

CHAPTER 504**(HB 825)**

AN ACT relating to public library services.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 171.201 is amended to read as follows:

- (1) For grants to public libraries for promoting, aiding, and equalizing public library service in Kentucky, there may be funds appropriated out of the general expenditure fund of the State Treasury.
- (2) In addition to any other funds appropriated to the Department for Libraries and Archives, there shall be appropriated annually to the department out of the general expenditure fund of the State Treasury an amount sufficient to provide the following assistance to local public libraries:
 - (a) The department shall first distribute to each county public library system a foundation grant based upon the county population using the last official census as follows:
 1. Counties with a population of twenty-two thousand (22,000) or less shall receive nine thousand dollars (\$9,000);
 2. Counties with a population between twenty-two thousand one (22,001) and forty-five thousand (45,000) shall receive eight thousand dollars (\$8,000);
 3. Counties with a population over forty-five thousand (45,000) shall receive seven thousand dollars (\$7,000); and
 - (b) The department shall distribute the remaining funds appropriated for this program to each county public library system, based on the county's share of the state population, at a rate of fifty-three cents (\$0.53) per capita in fiscal year 1997-98, seventy-three cents (\$0.73) per capita in fiscal year 1998-99 and each year thereafter to be used for the following purposes:
 1. Purchase, upgrading, and maintenance of the technology necessary to enable the staff and the public to have access to electronic information;
 2. Purchase of library materials and equipment;
 3. Maintenance and operation of bookmobiles and extension programs;
 4. Staff training and compensation;
 5. Building maintenance;
 6. Debt service;
 7. Resource-sharing;
 8. Program development; and
 9. All other local library needs and services; and
 - (c) For counties which do not have a public library, the department shall make the foundation grant and per capita distribution to a recognized library organization for the

purpose of providing or establishing countywide public library service under existing departmental guidelines.

- (3) The appropriation necessary to fund the formula foundation grants and a seventy-three cents (\$0.73) per capita distribution shall constitute the base for the agency's biennial budget request for this program.
- (4) *(a) In addition to the foundation grants and per capita distribution to a local public library, there is hereby created within the Department for Libraries and Archives a public library services improvement and equalization fund to assure substantially equal public library services for all citizens of the Commonwealth. The creation of this fund is not intended to limit or prevent any public library from providing services and facilities beyond those assured by the state-supported program.*
 - (b) *It is intended that the proceeds of the fund created under this subsection be used to:*
 1. *Improve early childhood development;*
 2. *Support lifelong learning opportunities;*
 3. *Enhance economic development;*
 4. *Enrich cultural resource opportunities for all Kentuckians; and*
 5. *Expand adult education and adult literacy programs.*
- (5) *Expenditures from the fund created in subsection (4) of this section shall not be made unless those expenditures:*
 - (a) *Comply with the categories of allowable costs in subsection (2)(b) of this section; and*
 - (b) *Comply with the enterprise information technology architecture and standards developed by the Commonwealth when utilized for technology procurements.*
- (6) *(a) The fund created under subsection (4) of this section shall be distributed based on a formula using the per population assessment and equalization rate of two hundred percent (200%) of the poverty level per annual population assessment produced by the United States Bureau of Census. The exact formula and distribution of the fund shall be set forth in an administrative regulation promulgated by the Department for Libraries and Archives.*
 - (b) *A local public library shall not be qualified to receive funds under subsection (4) of this section, if that library's regular annual appropriation in the current fiscal year is less than the appropriation received in the previous fiscal year.*

SECTION 2. A NEW SECTION OF KRS CHAPTER 171 IS CREATED TO READ AS FOLLOWS:

There is established a public library facilities construction fund to assist local libraries with debt service payments for new library facilities and library improvements. The Department for Library and Archives is authorized to enter into long-term written memoranda of agreement with local libraries or other governing bodies to assist in debt service payments relating to library construction or renovation projects. The agreements shall specify the rights, duties, and obligations of both the local public library, or other governing body, and the department. The department shall promulgate administrative regulations to establish the application process, criteria for selecting projects for assistance, a minimum level of local participation, and the process to be followed in the construction of facilities. The department shall report assistance

awards to the Interim Joint Committee on Appropriations and Revenue within thirty (30) days of execution of any memorandum of agreement.

Approved April 21, 2000