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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**

Introduced and read first time: February 10, 2006

Assigned to: Ways and Means

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A BILL ENTITLED

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  
13 forwarded to the Department of Budget and Management; requiring the  
14 Governor to include certain funding for the program; requiring the State Board  
15 to submit certain reports; requiring the State Board to adopt certain  
16 regulations; defining certain terms; and generally relating to a State grant  
17 program for county public library capital projects.

18 BY repealing and reenacting, without amendments,  
19 Article - Education  
20 Section 23-102  
21 Annotated Code of Maryland  
22 (2004 Replacement Volume and 2005 Supplement)

23 BY adding to  
24 Article - Education  
25 Section 23-104(e) and 23-510  
26 Annotated Code of Maryland  
27 (2004 Replacement Volume and 2005 Supplement)

28 BY repealing and reenacting, with amendments,

1 Article - Education  
2 Section 23-105  
3 Annotated Code of Maryland  
4 (2004 Replacement Volume and 2005 Supplement)

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

7 **Article - Education**

8 23-102.

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

11 23-104.

12 (E) THE STATE BOARD SHALL APPROVE COUNTY PUBLIC LIBRARY CAPITAL  
13 PROJECTS THAT RECEIVE STATE FUNDS IN ACCORDANCE WITH § 23-510 OF THIS  
14 TITLE.

15 23-105.

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

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

20 (1) Provide leadership and guidance for the planning and coordinated  
21 development of library and information service in this State;

22 (2) Develop statewide public and school library services and networks,  
23 resource centers, and other arrangements to meet the library and information needs  
24 of this State;

25 (3) Provide professional and technical advice on improving library  
26 services in this State to:

27 (i) Public and school library officials;

28 (ii) State government agencies; and

29 (iii) Any other person;

30 (4) (i) Collect library statistics and other data;

31 (ii) Identify library needs and provide for needed research and  
32 studies of them;

- 1 (iii) Publish and distribute findings in these areas; and
- 2 (iv) Coordinate library services with other information and  
3 education services and agencies;
- 4 (5) Administer federal and State funds appropriated to it by the State for  
5 library purposes;
- 6 (6) (i) Develop and recommend professional standards and policies for  
7 libraries; and
- 8 (ii) Establish requirements and procedures for the certification of  
9 librarians and library personnel;
- 10 (7) Provide:
- 11 (i) Specialized library service to the blind and other physically  
12 handicapped individuals in this State; and
- 13 (ii) Other desirable specialized library services;
- 14 (8) Encourage, advise, and assist in establishing, operating, and  
15 coordinating libraries at State institutions and agencies and administer the operation  
16 of library and information services for the Department;
- 17 (9) ADMINISTER THE STATE GRANT PROGRAM FOR COUNTY PUBLIC  
18 LIBRARY CAPITAL PROJECTS, IN ACCORDANCE WITH § 23-510 OF THIS ARTICLE;
- 19 [(9)] (10) Adopt guidelines for the administration of public libraries and  
20 recommend to the State Board rules and regulations to implement this title;
- 21 [(10)] (11) Cooperate with national library agencies and those of any other  
22 state; and
- 23 [(11)] (12) Perform any other duty necessary for its proper operation.  
24 23-510.
- 25 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
26 INDICATED.
- 27 (2) "CAPITAL PROJECT" MEANS THE:
- 28 (I) ACQUISITION OF LAND OR BUILDINGS FOR A COUNTY LIBRARY;  
29 OR
- 30 (II) CONSTRUCTION OR IMPROVEMENT OF A COUNTY LIBRARY.
- 31 (3) "CONSTRUCTION OR IMPROVEMENT" MEANS PLANNING, DESIGN,  
32 ENGINEERING, ALTERATION, CONSTRUCTION, RECONSTRUCTION, ENLARGEMENT,

1 EXPANSION, EXTENSION, IMPROVEMENT, REPLACEMENT, REHABILITATION,  
2 RENOVATION, UPGRADING, REPAIR, OR CAPITAL EQUIPPING.

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

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

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

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

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

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

16 (I) A COUNTYWIDE LIBRARY PLAN THAT INCLUDES A MISSION  
17 STATEMENT, NEEDS STATEMENT, AND MULTIYEAR GOALS AND OBJECTIVES ON FILE  
18 WITH THE DIVISION; AND

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

21 (3) AN APPLICATION SHALL INCLUDE:

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

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

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

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

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

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

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

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

1 (3) GRANTS UNDER THE PROGRAM:

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

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

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

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

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

12 (3) IN MAKING ITS RECOMMENDATIONS, THE DIVISION SHALL  
13 CONSIDER:

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

15 (II) THE NEED FOR ADDITIONAL SOURCES OF FUNDING FOR A  
16 PROJECT;

17 (III) THE ESTIMATED COST AND TIMELINESS OF EXECUTING A  
18 PROJECT;

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

20 (V) GEOGRAPHIC DIVERSITY.

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

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

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

27 (5) FOR FISCAL YEAR 2008 AND EACH FISCAL YEAR THEREAFTER, THE  
28 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET SUBMISSION \$8,000,000 FOR  
29 COUNTY LIBRARY CAPITAL PROJECTS.

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

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

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