

# House Bill 3523

Sponsored by JOINT COMMITTEE ON WAYS AND MEANS

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Reorganizes mission and governance of State Library. Renames governing body from Trustees of State Library to State Library Board. Modifies composition and number of board members. Changes duties of State Library to promote efficiencies in core library services and to eliminate duplication of effort. Changes State Librarian to gubernatorial appointment. Creates State Reference Coordinating Council to coordinate delivery of library services among state agencies.

## A BILL FOR AN ACT

Relating to the State Library; creating new provisions; amending ORS 357.031, 357.035, 357.040, 357.050, 357.095, 357.100, 357.195, 357.200, 357.203, 357.206, 357.209, 357.410, 357.750, 357.760, 357.780 and 358.575; and repealing ORS 357.003, 357.005, 357.010 and 357.015.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. It is the policy of the State of Oregon to have a State Library that:**

- (1) Provides library services suitable to support state government needs and operations;**
- (2) Provides the most efficient delivery model for supplying reading-equivalent materials to persons who are blind or print impaired;**
- (3) Promotes the establishment, development and support of local library services;**
- (4) Provides early literacy services and promotes early literacy;**
- (5) Eliminates duplication of state agency library services;**
- (6) Leverages federal, state and local funding for the benefit of state and local libraries;**
- (7) Promotes the electronic delivery of library and information resources and services;**
- (8) Promotes public, nonprofit and private partnerships; and**
- (9) Maintains free access for the public to State Library materials.**

**SECTION 2. The State Library shall carry out the functions prescribed in ORS 357.001 and section 1 of this 2015 Act as follows:**

**(1) The State Library shall support the needs and operations of state government by maintaining and developing appropriate collections of library and information services materials to supplement the collections and services of other libraries in this state and to meet the reference and research needs of state government.**

**(2) The State Library shall support delivery of reading-equivalent materials to persons who are blind or print impaired by:**

**(a) Acting in cooperation with the Library of Congress in the provision of reading-equivalent materials and services in aid of persons who are blind or print impaired; and**

**(b) Contracting with other entities to provide such materials and services.**

**(3) The State Library shall promote the establishment, development and support of local library services by:**

**(a) Expending moneys as may be available to the State Library to demonstrate, develop**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 and support library services in accordance with long-range plans for statewide development  
2 and coordination of library services;

3 (b) Providing advice and assistance to libraries, library boards, units of local government  
4 empowered to establish libraries and departments of state government in matters concerning  
5 the establishment, support, operation, improvement and coordination of library services and  
6 the cooperation among libraries; and

7 (c) Providing for in-service and continuing education programs for library personnel in  
8 this state.

9 (4) The State Library shall promote early literacy services by distributing to local li-  
10 braries state grant funds appropriated to the State Library for early literacy services and  
11 programs.

12 (5) The State Library shall prescribe the conditions for the use of state documents in  
13 depository libraries and provide for permanent public access to state government publica-  
14 tions.

15 (6) The State Library shall biennially report to the Legislative Assembly and the Oregon  
16 Department of Administrative Services statistical data on:

17 (a) The effectiveness of library services provided to state government;

18 (b) The effectiveness of services provided to persons who are blind and persons with  
19 visual impairments;

20 (c) The degree to which local and school libraries in this state provide library services  
21 to the people of this state; and

22 (d) The effectiveness of early literacy programs.

23 (7) The State Library shall carry out all other activities authorized by law for the devel-  
24 opment of library services for the people of this state.

25 (8) The State Library shall lend State Library books free of charge to the people of  
26 Oregon through existing libraries.

27 **SECTION 3.** The State Library may:

28 (1) With the advice of the libraries of this state, establish and provide a network whereby  
29 the library resources in this state are made available to all of the people of this state under  
30 reasonable conditions and subject to appropriate compensation to libraries providing library  
31 services to persons outside their normal service areas; and

32 (2) Provide for state participation in regional, national or international library networks  
33 and systems designed to increase the quality of library services for the people of this state.

34 **SECTION 4.** (1) The State Library Board is established, consisting of nine voting mem-  
35 bers.

36 (2) The Governor, after consultation with the Oregon Library Association, shall appoint  
37 seven voting members as follows:

38 (a) Two members from two different state agencies;

39 (b) One member representing a public library in eastern Oregon;

40 (c) One member representing a public library in western Oregon;

41 (d) One public member from eastern Oregon;

42 (e) One public member from western Oregon; and

43 (f) One member representing a community college or a public university in this state.

44 (3) The Deputy Superintendent of Public Instruction, or a designee of the deputy super-  
45 intendent, shall be a voting member of the board.

1 (4) The administrator of the Commission for the Blind, or a designee of the administra-  
 2 tor, shall be a voting member of the board.

3 (5) The State Librarian shall serve ex officio as a nonvoting member of the board.

4 (6) A board member described in subsection (2) of this section shall serve a four-year  
 5 term, but a member described in subsection (2) of this section serves at the pleasure of the  
 6 Governor. Before the expiration of the term of a member, the Governor shall appoint a  
 7 successor whose term begins on July 1 next following. A member is eligible for reappoint-  
 8 ment. If there is a vacancy for any cause, the Governor shall make an appointment to be-  
 9 come immediately effective for the unexpired term.

10 (7) A board member described in subsection (2) of this section shall be eligible for reap-  
 11 pointment for only one additional term, but any person may be reappointed to the board after  
 12 an interval of one year.

13 (8) The appointment of a board member described in subsection (2) of this section is  
 14 subject to confirmation by the Senate in the manner prescribed in ORS 171.562 and 171.565.

15 (9) A member of the State Library Board is entitled to compensation and expenses as  
 16 provided in ORS 292.495.

17 **SECTION 5.** (1) The Trustees of the State Library is abolished on the effective date of  
 18 this 2015 Act. Any moneys or property held by the Trustees of the State Library on the ef-  
 19 fective date of this 2015 Act are transferred to the State Library Board. For all purposes,  
 20 on the effective date of this 2015 Act the State Library Board shall serve as the successor  
 21 in interest to the Trustees of the State Library.

22 (2) Notwithstanding section 4 of this 2015 Act, the members of the Trustees of the State  
 23 Library on the day before the effective date of this 2015 Act shall serve as the initial mem-  
 24 bers of the State Library Board who are described in section 4 (2) of this 2015 Act. The  
 25 Governor shall designate which of the initial members of the board serves for the following  
 26 specified terms:

27 (a) Three shall serve for terms ending June 30, 2016. Upon expiration of the terms, two  
 28 shall be replaced by members from two different state agencies and one shall be replaced by  
 29 a member representing a community college or public university in this state.

30 (b) Two shall serve for terms ending June 30, 2017.

31 (c) Two shall serve for terms ending June 30, 2018.

32 **SECTION 6.** (1) The State Library Board shall select one of its members as chairperson  
 33 and another as vice chairperson, for such terms and with duties and powers necessary for  
 34 the performance of the functions of such offices as the board determines.

35 (2) A majority of the members of the board constitutes a quorum for the transaction of  
 36 business.

37 (3) The board shall meet at least once every three months at a place, day and hour de-  
 38 termined by the board. The board may also meet at other times and places specified by the  
 39 call of the chairperson or of a majority of the members of the board.

40 **SECTION 7.** The State Library Board shall be the policy-making body for the State Li-  
 41 brary. The State Library Board shall:

42 (1) Formulate general policies for the State Library and State Library operations;

43 (2) Adopt rules to carry out the purposes for which the State Library is established or  
 44 for any other purpose authorized by law;

45 (3) In consultation with the Oregon Library Association and the Oregon Heritage Com-

1 mission, adopt long-range plans for the statewide development of each major program iden-  
2 tified in section 2 of this 2015 Act and develop key performance metrics for each major  
3 program;

4 (4) Review and approve budget requests for the State Library that align with the board's  
5 long-range plans;

6 (5) Develop, adopt and modify a technology plan, including long-range expenditures, for  
7 statewide database management, digitization of records and integration of services provided  
8 by the State Library, the State Archivist, and the online services of the State of Oregon Law  
9 Library;

10 (6) Conduct certifications of state agency libraries or library services under section 19  
11 of this 2015 Act;

12 (7) Review and monitor the State Library and the State Reference Coordinating Council  
13 established under section 15 of this 2015 Act;

14 (8) Administer the State Library Donation Fund for the benefit of the State Library, ex-  
15 cept that every gift, devise or bequest for a specific purpose shall be administered according  
16 to its terms; and

17 (9) Report to the Legislative Assembly in January of each odd-numbered year on the  
18 State Library's efforts to:

19 (a) Achieve the statutory mission and programmatic outcomes of the State Library;

20 (b) Implement initiatives and improvements to interagency coordination;

21 (c) Implement initiatives and improvements to the electronic delivery of documents and  
22 services;

23 (d) Implement initiatives and improvements to reference services to state agencies;

24 (e) Enter into public, nonprofit and private partnerships and report the number of the  
25 partnerships entered into by the State Library; and

26 (f) Reduce duplication in state agency services and costs related to the mission of the  
27 State Library.

28 **SECTION 8.** The State Library Board shall adopt rules:

29 (1) Defining reasonable public access to the State Library and its resources and materi-  
30 als.

31 (2) Defining State Library information science resources, including, but not limited to,  
32 print, electronic, subscription and reference services.

33 (3) Establishing processes and procedures related to state agency use of information  
34 science resources of the State Library, as defined in rules adopted under subsection (2) of  
35 this section. The rules shall provide that the State Library shall fulfill only state agency  
36 requests for resources or services that pertain to the conduct of state business.

37 **SECTION 9.** ORS 357.031 is amended to read:

38 357.031. The [*Trustees of the*] State Library **Board** may:

39 (1) Enter into contracts with any person or governmental entity:

40 (a) To provide, extend, improve or coordinate library services; or

41 (b) To demonstrate appropriate programs of library services.

42 (2) Enter into library agreements pursuant to Article V of the Interstate Library Compact (ORS  
43 357.340).

44 (3) Establish, equip and maintain regional library service centers of the State Library outside  
45 the City of Salem when the library needs of the state will be better served.

1       **SECTION 10.** ORS 357.035 is amended to read:

2       357.035. Subject to the provisions of ORS 291.260 and 291.375, the [*Trustees of the*] State Library  
3 **Board is** [*are*] designated as a state agency empowered to apply for federal or private funds and  
4 accept and enter into appropriate agreements for library purposes on behalf of the state or its pol-  
5 itical subdivisions or for any activity appropriate to the State Library on behalf of the state for the  
6 receipt of such funds from the federal government or its agencies or from any private source, and  
7 supervise the disbursement of such funds.

8       **SECTION 11.** ORS 357.040 is amended to read:

9       357.040. (1) The [*Trustees of the*] State Library **Board** may acquire control and dispose of any  
10 and all real and personal property given to or for the benefit of the State Library by private donors,  
11 whether the gifts of the property are made to the State Library or to the [*trustees thereof*] **board**  
12 or to the State of Oregon for the benefit of the library.

13       (2) The [*trustees*] **board** may accept by assignment and hold mortgages upon real and personal  
14 property acquired by way of gift or arising out of transactions entered into in accord with the  
15 powers, duties and authority given **to the board** by this section[, *ORS 357.015 (6) and 357.195 to the*  
16 *trustees*] **and ORS 357.195 and section 7 of this 2015 Act.**

17       (3) The [*trustees*] **board** may institute, maintain and participate in suits, actions and other judi-  
18 cial proceedings in the name of the State of Oregon for the foreclosure of such mortgages or for the  
19 purpose of carrying into effect any and all of the powers, duties and authority now vested in or  
20 given **to the board** by this section[, *ORS 357.015 (6) and 357.195 to the trustees*].

21       **SECTION 12.** (1) **The Governor shall appoint a State Librarian subject to confirmation in**  
22 **the Senate in the manner provided in ORS 171.562 and 171.565.**

23       (2) **The State Librarian shall be a graduate of a library school accredited by the American**  
24 **Library Association or who possesses the equivalent in training and experience and who shall**  
25 **serve at the pleasure of the Governor.**

26       **SECTION 13.** **Notwithstanding section 12 of this 2015 Act, the individual serving as State**  
27 **Librarian on the day before the effective date of this 2015 Act may serve as State Librarian**  
28 **until July 1, 2017.**

29       **SECTION 14.** ORS 357.050 is amended to read:

30       357.050. The State Librarian shall:

31       (1) Serve as Secretary to [*the Trustees of*] the State Library **Board** and keep the official record  
32 of [*their*] **the board's** actions.

33       (2) Be the chief administrative officer of the State Library in accordance with policies estab-  
34 lished by the [*trustees and the laws of this state*] **board.**

35       (3) **Serve on the State Reference Coordinating Council established under section 15 of this**  
36 **2015 Act.**

37       **SECTION 15.** (1) **There is established a State Reference Coordinating Council whose du-**  
38 **ties are to coordinate the interagency delivery of library, information and reference services**  
39 **among state agencies, define the duties of each agency, ensure collaboration among agencies**  
40 **and reduce duplication of effort among agencies.**

41       (2) **The council shall comprise the State Librarian, the State Archivist and the State of**  
42 **Oregon Law Librarian, or their designees.**

43       (3) **The council shall meet at least semiannually to develop and improve plans for the**  
44 **coordination of library, information and reference services among state agencies.**

45       (4) **The State Library, State Archives and State of Oregon Law Library shall provide**

1 **meeting facilities, staff and administrative support for the council.**

2 **SECTION 16. (1) The State Library, in coordination with the Oregon Department of Ad-**  
 3 **ministrative Services, shall approve the selection, negotiation, purchase and maintenance of**  
 4 **databases and physical and digital subscriptions for all state agencies.**

5 **(2) Each state agency shall obtain the written approval of the State Librarian prior to**  
 6 **purchasing information resources or subscription licenses.**

7 **(3) The State Library Board shall adopt rules pertaining to the review and approval pro-**  
 8 **cess described in this section.**

9 **SECTION 17.** ORS 357.095 is amended to read:

10 357.095. The [*Trustees of the*] State Library **Board** shall designate no more than 10 libraries as  
 11 depository libraries, which shall be entitled to receive copies of public documents that are printed  
 12 or produced in any other tangible medium and are deposited with the State Librarian under ORS  
 13 357.090. Selection of libraries shall be based upon the size of population served, geographic distrib-  
 14 ution and the ability of the library to provide the public with access to these public documents.

15 **SECTION 18.** ORS 357.100 is amended to read:

16 357.100. (1) The State Library shall be the agency responsible for receiving copies of public  
 17 documents and making them available to depository libraries.

18 (2) The State Librarian shall periodically assess the performance of depository libraries and re-  
 19 port the results of these assessments to the [*Trustees of the*] State Library **Board**.

20 (3) The State Library shall ensure permanent public access to public documents, regardless of  
 21 the format of the document.

22 **SECTION 19. (1) The State Library shall certify each biennium any state agency library**  
 23 **or library service that is maintained separate from the State Library or that is proposed to**  
 24 **be maintained separate from the State Library.**

25 **(2) The State Library Board shall adopt rules relating to the certification process and**  
 26 **review criteria.**

27 **(3) The State Library Board shall report to the Legislative Assembly each January of an**  
 28 **odd-numbered year on the list of state agency libraries or library services that fail to be**  
 29 **certified or recertified by the State Library under this section.**

30 **SECTION 20.** ORS 357.195 is amended to read:

31 357.195. (1) The State Library Donation Fund is established **in the State Treasury**, separate  
 32 and distinct from the General Fund. The following moneys shall be placed in the fund:

33 (a) Gifts and donations to the State Library;

34 (b) The interest, income, dividends or profits received on any property or funds of the State Li-  
 35 brary derived from gifts, legacies, devises, bequests, endowments or other donations;

36 (c) Other interest earned by the fund; and

37 (d) Any other moneys placed in the fund as provided by law.

38 (2) Moneys in the fund that are derived from profits, interest or other earnings traceable to a  
 39 specific gift, legacy, devise, bequest, endowment or other donation shall be used in the same manner  
 40 as the principal or corpus of the gift, legacy, devise, bequest, endowment or other donation.

41 (3) The State Treasurer shall credit monthly to the fund any interest or other income derived  
 42 from the fund or the investing thereof.

43 (4) The [*Trustees of the*] State Library **Board** may establish a Talking Book and Braille Library  
 44 Endowment Fund as a subaccount of the State Library Donation Fund.

45 (5) Moneys in the State Library Donation Fund are continuously appropriated to the State Li-

1 brary for use by, and support and maintenance of, the State Library. Claims against the fund shall  
 2 be approved and warrants issued in the manner provided by law.

3 **SECTION 21.** ORS 357.200 is amended to read:

4 357.200. (1) The State Librarian shall deposit with the State Treasurer all moneys received for  
 5 materials furnished and for services rendered and all federal grants and other revenues received,  
 6 except those described in ORS 357.195 and **357.203**. Moneys deposited with the treasurer under this  
 7 subsection shall be deposited into the Miscellaneous Receipts Account for the State Library and are  
 8 continuously appropriated to the State Library for books, pamphlets and periodicals, and for any  
 9 other purpose authorized by law.

10 (2) The State Library may maintain a petty cash fund in compliance with ORS 293.180 in the  
 11 amount of \$200 from moneys in the Miscellaneous Receipts Account for the State Library.

12 **SECTION 22.** ORS 357.203 is amended to read:

13 357.203. (1) The State Library and State of Oregon Law Library operating budget for services  
 14 to state agencies shall be assessed against all state agencies except the Oregon University System.  
 15 The State Library assessment shall be apportioned among the agencies as follows:

16 (a) One-third of the assessment shall be based on the use of the State Library by the agency;  
 17 and

18 (b) Two-thirds of the assessment shall be based on the number of full-time equivalent employees  
 19 budgeted by the agency.

20 (2) Except as provided in subsection (4) of this section, the Oregon Department of Administrative  
 21 Services shall cause the amount assessed to be transferred from the moneys appropriated to each  
 22 state agency to the [*Miscellaneous Receipts Account for the State Library*] **State Library Assess-**  
 23 **ment Account established under subsection (6) of this section.**

24 (3) Subject to the provisions of subsection (5) of this section, the department shall determine and  
 25 may at any time redetermine which state funds or appropriations shall be assessed a reasonable  
 26 share of State Library and State of Oregon Law Library operating expenses that support state  
 27 agencies. In determining or redetermining the funds that shall be so assessed:

28 (a) A fund consisting of moneys the use of which is restricted by the Oregon Constitution shall  
 29 be assessed only those governmental service expenses ascertained as being necessarily incurred in  
 30 connection with the purposes set forth in the Oregon Constitution.

31 (b) Trust funds shall be assessed only those governmental service expenses ascertained as being  
 32 necessarily incurred in connection with the purposes for which the trust fund was established.

33 (c) State agencies shall be assessed only the State Library and State of Oregon Law Library  
 34 expenditures that support state agencies.

35 (4) The Oregon Department of Administrative Services shall cause the amount assessed against  
 36 state agencies for the operating budget of the State of Oregon Law Library to be transferred to the  
 37 Judicial Department. Moneys transferred under this subsection are continuously appropriated to the  
 38 Judicial Department and may be used only for the costs of operating the State of Oregon Law Li-  
 39 brary.

40 (5) Unless the Oregon Department of Administrative Services and the Judicial Department agree  
 41 to a different methodology and formula, the State of Oregon Law Library assessment shall be ap-  
 42 portioned on the basis of the number of full-time equivalent employees budgeted by the agency.

43 **(6) The State Library Assessment Account is established in the State Treasury, separate**  
 44 **and distinct from the General Fund. All moneys received by the Oregon Department of Ad-**  
 45 **ministrative Services and apportioned to the State Library under this section shall be paid**

1 into the account and are continuously appropriated to the State Library for the purposes of  
 2 the State Library.

3 **SECTION 23.** ORS 357.206 is amended to read:

4 357.206. (1) The state shall provide financial assistance for library resource sharing activities  
 5 to public, school, tribal and academic libraries from funds specifically appropriated [*therefor*] for  
 6 that purpose in order to implement [*ORS 357.005 (2)(d), which provides for a statewide network of*  
 7 *all types of libraries*] **section 2 (3) of this 2015 Act, which requires the State Library to promote**  
 8 **the establishment, development and support of local library services.** The grants shall be pro-  
 9 vided only to libraries that make interlibrary loans at no charge to other public, school, tribal and  
 10 academic libraries in this state and shall be expended for one or more of the following purposes:

11 (a) To provide matching grants and other assistance to facilitate the statewide licensing of  
 12 electronic databases for all types of libraries;

13 (b) To reimburse a library that serves as a regional center for the referral of reference questions  
 14 from other libraries or provides reference services in connection with a statewide cooperative ref-  
 15 erence services project; and

16 (c) To provide matching grants or other assistance to facilitate statewide ground delivery of li-  
 17 brary materials to public, school, tribal and academic libraries.

18 (2) As used in this section, "tribal library" means a library operated by a federally recognized  
 19 Indian tribe in Oregon.

20 **SECTION 24.** ORS 357.209 is amended to read:

21 357.209. The [*Trustees of the*] State Library **Board** shall administer the provisions of ORS 357.203  
 22 to 357.212 and shall adopt rules governing the application for and granting of funds. Funds granted  
 23 for reference services by one library for other libraries may be arranged by contract.

24 **SECTION 25.** ORS 357.410 is amended to read:

25 357.410. Any local government unit may:

26 (1) Establish, equip and maintain a public library.

27 (2) Contract with an established public library or with a private society or corporation owning  
 28 and controlling a secular or nonsectarian library for the purpose of providing free use of the library  
 29 for the residents of the local government unit, under such terms and conditions as may be agreed  
 30 upon.

31 (3) Contract with one or more units of local government or library boards pursuant to ORS  
 32 190.003 to 190.620 to provide jointly a public library or public library service or share in the use  
 33 of facilities, under such terms and conditions as may be agreed upon.

34 (4) Enter into an interstate library agreement pursuant to Article VI of the Interstate Library  
 35 Compact (ORS 357.340).

36 (5) Contract with [*the Trustees of*] the State Library **Board** for assistance in establishing, im-  
 37 proving or extending public library service.

38 (6) Levy annually and cause to be collected, as other general taxes are collected, a tax upon the  
 39 taxable property in the local government unit to provide a library fund to be used exclusively to  
 40 maintain such library.

41 (7) Levy and cause to be collected, as other taxes are collected, a special tax upon the taxable  
 42 property in the local government unit, or contract bonded indebtedness under the provisions of ORS  
 43 chapter 287A to provide a public library building fund to be used exclusively for the purchase of real  
 44 property for public library purposes and for the erection and equipping of public library buildings  
 45 including branch library buildings.



1 (8) Levy or impose such other taxes as may be authorized to the unit by city charter or the  
 2 charter of a home rule county.

3 **SECTION 26.** ORS 357.750 is amended to read:

4 357.750. Units of local government and counties may apply to [*the Trustees of*] the State Library  
 5 **Board** for annual establishment and development grants. The grants may be made from funds spe-  
 6 cifically appropriated [*therefor*] **for that purpose** and are to be used to establish, develop or improve  
 7 public library early literacy services for children from birth to six years of age and to provide the  
 8 statewide summer reading program, as defined by rule of [*the Trustees of*] the State Library **Board**,  
 9 for children from birth to 14 years of age.

10 **SECTION 27.** ORS 357.760 is amended to read:

11 357.760. The [*Trustees of the*] State Library **Board** shall administer the provisions of ORS 357.740  
 12 to 357.780 and shall adopt rules governing the application for and granting of funds under ORS  
 13 357.740 to 357.780.

14 **SECTION 28.** ORS 357.780 is amended to read:

15 357.780. (1) The [*Trustees of the*] State Library **Board** shall disburse moneys under this section  
 16 based on the estimated total population of children, from birth to 14 years of age, in the state. For  
 17 those areas of the state not served by local public libraries, the moneys available shall be reallo-  
 18 cated to qualifying public libraries. A public library [*which*] **that** begins providing library service  
 19 to previously unserved population shall be eligible for grants from the moneys appropriated for  
 20 purposes of this section. Upon satisfactory application therefor, the [*Trustees of the*] State Library  
 21 **Board** shall cause the appropriate amount to be paid to the public library.

22 (2) The [*Trustees of the*] State Library **Board** shall distribute 80 percent of the funds specifically  
 23 appropriated by the Legislative Assembly on a per child basis for public library services in the fol-  
 24 lowing manner to [*assure*] **ensure** the same population [*shall not be*] **is not** counted more than once:

25 (a) There shall be paid to each consolidated county library that is the primary provider of public  
 26 library services to all persons in a county, or to each library district that is the primary provider  
 27 of public library services in a county, a per capita amount for each child residing in the county.

28 (b) Where public library services are provided by a public library for which the governing au-  
 29 thority has jurisdiction in more than one county, there shall be paid to that library a per capita  
 30 amount for each child residing therein.

31 (c) Where public library services are not provided as described in paragraph (a) or (b) of this  
 32 subsection, but by a library of which the governing authority is the primary provider of public li-  
 33 brary services to a jurisdiction less than county wide, there shall be paid to the library a per capita  
 34 amount for children residing therein. In addition, a public library having a valid contract with a unit  
 35 of local government to provide library services to a population beyond its governing authority's ju-  
 36 risdiction shall be paid a per capita amount for the population of children served if specified in the  
 37 contract. The number of children residing within a jurisdiction that is less than a county shall be  
 38 estimated using the percentage of children in the total population of the county.

39 (d) Where public library services are not provided as described in paragraph (a), (b) or (c) of this  
 40 subsection, but are provided by a county or district library that has a valid contract with one or  
 41 more libraries to provide persons in their jurisdiction with library services, there shall be paid to  
 42 the county or district library a per capita amount for each child residing therein, exclusive of the  
 43 populations served by libraries eligible for grants under paragraph (c) of this subsection.

44 (3) The [*Trustees of the*] State Library **Board** shall distribute 20 percent of the funds specifically  
 45 appropriated by the Legislative Assembly for public library services on an area basis.

1 (4) The [*Trustees of the*] State Library **Board** may not make a grant that is less than \$1,000 to  
2 a qualifying public library for public library services for children.

3 **SECTION 29.** ORS 358.575 is amended to read:

4 358.575. (1) The voting members of the Oregon Heritage Commission shall be representatives of:

5 (a) Heritage interests, including Indian tribes with federal recognition, that reflect the cultural  
6 and geographic diversity of this state; and

7 (b) Heritage interests reflected in community institutions, libraries, museums, architecture, ar-  
8 chaeology and historic preservation.

9 (2) The advisory members of the commission shall be:

10 (a) One member designated by the Director of the Department of Land Conservation and De-  
11 velopment;

12 (b) One member designated by the [*Trustees of the*] State Library **Board**;

13 (c) One member designated by the Higher Education Coordinating Commission;

14 (d) One member designated by the Oregon Tourism Commission;

15 (e) One member designated by the Superintendent of Public Instruction;

16 (f) The Executive Director of the Oregon Historical Society or a designee of the executive di-  
17 rector;

18 (g) The State Archivist or a designee of the archivist;

19 (h) The Coordinator of the State Historical Records Advisory Board or a designee of the coor-  
20 dinator; and

21 (i) The State Historic Preservation Officer or a designee of the officer.

22 **SECTION 30. ORS 357.003, 357.005, 357.010 and 357.015 are repealed.**

23