

## CHAPTER 134

PUBLIC LIBRARIES; MULTICOUNTY,  
MULTITYPE LIBRARIES

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**134.13 ANNUAL REPORT.**

As soon as practicable following the end of the fiscal year the library board shall report to the governing body of the city or county all amounts received during the preceding year and the sources thereof, the amounts expended and for what purposes, the number of library materials on hand, the number purchased and loaned, and such other information as it deems advisable. No later than April 1 of each year the library board shall file this information with the Department of Education on forms supplied by the department.

**History:** 2003 c 130 s 12

**134.201 REGIONAL LIBRARY DISTRICT.**

Subdivision 1. **Establishment.** Regional public library districts may be established under this section in the areas of the existing Great River Regional Library System and the East Central Regional Library System. The geographic boundaries shall be those established by the commissioner of education under section 134.34, subdivision 3.

*[For text of subs 2 to 4, see M.S.2002]*

Subd. 5. **General levy authority.** The board may levy for operation of public library service. This levy shall replace levies for operation of public library service by cities and counties authorized in section 134.07. The amount levied shall be spread on the net tax capacity of all taxable property in the district at a uniform tax rate.

(a) The maximum amount that may be levied by a board under this section is the greater of:

(1) the statewide average local support per capita for public library services for the most recent reporting period available, as certified by the commissioner of education, multiplied by the population of the district according to the most recent estimate of the state demographer or the Metropolitan Council; or

(2) the total amount provided by participating counties and cities under section 134.34, subdivision 4, during the year preceding the first year of operation.

(b) For its first year of operation, the board shall levy an amount not less than the total dollar amount provided by participating cities and counties during the preceding year under section 134.34, subdivision 4.

*[For text of subs 6 to 10, see M.S.2002]*

**History:** 2003 c 130 s 12

**134.22 COMPACT ADMINISTRATOR.**

The commissioner of education shall designate an officer or employee of the 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 governmen-

tal units in the formulation of such agreements; make such recommendations to the governor, legislature, and governmental agencies and units as the administrator deems desirable to effectuate the purposes of this compact; and consult and cooperate with the compact administrators of other party states.

**History:** 2003 c 130 s 12

### 134.31 DEPARTMENT OF EDUCATION; LIBRARY RESPONSIBILITIES.

*[For text of subd 1, see M.S.2002]*

Subd. 2. **Advice and instruction.** 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 postsecondary educational institutions, state agencies, governmental units, nonprofit organizations, or private entities. 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. The department shall also provide assistance to school districts, regional library systems, and member libraries interested in offering joint library services at a single location.

*[For text of subd 3, see M.S.2002]*

Subd. 4. **Collect statistics.** 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 134.355.

**History:** 2003 c 130 s 12; 1Sp2003 c 9 art 6 s 5

### 134.32 GRANT AUTHORIZATION; TYPES OF GRANTS.

*[For text of subs 1 to 7, see M.S.2002]*

Subd. 8. **Rulemaking.** (a) The commissioner shall promulgate rules consistent with sections 134.32 to 134.355 governing:

- (1) applications for these grants;
- (2) computation formulas for determining the amounts of establishment grants and regional library basic system support grants; and
- (3) eligibility criteria for grants.

(b) To the extent allowed under federal law, a construction grant applicant, in addition to the points received under Minnesota Rules, part 3530.2632, shall receive an additional five points if the construction grant is for a project combining public library services and school district library services at a single location.

**History:** 1Sp2003 c 9 art 6 s 5

### 134.34 REGIONAL LIBRARY BASIC SYSTEM SUPPORT GRANTS; REQUIREMENTS.

Subdivision 1. **Local support levels.** 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 is providing for public library service support the lesser of (a) an amount equivalent to .82 percent of the adjusted net tax capacity of the taxable property of that city or county, as determined by the commissioner of revenue for the second year preceding that calendar year in 1991 and later years or (b) a per capita amount calculated under the provisions of this subdivision. The per capita amount is established for calendar year 1993 as \$7.62. 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 net tax capacity of property as determined by the commissioner of revenue for the

second year preceding that calendar year increases over that total adjusted net tax capacity 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. 3. **Regional designation.** Regional library basic system support grants shall be made only to those regional public library systems officially designated by the commissioner of education as the appropriate agency to strengthen, improve and promote public library services in the participating areas. The commissioner 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 462.398 or chapter 473.

Subd. 4. **Limitation.** 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 90 percent of the amount provided by it for the second preceding year. This subdivision shall not apply to participating cities or counties where the adjusted net tax capacity 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 net tax capacity.

*[For text of subd 7, see M.S.2002]*

**History:** 2003 c 130 s 12; 1Sp2003 c 9 art 6 s 1

NOTE: The amendment to subdivision 4 by Laws 2003, First Special Session chapter 9, article 6, section 1, is repealed effective July 1, 2005. Laws 2003, First Special Session chapter 9, article 6, section 6.

#### 134.341 COUNTY FINANCIAL SUPPORT.

To ensure the availability of public library service to all people, every county shall provide financial support for public library services at no less than minimum amounts as specified in section 134.34 and shall participate in the regional public library system to which it is assigned by the commissioner of education under section 134.34, subdivision 3. Each county board of commissioners shall appoint at least one county resident to serve as a representative on the regional public library system board and may appoint more than one representative under terms and conditions of the regional public library system contract.

**History:** 2003 c 130 s 12

#### 134.342 ALLOCATION OF LEVY AUTHORITY.

Subdivision 1. **Authority.** A regional public library system board may adopt a written resolution to assume responsibility for the allocation of the regional library system levy authority throughout the region. If adopted, the board shall furnish a list to the commissioners of revenue and education by July 1 of the levy year, containing the name of each member city, town, and county that will be participating in that regional system.

Subd. 3. **Allocation of authority.** A regional public library system board that has resolved to allocate library levy authority among its member cities, towns, and counties shall allocate the amount, up to the total amount certified to the board by the commissioner of revenue, and shall notify each member city, town, and county by August 15 of the levy year of its respective share of the total library levy for the region.

Each member city, town, or county located in the region shall levy the amount negotiated and agreed upon by the board and each member city, town, or county.

The board shall certify to the commissioners of revenue and education by September 1 of the levy year, the levy amount allocated to each member city, town, and county in the regional library system.

**History:** 2003 c 130 s 12

**134.35** Subdivision 1. [Renumbered 134.355, subd 2]

Subd. 2. [Renumbered 134.355, subd 3]

Subd. 3. [Renumbered 134.355, subd 4]

Subd. 4. [Renumbered 134.355, subd 5]

Subd. 5. [Renumbered 134.355, subd 6]

Subd. 6. MS 1978 [Expired]

Subd. 6. [Renumbered 134.355, subd 7]

**134.351 MULTICOUNTY, MULTITYPE LIBRARY SYSTEMS.**

Subdivision 1. **Establishment.** The commissioner of education, upon the advice of the Advisory Council to the Office of Library Development and Services, may approve the establishment of multicounty, multitype library systems and the geographic boundaries of those systems.

*[For text of subs 2 to 6, see M.S.2002]*

Subd. 7. **Reports.** Each multicounty, multitype system receiving a grant pursuant to section 134.353 or 134.354 shall provide an annual progress report to the Department of Education.

**History:** 2003 c 130 s 12

**134.353 MULTICOUNTY, MULTITYPE LIBRARY SYSTEM DEVELOPMENT GRANT.**

The commissioner of education may provide development grants to multicounty, multitype library systems. In awarding a development grant, the commissioner shall consider the extra costs incurred in systems located in sparsely populated and large geographic regions.

**History:** 2003 c 130 s 12

**134.354 MULTICOUNTY, MULTITYPE LIBRARY SYSTEM OPERATING GRANT.**

The commissioner of education may provide operating grants to multicounty, multitype library systems. In awarding an operating grant, the commissioner shall consider the extra costs incurred in systems located in sparsely populated and large geographic areas.

**History:** 2003 c 130 s 12

**134.355 BASIC REGIONAL LIBRARY SYSTEM; SUPPORT.**

Subdivision 1. **Appropriations.** Basic system support grants and regional library telecommunications aid provide the appropriations for the basic regional library system.

Subd. 2. **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. Regional public library districts under section 134.201 may not compensate board members using grant funds. The amount of each grant for each fiscal year shall be calculated as provided in this section.

Subd. 3. **Per capita distribution.** Fifty-seven and one-half 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. 4. **Per square mile distribution.** Twelve and one-half 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. 5. **Base grant distribution.** Five percent of the available grant funds shall be paid to each system as a base grant for basic system services.

Subd. 6. **Adjusted net tax capacity per capita distribution.** Twenty-five percent of the available grant funds shall be distributed to regional public library systems based upon the adjusted net tax capacity per capita for each member county or participating portion of a county as calculated for the second year preceding the fiscal year for which the grant is made. Each system's entitlement shall be calculated as follows:

(a) Multiply the adjusted net tax capacity per capita for each county or participating portion of a county by .0082.

(b) Add sufficient grant funds that are available under this subdivision to raise the amount of the county or participating portion of a county with the lowest value calculated according to paragraph (a) to the amount of the county or participating portion of a county with the next highest value calculated according to paragraph (a). Multiply the amount of the additional grant funds by the population of the county or participating portion of a county.

(c) Continue the process described in paragraph (b) by adding sufficient grant funds that are available under this subdivision to the amount of a county or participating portion of a county with the next highest value calculated in paragraph (a) to raise it and the amount of counties and participating portions of counties with lower values calculated in paragraph (a) up to the amount of the county or participating portion of a county with the next highest value, until reaching an amount where funds available under this subdivision are no longer sufficient to raise the amount of a county or participating portion of a county and the amount of counties and participating portions of counties with lower values up to the amount of the next highest county or participating portion of a county.

(d) If the point is reached using the process in paragraphs (b) and (c) at which the remaining grant funds under this subdivision are not adequate for raising the amount of a county or participating portion of a county and all counties and participating portions of counties with amounts of lower value to the amount of the county or participating portion of a county with the next highest value, those funds are to be divided on a per capita basis for all counties or participating portions of counties that received grant funds under the calculation in paragraphs (b) and (c).

Subd. 7. **Population determination.** Population shall be determined according to section 477A.011, subdivision 3.

Subd. 8. **Eligibility.** A regional public library system may apply for regional library telecommunications aid. The aid must be used for data and video access maintenance, equipment, or installation of telecommunication lines. To be eligible, a regional public library system must be officially designated by the commissioner of education as a regional public library system as defined in section 134.34, subdivision 3, and each of its participating cities and counties must meet local support levels defined in section 134.34, subdivision 1. A public library building that receives aid under this section must be open a minimum of 20 hours per week.

Subd. 9. **Telecommunications aid.** An application for regional library telecommunications aid must, at a minimum, contain information to document the following:

(1) the connections are adequate and employ an open network architecture that will ensure interconnectivity and interoperability with school districts, postsecondary education, or other governmental agencies;

(2) that the connection is established through the most cost-effective means and that the regional library has explored and coordinated connections through school districts, postsecondary education, or other governmental agencies;

(3) that the regional library system has filed an e-rate application; and

(4) other information, as determined by the commissioner of children, families, and learning, to ensure that connections are coordinated, efficient, and cost-effective, take advantage of discounts, and meet applicable state standards.

The library system may include costs associated with cooperative arrangements with postsecondary institutions, school districts, and other governmental agencies.

Subd. 10. **Award of funds.** The commissioner of education shall develop an application and a reporting form and procedures for regional library telecommunications aid. Aid shall be based on actual costs of connections and funds available for this purpose. The commissioner shall make payments directly to the regional public library system.

**History:** 1978 c 546 s 6; 1979 c 334 art 9 s 7,8; 1981 c 358 art 6 s 27; 1Sp1985 c 12 art 9 s 1; 1988 c 719 art 5 s 84; 1989 c 329 art 13 s 20; 1991 c 265 art 10 s 4; 1993 c 375 art 7 s 4; 1Sp2001 c 3 art 4 s 3; 1Sp2003 c 9 art 6 s 2,3,5

### 134.36 RULES.

The commissioner of education shall promulgate rules as necessary for implementation of library grant programs.

**History:** 2003 c 30 s 12

### 134.45 LIBRARY ACCESSIBILITY GRANTS.

Subdivision 1. **Application; definition.** Public library jurisdictions may apply to the commissioner of education for grants to improve accessibility to their library facilities. For the purposes of this section, "public library jurisdictions" means regional public library systems, regional library districts, cities, and counties operating libraries under chapter 134.

Subd. 2. **Approval by commissioner.** The commissioner of education, in consultation with the state Council on Disability, may approve or disapprove applications under this section. The grant money must be used only to remove architectural barriers from a building or site.

Subd. 3. **Application forms.** The commissioner of education shall prepare application forms and establish application dates.

*[For text of subs 4 to 7, see M.S.2002]*

**History:** 2003 c 130 s 12

134.47 Subdivision 1, paragraph (a)[Renumbered 134.355, subd 8]

paragraph (b) [Renumbered 134.355, subd 9]

Subd. 2. [Renumbered 134.355, subd 10]

*[For text of subd 3, see M.S.2002]*