

# HOUSE BILL 685

F5, B5, L1

3lr2084  
CF SB 633

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By: **Delegates Griffith, Anderson, Barnes, Barve, Bates, Bohanan, Cane, Conway, Costa, DeBoy, Holmes, Howard, Ivey, Jacobs, Jones, McConkey, McDermott, Mizeur, Morhaim, Nathan-Pulliam, Otto, Stocksdale, M. Washington, and Weir**

Introduced and read first time: February 1, 2013

Assigned to: Ways and Means

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Committee Report: Favorable

House action: Adopted

Read second time: March 18, 2013

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Libraries – County Library Capital Project Grant – Wealth-Based Cost Share**

3 FOR the purpose of establishing a State cost share formula for county library capital  
4 projects that receive State funding; setting a minimum and a maximum State  
5 cost share percentage; and generally relating to the county library capital grant  
6 program.

7 BY repealing and reenacting, with amendments,

8 Article – Education

9 Section 23–510

10 Annotated Code of Maryland

11 (2008 Replacement Volume and 2012 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article – Education**

15 23–510.

16 (a) (1) In this section the following words have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) “Capital project” means the:

2 (i) Acquisition of land or buildings for a county library; or

3 (ii) Construction or improvement of a county library.

4 (3) “Construction or improvement” means planning, design,  
5 engineering, alteration, construction, reconstruction, enlargement, expansion,  
6 extension, improvement, replacement, rehabilitation, renovation, upgrading, repair, or  
7 capital equipping.

8 (4) “County library” means a library in a county public library system  
9 in the State.

10 (5) “Division” means the Division of Library Development and  
11 Services in the Department.

12 (b) (1) There is a State grant program for county public library capital  
13 projects in the Division.

14 (2) The grant program is in addition to the county–State minimum  
15 library program established under § 23–502 of this subtitle.

16 **(C) (1) THE DIVISION SHALL DEVELOP AND ADMINISTER A GRANT**  
17 **PROGRAM TO ASSIST IN THE FUNDING OF COUNTY LIBRARY CAPITAL PROJECTS.**

18 **(2) THE PURPOSE OF THE GRANT PROGRAM IS TO:**

19 **(I) PROVIDE A UNIFORM AND OBJECTIVE ANALYSIS OF**  
20 **PROPOSED CAPITAL PROJECTS; AND**

21 **(II) SUPPORT PROJECTS THAT ADDRESS THE LIBRARY**  
22 **NEEDS IN THE STATE.**

23 **(3) GRANTS UNDER THE PROGRAM:**

24 **(I) REQUIRE A MATCHING FUND FROM ANY COMBINATION**  
25 **OF COUNTY, MUNICIPAL, OR PRIVATE SOURCES; AND**

26 **(II) MAY NOT BE FOR AN AMOUNT LESS THAN \$20,000.**

27 **[(c)] (D) (1)** On or before July 15 of each year, a county public library  
28 system may submit applications to the Division to receive grants for county library  
29 capital projects for the next fiscal year.

1                   (2)    In order to apply for a capital project grant, a county public library  
2 system shall have:

3                           (i)    A countywide library plan that includes a mission  
4 statement, needs statement, and multiyear goals and objectives on file with the  
5 Division; and

6                           (ii)   A master plan that includes a description of the capital  
7 project approved by the applicant's governing body.

8                   (3)    An application shall include:

9                           (i)    A description of the scope and purpose of the project;

10                           (ii)   A building plan that includes the estimated total cost of the  
11 project; and

12                           (iii)   Any other information required by the Division.

13                   (4)    A county public library system may not apply for more than three  
14 capital project grants in a fiscal year.

15           [(d) (1)    The Division shall develop and administer a grant program to  
16 assist in the funding of county library capital projects.

17                   (2)    The purpose of the grant program is to:

18                           (i)    Provide a uniform and objective analysis of proposed capital  
19 projects; and

20                           (ii)   Support projects that address the library needs in the State.

21                   (3)    Grants under the program:

22                           (i)    Require a matching fund from any combination of county,  
23 municipal, or private sources;

24                           (ii)   May not exceed 50% of the total cost of a capital project; and

25                           (iii)   May not be for an amount less than \$20,000.]

26                   (e)    (1)    The Division shall review grant applications submitted in  
27 accordance with subsection [(c)] (D) of this section.

28                   (2)    On or before October 1 of each year, the Division shall make  
29 recommendations to the State Board regarding capital project grants for the next  
30 fiscal year.

1 (3) In making its recommendations, the Division shall consider:

2 (i) The public necessity and urgency of a project;

3 (ii) The need for additional sources of funding for a project;

4 (iii) The estimated cost and timeliness of executing a project;

5 (iv) The viability of matching funds for a project; and

6 (v) Geographic diversity.

7 (4) On or before November 1 of each year, the State Board shall:

8 (i) Approve capital projects for funding in the State budget for  
9 the next fiscal year; and

10 (ii) Forward the list of approved capital projects to the  
11 Department of Budget and Management.

12 (5) For fiscal year 2008 and each fiscal year thereafter, the Governor  
13 shall include in the annual operating or capital budget submission \$5,000,000 for  
14 county library capital projects.

15 **(F) (1) THE STATE SHARE PERCENTAGE FOR A COUNTY LIBRARY**  
16 **CAPITAL PROJECT APPROVED UNDER THIS SECTION SHALL BE CALCULATED BY**  
17 **DIVIDING THE STATE SHARE OF THE MINIMUM PROGRAM FOR A COUNTY**  
18 **CALCULATED UNDER § 23-505(B) OF THIS SUBTITLE BY THE LIBRARY PROGRAM**  
19 **AMOUNT FOR A COUNTY CALCULATED UNDER § 23-503(B) OF THIS SUBTITLE,**  
20 **AND MULTIPLYING THIS QUOTIENT BY 1.25.**

21 **(2) (I) THE MINIMUM STATE SHARE OF A COUNTY LIBRARY**  
22 **CAPITAL PROJECT IS 50%.**

23 **(II) THE MAXIMUM STATE SHARE OF A COUNTY LIBRARY**  
24 **CAPITAL PROJECT IS 90%.**

25 **[(f)] (G)** The State Board shall report to the Governor and, in accordance  
26 with § 2-1246 of the State Government Article, the General Assembly, on or before  
27 October 1 of each year, on State grants awarded for county public library capital  
28 projects for the prior fiscal year.

29 **[(g)] (H)** The State Board shall adopt regulations to implement the grant  
30 program established under this section.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2    June 1, 2013.