

ENROLLED BILL

-- *Ways and Means/Budget and Taxation* --

Introduced by **Delegates Hixson, Bartlett, Bohanan, Bronrott, Cane, Donoghue, Elmore, Frank, Haynes, Kullen, Lawton, Lee, Levy, Malone, Marriott, McKee, Menes, Paige, Patterson, Petzold, Rudolph, Sophocleus, and Wood Wood, Boschert, Bozman, Cardin, Cryor, C. Davis, Gilleland, Goodwin, Gordon, Healey, Heller, Howard, Kaiser, King, Myers, Ramirez, Ross, and O'Donnell**

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 **Libraries - County Library Capital Project Grants**

3 FOR the purpose of establishing a grant program in the State Department of
4 Education to assist in the funding of county library capital projects; requiring
5 the Division of Library Development and Services in the Department to develop
6 and administer the program; authorizing a county library system to apply for
7 capital project grants under certain conditions; requiring an application to
8 contain certain information and meet certain conditions; requiring that certain
9 grants meet certain conditions; requiring the Division to review grant
10 applications and make certain recommendations by a certain date; requiring the
11 Division to consider certain information; requiring the State Board of Education
12 to approve certain projects by a certain date; requiring certain projects to be

1 forwarded to the Department of Budget and Management; requiring the
2 Governor to include certain funding for the program; requiring the State Board
3 to submit certain reports; requiring the State Board to adopt certain
4 regulations; defining certain terms; and generally relating to a State grant
5 program for county public library capital projects.

6 BY repealing and reenacting, without amendments,
7 Article - Education
8 Section 23-102
9 Annotated Code of Maryland
10 (2004 Replacement Volume and 2005 Supplement)

11 BY adding to
12 Article - Education
13 Section 23-104(e) and 23-510
14 Annotated Code of Maryland
15 (2004 Replacement Volume and 2005 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article - Education
18 Section 23-105
19 Annotated Code of Maryland
20 (2004 Replacement Volume and 2005 Supplement)

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

23 **Article - Education**

24 23-102.

25 There is a Division of Library Development and Services in the Department.
26 The Division is the central State library agency.

27 23-104.

28 (E) THE STATE BOARD SHALL APPROVE COUNTY PUBLIC LIBRARY CAPITAL
29 PROJECTS ~~THAT RECEIVE STATE FUNDS~~ *FOR STATE FUNDING* IN ACCORDANCE WITH
30 § 23-510 OF THIS TITLE.

31 23-105.

32 (a) In addition to any other powers granted and duties imposed by this title,
33 and subject to the authority of the State Board, the Division of Library Development
34 and Services has the powers and duties set forth in this section.

35 (b) The Division of Library Development and Services shall:

- 1 (1) Provide leadership and guidance for the planning and coordinated
2 development of library and information service in this State;
- 3 (2) Develop statewide public and school library services and networks,
4 resource centers, and other arrangements to meet the library and information needs
5 of this State;
- 6 (3) Provide professional and technical advice on improving library
7 services in this State to:
- 8 (i) Public and school library officials;
- 9 (ii) State government agencies; and
- 10 (iii) Any other person;
- 11 (4) (i) Collect library statistics and other data;
- 12 (ii) Identify library needs and provide for needed research and
13 studies of them;
- 14 (iii) Publish and distribute findings in these areas; and
- 15 (iv) Coordinate library services with other information and
16 education services and agencies;
- 17 (5) Administer federal and State funds appropriated to it by the State for
18 library purposes;
- 19 (6) (i) Develop and recommend professional standards and policies for
20 libraries; and
- 21 (ii) Establish requirements and procedures for the certification of
22 librarians and library personnel;
- 23 (7) Provide:
- 24 (i) Specialized library service to the blind and other physically
25 handicapped individuals in this State; and
- 26 (ii) Other desirable specialized library services;
- 27 (8) Encourage, advise, and assist in establishing, operating, and
28 coordinating libraries at State institutions and agencies and administer the operation
29 of library and information services for the Department;
- 30 (9) ADMINISTER THE STATE GRANT PROGRAM FOR COUNTY PUBLIC
31 LIBRARY CAPITAL PROJECTS, IN ACCORDANCE WITH § 23-510 OF THIS ARTICLE;
- 32 [(9)] (10) Adopt guidelines for the administration of public libraries and
33 recommend to the State Board rules and regulations to implement this title;

1 [(10)] (11) Cooperate with national library agencies and those of any other
2 state; and

3 [(11)] (12) Perform any other duty necessary for its proper operation.

4 23-510.

5 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
6 INDICATED.

7 (2) "CAPITAL PROJECT" MEANS THE:

8 (I) ACQUISITION OF LAND OR BUILDINGS FOR A COUNTY LIBRARY;
9 OR

10 (II) CONSTRUCTION OR IMPROVEMENT OF A COUNTY LIBRARY.

11 (3) "CONSTRUCTION OR IMPROVEMENT" MEANS PLANNING, DESIGN,
12 ENGINEERING, ALTERATION, CONSTRUCTION, RECONSTRUCTION, ENLARGEMENT,
13 EXPANSION, EXTENSION, IMPROVEMENT, REPLACEMENT, REHABILITATION,
14 RENOVATION, UPGRADING, REPAIR, OR CAPITAL EQUIPPING.

15 (4) "COUNTY LIBRARY" MEANS A LIBRARY IN A COUNTY PUBLIC LIBRARY
16 SYSTEM IN THE STATE.

17 (5) "DIVISION" MEANS THE DIVISION OF LIBRARY DEVELOPMENT AND
18 SERVICES IN THE DEPARTMENT.

19 (B) (1) THERE IS A STATE GRANT PROGRAM FOR COUNTY PUBLIC LIBRARY
20 CAPITAL PROJECTS IN THE DIVISION.

21 (2) THE GRANT PROGRAM IS IN ADDITION TO THE COUNTY-STATE
22 MINIMUM LIBRARY PROGRAM ESTABLISHED UNDER § 23-502 OF THIS ARTICLE.

23 (C) (1) ON OR BEFORE JULY 15 OF EACH YEAR, A COUNTY PUBLIC LIBRARY
24 SYSTEM MAY SUBMIT APPLICATIONS TO THE DIVISION TO RECEIVE GRANTS FOR
25 COUNTY LIBRARY CAPITAL PROJECTS FOR THE NEXT FISCAL YEAR.

26 (2) IN ORDER TO APPLY FOR A CAPITAL PROJECT GRANT, A COUNTY
27 PUBLIC LIBRARY SYSTEM SHALL HAVE:

28 (I) A COUNTYWIDE LIBRARY PLAN THAT INCLUDES A MISSION
29 STATEMENT, NEEDS STATEMENT, AND MULTIYEAR GOALS AND OBJECTIVES ON FILE
30 WITH THE DIVISION; AND

31 (II) A MASTER PLAN THAT INCLUDES A DESCRIPTION OF THE
32 CAPITAL PROJECT APPROVED BY THE APPLICANT'S GOVERNING BODY.

33 (3) AN APPLICATION SHALL INCLUDE:

34 (I) A DESCRIPTION OF THE SCOPE AND PURPOSE OF THE PROJECT;

1 (II) A BUILDING PLAN THAT INCLUDES THE ESTIMATED TOTAL
2 COST OF THE PROJECT; AND

3 (III) ANY OTHER INFORMATION REQUIRED BY THE DIVISION.

4 (4) A COUNTY PUBLIC LIBRARY SYSTEM MAY NOT APPLY FOR MORE
5 THAN THREE CAPITAL PROJECT GRANTS IN A FISCAL YEAR.

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

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

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

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

13 (3) GRANTS UNDER THE PROGRAM:

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

16 (II) MAY NOT EXCEED 50% OF THE TOTAL COST OF A CAPITAL
17 PROJECT; AND

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

19 (E) (1) THE DIVISION SHALL REVIEW GRANT APPLICATIONS SUBMITTED IN
20 ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION.

21 (2) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE DIVISION SHALL
22 MAKE RECOMMENDATIONS TO THE STATE BOARD REGARDING CAPITAL PROJECT
23 GRANTS FOR THE NEXT FISCAL YEAR.

24 (3) IN MAKING ITS RECOMMENDATIONS, THE DIVISION SHALL
25 CONSIDER:

26 (I) THE PUBLIC NECESSITY AND URGENCY OF A PROJECT;

27 (II) THE NEED FOR ADDITIONAL SOURCES OF FUNDING FOR A
28 PROJECT;

29 (III) THE ESTIMATED COST AND TIMELINESS OF EXECUTING A
30 PROJECT;

31 (IV) THE VIABILITY OF MATCHING FUNDS FOR A PROJECT; AND

32 (V) GEOGRAPHIC DIVERSITY.

1 (4) ON OR BEFORE NOVEMBER 1 OF EACH YEAR, THE STATE BOARD
2 SHALL:

3 (I) APPROVE CAPITAL PROJECTS FOR FUNDING IN THE STATE
4 BUDGET FOR THE NEXT FISCAL YEAR; AND

5 (II) FORWARD THE LIST OF APPROVED CAPITAL PROJECTS TO THE
6 DEPARTMENT OF BUDGET AND MANAGEMENT.

7 (5) FOR FISCAL YEAR 2008 AND EACH FISCAL YEAR THEREAFTER, THE
8 GOVERNOR SHALL INCLUDE IN THE ANNUAL OPERATING OR CAPITAL BUDGET
9 SUBMISSION ~~\$8,000,000~~ \$5,000,000 FOR COUNTY LIBRARY CAPITAL PROJECTS.

10 (F) THE STATE BOARD SHALL REPORT TO THE GOVERNOR AND, IN
11 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL
12 ASSEMBLY, ON OR BEFORE OCTOBER 1 OF EACH YEAR, ON STATE GRANTS AWARDED
13 FOR COUNTY PUBLIC LIBRARY CAPITAL PROJECTS FOR THE PRIOR FISCAL YEAR.

14 (G) THE STATE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THE
15 GRANT PROGRAM ESTABLISHED UNDER THIS SECTION.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 July 1, 2006.