



1997 SENATE BILL 259

July 10, 1997 – Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Education.

- 1 **AN ACT to create** 20.255 (3) (ef) and 43.25 of the statutes; **relating to:** library
2 lending incentive aid and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTE provided by the joint legislative council in the bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

PREFATORY NOTE: This bill was prepared for the joint legislative council's special committee on public libraries.

Establishment; Eligibility

This bill creates a state library lending incentive aid program, administered by the division for libraries and community learning in the department of public instruction (DPI), to provide an incentive to public libraries to lend library materials to persons who reside outside the library's primary service area.

Calculation of Incentive Aid Amount

With reference to calculating the basic incentive amount to public libraries that are eligible under the new program, the bill requires the DPI to establish, by rule, a procedure for determining the number of *loans* made by each public library to persons who reside outside the library's "primary service area" (defined in the bill) or outside the county in which the library is located. "Loan" is defined to mean a unit of service that involves the checking out of a single item from a library to an individual for use outside the library for a specific period of time (definition in s. 43.17 (11) (a)).

The payment to a library for the number of loans made is equal to the number of loans, as calculated above, multiplied by 50 cents. If a library makes more than 100 loans in a fiscal year, however, the payment is equal to the actual cost of making the loans.

1 equal to the number of loans made by the public library in the previous fiscal year
2 multiplied by 50 cents.

3 (b) If a public library makes more than 100 loans in any fiscal year, the state
4 shall pay the public library an amount equal to the actual cost of making loans in the
5 previous fiscal year, as determined by the department according to the rules
6 promulgated under s. 43.24 (2) (n), instead of the amount under par. (a).

7 **(3) PAYMENT OF AID.** (a) Annually by April 30, the division shall certify to the
8 department of administration the amount to which each public library is entitled
9 under this section. Except as provided in par. (b), annually by June 30 the
10 department of administration shall pay the certified amounts to the public libraries
11 from the appropriation under s. 20.255 (3) (ef).

12 (b) If the appropriation under s. 20.255 (3) (ef) in any fiscal year is insufficient
13 to pay the full amount of aid under this section, the department of administration
14 shall prorate the payments among the public libraries entitled to such aid according
15 to the percentage of total aid that each public library would be entitled to receive if
16 the amount appropriated were sufficient.

17 **(4) RULES.** The department shall promulgate rules establishing a procedure for
18 determining the number of loans made by a public library for the purposes of this
19 section.

20 **SECTION 4. Effective date.**

21 (1) This act takes effect on July 1, 1999.

22 (END)