

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 259                      Public Libraries  
**SPONSOR(S):** Bean  
**TIED BILLS:** None                      **IDEN./SIM. BILLS:** SB 1396 (I)

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Tourism (Sub)</u>	_____	<u>McDonald</u>	<u>Billmeier</u>
2) <u>Commerce</u>	_____	_____	_____
3) <u>Transportation &amp; Econ. Dev. Apps. (Sub)</u>	_____	_____	_____
4) <u>Appropriations</u>	_____	_____	_____
5) _____	_____	_____	_____

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### SUMMARY ANALYSIS

The bill requires a waiver of match for certain rural areas applying for assistance through the Public Library Construction Grant Program which provides assistance in the construction of new buildings, site acquisition, and the acquisition, expansion, or remodeling of existing buildings to be used for public library services in municipal, county, and regional public libraries. The grants are required by law to have a local match of no less than the grant amount, on a dollar for dollar basis, up to the maximum grant amount, unless it is waived by s. 288.06561, F.S.

Additionally, under the Public Library Construction Grant Program, the bill provides for small county public library construction grants for the purpose of assisting counties and municipalities that have been designated rural communities in accordance with ss. 288.0656(2)(b) and 288.06561, F.S., to construct, expand or renovate public library facilities to meet the federal requirement of 0.6 square feet per capita of total library floor space. The bill specifies eligibility criteria for competitive grant funding for the public library construction grants. The bill prohibits a library from receiving funds from both public library construction grant programs under s. 257.191, F.S., in the same fiscal year. Rules for the administration of the small county public library grant program are to be developed by the Division of Library and Information Services of the Department of State.

The bill does not appear to have any impact on General Revenue. Funding for the grant program is dependent upon legislative appropriation.

The bill takes effect upon becoming a law.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives .

**STORAGE NAME**                      h0259.com.doc  
**DATE**                                      January 26, 2004

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |                              |                             |   |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government?                | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes?                      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families?                 | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

#### B. EFFECT OF PROPOSED CHANGES:

##### *Present Situation:*

Section 257.191, F.S., authorizes the Division of Library and Information Services to accept and administer library construction money appropriated to it on a matching grant basis. The Public Library Construction Grant Program, established in 1973, provides assistance in the construction of new buildings, site acquisition, and the acquisition, expansion, or remodeling of existing buildings to be used for public library services in municipal, county, and regional public libraries. The grants are required by law to have a local match of no less than the grant amount, on a dollar for dollar basis, up to the maximum grant amount, unless it is waived by s. 288.06561, F.S. By rule, the maximum state grant is set at \$500,000 in non-recurring funds and the minimum is set at \$10,000.<sup>1</sup> The minimum project size is 3,000 square feet. Any of the 67 county general governments, incorporated municipalities, special districts, and special tax districts that establish or maintain a public library and provide free public library service can apply for a construction grant. In FY 2003-04, seven grants were awarded to projects serving seven counties: Duval, Gadsden, Hillsborough, Palm Beach, Pinellas, Sarasota, and Wakulla.

Section 288.06561, F.S., provides for a reduction or waiver of financial match requirements for rural areas meeting the requirements under the Rural Economic Development Initiative (REDI) in s. 288.0656, F.S.

Based upon the REDI county library facility needs chart, many counties have insufficient revenue capacity at the local level to generate the money to construct or expand library facilities to meet federal square footage per capita standards. These counties are in need of more than the \$500,000 cap to begin to meet construction needs.

##### *Effect of Proposed Changes:*

The bill requires that the match requirement for the Public Library Construction Grant Program be waived for a county or municipality that requests a waiver and has been designated a rural community in accordance with s. 288.0656(2)(b), F.S., and s. 288.06561, F.S.

Additionally, under the Public Library Construction Grant Program, the bill provides for small county public library construction grants for the purpose of assisting counties and municipalities that have been designated rural communities in accordance with ss. 288.0656(2)(b) and 288.06561, F.S., to construct, expand or renovate public library facilities to meet the federal requirement of 0.6 square feet per capita

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<sup>1</sup> 1B2-2.011(2)(b), F.A.C.

of total library floor space. The bill specifies criteria for a competitive funding process for counties seeking assistance through the small county public library construction grants. The bill prohibits a library from receiving funds from both public library construction grant programs under s. 257.191, F.S., in the same fiscal year. Rules for the administration of the small county public library grant program are to be developed by the Division of Library and Information Services of the Department of State. Finally, the grant program does not take effect until a specific appropriation is made to the department for the funding of these grants.

C. SECTION DIRECTORY:

Section 1. Amends s. 257.191, F.S., relating to library construction grants, requiring waiver of grant matching requirements; establishing, providing criteria for, prohibiting a public library from receiving grants from both public library construction grant programs in the same fiscal year, and providing funding contingency for implementation of the small county public library construction grant; and, requiring rules.

Section 2. Providing an effective date of upon becoming a law.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

## III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The legislation does not require expenditure of funds by local governments, does not reduce the authority to raise revenue, nor reduce the percentage of state tax shared with local governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill requires the Division of Library and Information Services to adopt rules for the administration of public library construction grants; however, this is not a new requirement in the law but simply a restructuring of the section and movement of the language regarding rules.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The sponsor has requested that an amendment be prepared to remove the underlined language on lines 24 – 28. This removes the requirement for a waiver of match under s. 288.06561, F.S., and retains the current requirement for a waiver or reduction of match based upon the circumstances of the individual rural county.

The sponsor has also requested a technical amendment be prepared to add the word “public” before the word “library” on line 62 to conform to other changes in reference to such grants made in the bill.

#### **IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**