

HOUSE BILL 1401

F3, L2

(6lr1488)

ENROLLED BILL

— Ways and Means/Budget and Taxation —

Introduced by **Delegates B. Robinson, Anderson, Branch, Carter, Chang, Clippinger, Conaway, Glenn, Hammen, Hayes, Haynes, Lierman, McCray, McIntosh, Oaks, Rosenberg, and M. Washington**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Enoch Pratt Free Library – Hours of Operation – Funding**

3 FOR the purpose of ~~establishing the hours and days of the week that each branch~~ requiring
4 a State grant to be made available to fund certain operating expenses for certain
5 branches of the Enoch Pratt Free Library is that ~~are required to be open to the public~~
6 ~~during certain times~~ *increase their operating hours above those as of a certain date;*
7 requiring the ~~State to remit to Baltimore City~~ *Governor to include in the State*
8 *operating budget each year beginning* in certain fiscal years ~~a certain percentage of~~
9 *a certain amount in general funds to support* certain additional operating expenses
10 of the Enoch Pratt Free Library; requiring Baltimore City to provide ~~funding for a~~
11 ~~certain percentage of~~ *a certain percentage match for each dollar of State funds*
12 *granted to support* certain additional operating expenses of the Enoch Pratt Free
13 Library; authorizing Baltimore City to use certain funds to satisfy certain

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.

Italics indicate opposite chamber/conference committee amendments.



1 ~~requirements; providing for a certain calculation; requiring the Enoch Pratt Free~~
 2 ~~Library System and the State Department of Education to conduct a needs~~
 3 ~~assessment and make recommendations regarding certain matters; requiring the~~
 4 ~~Enoch Pratt Free Library System and the State Department of Education to report~~
 5 ~~their findings and recommendations to certain committees of the General Assembly~~
 6 ~~on or before a certain date; providing that the remittance of certain State funds to~~
 7 ~~Baltimore City for a certain fiscal year is contingent on the submission of certain~~
 8 ~~findings and recommendations to certain committees of the General Assembly;~~
 9 ~~requiring the State Department of Education to establish a certain process; declaring~~
 10 ~~the intent of the General Assembly; requiring the Mayor and City Council of Baltimore~~
 11 ~~City to report to the Department of Budget and Management and to certain~~
 12 ~~committees of the General Assembly on or before a certain date in certain years;~~
 13 ~~requiring the State Department of Education to submit a certain report to the~~
 14 ~~Department of Budget and Management and to certain committees of the General~~
 15 ~~Assembly on or before a certain date; and generally relating to the hours of operation~~
 16 of the Enoch Pratt Free Library.

17 BY repealing and reenacting, with amendments,
 18 Article – Education
 19 Section 23–402(a)
 20 Annotated Code of Maryland
 21 (2014 Replacement Volume and 2015 Supplement)

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

24 Article – Education

25 23–402.

26 (a) (1) The Mayor and City Council of Baltimore shall be governed by the
 27 requirements and regulations pertaining to the Enoch Pratt Free Library of Baltimore City
 28 as provided in Chapter 181 of the Acts of 1882 and any other laws applicable to the
 29 operation of public libraries.

30 (2) The powers and duties of the Board of Trustees of the Enoch Pratt Free
 31 Library are as provided in Chapter 181 of the Acts of 1882 and the Charter and the Articles
 32 of Incorporation of the Enoch Pratt Free Library and other laws applicable to the Board of
 33 Trustees of the Enoch Pratt Free Library.

34 (3) ~~EACH BRANCH A STATE GRANT SHALL BE MADE AVAILABLE TO~~
 35 ~~FUND THE INCREASED OPERATING EXPENSES FOR THE BRANCHES OF THE ENOCH~~
 36 ~~PRATT FREE LIBRARY SHALL THAT ARE REQUIRED TO BE OPEN TO THE PUBLIC 7~~
 37 ~~DAYS A WEEK FROM 9 A.M. TO 9 P.M., EXCLUDING HOLIDAYS INCREASE THEIR~~
 38 ~~OPERATING HOURS ABOVE THE HOURS IN EFFECT AS OF JANUARY 1, 2016.~~

1 (4) (I) ~~AS PROVIDED IN THE STATE BUDGET, BEGINNING WITH~~
2 ~~FISCAL YEAR 2018 FOR FISCAL YEAR 2018 AND EACH FISCAL YEAR THEREAFTER~~
3 ~~THROUGH FISCAL YEAR 2022, THE STATE SHALL REMIT TO BALTIMORE CITY EACH~~
4 ~~YEAR AN AMOUNT EQUAL TO 80% OF THE ADDITIONAL OPERATING EXPENSES~~
5 ~~RELATED TO GOVERNOR SHALL INCLUDE IN THE STATE OPERATING BUDGET~~
6 ~~\$3,000,000 IN GENERAL FUNDS TO SUPPORT THE ADDITIONAL OPERATING~~
7 ~~EXPENSES FOR THE INCREASED HOURS OF OPERATION OF ALL THE BRANCHES OF~~
8 ~~THE ENOCH PRATT FREE LIBRARY THAT, IN THAT FISCAL YEAR, WILL BE SUBJECT~~
9 ~~TO INCREASED OPERATING HOURS AS PROVIDED IN PARAGRAPH (3) OF THIS~~
10 ~~SUBSECTION.~~

11 (II) 1. ~~FOR FISCAL YEAR 2018 AND EACH FISCAL YEAR~~
12 ~~THEREAFTER, IN ORDER TO ACCESS THE STATE GRANT, TO RECEIVE ANY STATE~~
13 ~~FUNDS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, BALTIMORE CITY SHALL~~
14 ~~BE RESPONSIBLE FOR PROVIDING FUNDING EACH YEAR FOR PROVIDE THE~~
15 ~~REMAINING 20% OF A 25% MATCH FOR EACH DOLLAR OF STATE FUNDS GRANTED TO~~
16 ~~SUPPORT THE ADDITIONAL OPERATING EXPENSES RELATED TO THE INCREASED~~
17 ~~HOURS OF OPERATION OF ALL THE BRANCHES OF THE ENOCH PRATT FREE~~
18 ~~LIBRARY THAT, IN THAT FISCAL YEAR, WILL BE SUBJECT TO INCREASED OPERATING~~
19 ~~HOURS AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION.~~

20 2. ~~BALTIMORE CITY MAY USE PUBLIC AND PRIVATE~~
21 ~~FUNDS TO SATISFY THE REQUIREMENTS OF SUBSUBPARAGRAPH 1 OF THIS~~
22 ~~SUBPARAGRAPH.~~

23 (III) 1. IN CALCULATING THE ADDITIONAL OPERATING
24 EXPENSES OF THE INCREASED HOURS OF OPERATION, THE BASELINE HOURS OF
25 OPERATION OF ALL BRANCHES OF THE ENOCH PRATT FREE LIBRARY ARE THOSE
26 HOURS OF OPERATION IN EFFECT AS OF JANUARY 1, 2016.

27 2. ~~THE DEPARTMENT SHALL ESTABLISH A PROCESS TO~~
28 ~~DISTRIBUTE THE STATE GRANT TO BALTIMORE CITY OR THE ENOCH PRATT FREE~~
29 ~~LIBRARY FOR THE ADDITIONAL OPERATING EXPENSES RELATED TO THE INCREASED~~
30 ~~HOURS OF OPERATION.~~

31 ~~SECTION 2. AND BE IT FURTHER ENACTED, That the Enoch Pratt Free Library~~
32 ~~System and the State Department of Education shall:~~

33 ~~(1) conduct a needs assessment and make recommendations regarding~~
34 ~~which branches of the Enoch Pratt Free Library would benefit the most from increased~~
35 ~~operating hours, with branches in low-income neighborhoods to be given priority~~
36 ~~consideration in any recommendations; and~~

~~(2) on or before December 31, 2016, report their findings and recommendations, in accordance with § 2-1246 of the State Government Article, to the Senate Budget and Taxation Committee and the House Appropriations Committee.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That the remittance of State funds to Baltimore City for fiscal year 2018, as required under Section 1 of this Act, is contingent on the submission of the findings and recommendations to the Senate Budget and Taxation Committee and the House Appropriations Committee, as required under Section 2 of this Act.~~

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) It is the intent of the General Assembly that the increased operating hours of the Enoch Pratt Free Library as provided in this Act shall be prioritized to the library branches that are located in poor and underserved communities.

(b) On or before June 1, 2017, and on or before each June 1 through 2022, the Mayor and City Council of Baltimore City shall provide an annual report to the Department of Budget and Management and, in accordance with § 2-1246 of the State Government Article, the Senate Budget and Taxation Committee and the House Appropriations Committee that includes:

(1) a list of the branches of the Enoch Pratt Free Library in the next fiscal year that will be subject to increased operating hours above the operating schedule in place as of January 1, 2016; and

(2) an explanation of the selection process for the branches of the Enoch Pratt Free Library that will be subject to increased operating hours in the next fiscal year.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 31, 2020, the State Department of Education shall submit a report to the Department of Budget and Management and, in accordance with § 2-1246 of the State Government Article, the Senate Budget and Taxation Committee and the House Appropriations Committee that:

(1) includes an evaluation of the impact of the increased hours of operation of the branches of the Enoch Pratt Free Library;

(2) discusses the appropriateness of continued increased State funding for increased hours of operation of branches of the Enoch Pratt Free Library above the hours of operation in effect as of January 1, 2016; and

(3) includes recommendations for the future of continued increased State funding for the Enoch Pratt Free Library, including new technologies and changing neighborhood demographics and characteristics.

SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.