

(vi) one member selected by the Ramsey county medical society.

(C) The higher education coordinating committee is the secretariat of the advisory committee and shall designate one of its members or an employee thereof as the secretary of the advisory committee.

(D) The advisory committee shall appoint a chairman who shall preside at its meetings and otherwise provide for its meetings by rule. None of the members thereof shall receive any compensation but each shall be reimbursed for his expenses in the same amounts and in the same manner as state employees.

(E) The higher education coordinating committee shall provide the advisory committee with a professional staff to meet its needs. The advisory committee will remain in operation no longer than June 30, 1975.

Sec. 2. **EFFECTIVE DATE.** All of this act, except section 1, subdivision 4, is effective upon approval by the board of commissioners of Ramsey county and upon compliance with Minnesota Statutes, Section 645.021. Section 1, subdivision 4, is effective upon approval by both the board of commissioners of Ramsey county and the city council of the city of Saint Paul and upon compliance with Minnesota Statutes, Section 645.021.

Approved March 23, 1978.

CHAPTER 546-H.F.No.1286

[Coded in Part]

An act relating to education; granting certain powers and duties relating to public libraries to the state board and the state department of education; providing grants for certain library systems; appropriating money; amending Minnesota Statutes 1976, Chapter 134, by adding sections; repealing Minnesota Statutes 1976, Sections 121.22; 121.23; 121.24; and 134.035.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Chapter 134, is amended by adding a section to read:

[134.30] DEFINITIONS. Subdivision 1. As used in sections 1 to 6 of this act, the terms defined in this section shall have the meanings ascribed to them.

Subd. 2. "Public library" means any library that provides free access to all residents of a city or county without discrimination, receives at least half of its financial support from public funds and is organized under the provisions of chapter 134 or section 375.33. It does not include libraries such as law, medical, school and academic libraries organized to serve a special group of persons, or libraries organized as a combination of a public

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library and another type of library.

Subd. 3. "Public library services" means services provided by or on behalf of a public library and does not include services for elementary schools, secondary schools or post-secondary educational institutions.

Subd. 4. "Regional public library system" means a multicounty public library service agency that provides free access to all residents of the region without discrimination, and is organized under the provisions of sections 134.12, 375.335, 471.59 or chapter 317.

Subd. 5. "Basic system services" means services offered by all regional public library systems either directly or by contract. These services shall include, but are not limited to, communication among participants, resource sharing, delivery of materials, reciprocal borrowing, and cooperative reference service.

Sec. 2. Minnesota Statutes 1976, Chapter 134, is amended by adding a section to read:

[134.31] STATE DEPARTMENT OF EDUCATION; LIBRARY RESPONSIBILITIES. Subdivision 1. The state shall, as an integral part of its responsibility for public education, support the provision of library service for every citizen and the development of cooperative programs for the sharing of resources and services among all libraries.

Subd. 2. The department of education shall give advice and instruction to the managers of any public library or to any governing body maintaining a library or empowered to do so by law upon any matter pertaining to the organization, maintenance, or administration of libraries. The department may also give advice and instruction, as requested, to the managers of any library in a post-secondary educational institution. It shall assist, to the extent possible, in the establishment and organization of library service in those areas where adequate services do not exist, and may aid in improving previously established library services.

Subd. 3. The department may provide, for any library in the state, books, journals, audiovisual items, reference services or resource materials it deems appropriate and necessary and shall encourage the sharing of library resources and the development of interlibrary cooperation.

Subd. 4. The department shall collect statistics on the receipts, expenditures, services, and use of the regional public library systems and the public libraries of the state. It shall also collect statistics on all activities undertaken pursuant to sections 2 to 6 of this act. The department shall report its findings to the legislature prior to November 15 of each even numbered year, together with a statement of its expenditures relating to these activities and any other matters as it deems appropriate.

Sec. 3. Minnesota Statutes 1976, Chapter 134, is amended by adding a section to read:

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[134.32] GRANT AUTHORIZATION; TYPES OF GRANTS. Subdivision 1. The department shall provide the grants specified in this section from any available state or federal funds.

Subd. 2. It shall provide establishment grants to regional public library systems which meet the requirements of section 4 of this act, to extend library services to additional counties.

Subd. 3. It shall provide regional library basic system support grants to regional public library systems which meet the requirements of section 5 of this act, to assist those systems in providing basic system services.

Subd. 4. It may provide special project grants to assist innovative and experimental library programs including, but not limited to, special services for American Indians and the Spanish-speaking, delivery of library materials to homebound persons, other extensions of library services to persons without access to libraries and projects to strengthen and improve library services.

Subd. 5. It may provide grants for interlibrary exchange of books, periodicals, resource material, reference information and the expenses incident to the sharing of library resources and materials.

Subd. 6. It may provide grants for the improvement of library services at welfare and corrections institutions and for library service for the blind and physically handicapped.

Subd. 7. Nothing within the provisions of this section shall be construed to allow state money to be used for the construction of library facilities.

Subd. 8. The state board shall promulgate rules consistent with sections 3 to 6 of this act governing:

(a) Applications for these grants;

(b) Computation formulas for determining the amounts of establishment grants and regional library basic system support grants; and

(c) Eligibility criteria for grants.

Sec. 4. Minnesota Statutes 1976, Chapter 134, is amended by adding a section to read:

[134.33] ESTABLISHMENT GRANTS. Subdivision 1. An establishment grant as described in section 3, subdivision 2, of this act, shall be made to any regional public library system for the first two state fiscal years after a board of county commissioners has contracted to join that system and has agreed that the county will provide the levels of support for public library service specified in this section. In the first year of participation, the county shall provide an amount of support equivalent to .2 mill times

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the adjusted assessed valuation of the taxable property of the county as determined by the equalization aid review committee for the second year preceding that calendar year; in the second year of participation, an amount equivalent to .3 mill times the adjusted assessed valuation of the taxable property of the county as determined by the equalization aid review committee for the second year preceding that calendar year; and, in the third year of participation and in each year thereafter, an amount equivalent to .4 mill times the adjusted assessed valuation of the taxable property of the county as determined by the equalization aid review committee for the second year preceding that calendar year. The minimum level of support shall be certified annually to the county by the department of education. In no event shall the department of education require any county to provide a higher level of support than the level of support specified in this section in order for a system to qualify for an establishment grant. This section shall not be construed to prohibit any county from providing a higher level of support for public libraries than the level of support specified in this section.

Subd. 2. In order for a regional public library system to qualify for an establishment grant for a county which begins to support participation in regional public library systems in 1977 or 1978, the county shall be required to provide the amount of support specified for the third year of participation from and after January 1, 1980.

Sec. 5. Minnesota Statutes 1976, Chapter 134, is amended by adding a section to read:

[134.34] REGIONAL LIBRARY BASIC SYSTEM SUPPORT GRANTS; REQUIREMENTS. Subdivision 1. A regional library basic system support grant shall be made to any regional public library system where there are at least three participating counties and where each participating city and county, except in the first and second years of participation as provided in section 4 of this act, is providing for public library service support in an amount equivalent to .4 mill times the adjusted assessed valuation of the taxable property of that city or county, as determined by the equalization aid review committee for the second year preceding that calendar year. The minimum level of support shall be certified annually to the participating cities and counties by the department of education. A city which is a part of a regional public library system shall not be required to provide this level of support if the property of that city is already taxable by the county for the support of that regional public library system. In no event shall the department of education require any city or county to provide a higher level of support than the level of support specified in this section in order for a system to qualify for a regional library basic system support grant. This section shall not be construed to prohibit a city or county from providing a higher level of support for public libraries than the level of support specified in this section.

Subd. 2. Notwithstanding the provisions of section 4 of this act and subdivision 1 of this section, after the third year of participation by a city or county, the dollar amount of the minimum level of support for that city or county shall not be required to increase by more than ten percent over the dollar amount of the minimum level of support required of it in the previous year. If a participating city or county which has been providing for public library service support in an amount equivalent to .67 mill times the assessed valuation of the taxable property of that city or county for the year preceding

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that calendar year would be required to increase the dollar amount of such support by more than ten percent to reach the equivalent of .4 mill times the adjusted assessed valuation of the taxable property of that participating city or county as determined by the equalization aid review committee for the second year preceding that calendar year, it shall only be required to increase the dollar amount of such support by ten percent per year until such time as it reaches an amount equivalent to .4 mill times the adjusted assessed valuation of that taxable property as determined by the equalization aid review committee for the second year preceding that calendar year.

Subd. 3. Regional library basic system support grants shall be made only to those regional public library systems officially designated by the state board of education as the appropriate agency to strengthen, improve and promote public library services in the participating areas. The state board of education shall designate no more than one such regional public library system located entirely within any single development region existing under sections 462.381 to 462.396 or chapter 473.

Subd. 4. A regional library basic system support grant shall not be made to a regional public library system for a participating city or county which decreases the dollar amount provided for support for operating purposes of public library service below the amount provided by it for the preceding year. This subdivision shall not apply to participating cities or counties where the adjusted assessed valuation of that city or county has decreased, if the dollar amount of the reduction in support is not greater than the dollar amount by which support would be decreased if the reduction in support were made in direct proportion to the decrease in adjusted assessed valuation.

Sec. 6. Minnesota Statutes 1976, Chapter 134, is amended by adding a section to read:

[134.35] REGIONAL LIBRARY BASIC SYSTEM SUPPORT GRANTS; DISTRIBUTION FORMULA. Subdivision 1. Any regional public library system which qualifies according to the provisions of section 5 of this act may apply for an annual grant for regional library basic system support. The amount of each grant for fiscal year 1979 shall be calculated as provided in this section.

Subd. 2. Sixty percent of the available grant funds shall be distributed to provide all qualifying systems an equal amount per capita. Each system's allocation pursuant to this subdivision shall be based on the population it serves.

Subd. 3. Fifteen percent of the available grant funds shall be distributed to provide all qualifying systems an equal amount per square mile. Each system's allocation pursuant to this subdivision shall be based on the area it serves.

Subd. 4. The sum of \$35,000 shall be paid to each system as a base grant for basic system services.

Subd. 5. After the allocations made pursuant to subdivisions 2, 3 and 4 of this section, any remaining available grant funds for basic system support shall be distributed to those regional public library systems which contain counties whose adjusted assessed

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valuations per capita were below the state average adjusted assessed valuation per capita for the second year preceding the fiscal year for which the grant is made. Each system's entitlement shall be calculated as follows:

(a) Subtract the adjusted assessed valuation per capita for each eligible county or participating portion of a county from the statewide average adjusted assessed valuation per capita;

(b) Multiply the difference obtained in clause (a) for each eligible county or participating portion of a county by the population of that eligible county or participating portion of a county;

(c) For each regional public library system, determine the sum of the results of the computation in clause (b) for all eligible counties or portions thereof in that system;

(d) Determine the sum of the result of the computation in clause (b) for all eligible counties or portions thereof in all regional public library systems in the state;

(e) For each system, divide the result of the computation in clause (c) by the result of the computation in clause (d) to obtain the allocation factor for that system;

(f) Multiply the allocation factor for each system as determined in clause (e) times the amount of the remaining grant funds to determine each system's dollar allocation pursuant to this subdivision.

Subd. 6. Notwithstanding the provisions of subdivisions 1 to 5, no regional public library system shall receive an amount as an annual grant for fiscal year 1979 pursuant to this section which is less than the amount which that system received as its annual grant for fiscal year 1978. This subdivision shall expire on July 1, 1979.

Sec. 7. [134.36] RULES. The state board of education shall promulgate rules as necessary for implementation of any provision of this act. Temporary rules may be adopted to implement this act in compliance with the provisions of section 15.0412, subdivision 5, except that these rules may be effective for up to 300 days.

Sec. 8. Minnesota Statutes 1976, Sections 121.22; 121.23; 121.24; and 134.035 are repealed.

Sec. 9. The state department may waive the requirement that three counties participate in the Western Plains system in order for that system to qualify for a basic system support grant pursuant to section 5, until June 30, 1979, if that system meets all other requirements.

Sec. 10. The contingent appropriation provided by Laws 1977, Chapter 449, Section 2, Subdivision 7, Clause (c), is hereby made available for the purposes of this act.

Approved March 23, 1978.

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