

HB

197

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: March 14, 1997

FURTHER REFERRALS:

Date of Committee Action: 4/1/97

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 197

HOUSE BILL NO. 197

PUBLIC LIBRARIES

"An Act relating to libraries."

recommends it be replaced with the following committee substitute _____ the same title
 a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dep) _____ APPROVES PREVIOUS: (Dep/Date) _____
 fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) Education zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Joseph B. ...</i>			✓	
<i>...</i>	✓			
<i>...</i>			✓	
<i>...</i>	✓			
<i>Tom B...</i>			✓	

CHAIR'S SIGNATURE *Tom B...*

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

STATE CAPITOL, JUNEAU 99801
(907) 465-3759



Sponsor Statement

HB 197 "An Act relating to libraries."

Alaska does not have a Public Library Law, even though it has a grant program for public libraries. There is no definition of what a public library is; how it can be established, organized or administered; or what services should be provided. HB 197 addresses these issues and will provide communities with public libraries, as well as those planning for public libraries, with a framework within which to operate the service.

The Public Library Assistance Grant program, initiated in 1982, has encouraged the establishment of 55 new public libraries in 15 years. However, 25 of them disappeared after one or two years because they did not have adequate administrative structures and realistic views of the effort required to operate a library. This is an ongoing problem and puts pressure on the limited funds dedicated to the grant program. HB 197 should alleviate this problem and bring stability to the public library community. In addition, it should help stabilize the amount of grant money going out to the existing public libraries, allowing them to more adequately plan their budgets for the next fiscal year.

HB 197 makes some revisions in the current statutes that pertain to grant programs. Most of these changes simply bring compatibility to the two sections. However, there is one significant, fundamental change in the formula for funding the Public Library Assistance grants. AS 14.56.330 currently distributes money by providing a \$5000 basic grant without requiring any local effort or contribution. Up to an additional \$5000 is awarded on a one-to-one match of local funds. (In recent years, due to the scarcity of funds, the state has been able to provide no more than a \$2000 match. Therefore, no library receives more than a total of \$7000.)

The proposed revision will combine the basic and matching components into one basic grant of \$7000 which will require a one-to-one local match with a minimum of \$5000 in local support to be eligible for any grant funds. Unlike the current law, however, the revision will allow a community to use in-kind support. This will benefit small communities with dedicated volunteer staffs. Should there be funds available after awarding \$7000 to each library, the excess would be awarded on a per capita basis (a provision that does not currently exist in statute.) This would bring some equity to the more populous communities.

This bill will also repeal two public library construction grant programs that are no longer funded (AS 14.56.200 - 14.56.240 and 14.56.350.) The repeal date will not take effect until June 30, 1999, to allow for the close-out of current projects.

HB 197 was drafted at the request of the public library community and has been reviewed, revised, and unanimously approved by the directors of the 18 largest public libraries. It has also been reviewed and is supported by the Education Subcommittee of the Alaska Municipal League.

Article 04. RURAL COMMUNITY LIBRARIES

Sec. 14.56.200. Grants for constructing and equipping libraries. The division of state libraries shall administer a program providing for grants to rural communities for constructing and equipping community libraries according to the provisions of AS 14.56.210 - 14.56.240.

History - (sec. 1 ch 42 SLA 1970) AG Opinions -

The Alaska State Library could make a grant to the community of Anchor Point even though the state would not retain title to the library facility in that community. August 26, 1987 Op. Att'y Gen.

Article Notes -

Editors Notes. As of 1996, the division of state libraries, referred to in this article, was the division of libraries, archives, and museums.

Sec. 14.56.210. Application for grants.

(a) A rural community desiring to receive the benefits of the grants provided for in AS 14.56.200 shall apply to the division of state libraries. If the rural community is within a borough with areawide library powers, the borough may apply on behalf of the community.

(b) To be eligible for a grant under AS 14.56.200 - 14.56.240, the applicant shall provide not less than 10 per cent of the total cost of the project for which the funds are granted. The remaining percentage shall be provided by the state. The matching share of the applicant may be in the form of money, land, services, or other items acceptable to the division of state libraries. Satisfactory assurance of the continuation of library services shall be included as part of the application.

History - (sec. 1 ch 42 SLA 1970)

Sec. 14.56.220. Ownership of facility.

Title to a library constructed under AS 14.56.200 - 14.56.240 shall be in the applicant unless the applicant is an unincorporated city, in which case the state shall retain title until the time of any subsequent incorporation.

History - (sec. 1 ch 42 SLA 1970)

Sec. 14.56.230. Regulations.

The division of state libraries shall adopt regulations necessary to carry out the purposes of AS 14.56.200 - 14.56.240.

History - (sec. 1 ch 42 SLA 1970)

Sec. 14.56.240. ""Rural community" defined.
In AS 14.56.200 - 14.56.230, "rural community" means any community except a first class city of over 2,000 population.
History - (sec. 1 ch 42 SLA 1970; am sec. 27 ch 53 SLA 1973)

Sec. 14.56.250. - 14.56.290 [Renumbered as AS 14.56.182 - 14.56.190]. Repealed or Renumbered

Article 05. LIBRARY ASSISTANCE GRANTS

Sec. 14.56.300. Library assistance grant fund.
There is established in the department a library assistance grant fund. From legislative appropriations to the fund, the department shall make grants to eligible libraries for public library operations or for interlibrary cooperation or for both.
History - (sec. 1 ch 36 SLA 1981)

Sec. 14.56.310. Eligibility.

(a) Libraries eligible for grants under AS 14.56.300 are
(1) public libraries operated by municipalities or by public library nonprofit corporations; and

(2) libraries sharing resources or providing services to other libraries.

(b) A library described in (a) (1) of this section is eligible for a public library assistance grant. A library described in either (a) (1) or (2) of this section is eligible for an interlibrary cooperation assistance grant.

History - (sec. 1 ch 36 SLA 1981)

Sec. 14.56.320. Applications.

An eligible library may apply to the department for a grant under AS 14.56.300 - 14.56.340 in accordance with regulations adopted by the board.

History - (sec. 1 ch 36 SLA 1981)

Sec. 14.56.330. Limitations.

(a) A public library assistance grant under AS 14.56.300 - 14.56.340 may not exceed \$10,000 for each local public library service outlet in any one fiscal year. However, no amount over \$5,000 may be granted unless it is equally matched by local money.

(b) State money granted to a library under AS 14.56.300 - 14.56.340 may not be used to supplant local money equal to local expenditures for that library in fiscal year 1980, as adjusted annually by the commissioner to conform approximately to changes in the United States Department of Labor Bureau of Labor Statistics consumer price index for Anchorage, Alaska. A library that uses state money to supplant local money forfeits eligibility for grants under AS 14.56.300 - 14.56.340 for two years.

History - (sec. 1 ch 36 SLA 1981)

Sec. 14.56.340. Regulations.

The board shall adopt regulations necessary to carry out the purposes of AS 14.56.300 - 14.56.330.

History - (sec. 1 ch 36 SLA 1981)

Article 06. PUBLIC LIBRARY CONSTRUCTION GRANTS

Sec. 14.56.350. Public library construction grants.

(a) The director of the division of state libraries shall administer a program providing for grants to municipalities in the state for the construction and equipping of libraries. To be eligible for a grant under this section a municipality shall provide not less than 40 per cent of the total cost of the project for which funds are granted. The department shall administer the funds under this section and shall adopt regulations necessary to carry out the purposes of this section.

(b) [Repealed, sec. 88 ch 74 SLA 1985].

History - (sec. 1 ch 100 SLA 1970; am sec. 88 ch 74 SLA 1985)

Revisors Notes -

Formerly AS 14.56.065. Renumbered in 1982.

AG Opinions -

In the absence of statutory or regulatory language to the contrary, the municipality may provide its share from any source of money that may legally be used for that purpose. August 27, 1987 Op. Att'y Gen.

Article Notes -

Editors Notes. As of 1996, the division of state libraries, referred to in this article, was the division of libraries, archives, and museums.

Post-It® Fax Note	7671	Date	3.26	# of pages	one
To	Legislative Info Ofc	From	Greg Hill		
Co./Dept.		Co.	FNSB Library		
Phone #		Phone #	454 1020		
Fax #	456-3346	Fax #	454 1024		



ALASKA STATE LEGISLATURE

PLEASE ENTER INTO THE RECORD MY TESTIMONY TO THE H.E.S.S.
COMMITTEE NAME

COMMITTEE ON Alaska Public Library Law **DATED** March 25, 1997

BILL/SUBJECT

A new report from the National Center for Education Statistics shows that

44% of all U.S. households used a public library last month, and
65% of all U.S. households used a public library in the last year.

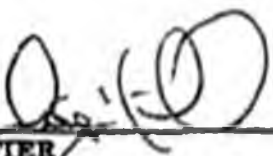
Alaska rates even higher:

56% of all Alaskan households used a public library last month, and
76% of all Alaskan households used a public library last year.

Nothing is as widely infinite as the average human imagination, and Alaskans tend to be more curious, better informed, and more demanding of their public libraries than the average American. It is time for legislation defining public libraries today and laying a foundation for the future

HB No. 197 requires real local commitment to the ideals and value libraries represent and provides a strong incentive to communities with strong volunteer networks by allowing in-kind donations to match grants from the state. In an age when federal and state funding for libraries has been dramatically reduced, HB No. 197 will also help conserve diminishing resources.

I urge you to take quick and positive action on this bill and forward it for passage by the full Legislature.

SIGNED  (Greg Hill, Director)

TESTIFIER _____
 Fairbanks North Star Borough Libraries

REPRESENTING (OPTIONAL) _____

Noel Wien Library, 1215 Cowles St., Fairbanks, AK 99701
ADDRESS/PHONE NUMBER

**Municipality
of
Anchorage**



P.O. Box 196650
Anchorage, Alaska 99519-6650

Rick Mystrom, Mayor

April 3, 1997

ANCHORAGE MUNICIPAL LIBRARIES

Dear Chairman Bunde and Members of the HESS Committee:

I arrived at the Legislative Information Office Tuesday, April 1, at 3:05. With mixed emotions I heard a final request for comments on HB 197 and before I could push the button, it had passed. The "mixed emotions" comes from not being able to speak, one of the few opportunities to address you and the committee, but very pleased that the bill passed!

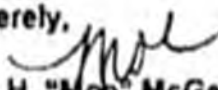
So as to not let you off the hook of hearing my thoughts, here is a brief summary of my comments.

Over the last two years public library directors from communities throughout the state, Ketchikan to Barrow, have met face to face and via teleconference with State Library staff in drafting public library law for Alaska. The definition of a public library was debated as well as urban versus rural needs. We argued over wording and funding formulas and came away from our discussion a cohesive group of individuals representing communities with varying needs, that will continue to work together to better public libraries in Alaska.

From Anchorage's perspective I am pleased with provisions for per capita funding beyond the basic grant of \$7,000. If the legislature chooses to fund public library assistance grants to a greater degree than at present, urban areas such as Anchorage, will benefit.

I appreciate your continued support for public libraries in Alaska and especially for your support of libraries in Anchorage.

Sincerely,


Mary H. "Moe" McGee, Director

p.s. Fred, the staff at the Chugiak/Eagle River Branch library miss your regular visits...

FISCAL NOTE

Revision Date: _____ Dept. Affected: Community & Regional Affairs
 Title: An Act relating to libraries. BRU: none
 Component: none
 Sponsor: House HESS Committee by request
 Requestor: Senate Finance COMPONENT SERIAL NO. _____

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0

REVENUE FUND SOURCE: _____

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

Estimate of current (FY98) impact \$ none

ANALYSIS: (Attach a separate page if necessary)
 This legislation has no effect on the department. There are no fiscal impacts.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708
 Division: Division of Administrative Services Date: 4/20/98
 Approved by Commissioner: *Kurt for Heike Juvonen* Date: 4/20/98
 Agency: Community & Regional Affairs

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FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. HB 197

Revision Date: 21-Mar-97 Dept. Affected: EDUCATION
 Title: An Act relating to libraries BRU: Division of Libraries, Archives & Museums
 Component: Libraries

Sponsor: House HESS
 Requester: House HESS COMPONENT SERIAL NO. 208

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
Other:						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of current year (FY97) cost: \$

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)
 This bill has no fiscal impact on the Department of Education nor will it have any on the Department of Community and Regional Affairs. The bill addresses the following issues: 1) It provides a definition of public libraries, and how they can be established, organized, and administered; and what services need to be provided in order to be eligible for the Public Library Assistance Grant program; 2) It clarifies eligibility for the already existing grant programs administered by the State Library; 3) It revises the Public Library Assistance Grant program by requiring local effort but also allowing in-kind contributions; and 4) repeals two public library construction statutes because these programs no longer exist. The State Library is already administering all programs impacted by the bill.

Prepared by: George Smith
 Division: Libraries, Archives & Museums
 Approved by Commissioner: Shirley J. Holloway, Ph.D.
 Agency: Department of Education

Phone: 465-2910
 Date: 3/21/97
 Date: 3-21-97

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