

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/CS/SB 2114

SPONSOR: Governmental Oversight & Productivity Committee, Comprehensive Planning, Local & Military Affairs Committee and Senator Garcia

SUBJECT: Public Libraries

DATE: February 27, 2002 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Cooper	Yeatman	CA	Favorable/CS
2.	Rhea	Wilson	GO	Favorable/CS
3.	_____	_____	AGG	_____
4.	_____	_____	AP	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This committee substitute authorizes municipalities to receive operating grants for public libraries, establishes minimum standards for receipt of funds, and revises provisions relating to construction grants. Further, the committee substitute authorizes award of a library construction grant even where initiation of a library construction project began 12 months prior to the award of the grant.

This committee substitute amends the following sections of the Florida Statutes: 257.17, 257.191, 257.22, and 257.23, and repeals section 257.19.

II. Present Situation:

State Aid to Libraries Program

The Department of State, Division of Library and Information Services (the “division”), administers the State Aid to Libraries program that provides operating grants to public libraries.¹ Such grants may be no more than 25 percent of local funds expended to operate and maintain a public library. The Legislature annually appropriates funds for grants, which are prorated among eligible recipients. The division notes that with the exception of the first year of grants in Fiscal Year 1962-63, annual appropriations have not been sufficient to meet the 25 percent match authorized in law.

All 67 counties now meet the statutory requirements to receive grants under the State Aid to Libraries program. In FY 2001-02, only one municipality, the City of Hialeah, qualified for the grant.

¹ Sections 257.14 - 257.25, F.S.

Chapter 257, F.S. - Section 257.17, F.S., provides that a political subdivision that has been designated by a county as the single library administrative unit is eligible to receive from the state an annual operating grant of not more than 25 percent of all local funds expended by that political subdivision during the second preceding fiscal year for the operation and maintenance of a library, provided they meet certain conditions.

First, the political subdivision must be:

- A county that establishes or maintains a library or that gives or receives free library service by contract with a municipality or nonprofit library corporation or association within such county;
- A county that joins with one or more counties to establish or maintain a library or contracts with another county, a special district, a special tax district, or one or more municipalities in another county to receive free library service;
- A special district or special tax district that establishes or maintains a library and provides free library service; or
- A municipality with a population of 200,000 or more that establishes or maintains a library and gives free library service.

Second, the library established or maintained by the political subdivision must:

- Be operated under a single administrative head and expend its funds centrally;
- Have an operating budget of at least \$20,000 per year from local sources; and
- Give free library service to all residents of the county or residents of the special district or special tax district.

Subsection (3) stipulates that any political subdivision establishing public library service for the first time must submit a certified copy of its appropriation for library service, and its eligibility to receive an operating grant is to be based upon such appropriation.

Subsection (4) provides that a municipality with a population of 200,000 or more that establishes or maintains a library is eligible to receive from the state an annual operating grant of not more than 25 percent of all local funds expended by that municipality during the second preceding fiscal year for the operation and maintenance of a library, under the following conditions:

- The municipal library is operated under a single administrative head and expends its funds centrally;
- The municipal library has an operating budget of at least \$20,000 per year from local sources; and
- The municipal library provides free library service to all residents of the municipality.

Paragraph (4)(b) provides that this subsection is repealed on July 1, 2002. Subsection (4) was subject to repeal on July 1, 2001. However, ch. 2001-262, L.O.F., delayed the repeal to July 1, 2002, thereby preserving the option for certain municipalities to be eligible for the state grant.

Section 257.19, F.S., provides for a single year library service establishment grant to any county, any counties and municipalities entering into an interlocal agreement pursuant to ch. 163, a special district, or a special tax district. The grant may exceed \$50,000.

Section 257.191, F.S., authorizes the division to distribute library construction match grants to municipal, county, and regional libraries. The local matching portion may not be less than 50 percent.

Section 257.22, F.S., provides that funds appropriated to a county, a municipality, a special district, or a special tax district for the maintenance of a library or library service must be provided to the respective boards of county commissioners or chief municipal executive authorities.

Section 257.23, F.S., outlines grant application procedures for county commissioners and the chief municipal executive authority of municipalities. Applications are due October 1 of each year.

Review of the State Aid to Libraries Program

Chapter 2001-262, L.O.F, which delayed the repeal of s. 257.17(4), F.S., also included a provision to require the division to review the State Aid to Libraries program and determine any revisions needed to encourage and improve the delivery of free library service to the residents of the state. The division was specifically asked to explore the feasibility of extending the benefits of the State Aid to Libraries program to municipal libraries.

The division hired a consulting firm with expertise in statewide library development and state aid programs to assist in the review. The division reports that the consulting team worked extensively with all segments of the public library community, and on December 17, 2001, the division issued its report: *Improving The State Aid To Libraries Grant Program*. The substance of the recommendations of the report is included in the bill as filed.

III. Effect of Proposed Changes:

Section 1 amends s. 257.17, F.S., to make all municipalities eligible to participate in the state aid program and to directly receive state funds, including municipalities that provide or receive free library service by contract with a nonprofit library corporation or association within the municipality. Eligibility requirements are changed in the following ways:

- Political subdivisions are required to employ a professional librarian who has completed a library education program accredited by the American Library Association with at least 2 years of full-time paid professional experience after completing the library education program in a public library that is open to the public for a minimum of 40 hours per week;
- The requirement that a library have an annual operating budget of at least \$20,000 from local sources is eliminated;

- A political subdivision in a county that offers library service and receives operating grants must provide the same level of service to the residents of any other political subdivision in the county receiving grants;
- At least one library or branch library be open for 40 hours or more each week;
- Libraries must have a long-range plan, annual plan of service, and an annual budget as conditions for grant eligibility; and
- Libraries must engage in joint planning for coordination of services within a county or counties that receive operating grants.

Because this committee substitute makes all municipalities eligible to receive a state-operating grant, s. 257.17(4), F.S., is repealed.

Section 2 amends s. 257.191, F.S., to state in a different way that the local matching portion of construction grants be no less than the grant amount, “unless the matching requirement is waived by s. 288.0656.” This provision of statute designates rural communities under the Rural Economic Development Initiative (REDI). However, s. 288.06561, F.S., relates to the waiver of state financial match requirement for projects in rural areas. The statutory reference in the bill appears to be incorrect.

Further, the committee substitute adds a provision expanding eligibility for a library construction grant. The committee substitute permits the award of a library construction grant award even if construction on a project has already begun. Initiation of a construction project, however, must be within 12 months prior to the grant award.

Section 3 amends s. 257.22, F.S., allowing all eligible political subdivisions to receive warrants, rather than only the “respective boards of county commissioners or chief municipal executive authorities.”

Section 4 amends s. 257.23, F.S., to expand the entities eligible to apply for the operating grant. In addition, December 1 is designated as the deadline for certifying the annual tax income and rate of tax or annual appropriation for library service. This aligns the respective document submission date with political subdivision budget development timelines.

Section 5 repeals s. 257.19, F.S., to eliminate grants that were provided to assist newly formed county systems in meeting their non-reoccurring start-up costs. Because library service is now available in all 67 counties, these grants are no longer needed.

Section 6 provides an effective date of July 1, 2002.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

This legislation makes all municipalities eligible for operating grants under the State Aid to Libraries grant program. The Department of State estimates that up to 26 municipalities may be eligible to apply.

The legislative appropriation to fund the grant program varies annually. However, over the past 37 years the amount appropriated has never been enough to provide libraries with grants of 25 percent of their local contribution. In FY 2001-02, \$34.2 million was appropriated, enough to match local contributions at a rate of 9.18 cents to every local dollar. If funding for the program remains constant this year, and 26 additional libraries receive grant funding, grant amounts will decrease from the level provided last year.

VIII. Amendments:

None.