

BEFORE THE MONTANA STATE LIBRARY  
OF THE STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF PROPOSED  
ARM 10.102.4003 pertaining to ) AMENDMENT  
state aid to public libraries )  
) NO PUBLIC HEARING  
) CONTEMPLATED

TO: All Concerned Persons

1. On June 12, 2024, the Montana State Library proposes to amend the above-stated rule.

2. The State Library will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the State Library no later than 5:00 p.m. on June 5, 2024, to advise us of the nature of the accommodation that you need. Please contact Genevieve Lighthiser, Montana State Library, 1201 11th Avenue, Helena, Montana 59620; telephone (406) 444-3384; fax (406) 444-0266; TTY/TDD: (406) 444-4799; or email glighthiser@mt.gov.

3. The rule proposed to be amended provides as follows, new matter underlined, deleted matter interlined:

10.102.4003 DIRECT STATE AID TO PUBLIC LIBRARIES FOR PER CAPITA AND FOR PER SQUARE MILE SERVED (1) remains the same.

(2) The per square mile portion of the direct state aid to public libraries will be updated during the decennial census process and distributed annually based on the following:

(a) and (b) remain the same.

(c) Annually, MSL staff will consult with the Governor's Office of Budget and Program Planning and use its collected tribal enrollment number. If an accredited tribal college library serving the public qualifies for state aid, their tribal enrollment number will be multiplied by the per capita amount of state aid. The resulting total for all eligible accredited tribal college libraries will then be subtracted from the overall state aid budget allocated for eligible public libraries. The remaining state aid will be distributed annually, guided by the criteria set forth above.

(3) remains the same.

(4) In each county which has no public libraries, the State Library will contact the county commission indicating that the county will qualify for per capita and per square mile state aid if the county commission establishes county-wide library services as provided for in state statute, or if the county commission contract for library services with another county or municipal library as provided for in state statute. If such means are not established with a six-month period following written notice received from the State Library, the state aid which would have gone to the

county will be allotted to the federation ~~headquarters library~~ in whose area this county is located ~~for use in federation activities~~.

AUTH: 22-1-103, MCA

IMP: 22-1-103, MCA

REASON: These amendments are proposed to update the language of the rule to reflect changes to 22-1-326, MCA, in the 2023 Legislative Session.

4. Concerned persons may submit their data, views, or arguments orally or in writing at a public hearing, they must make written request to: Genevieve Lighthiser, Montana State Library, 1201 11th Avenue, Helena, Montana, 59620; telephone (406) 444-3384; fax (406) 444-0266; TTY/TDD: (406) 444-4799; or email [glichthiser@mt.gov](mailto:glichthiser@mt.gov), and must be received no later than 5:00 p.m., June 7, 2024.

5. If persons who are directly affected by the proposed actions wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a hearing and submit this request along with any written comments to Genevieve Lighthiser at the above address no later than 5:00 p.m., June 7, 2024.

6. If the agency receives requests for a public hearing on the proposed action from either 10 percent or 8 members, whichever is less, of the persons directly affected by the proposed action; from the appropriate administrative rule review committee of the Legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those directly affected has been determined to be 53 persons based on the staff and board members of affected libraries.

7. The State Library maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Written requests may be made to the contact person in paragraph 4 or may be made by completing a request form at any rules hearing held by the State Library.

8. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sosmt.gov/ARM/Register>.

9. The bill sponsor contact requirements of 2-4-302, MCA, apply and have been fulfilled. The primary bill sponsor was contacted by Jennie Stapp, State Librarian, on October 4, 2023.

10. With regard to the requirements of 2-4-111, MCA, the State Library has determined that the amendment of the above-referenced rule will not significantly and directly impact small businesses.

/s/ Jennie Stapp  
Jennie Stapp  
Rule Reviewer

/s/ Robyn Scribner  
Robyn Scribner  
Commission Chair  
Montana State Library

Certified to the Secretary of State April 30, 2024.