

CHAPTER 54-24.2 STATE AID TO PUBLIC LIBRARIES

54-24.2-01. Eligibility. Public libraries eligible to receive financial aid under this chapter are limited to those public libraries that:

1. Apply to the state library for such financial aid.
2. Are established and operated in accordance with chapter 40-38.
3. Participate in the North Dakota network for knowledge interlibrary loan and information network.

54-24.2-02. Grant formula. Grants to eligible public libraries must be in accordance with the following formula:

1. One dollar, or a percentage thereof, for each person residing in the city or county operating or providing financial support for the public library, as determined by the latest official federal census; and
2. Five dollars per square mile [259.00 hectares], or a percentage thereof, of land within the geographical boundaries of each county operating or providing financial support for a public library.

54-24.2-02.1. Other public funds defined. "Other public funds", as used in sections 54-24.2-03 and 54-24.2-05, means moneys appropriated for public library services by the governing body of the political subdivision providing public library services under chapter 40-38 in addition to the mill levy made for public library services.

54-24.2-02.2. Maintenance of local effort.

1. A public library is not eligible to receive funds under this chapter during a fiscal year if the governing body has diminished, from the average of the three preceding fiscal years, the appropriation, in dollars, derived from the mill levy for public library services under section 40-38-02.
2. If the governing body is levying the maximum number of mills it can levy without having an election to increase the mill levy and the appropriation is diminished below the average of the three preceding fiscal years solely because of a reduction in the taxable valuation, then the public library is eligible to receive funds under this chapter.

54-24.2-03. Incentive for local funding. To provide for increased local funding, public libraries eligible to receive funds under section 54-24.2-02 shall have the funds allocated to them modified in accordance with the following formula:

Cities levying

8.00 or more mills	150 percent of allocation
6.00 - 7.99 mills	125 percent of allocation
4.00 - 5.99 mills	100 percent of allocation
3.00 - 3.99 mills	75 percent of allocation
2.00 - 2.99 mills	50 percent of allocation
1.00 - 1.99 mills	33 percent of allocation
0.01 - 0.99 mills	25 percent of allocation
0.00 - mills	0 percent of allocation

Counties levying

4.00 or more mills	150 percent of allocation
3.00 - 3.99 mills	125 percent of allocation
2.00 - 2.99 mills	100 percent of allocation

1.50 - 1.99 mills	75 percent of allocation
1.00 - 1.49 mills	50 percent of allocation
0.50 - 0.99 mills	33 percent of allocation
0.01 - 0.49 mills	25 percent of allocation
0.00 - mills	0 percent of allocation

The computation of mills must be based upon the levy on the taxable valuation and the mill levy equivalent of other public funds received and deposited in the library fund for the operation of the library by the governing body during the preceding fiscal year as certified by the auditor of the city or county operating the library.

54-24.2-04. Maintenance of local effort. Repealed by S.L. 2007, ch. 466, § 2.

54-24.2-05. Limitations. For public libraries operated by cities, funds granted under this chapter may not exceed thirty-three percent of the total expenditure of mill levy moneys and other public funds during the preceding year. For public libraries operated by counties, funds granted under this chapter may not exceed the following percent of the total expenditure of mill levy moneys and other public funds during the preceding year:

less than \$10,000	100 percent
\$10,000 - \$19,999	75 percent
\$20,000 - \$29,999	67 percent
\$30,000 - \$50,000	50 percent
over \$50,000	33 percent

54-24.2-06. Use of funds - Reporting. Funds appropriated under this chapter may be expended by public libraries for the purchase of library materials, supplies and equipment, salaries of library staff, and services. No funds may be used for land acquisition, construction, or investment.

Each public library receiving funds under the chapter shall submit to the state library an annual report detailing the expenditures of these funds and all other funds expended by the library within the calendar year. Such report is due within ninety days after the close of the calendar year.

54-24.2-07. (Effective through June 30, 2009) State aid to libraries - Reimbursement.

1. The state library shall withhold from the amount of state aid to which a public library is entitled during the 2007-09 biennium any amount the public library received in excess of that to which it was entitled during the 2005-07 biennium, as a result of a statutory dispute regarding the meaning of a mill levy.
2. From the amounts withheld under subsection 1, the state library shall provide to each public library that received less than the amount to which it was entitled during the 2005-07 biennium, the difference between the amount the library received during the 2005-07 biennium and the amount that it would have received, but for the statutory dispute regarding the meaning of a mill levy.