



Bill No. HB 131

Amendment No. \_\_\_\_ Barcode 220962

1 establish or maintain a library or contracts with another  
2 county, a special district, a special tax district, or one or  
3 more municipalities in another county to receive free library  
4 service;

5 (c) A special district or special tax district that  
6 establishes or maintains a library and provides free library  
7 service; or

8 (d) A municipality ~~with a population of 200,000 or~~  
9 ~~more~~ that establishes or maintains a library or that and gives  
10 or receives free library service by contract with a nonprofit  
11 library corporation or association within the municipality.

12 (2) The library established or maintained by such  
13 political subdivision shall:

14 (a) Be operated under a single administrative head who  
15 is an employee of the single library administrative unit and  
16 who has completed a library education program accredited by  
17 the American Library Association. The single administrative  
18 head shall have at least 2 years of full-time paid  
19 professional experience, after completing the library  
20 education program, in a public library that is open to the  
21 public for a minimum of 40 hours per week.~~and~~

22 (b) Expend its funds centrally.~~†~~

23 ~~(b) Have an operating budget of at least \$20,000 per~~  
24 ~~year from local sources; and~~

25 (c) Give the same free library service provided to its  
26 own all residents to residents of all political subdivisions  
27 within the county that receive operating grants from the state  
28 ~~of the county or residents of the special district or special~~  
29 ~~tax district.~~

30 (d) Have at least one library or branch library open  
31 for 40 or more hours per week.

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1           (e) Have a long-range plan, an annual plan of service,  
2 and an annual budget.

3           (f) Engage in joint planning for coordination of  
4 library services within the county or counties that receive  
5 operating grants from the state.

6           (3) Any political subdivision establishing public  
7 library service for the first time shall submit a certified  
8 copy of its appropriation for library service, and its  
9 eligibility to receive an operating grant shall be based upon  
10 such appropriation.

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

18           ~~1. The municipal library is operated under a single~~  
19 ~~administrative head and expends its funds centrally;~~

20           ~~2. The municipal library has an operating budget of at~~  
21 ~~least \$20,000 per year from local sources; and~~

22           ~~3. The municipal library provides free library service~~  
23 ~~to all residents of the municipality.~~

24           ~~(b) This subsection is repealed on July 1, 2002.~~

25           Section 2. Section 257.191, Florida Statutes, is  
26 amended to read:

27           257.191 Construction grants.--The Division of Library  
28 and Information Services may accept and administer library  
29 construction moneys appropriated to it and shall allocate such  
30 appropriation to municipal, county, and regional libraries in  
31 the form of library construction grants on a matching basis.

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1 The local matching portion shall be no less than the grant  
2 amount, on a dollar-for-dollar basis, up to the maximum grant  
3 amount, unless the matching requirement is waived by s.  
4 288.06561 50 percent. Initiation of a library construction  
5 project 12 months or less prior to the grant award under this  
6 section shall not affect the eligibility of an applicant to  
7 receive a library construction grant.The division shall adopt  
8 rules for the administration of library construction grants.  
9 For the purposes of this section, s. 257.21 does not apply.

10 Section 3. Section 257.22, Florida Statutes, is  
11 amended to read:

12 257.22 Division of Library and Information Services;  
13 allocation of funds.--Any moneys that may be appropriated for  
14 use by a county, a municipality, a special district, or a  
15 special tax district for the maintenance of a library or  
16 library service shall be administered and allocated by the  
17 Division of Library and Information Services in the manner  
18 prescribed by law. On or before December 1 of each year, the  
19 division shall certify to the Comptroller the amount to be  
20 paid to each county, municipality, special district, or  
21 special tax district, and the Comptroller shall issue warrants  
22 to the eligible political subdivisions ~~respective boards of~~  
23 ~~county commissioners or chief municipal executive authorities~~  
24 ~~for the amount so allocated.~~

25 Section 4. Section 257.23, Florida Statutes, is  
26 amended to read:

27 257.23 Application for grant.--

28 ~~(1)~~ The board of county commissioners of any county,  
29 the chief executive officer of a municipality, or the  
30 governing body of a special district or a special tax district  
31 desiring to receive a grant under the provisions of ss.

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1 257.14-257.25 shall apply therefor to the Division of Library  
2 and Information Services on or before October 1 of each year  
3 on a form to be provided by the division. ~~In~~ The application,  
4 ~~which~~ shall be signed by the chair of the board of county  
5 commissioners and attested by the clerk of the circuit court  
6 or the appropriate officer in a charter county, by the chief  
7 executive officer of a municipality and attested by the clerk  
8 of the municipality, or by the chair of the governing body and  
9 attested by the chief financial officer of a special district  
10 or a special tax district. The county, municipality, special  
11 district, or special tax district ~~the board of county~~  
12 ~~commissioners~~ shall agree to observe the standards established  
13 by the division as authorized in s. 257.15. On or before  
14 December 1 each year, the applicant shall certify the annual  
15 tax income and the rate of tax or the annual appropriation for  
16 the free library or free library service, and shall furnish  
17 such other pertinent information as the division may require.

18 ~~(2) The chief municipal executive authority of any~~  
19 ~~municipality desiring to receive a grant under the provisions~~  
20 ~~of ss. 257.14-257.25 shall apply therefor to the Division of~~  
21 ~~Library and Information Services on or before October 1 of~~  
22 ~~each year on a form to be provided by the division. In the~~  
23 ~~application, which shall be signed by the chief municipal~~  
24 ~~executive officer and attested by the clerk of the circuit~~  
25 ~~court, the chief municipal executive authority shall agree to~~  
26 ~~observe the standards established by the division as~~  
27 ~~authorized in s. 257.15, shall certify the annual tax income~~  
28 ~~and the rate of tax or the annual appropriation for the free~~  
29 ~~library, and shall furnish such other pertinent information as~~  
30 ~~the division may require.~~

31 Section 5. Section 257.19, Florida Statutes, is

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1 repealed.

2           Section 6. Each county or municipal public library  
3 that makes available for public use computer on-line service,  
4 Internet service, or local bulletin-board service shall  
5 install and maintain computer software or equivalent  
6 technology on any computer that is made available to persons  
7 under 18 years of age which prohibits access to materials that  
8 contain obscene descriptions, photographs, or depictions. If  
9 the library has only one computer available for public use,  
10 the installation of such software or technology shall be  
11 within the discretion of the library.

12           Section 7. In accordance with section 18, Article VII  
13 of the State Constitution, the Legislature finds that the  
14 installation and maintenance by public libraries of computer  
15 software or equivalent technology that prohibits access by  
16 persons under 18 years of age to obscene materials fulfills an  
17 important state interest.

18           Section 8. This act shall take effect July 1, 2002.

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21 ===== T I T L E   A M E N D M E N T =====

22 And the title is amended as follows:

23           Delete everything before the enacting clause

24

25 and insert:

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                  A bill to be entitled

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          An act relating to public libraries; amending

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          s. 257.17, F.S.; authorizing municipalities to

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          receive operating grants; establishing minimum

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          standards for receipt of funds; removing

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          minimum population requirement for

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1 municipalities to be eligible to receive funds;  
2 amending s. 257.191, F.S.; revising provisions  
3 relating to construction grants; amending s.  
4 257.22, F.S.; permitting eligible political  
5 subdivisions to receive warrants; amending s.  
6 257.23, F.S.; requiring certification of annual  
7 tax income by a specified date; clarifying  
8 authority with regard to applications for  
9 grants; repealing s. 257.19, F.S., relating to  
10 library construction grants; requiring public  
11 libraries to install and maintain computer  
12 software or equivalent technology that  
13 prohibits access to obscene materials by  
14 minors; providing that the installation of  
15 software or technology in a library having only  
16 one public-access computer is within the  
17 library's discretion; providing a finding of  
18 important state interest; providing an  
19 effective date.

20  
21 WHEREAS, in enacting revisions to the State Aid to  
22 Libraries program, the Legislature recognizes that the  
23 original intent of aiding and encouraging the establishment of  
24 free library service throughout the state by offering grants  
25 to individual counties is succeeding because all counties in  
26 this state are currently participating in the program, and

27 WHEREAS, the Legislature recognizes that providing  
28 state aid to independent municipal libraries while supporting  
29 political subdivisions that are currently participating in the  
30 State Aid to Libraries program is a valuable contribution to  
31 the extension of the state's public library development plan,

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1 and

2 WHEREAS, the Legislature further recognizes the need  
3 for state aid in order to equalize the level of service that  
4 public libraries in various communities throughout the state  
5 are able to provide, to promote free library service that  
6 benefits all residents of the state, and to promote  
7 coordination among public libraries in order to improve the  
8 delivery of library services, NOW, THEREFORE,

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