

HOUSE BILL NO. 197

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE BY REQUEST

Introduced: 3/14/97

Referred: Health, Education and Social Services

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to libraries."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 14.56.300 is amended to read:

4 **Sec. 14.56.300. Library assistance grant fund.** There is established in the
5 department a library assistance grant fund. From legislative appropriations to the fund,
6 the department shall make grants to eligible libraries for public library operations,
7 [OR] for interlibrary cooperation, or for regional library services [BOTH].

8 * **Sec. 2.** AS 14.56.310 is amended to read:

9 **Sec. 14.56.310. Eligibility.** (a) Libraries eligible for grants under
10 AS 14.56.300 are

11 (1) public libraries established under AS 29.35.125 or, in a
12 municipality that does not have a public library established under AS 29.35.125,
13 another library that

14 (A) is a nonprofit corporation and holds meetings of its
15 board of directors in public;

1 (B) provides services listed in AS 29.35.125(a); and
 2 (C) is approved to receive grants under AS 14.56.300 by
 3 resolution of the governing body of that municipality; [OPERATED BY
 4 MUNICIPALITIES OR BY PUBLIC LIBRARY NONPROFIT
 5 CORPORATIONS; AND]

6 (2) libraries sharing resources free of charge with [OR PROVIDING
 7 SERVICES TO] other libraries in the state; and

8 (3) libraries providing regional library services.

9 (b) A library described in (a)(1) of this section is eligible for a public library
 10 assistance grant. Only one library in a city or unincorporated community is
 11 eligible for a public library assistance grant during a fiscal year. A library
 12 described in (a)(2) [EITHER (a)(1) OR (2)] of this section is eligible for an interlibrary
 13 cooperation assistance grant. A library described in (a)(3) of this section is eligible
 14 for a regional library services assistance grant.

15 * Sec. 3. AS 14.56.330(a) is amended to read:

16 (a) A public library assistance grant under AS 14.56.310(a)(1) may be a basic
 17 grant or a per capita grant. A basic grant [AS 14.56.300 - 14.56.340] may not be
 18 less than \$5,000 or more than \$7,000 [EXCEED \$10,000] for each [LOCAL PUBLIC
 19 LIBRARY] service outlet of the public library in any one fiscal year. The amount
 20 of a basic grant must be [HOWEVER, NO AMOUNT OVER \$5,000 MAY BE
 21 GRANTED UNLESS IT IS] equally matched by local money or in-kind services.
 22 The director of the division of state libraries shall determine the value of in-kind
 23 services. If the amount available for public library assistance grants during a
 24 fiscal year is not sufficient to fully fund basic grants for all eligible libraries, the
 25 amount available shall be prorated so that the amount of basic grants for all
 26 eligible libraries is reduced by the same percentage. After payment of basic
 27 grants to all eligible libraries during a fiscal year, any amount remaining for
 28 public library assistance grants shall be distributed as per capita grants to each
 29 library that received a basic grant. The amount of the per capita grants shall be
 30 based on the population of the municipality or unincorporated community served
 31 by each of the libraries.

1 * **Sec. 4.** AS 14.56.340 is amended to read:

2 **Sec. 14.56.340. Regulations.** The board shall adopt regulations necessary to
3 carry out the purposes of AS 14.56.300 - 14.56.330. **The regulations must include**
4 **qualifications for grant eligibility and provisions regarding the use of grant funds.**

5 * **Sec. 5.** AS 29.20 is amended by adding a new section to read:

6 **Sec. 29.20.305. Public library boards.** (a) The governing body of a
7 municipality that establishes a public library may serve as the public library board or
8 provide by ordinance for a public library board of not less than five nor more than
9 eleven municipal residents, only one of whom may also be a member of the governing
10 body. An ordinance providing for a board must define the board's powers and duties.

11 (b) Unless the governing body serves as the public library board, members of
12 the board are either appointed by the mayor and confirmed by the governing body or
13 are elected at a regular election, as specified in the ordinance. Unless the governing
14 body serves as the board, at least two initial members serve one-year terms and at least
15 two initial members serve two-year terms. The regular term of a board member is
16 three years and until a successor is selected and qualifies, unless the ordinance
17 provides for a different regular term not to exceed five years.

18 (c) Unless the governing body serves as the public library board, vacancies on
19 the board are filled by the mayor subject to confirmation by the governing body. A
20 person appointed to fill a vacancy serves until the expiration of the term for which
21 appointed and until a successor is selected and qualifies. A board member who served
22 two consecutive full regular terms may not serve again after leaving office until at
23 least three years have elapsed.

24 (d) Unless otherwise provided by ordinance, a public library board

25 (1) shall choose its chair and secretary;

26 (2) shall appoint a public library director, set the director's salary, and
27 delegate active management of the public library to the director;

28 (3) may contract with other public and private entities for services.

29 * **Sec. 6.** AS 29.35 is amended by adding a new section to read:

30 **Sec. 29.35.125. Public libraries.** (a) A municipality may establish a public
31 library managed by a board under AS 29.20.305. A public library in an

1 unincorporated community may be established and managed by the corporation or
2 council that receives an entitlement on behalf of the community under AS 29.60.140.

3 A public library shall provide at least the following services free of charge to the
4 residents of the municipality or community:

5 (1) establish and maintain a collection of books and other materials for
6 loaning;

7 (2) provide access to interlibrary loan services;

8 (3) provide reading or other educational programs for children; and

9 (4) provide reference information.

10 (b) A public library established under this section shall submit an annual report
11 of its operations and the services it provides to the director of the division that has
12 responsibility for state libraries.

13 * **Sec. 7.** AS 14.56.200, 14.56.210, 14.56.220, 14.56.230, 14.56.240, and 14.56.350 are
14 repealed on June 30, 1999.