



MEMO

To: State Library Commission
From: Tracy Cook, Lead Consulting & Learning Librarian
Subject: Adding tribal college libraries to ARM 10.102.4003
Date: April 7, 2024

As you may recall the public library standards' task force attempted to identify the best way to add tribal college libraries to the formula that allocates state aid per capita to eligible public and tribal college libraries. After reviewing the task force's proposal the attorney assigned to MSL did not believe a local agreement option was equitable.

MSL staff met with staff from the Department of Revenue to learn how that department allocates tax funding to tribal and local governments. Based on that recommendation staff created an option where tribal enrollment numbers obtained from the Governor's Office of Budget and Program Planning would be used at the beginning of the allocation process. This minimized the negative impact on libraries while not shortchanging any libraries.

MSL staff presented this idea during a town hall style meeting where all libraries were invited to review the suggestion and give feedback. We made a particular effort to invite all public and tribal college libraries that shared boundaries. Approximately 25 people attended the meeting and liked the suggestion.

The attorney assigned to MSL thought the resulting formula was equitable and has drafted the following administrative rules' language and notice. Staff are requesting permission to begin the process for updating Administrative Rules of Montana 10.102.4003 to be able to allocate funding for any tribal college libraries that are eligible for state aid per capita.



DRAFT LANGUAGE FOR PROPOSED ARM CHANGES

The rules proposed to be amended provide as follows, new matter underlined, deleted matter interlined:

10.102.4003 DIRECT STATE AID TO PUBLIC LIBRARIES FOR PER CAPITA AND FOR PER SQUARE MILE SERVED

(1) remains the same.

(2) The per square mile portion of the direct state aid to public libraries will be updated during the decennial census process and distributed annually based on the following:

(a) through (b) remain the same.

(c) Annually, MSL staff will consult with the Governor’s Office of Budget and Program Planning and use its collected tribal enrollment number. If an accredited tribal college library, serving the public, qualifies for state aid, their tribal enrollment number will be multiplied by the per capita amount of state aid. The resulting total for all eligible accredited tribal college libraries will then be subtracted from the overall state aid budget allocated for eligible public libraries. The remaining state aid will be distributed annually, guided by the criteria set forth above.

(3) remains the same.

(4) In each county which has no public libraries, the State Library will contact the county commission indicating that the county will qualify for per capita and per square mile state aid if the county commission establishes county-wide library services as provided for in state statute, or if the county commission contract for library services with another county or municipal library as provided for in state statute. If such means are not established with a six-month period following written notice received from the State Library, the state aid which would have gone to the county will be allotted to the federation ~~headquarters library~~ in whose area this county is located ~~for use in federation activities.~~

AUTH: [22-1-103](#), MCA

IMP: [22-1-103](#), MCA

REASON: These amendments are proposed to update the language of the ARM to reflect changes to MCA 22-1-326 in the 2023 Legislative Session.