

CHAPTER 134

LIBRARIES

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134.01 MAINTENANCE.

Every school district may provide library facilities as part of its school equipment according to the standards of the state board of education.

History: 1921 c 397 s 1 (3015)

134.02 FUNDS.

The school board of any district may vote sufficient funds for the maintenance of the school library, appoint a librarian, and make rules for the use and management of the library.

History: 1921 c 397 s 2 (3016)

134.03 TAX LEVY.

Subdivision 1. In cities of less than 2,000 inhabitants not levying a tax for public library purposes, the school board may maintain a public library for the use of all residents of the district and provide ample and suitable rooms for its use in the school buildings or the district.

Upon a library being so established in any such school district, whose library building has been erected with funds acquired by gift or donation, the school board is empowered to appoint a library board of nine members, of which each member of the school board shall be a member ex officio.

The remaining members of such library board shall be appointed by the school board, one of which remaining members shall hold office for one year, one for two years, and one for three years if the school board has only six members, from the first Saturday of September following their appointment, the term of office of each being specified in such appointment; annually thereafter, such school board shall appoint a member of the library board for the term of three years and until his successor shall qualify. Such school board may remove any member so appointed for misconduct or neglect. Vacancies in such board shall be filled by appointment for the unexpired term. Members of such board shall receive no compensation for their services as such.

Immediately after appointment, such board shall organize by electing one of its members as president and one as secretary and from time to time it may appoint such other officers and employees as it deems necessary. The secretary, before entering upon his duties, shall give bond to the school district in an amount

fixed by the library board, conditioned for the faithful discharge of his official duties. The library board shall adopt such bylaws and regulations for the government of the library and reading-room and for the conduct of its business as may be expedient and conformable to law. It shall have exclusive control of the expenditures of all money collected for, or placed to the credit of, the library funds, and of the rooms and buildings provided for library purposes. All moneys received for such library fund shall be kept in the treasury of the school district, credited to the library fund, and be paid out only upon itemized vouchers approved by the library board. The library board may fix the compensation of employees and remove any of them at pleasure.

All books or other property given, granted, conveyed, donated, devised, or bequeathed to, or purchased by, such library shall vest in, and be held in the name of, such school district. Every library and reading-room established hereunder shall be free to the use of the inhabitants of the school district, subject to such reasonable regulations as the directors may adopt.

When so established, no such library shall be abandoned without a two-thirds majority vote of the electors cast at any annual or special school meeting called for the purpose.

Subd. 2. Notwithstanding subdivision 1, if the library building of a library established pursuant to this section has been erected with funds acquired by gift or donation, a school board may, if authorized by the vote of a majority of all members of the school board and the vote of a majority of all members of the governing body of the city, permanently transfer the responsibility for maintaining the library to the city.

History: 1921 c 397 s 3; 1929 c 210; 1973 c 123 art 5 s 7; 1973 c 773 s 1; 1978 c 764 s 98; 1980 c 609 art 6 s 33 (3017)

134.035 [Repealed, 1978 c 546 s 8]

134.04 STATE DEPARTMENT OF EDUCATION TO FURNISH LIST OF BOOKS.

The state department of education shall from time to time prepare and amend a list of books suitable for school libraries, including dictionaries and other books of reference, histories and works of biography, literature, political economy, agriculture, travel, and science.

History: 1921 c 397 s 4 (3018)

134.05 [Repealed, 1963 c 10 s 1]

134.06 SCHOOL AND CITY LIBRARIES MAY COMBINE.

Any school board may contract with the board of any approved county or city library to become a branch of this public library and to receive therefrom library books suited to the needs of the pupils in the school and for the community according to the standards established in the rules of the state board of education. In the event of a contract between the school board and the public library board, the school board may place in the public library such books belonging to the school library as may be more useful in the public library for students and the community and the school board shall annually pay to the library board the school library book fund and the state library aid to which such school district is entitled. All books purchased by this public library from funds provided by the school district or state school library aid shall be selected from the state list for school libraries.

In the event of the making of such contract, a librarian shall be employed who meets the standards of the state board of education and the school board and the library board may jointly employ such librarian, who may spend her time partly in the school and partly in the library.

History: 1921 c 397 s 6; 1973 c 123 art 5 s 7 (3020)

134.07 LIBRARIES, READING ROOMS; TAX.

Subdivision 1. The governing body of any city may establish and maintain a public library, a public reading room, or both, for the use of its inhabitants. By ordinance it may set apart for the benefit thereof any public property of the city. Except as provided in subdivision 2, in any statutory city and in any city of the second, third, or fourth class, the governing body thereof may levy an annual tax of not more than 2.6 $\frac{2}{3}$ mills on the dollar, of all taxable property therein. The proceeds of any such tax shall be known as the library fund.

Subd. 2. The governing body of any city of the fourth class located in any county having over 7,000 and less than 9,000 inhabitants and over 70 full and fractional congressional townships, operating under a home rule charter, may levy an annual tax of not to exceed 1.6 $\frac{2}{3}$ mills for such purposes, notwithstanding any limitation contained in its home rule charter.

History: RL s 2255; 1913 c 509 s 1; 1945 c 319 s 1; 1953 c 434 s 1; 1953 c 686 s 1; 1955 c 120 s 1; 1963 c 144 s 1; 1973 c 123 art 5 s 7; 1973 c 773 s 1 (5661)

134.08 WHEN ESTABLISHED BY VOTE; EXISTING LIBRARIES.

If a library or reading-room is not otherwise established, the governing body of the municipality, upon the petition of 50 eligible voters, as defined in section 200.02, subdivision 25, of the municipality, shall submit the question of the establishment to the voters at the next municipal election. If two-thirds of the votes cast on the question are in the affirmative, the governing body shall establish the library or reading-room and levy a yearly tax for its support, within the limits fixed by section 134.07. All public libraries and reading-rooms heretofore established and now existing in cities are continued and all ordinances setting apart public property for their support are hereby confirmed. Nothing in sections 134.08 to 134.15 shall be construed as abridging any power or duty in respect to libraries conferred by any city charter.

History: RL s 2256; 1973 c 123 art 5 s 7; 1980 c 609 art 6 s 34 (5662)

134.09 DIRECTORS; TERM; REMOVAL.

Subdivision 1. When any such library or reading room is established, except in any city of the first class operating under a home rule charter, the mayor of the city or president of the statutory city, with the approval of the council, shall appoint a board of five, seven or nine directors, but not more than one of whom shall at any time be a member of such governing body, such appointments to be made prior to the first meeting of such library board after the end of the fiscal year. If nine are appointed, three shall hold office for one year, three for two years and three for three years. If seven members be appointed, three shall hold office for one year, two for two years, and two for three years; if five be appointed, two shall hold office for one year, two for two years, and one for three years. The number of directors on the board shall be determined by resolution or ordinance adopted by the council. All terms shall end with the fiscal year. Annually thereafter such mayor or president shall appoint for the term of three years and until their successors qualify a sufficient number of directors to fill the places of those whose term or terms expire.

Subd. 2. The mayor or president, by and with the consent of the council, may remove any director for misconduct or neglect.

Subd. 3. Terms of directors in office at the time Laws 1945, Chapter 46, takes effect shall expire at the end of the city's fiscal year current at the expiration of their terms as heretofore provided.

Subd. 4. Upon recommendation of a majority of any library board created under the provisions of subdivision 1, the governing body of such city may abolish such library board at the end of any fiscal year provided that such governing body shall simultaneously establish a successor library board of either five, seven or nine members by resolution or ordinance. In the event of such resolution or ordinance, the mayor, with the approval of the council, shall appoint a library board of the number of members as provided by said resolution or ordinance. If nine are appointed, three shall hold office for one year, three for two years and three for three years. If seven members be appointed, three shall hold office for one year, two for two years, and two for three years; if five be appointed, two shall hold office for one year, two for two years, and one for three years. Annually thereafter such mayor shall appoint for the term of three years and until their successors qualify a sufficient number of directors to fill the places of those whose term or terms expire. All terms shall end with the fiscal year.

History: *RL s 2257; 1943 c 245 s 1; 1945 c 46 s 1,2; 1961 c 235 s 1; 1973 c 123 art 5 s 7 (5663)*

134.10 VACANCIES; COMPENSATION.

Vacancies in the board of directors shall be reported to the council and filled by like appointment for the unexpired term. Directors shall receive no compensation for their services as such.

History: *RL s 2258 (5664)*

134.11 ORGANIZATION OF BOARD; RULES.

Immediately after appointment, such board shall organize by electing one of its number as president and one as secretary, and from time to time it may appoint such other officers and employees as it deems necessary. The secretary, before entering upon his duties, shall give bond to the municipality in an amount fixed by the directors, conditioned for the faithful discharge of his official duties. The board shall adopt such bylaws and regulations for the government of the library and reading-room and for the conduct of its business as may be expedient and conformable to law. It shall have exclusive control of the expenditure of all moneys collected for or placed to the credit of the library fund, of the construction of library buildings, and of the grounds, rooms, and buildings provided for library purposes. All moneys received for such library shall be paid into the city treasury, credited to the library fund, kept separate from other moneys of the municipality, and paid out only upon itemized vouchers approved by the board. The board may lease rooms for library use, fix the compensation of employees, and remove any of them at pleasure. With the approval of the council, the board may purchase grounds and erect a library building thereon.

History: *RL s 2259; 1973 c 123 art 5 s 7 (5665)*

134.12 BENEFITS OF LIBRARY.

Subdivision 1. **Non-residents to receive.** Any board of directors may admit to the benefits of its library persons not residing within the municipality under regulations and upon conditions as to payment and security prescribed by it.

Subd. 2. **Loan of books, contracts.** The board may contract with the county board of the county in which the library is situated or the county board of any

adjacent county, or with the governing body of any neighboring town or city, to loan books of the library, either singly or in traveling libraries, to residents of the county, town, or city.

Subd. 3. Use of free public library; tax levy. Any such county board or governing body may contract with the board of directors of any free public library for the use of the library by the residents of the county, town, or city who do not have the use of a free library, upon the terms and conditions as those granted residents of the city where the library is located, and to pay such board of directors an annual amount therefor. Any such county board or governing body may establish a library fund by levying an annual tax upon all taxable property which is not already taxed for the support of any free public library and all taxable property which is situated outside of any city in which is situated a free public library.

History: *RL s 2260; 1905 c 257; 1913 c 509 s 2; 1951 c 217 s 1; 1963 c 144 s 2; 1973 c 123 art 5 s 7; 1973 c 583 s 8 (5666)*

NOTE: See also section 375.33.

134.13 DIRECTORS NOW IN OFFICE; REPORT; EXCEPTIONS.

The directors of any such library or reading room in office under existing laws shall so continue until the expiration of their terms, but their successors shall be appointed and vacancies filled under the provision of sections 134.08 to 134.15. At the first regular meeting of the board following the end of each fiscal year of a city, the board shall report to the governing body of the municipality all amounts received during the preceding year and the sources thereof, the amounts expended and for what purposes, the number of books on hand, the number purchased and loaned, and such other information as it deems advisable. A copy of such report shall be filed with the Library Division, State Department of Education. Nothing in this section shall apply to libraries in cities of the first class.

History: *RL s 2261; 1911 c 181 s 1; 1945 c 40 s 1; 1973 c 123 art 5 s 7 (5667)*

134.14 TITLE TO PROPERTY; FREE USE.

All property given, granted, conveyed, donated, devised, or bequeathed to, or otherwise acquired by, any municipality for a library or reading-room shall vest in, and be held in the name of, such municipality and any conveyance, grant, donation, devise, bequest, or gift made to, or in the name of, any public library or library board shall be deemed to have been made directly to such municipality. Every library and reading-room established under sections 134.08 to 134.15 shall be forever free to the use of the inhabitants of the municipality subject to such reasonable regulations as the directors may adopt.

History: *RL s 2262 (5668)*

134.15 GIFTS; CONTRACTS.

With the consent of the governing body of any city, expressed by ordinance or resolution, and within the limitations of sections 134.08 to 134.15 as to the rate of taxation, the library board may accept any gift, grant, devise, or bequest made or offered by any person for library purposes, or for the establishment, enlargement, or maintenance of an art gallery or museum in connection with its library, and may carry out the conditions of such donation. The municipality in all such cases is authorized to acquire a site, levy a tax, and pledge itself by ordinance or resolution to a perpetual compliance with all the terms and conditions of the gift, grant, devise, or bequest so accepted.

History: *RL s 2263; 1973 c 123 art 5 s 7 (5669)*

134.16 CERTAIN CITIES AND TOWNS TO ESTABLISH PORTABLE AND CIRCULATING LIBRARIES.

The board of supervisors of any town containing five or more governmental townships and having a total population of 15,000, including statutory cities therein which are not separated from the town for election and assessment purposes, may establish and maintain a portable circulating library for the education, benefit, and welfare of the people of the town.

For this purpose, the board may purchase and equip a motor vehicle and furnish a driver, a librarian, and such further clerical assistance as it shall deem reasonably necessary for the maintenance of such library, and the library board of such city is hereby authorized to cooperate with the town in the maintenance thereof and to loan books and periodicals to the town on such terms as it shall prescribe.

All expenditures made for the purposes of this section shall be within and not above the limitations now prescribed by law for the general fund of such town.

History: 1933 c 176 s 1; 1973 c 123 art 5 s 7 (5669-1)

134.17 [Repealed, 1965 c 45 s 73]**134.18 PRIVILEGES EXTENDED TO COUNTIES AND STATUTORY CITIES.**

Any public library board in any city of the first class in this state, whether such board was created by and under the general laws or by special act of the legislature, may enter into arrangement with the authorities of the county within which it is located, or with the authorities of any adjoining county, or with the authorities of any statutory city within any such county, whereby the inhabitants of any such county or statutory city may secure the privileges of using the library and museums of any such library board and the authorities of any such county or statutory city are hereby authorized to defray the expenses any such arrangement may involve.

History: 1907 c 289 s 1; 1973 c 123 art 5 s 7 (1591)

134.19 TAX FOR LIBRARY BOARD.

There may be annually levied by, or for the benefit of, any public library board in any city of the first class in this state, whether such board was created by and under the general laws or by special act of the legislature, a tax of not to exceed one-third of one mill upon each dollar of the property in such city, as the value of such property has been assessed and determined for the purposes of general taxation.

History: 1907 c 289 s 2; 1973 c 773 s 1 (1592)

134.21 INTERSTATE LIBRARY COMPACT.

The interstate library compact is hereby enacted into law and entered into on behalf of this state with any state bordering on Minnesota which legally joins therein in substantially the following form:

INTERSTATE LIBRARY COMPACT

The contracting states agree that:

ARTICLE I PURPOSE

Because the desire for the services provided by public libraries transcends governmental boundaries and can be provided most effectively by giving such services to communities of people regardless of jurisdictional lines, it is the policy of the states who are parties to this compact to cooperate and share their responsibilities in providing joint and cooperative library services in areas where the distribution of population makes the provision of library service on an interstate basis the most effective way to provide adequate and efficient services.

ARTICLE II PROCEDURE

The appropriate officials and agencies of the party states or any of their political subdivisions may, on behalf of said states or political subdivisions, enter into agreements for the cooperative or joint conduct of library services when they shall find that the executions of agreements to that end as provided herein will facilitate library services.

ARTICLE III CONTENT

Any such agreement for the cooperative or joint establishment, operation, or use of library services, facilities, personnel, equipment, materials, or other items not excluded because of failure to enumerate shall, as among the parties of the agreement: (1) Detail the specific nature of the services, facilities, properties, or personnel to which it is applicable; (2) provide for the allocation of costs and other financial responsibilities; (3) specify the respective rights, duties, obligations, and liabilities; (4) stipulate the terms and conditions for duration, renewal, termination, abrogation, disposal of joint or common property, if any, and all other matters which may be appropriate to the proper effectuation and performance of said agreement.

ARTICLE IV CONFLICT OF LAWS

Nothing in this compact or in any agreement entered into hereunder shall be construed to supersede, alter, or otherwise impair any obligation imposed on any public library by otherwise applicable laws.

ARTICLE V ADMINISTRATOR

Each state shall designate a compact administrator with whom copies of all agreements to which his state or any subdivision thereof is party shall be filed. The administrator shall have such powers as may be conferred upon him by the laws of his state and may consult and cooperate with the compact administrators of other party states and take such steps as may effectuate the purposes of this compact.

ARTICLE VI EFFECTIVE DATE

This compact shall become operative immediately upon its enactment by any state or between it and any other contiguous state or states so enacting.

ARTICLE VII RENUNCIATION

This compact shall continue in force and remain binding upon each party state until six months after any such state has given notice of repeal by the legislature. Such withdrawal shall not be construed to relieve any party to an agreement authorized by articles II and III of the compact from the obligation of that agreement prior to the end of its stipulated period of duration.

ARTICLE VIII SEVERABILITY; CONSTRUCTION

The provisions of this compact shall be severable. It is intended that the provisions of this compact be reasonably and liberally construed.

History: 1967 c 4 s 1

134.22 COMPACT ADMINISTRATOR.

The state board of education shall designate an officer or employee of the state department of education as compact administrator. The compact administrator shall receive copies of all agreements entered into by the state or its political subdivisions and other states or political subdivisions; consult with, advise, and aid such governmental units in the formulation of such agreements; make such recommendations to the governor, legislature, and governmental agencies and units as he deems desirable to effectuate the purposes of this compact; and consult and cooperate with the compact administrators of other party states.

History: 1967 c 4 s 2

134.23 AGREEMENTS.

The compact administrator and the governing body of any political subdivision of the state or the library board thereof operating a public library may enter into agreements with other states or their political subdivisions pursuant to the compact. Such agreements as may be made pursuant to this compact on behalf of the state of Minnesota shall be made by the compact administrator. Such agreements as may be made on behalf of a political subdivision shall be made after due notice to the compact administrator and consultation with him.

History: 1967 c 4 s 3

134.24 ENFORCEMENT OF COMPACT.

The agencies and officers of this state and its political subdivisions shall enforce this compact and do all things appropriate to effect its purpose and intent which may be within their respective jurisdictions.

History: 1967 c 4 s 4

134.30 DEFINITIONS.

Subdivision 1. As used in sections 134.30 to 134.35 and sections 134.351, 134.352, and 134.353, 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 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.

Subd. 6. "Multi-county, multi-type library system" means a cooperative network composed of any combination of public libraries, regional public library systems, public school libraries, public or private college or university libraries and any other libraries which share services and resources within a multi-county area.

History: 1978 c 546 s 1; 1979 c 334 art 9 s 1,2

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 134.31 to 134.35. 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.

History: 1978 c 546 s 2

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 134.33, 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 134.34, 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, including planning, development and operating grants to multi-county, multi-type library systems.

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 134.32 to 134.35 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.

History: 1978 c 546 s 3; 1979 c 334 art 9 s 3

134.33 ESTABLISHMENT GRANTS.

Subdivision 1. An establishment grant as described in section 134.32, subdivision 2, 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 .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 or two-thirds of the per capita amount established under the provisions of section 134.34, subdivision 1, whichever amount is less. In the second year of participation and in each year thereafter, the county shall provide an amount of support 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 or the per capita amount established under the provisions of section 134.34, subdivision 1, whichever is less. 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. [Repealed, 1979 c 334 art 9 s 12]

History: 1978 c 546 s 4; 1979 c 334 art 9 s 4

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 year of

participation as provided in section 134.33, is providing for public library service support the lesser of (a) 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 or (b) a per capita amount calculated under the provisions of this subdivision. The per capita amount is established for calendar year 1980 as \$3.00. In succeeding calendar years, the per capita amount shall be increased by a percentage equal to one-half of the percentage by which the total state adjusted assessed valuation of property as determined by the equalization aid review committee for the second year preceding that calendar year increases over that total adjusted assessed valuation for the third 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 134.33 and subdivision 1 of this section, after the second 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 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 or the per capita amount calculated under the provisions of subdivision 1, 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 or the per capita amount calculated under the provisions of subdivision 1.

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.

Subd. 5. **Maintenance of effort; exception.** Notwithstanding subdivision 4, a regional library system support grant may be made in fiscal year 1983 to a regional public library system for a participating city or county which decreases the dollar amount provided by it for operating purposes of public library service below the amount provided by it for 1981 if the amount provided by the city or county in 1982 is not less than the amount provided by it in 1980. A regional library system support grant may be made in fiscal year 1984 to a regional public library system for a participating city or county which decreases the dollar amount provided by it for operating purposes of public library service below the amount provided by it for 1982, if the amount provided by the city or county in 1983 is not less than the amount provided by it in 1981. This subdivision shall not affect the eligibility of cities or counties to declare all or part of their library levies as special levies under the provisions of section 275.50, subdivision 5, clause (c).

History: 1978 c 546 s 5; 1979 c 334 art 9 s 5,6; 1982 c 548 art 6 s 18; 1982 c 576 s 1; 1982 c 642 s 1

134.35 REGIONAL LIBRARY BASIC SYSTEM SUPPORT GRANTS; DISTRIBUTION FORMULA.

Subdivision 1. **Grant application.** Any regional public library system which qualifies according to the provisions of section 134.34 may apply for an annual grant for regional library basic system support. The amount of each grant for each fiscal year shall be calculated as provided in this section.

Subd. 2. Fifty-five 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, any remaining available grant funds for basic system support shall be distributed to those regional public library systems which contain counties whose adjusted assessed 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. [Expired]

History: 1978 c 546 s 6; 1979 c 334 art 9 s 7,8; 1981 c 358 art 6 s 27

134.351 MULTI-COUNTY, MULTI-TYPE LIBRARY SYSTEMS.

Subdivision 1. **Establishment.** The state board of education, upon the advice of the advisory council to the office of public libraries and interlibrary cooperation, may approve the establishment of multi-county, multi-type library systems and the geographic boundaries of those systems.

Subd. 2. **Services.** Each multi-county, multi-type library system is encouraged to develop services including, but not limited to the following: referral of users, intrasystem reciprocal borrowing, cooperative collection development, cooperative reference services, staff development, research and development, cooperative storage facilities, publicity and community relations.

Subd. 3. **Agreement.** In order for a multi-county, multi-type library system to qualify for a planning, development or operating grant pursuant to sections 134.352 and 134.353, each participating library in the system shall adopt an organizational agreement providing for the following:

- (a) Sharing of resources among all participating libraries;
- (b) Long-range planning for cooperative programs;
- (c) The development of a delivery system for services and programs;
- (d) The development of a bibliographic data base; and
- (e) A communications system among all cooperating libraries.

Subd. 4. **Governance.** In any area where the boundaries of a proposed multi-county, multi-type library system coincide with the boundaries of the regional library system, the regional library system board shall be designated as the governing board for the multi-county, multi-type library system. In any area where a proposed multi-county, multi-type library system encompasses more than one regional library system, the governing board of the multi-county, multi-type library system shall consist of nine members appointed by the cooperating regional library system boards from their own membership in proportion to the population served by each cooperating regional library system. In each multi-county, multi-type library system there shall be established an advisory committee consisting of two representatives of public libraries, two representatives of school media services, one representative of special libraries, one representative of public supported academic libraries, and one representative of private academic libraries. The advisory committee shall recommend needed policy to the system governing board.

Subd. 5. **Property.** All property given, granted, conveyed, donated, devised or bequeathed to, or otherwise acquired by any multi-county multi-type library system board shall vest in, and be held in the name of, the multi-county multi-type library system board. Any conveyance, grant, donation, devise, bequest, or gift made to, or in the name of, any multi-county multi-type library system shall be deemed to have been made directly to the multi-county multi-type library system board.

Subd. 6. **Ratification.** All property heretofore given, granted, conveyed, donated, devised, bequeathed to, or otherwise acquired by any multi-county multi-type library system board is hereby validated, ratified and confirmed as the property of the board.

Subd. 7. **Reports.** Each multi-county, multi-type system receiving a grant pursuant to section 134.352 or 134.353 shall provide an annual progress report to the department of education. The department shall report before November 15 of each year to the legislature on all projects funded under sections 134.352 and 134.353.

History: 1979 c 334 art 9 s 9; 1981 c 358 art 6 s 28-30

134.352 MULTI-COUNTY, MULTI-TYPE LIBRARY SYSTEM; PLANNING GRANTS.

The state board of education may award a one year planning grant to a multi-county, multi-type library system, to be available during the first year of operation of each system. In awarding a planning grant, the state board shall consider the extra costs incurred in systems located in sparsely populated and large geographic areas.

History: 1979 c 334 art 9 s 10

134.353 MULTI-COUNTY, MULTI-TYPE LIBRARY SYSTEM DEVELOPMENT GRANT.

The state board of education may provide development and operating grants to multi-county, multi-type library systems in their second and subsequent years of operation. In awarding a development and operating grant, the state board shall consider the extra costs incurred in systems located in sparsely populated and large geographic regions.

History: 1979 c 334 art 9 s 11

134.36 RULES.

The state board of education shall promulgate rules as necessary for implementation of any provision of sections 134.30 to 134.353.

History: 1978 c 546 s 7; 1981 c 358 art 6 s 31