district, including any adopted method of assessment.

(2) The department of revenue shall review the information provided in accordance with subsection (1) and work with the governing body to identify and correct any discrepancies before the information is recorded by the department.

(3) If the governing body intends to submit any digital information to the department of revenue for the purposes of subsection (4)(b), the governing body shall notify the department of revenue as to the expected date of submission and submit the digital information in a manner prescribed by the department of revenue in consultation with the department of administration.

(4) The ~~Montana state library department of administration~~, in coordination with the department of revenue, governing bodies, and other appropriate entities, may develop standards, best practices, and procedures for:

(a) collecting and transferring between agencies any digital information submitted by a governing body for purposes of subsection (4)(b); and

(b) creating digital information to map special districts for land information purposes authorized in Title 90, chapter 1, part 4, that can be ~~accessed through the department's base map service center's website and~~ discovered through the Montana geographical information system portal at the Montana state library ~~and accessed through the Montana state library's geographic information dissemination website~~.

History: En. Sec. 10, Ch. 286, L. 2009.

76-6-212 Additional reporting procedures -- coordination of information collection, transfer, and accessibility.

(1) A public body or qualified private organization holding a conservation easement before October 1, 2007, shall mail or electronically transfer a copy of that conservation easement to the department of revenue within 6 months of October 1, 2007.

(2) The department of revenue shall review conservation easement agreements collected pursuant to [76-6-207](#) and subsection (1) of this section and record the:

(a) legal description of the conservation easement as it relates to the established property boundaries identified in the conservation easement agreement;

(b) approximate acreage as identified in the conservation easement agreement;

(c) date of the conservation easement agreement;

(d) book and page or document number as provided for in [7-4-2617](#); and

(e) name of the conservation easement grantee.

(3)

(a) The department of revenue shall transfer conservation easement information collected pursuant to [76-6-207](#) and subsections (1) and (2) of this section to the department of administration.

(b) The department of revenue shall coordinate with the ~~department of administration~~ [Montana state library](#) to develop procedures regarding the collection and transfer of conservation easement information between the two agencies.

(c) The ~~montana state library~~ ~~department of administration~~ shall convert conservation easement information received from the department of revenue to a digital format for land information purposes authorized in Title 90, chapter 1, part 4, that can be accessed through the department of administration's website.

(d) The ~~Montana state library~~ ~~department of administration shall~~ provide the conservation easement data to the Montana natural heritage program for incorporation into appropriate databases developed or maintained for the purposes of Title 90, chapter 15.