

Memo

To: Network Advisory Council

From: Jennie Stapp, State Librarian

Date: February 25, 2022

Re: Legislative and Executive Planning Process and initial discussion of priorities

As an executive branch agency, the State Library (MSL) follows the guidance of the Governor's Office, through the Office of Budget and Program Planning (OBPP), when considering legislative priorities and budgetary requests ahead of the 2023 Legislative session. Key dates include:

Legislative Planning event	2022 Date
OBPP distributes instructions for legislative proposals	February 17
OBPP distributes Executive Planning Process instructions	April 12
Agency legislative proposal concepts due	May 6
Agencies submit EPP requests to OBPP	June 6
Agencies submit budget requests to OBPP	September 1
Governor issues Governor's Budget	November 15

State aid for Tribal College Libraries and state aid reauthorization

When the MSL charged a task force of librarians to draft revised public library standards, one of the goals of that work was to provide an opportunity for tribal college libraries that provide public library services to certify that they meet the new standards. The new standards take effect on July 1, 2022 and four tribal college libraries have expressed interest in certifying.

Statute change is necessary for tribal college libraries to receive state aid funding made available to public libraries that meet the public library standards. If supported by the Commission, MSL intends to seek legal guidance regarding how to properly include libraries created by tribal colleges and/or tribal councils in section (1) of 22-1-326 Montana Code Annotated below:

22-1-326. State aid to public libraries. (1) As used in **22-1-326** through **22-1-331**, "public library" means a library created under Title 7 or under **22-1-301** through **22-1-317**.

(2) As provided in **22-1-325** through **22-1-329**, the commission shall administer state aid to public libraries and public library districts created and operated under part 7 of this chapter. The purposes of state aid are to:

- (a) broaden access to existing information by strengthening public libraries and public library districts;
- (b) augment and extend services provided by public libraries and public library districts; and
- (c) permit new types of library services based on local need.

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

MSL staff has briefed the Commission, the Governor's Office, the State Tribal Relations Committee, and the Montana Library Association Board (MLA) about this suggested legislation.

The statutory appropriation that funds state aid is will sunset in 2023 and requires legislative reauthorization for funding to continue. In 2013, when this statutory appropriation was first enacted it was supported by MLA and MSL. In 2017, at the direction of the Bullock Administration, MSL carried the legislation as part of our legislative agenda.

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

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

(3) The amount determined under subsection (2) is statutorily appropriated, as provided in 17-7-502, from the general fund to the commission for distribution as state aid to public libraries. (Terminates July 1, 2017-2023 -sec. 5, Ch. 244, L. 2013.)

22-1-327. (Effective July 2, 2017 - 2023). State aid -- per capita -- per square mile. The commission shall distribute grants to public libraries and public library districts on a per capita and per square mile basis.

At this time, the Governor's Office has been briefed about the need for reauthorization and the tie to extending state aid to tribal college libraries. The Governor's Office has asked to be kept apprised of the status of this legislative request.

The MLA Government Affairs committee is recommending to the MLA Board a state aid ask that includes a \$.10/capita increase in direct funding to public libraries and a \$4.8 million dollar ask to fund statewide library services administered by MSL. That ask includes the following:

- Montana Shared Catalog - \$450,000 annually.
- Statewide Courier – \$300,000 annually.
- OverDrive – \$280,000 annually.
- HotSpots - \$480,000 annually.
- OCLC - \$340,000 annually.
- E-resources content - \$3M (note that this amount includes funding for all age ranges and K12 and academic resources)

The MLA Board meets on April 4 and will be asked to approve this legislative priority. The Network Advisory Council will be asked to weigh in on this legislative and/or other requests at your April meeting.

The accompanying analysis provides a comparison of Montana's state funding for public libraries to other states.