
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**

Introduced and read first time: February 10, 2006
Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 21, 2006

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
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

1 (2004 Replacement Volume and 2005 Supplement)

2 BY adding to

3 Article - Education

4 Section 23-104(e) and 23-510

5 Annotated Code of Maryland

6 (2004 Replacement Volume and 2005 Supplement)

7 BY repealing and reenacting, with amendments,

8 Article - Education

9 Section 23-105

10 Annotated Code of Maryland

11 (2004 Replacement Volume and 2005 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 23-102.

16 There is a Division of Library Development and Services in the Department.

17 The Division is the central State library agency.

18 23-104.

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

22 23-105.

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

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

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

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

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

34 (i) Public and school library officials;

1 (ii) State government agencies; and

2 (iii) Any other person;

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

4 (ii) Identify library needs and provide for needed research and
5 studies of them;

6 (iii) Publish and distribute findings in these areas; and

7 (iv) Coordinate library services with other information and
8 education services and agencies;

9 (5) Administer federal and State funds appropriated to it by the State for
10 library purposes;

11 (6) (i) Develop and recommend professional standards and policies for
12 libraries; and

13 (ii) Establish requirements and procedures for the certification of
14 librarians and library personnel;

15 (7) Provide:

16 (i) Specialized library service to the blind and other physically
17 handicapped individuals in this State; and

18 (ii) Other desirable specialized library services;

19 (8) Encourage, advise, and assist in establishing, operating, and
20 coordinating libraries at State institutions and agencies and administer the operation
21 of library and information services for the Department;

22 (9) ADMINISTER THE STATE GRANT PROGRAM FOR COUNTY PUBLIC
23 LIBRARY CAPITAL PROJECTS, IN ACCORDANCE WITH § 23-510 OF THIS ARTICLE;

24 [(9)] (10) Adopt guidelines for the administration of public libraries and
25 recommend to the State Board rules and regulations to implement this title;

26 [(10)] (11) Cooperate with national library agencies and those of any other
27 state; and

28 [(11)] (12) Perform any other duty necessary for its proper operation.

29 23-510.

30 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
31 INDICATED.

32 (2) "CAPITAL PROJECT" MEANS THE:

- 1 (I) ACQUISITION OF LAND OR BUILDINGS FOR A COUNTY LIBRARY;
2 OR
- 3 (II) CONSTRUCTION OR IMPROVEMENT OF A COUNTY LIBRARY.
- 4 (3) "CONSTRUCTION OR IMPROVEMENT" MEANS PLANNING, DESIGN,
5 ENGINEERING, ALTERATION, CONSTRUCTION, RECONSTRUCTION, ENLARGEMENT,
6 EXPANSION, EXTENSION, IMPROVEMENT, REPLACEMENT, REHABILITATION,
7 RENOVATION, UPGRADING, REPAIR, OR CAPITAL EQUIPPING.
- 8 (4) "COUNTY LIBRARY" MEANS A LIBRARY IN A COUNTY PUBLIC LIBRARY
9 SYSTEM 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
13 CAPITAL PROJECTS IN THE DIVISION.
- 14 (2) THE GRANT PROGRAM IS IN ADDITION TO THE COUNTY-STATE
15 MINIMUM LIBRARY PROGRAM ESTABLISHED UNDER § 23-502 OF THIS ARTICLE.
- 16 (C) (1) ON OR BEFORE JULY 15 OF EACH YEAR, A COUNTY PUBLIC LIBRARY
17 SYSTEM MAY SUBMIT APPLICATIONS TO THE DIVISION TO RECEIVE GRANTS FOR
18 COUNTY LIBRARY CAPITAL PROJECTS FOR THE NEXT FISCAL YEAR.
- 19 (2) IN ORDER TO APPLY FOR A CAPITAL PROJECT GRANT, A COUNTY
20 PUBLIC LIBRARY SYSTEM SHALL HAVE:
- 21 (I) A COUNTYWIDE LIBRARY PLAN THAT INCLUDES A MISSION
22 STATEMENT, NEEDS STATEMENT, AND MULTIYEAR GOALS AND OBJECTIVES ON FILE
23 WITH THE DIVISION; AND
- 24 (II) A MASTER PLAN THAT INCLUDES A DESCRIPTION OF THE
25 CAPITAL PROJECT APPROVED BY THE APPLICANT'S GOVERNING BODY.
- 26 (3) AN APPLICATION SHALL INCLUDE:
- 27 (I) A DESCRIPTION OF THE SCOPE AND PURPOSE OF THE PROJECT;
- 28 (II) A BUILDING PLAN THAT INCLUDES THE ESTIMATED TOTAL
29 COST OF THE PROJECT; AND
- 30 (III) ANY OTHER INFORMATION REQUIRED BY THE DIVISION.
- 31 (4) A COUNTY PUBLIC LIBRARY SYSTEM MAY NOT APPLY FOR MORE
32 THAN THREE CAPITAL PROJECT GRANTS IN A FISCAL YEAR.
- 33 (D) (1) THE DIVISION SHALL DEVELOP AND ADMINISTER A GRANT
34 PROGRAM TO ASSIST IN THE FUNDING OF COUNTY LIBRARY CAPITAL PROJECTS.

- 1 (2) THE PURPOSE OF THE GRANT PROGRAM IS TO:
- 2 (I) PROVIDE A UNIFORM AND OBJECTIVE ANALYSIS OF PROPOSED
3 CAPITAL PROJECTS; AND
- 4 (II) SUPPORT PROJECTS THAT ADDRESS THE LIBRARY NEEDS IN
5 THE STATE.
- 6 (3) GRANTS UNDER THE PROGRAM:
- 7 (I) REQUIRE A MATCHING FUND FROM ANY COMBINATION OF
8 COUNTY, MUNICIPAL, OR PRIVATE SOURCES;
- 9 (II) MAY NOT EXCEED 50% OF THE TOTAL COST OF A CAPITAL
10 PROJECT; AND
- 11 (III) MAY NOT BE FOR AN AMOUNT LESS THAN \$20,000.
- 12 (E) (1) THE DIVISION SHALL REVIEW GRANT APPLICATIONS SUBMITTED IN
13 ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION.
- 14 (2) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE DIVISION SHALL
15 MAKE RECOMMENDATIONS TO THE STATE BOARD REGARDING CAPITAL PROJECT
16 GRANTS FOR THE NEXT FISCAL YEAR.
- 17 (3) IN MAKING ITS RECOMMENDATIONS, THE DIVISION SHALL
18 CONSIDER:
- 19 (I) THE PUBLIC NECESSITY AND URGENCY OF A PROJECT;
- 20 (II) THE NEED FOR ADDITIONAL SOURCES OF FUNDING FOR A
21 PROJECT;
- 22 (III) THE ESTIMATED COST AND TIMELINESS OF EXECUTING A
23 PROJECT;
- 24 (IV) THE VIABILITY OF MATCHING FUNDS FOR A PROJECT; AND
- 25 (V) GEOGRAPHIC DIVERSITY.
- 26 (4) ON OR BEFORE NOVEMBER 1 OF EACH YEAR, THE STATE BOARD
27 SHALL:
- 28 (I) APPROVE CAPITAL PROJECTS FOR FUNDING IN THE STATE
29 BUDGET FOR THE NEXT FISCAL YEAR; AND
- 30 (II) FORWARD THE LIST OF APPROVED CAPITAL PROJECTS TO THE
31 DEPARTMENT OF BUDGET AND MANAGEMENT.

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

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

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

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