

Chapter 512

(Senate Bill 633)

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,

Article – Education

Section 23–510

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

Article – Education

23–510.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Capital project” means the:
 - (i) Acquisition of land or buildings for a county library; or
 - (ii) Construction or improvement of a county library.
- (3) “Construction or improvement” means planning, design, engineering, alteration, construction, reconstruction, enlargement, expansion, extension, improvement, replacement, rehabilitation, renovation, upgrading, repair, or capital equipping.
- (4) “County library” means a library in a county public library system in the State.
- (5) “Division” means the Division of Library Development and Services in the Department.

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

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

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

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

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

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

(3) GRANTS UNDER THE PROGRAM:

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

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

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

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

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

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

(3) An application shall include:

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

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

(iii) Any other information required by the Division.

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

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

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

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

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

(3) Grants under the program:

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

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

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

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

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

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

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

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

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

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

(v) Geographic diversity.

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

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

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

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

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

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

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

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

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

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

Approved by the Governor, May 16, 2013.