

**PROPOSED AMENDMENTS TO
HOUSE BILL 3523**

1 On page 1 of the printed bill, delete lines 6 through 30 and delete pages
2 2 through 10 insert:

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

5 **“(1) Provides library services suitable to support state government**
6 **needs and operations;**

7 **“(2) Provides efficient library services for Oregonians who are**
8 **print-disabled;**

9 **“(3) Promotes the establishment, development and support of local**
10 **library services;**

11 **“(4) Promotes and supports library services for children and youth;**

12 **“(5) Eliminates duplication of state agency library services;**

13 **“(6) Leverages federal, state and local funding for the benefit of**
14 **state and local libraries;**

15 **“(7) Promotes the electronic delivery of library and information**
16 **resources and services;**

17 **“(8) Promotes public, nonprofit and private partnerships; and**

18 **“(9) Maintains free access for the public to State Library materials.**

19 **“SECTION 2. The State Library shall carry out the functions pre-**
20 **scribed in ORS 357.001 and section 1 of this 2015 Act as follows:**

21 **“(1) The State Library shall support the needs and operations of**
22 **state government by maintaining and developing appropriate col-**

1 **lections of library services to supplement the collections and services**
2 **of other libraries in this state and to meet the reference and research**
3 **needs of state government.**

4 **“(2) The State Library shall provide library services to persons who**
5 **are print-disabled by:**

6 **“(a) Acting in cooperation with the Library of Congress in the pro-**
7 **vision of library materials and services for persons who are print-**
8 **disabled; and**

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

11 **“(3) The State Library shall promote the establishment, develop-**
12 **ment and support of local library services by:**

13 **“(a) Expending moneys as may be available to the State Library to**
14 **demonstrate, develop and support library services in accordance with**
15 **long-range plans for statewide development and coordination of library**
16 **services;**

17 **“(b) Providing advice and assistance to libraries, library boards,**
18 **units of local government empowered to establish libraries and de-**
19 **partments of state government in matters concerning the establish-**
20 **ment, support, operation, improvement and coordination of library**
21 **services and the cooperation among libraries; and**

22 **“(c) Providing for in-service and continuing education programs for**
23 **library personnel in this state.**

24 **“(4) The State Library shall promote library services for children**
25 **and youth by distributing to local libraries state grant funds appro-**
26 **priated to the State Library for library services and programs for**
27 **children and youth.**

28 **“(5) The State Library shall prescribe the conditions for the use of**
29 **government publications in depository libraries and provide for public**
30 **access to state government publications.**

1 **“(6) The State Library shall biennially report to the Legislative As-**
2 **sembly and the Oregon Department of Administrative Services statis-**
3 **tical data on:**

4 **“(a) The effectiveness of library services provided to state govern-**
5 **ment;**

6 **“(b) The effectiveness of services provided to persons who are**
7 **print-disabled;**

8 **“(c) The degree to which local and school libraries in this state**
9 **provide library services to the people of this state; and**

10 **“(d) The scope and effectiveness of library services for children and**
11 **youth funded by state grant funds.**

12 **“(7) The State Library shall carry out all other activities authorized**
13 **by law for the development of library services for the people of this**
14 **state.**

15 **“(8) The State Library shall lend State Library books free of charge**
16 **to the people of Oregon through existing libraries.**

17 **“SECTION 3. The State Library may:**

18 **“(1) With the advice of the libraries of this state, establish and**
19 **provide a network whereby the library resources in this state are made**
20 **available to all of the people of this state under reasonable conditions**
21 **and subject to appropriate compensation to libraries providing library**
22 **services to persons outside their normal service areas; and**

23 **“(2) Provide for state participation in regional, national or inter-**
24 **national library networks and systems designed to increase the quality**
25 **of library services for the people of this state.**

26 **“SECTION 4. (1) The State Library Board is established, consisting**
27 **of nine voting members.**

28 **“(2) The Governor, after consultation with the Oregon Library As-**
29 **sociation, shall appoint seven voting members as follows:**

30 **“(a) Two members from two different state agencies;**

1 **“(b) One member representing a public library in eastern Oregon;**

2 **“(c) One member representing a public library in western Oregon;**

3 **“(d) One public member from eastern Oregon;**

4 **“(e) One public member from western Oregon; and**

5 **“(f) One member representing a community college library or a**
6 **public university library in this state.**

7 **“(3) The Deputy Superintendent of Public Instruction, or a designee**
8 **of the deputy superintendent, shall be a voting member of the board.**

9 **“(4) The administrator of the Commission for the Blind, or a**
10 **designee of the administrator, shall be a voting member of the board.**

11 **“(5) The State Librarian shall serve ex officio as a nonvoting**
12 **member of the board.**

13 **“(6) A board member described in subsection (2) of this section shall**
14 **serve a four-year term, but a member described in subsection (2) of**
15 **this section serves at the pleasure of the Governor. Before the expi-**
16 **ration of the term of a member, the Governor shall appoint a succes-**
17 **sor whose term begins on July 1 next following. A member is eligible**
18 **for reappointment. If there is a vacancy for any cause, the Governor**
19 **shall make an appointment to become immediately effective for the**
20 **unexpired term.**

21 **“(7) A board member described in subsection (2) of this section shall**
22 **be eligible for reappointment for only one additional term, but any**
23 **person may be reappointed to the board after an interval of one year.**

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

27 **“(9) A member of the State Library Board is entitled to compen-**
28 **sation and expenses as provided in ORS 292.495.**

29 **“SECTION 5. (1) The Trustees of the State Library is abolished on**
30 **the effective date of this 2015 Act. Any moneys or property held by the**

1 Trustees of the State Library on the effective date of this 2015 Act are
2 transferred to the State Library Board. For all purposes, on the ef-
3 fective date of this 2015 Act the State Library Board shall serve as the
4 successor in interest to the Trustees of the State Library.

5 “(2) Notwithstanding section 4 of this 2015 Act, the members of the
6 Trustees of the State Library on the day before the effective date of
7 this 2015 Act shall serve as the initial members of the State Library
8 Board who are described in section 4 (2) of this 2015 Act. The Governor
9 shall designate which of the initial members of the board serves for
10 the following specified terms:

11 “(a) Three shall serve for terms ending June 30, 2016. Upon expira-
12 tion of the terms, two shall be replaced by members from two different
13 state agencies and one shall be replaced by a member representing a
14 community college library or public university library in this state.

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

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

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

21 “(2) A majority of the members of the board constitutes a quorum
22 for the transaction of business.

23 “(3) The board shall meet at least once every three months at a
24 place, day and hour determined by the board. The board may also meet
25 at other times and places specified by the call of the chairperson or
26 of a majority of the members of the board.

27 **“SECTION 7. The State Library Board shall be the policy-making**
28 **body for the State Library. The State Library Board shall:**

29 “(1) Formulate general policies for the State Library to provide the
30 framework for library operations;

1 **“(2) Adopt rules to carry out the purposes for which the State Li-**
2 **brary is established or for any other purpose authorized by law;**

3 **“(3) In consultation with the Oregon Library Association, the**
4 **Oregon Heritage Commission and other related organizations, adopt**
5 **long-range strategic plans for the continued improvement and devel-**
6 **opment of the State Library and develop key performance measures**
7 **to track progress;**

8 **“(4) Review and approve budget requests for the State Library that**
9 **align with the board’s long-range plans;**

10 **“(5) Develop, adopt and modify a technology plan, including long-**
11 **range expenditures, for the purchase of subscriptions statewide, for**
12 **reference-based databases, digitization of records for public libraries**
13 **and integration of services provided by the State Library;**

14 **“(6) Conduct certifications of state agency libraries or library ser-**
15 **vices under section 19 of this 2015 Act;**

16 **“(7) Review and monitor the State Library and the State Library’s**
17 **work in the State Reference Coordinating Council established under**
18 **section 15 of this 2015 Act;**

19 **“(8) Administer the State Library Donation Fund for the benefit of**
20 **the State Library, except that every gift, devise or bequest for a spe-**
21 **cific purpose shall be administered according to its terms; and**

22 **“(9) Report to the Legislative Assembly in January of each odd-**
23 **numbered year on the State Library’s efforts to:**

24 **“(a) Achieve the statutory mission and programmatic outcomes of**
25 **the State Library;**

26 **“(b) Implement initiatives and improvements to interagency coor-**
27 **dination;**

28 **“(c) Implement initiatives and improvements to the electronic de-**
29 **livery of government publications and services;**

30 **“(d) Implement initiatives and improvements to State Library ref-**

1 **erence services to state agencies;**

2 **“(e) Enter into public, nonprofit and private partnerships and report**
3 **the number of the partnerships entered into by the State Library; and**

4 **“(f) Reduce duplication in state agency services and costs related**
5 **to the mission of the State Library.**

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

7 **“(1) Defining reasonable public access to the State Library and its**
8 **resources and materials.**

9 **“(2) Defining State Library resources, including, but not limited to,**
10 **print, electronic, subscription and reference services.**

11 **“(3) Establishing processes and procedures related to state agency**
12 **use of State Library resources, as defined in rules adopted under sub-**
13 **section (2) of this section. The rules shall provide that the State Li-**
14 **brary shall fulfill only state agency requests for resources or services**
15 **that pertain to the conduct of state business.**

16 **“SECTION 9. ORS 357.031 is amended to read:**

17 **“357.031. The [*Trustees of the*] State Library **Board** may:**

18 **“(1) Enter into contracts with any person or governmental entity:**

19 **“(a) To provide, extend, improve or coordinate library services; or**

20 **“(b) To demonstrate appropriate programs of library services.**

21 **“(2) Enter into library agreements pursuant to Article V of the Interstate**
22 **Library Compact (ORS 357.340).**

23 **“(3) Establish, equip and maintain regional library service centers of the**
24 **State Library outside the City of Salem when the library needs of the state**
25 **will be better served.**

26 **“SECTION 10. ORS 357.035 is amended to read:**

27 **“357.035. Subject to the provisions of ORS 291.260 and 291.375, the [*Trus-***
28 ***tees of the*] State Library **Board** **is** [*are*] designated as a state agency em-**
29 **powered to apply for federal or private funds and accept and enter into**
30 **appropriate agreements for library purposes on behalf of the state or its**

1 political subdivisions or for any activity appropriate to the State Library on
2 behalf of the state for the receipt of such funds from the federal government
3 or its agencies or from any private source, and supervise the disbursement
4 of such funds.

5 **“SECTION 11.** ORS 357.040 is amended to read:

6 “357.040. (1) The [*Trustees of the*] State Library **Board** may acquire con-
7 trol and dispose of any and all real and personal property given to or for the
8 benefit of the State Library by private donors, whether the gifts of the
9 property are made to the State Library or to the [*trustees thereof*] **board** or
10 to the State of Oregon for the benefit of the library.

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

16 “(3) The [*trustees*] **board** may institute, maintain and participate in suits,
17 actions and other judicial proceedings in the name of the State of Oregon for
18 the foreclosure of such mortgages or for the purpose of carrying into effect
19 any and all of the powers, duties and authority now vested in or given **to**
20 **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**
22 **subject to confirmation in the Senate in the manner provided in ORS**
23 **171.562 and 171.565.**

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

28 **“SECTION 13.** **Notwithstanding section 12 of this 2015 Act, the in-**
29 **dividual serving as State Librarian on the day before the effective date**
30 **of this 2015 Act may serve as State Librarian until July 1, 2017.**

1 **“SECTION 14.** ORS 357.050 is amended to read:

2 “357.050. The State Librarian shall:

3 “(1) Serve as Secretary to [*the Trustees of*] the State Library **Board** and
4 keep the official record of [*their*] **the board’s** actions.

5 “(2) Be the chief administrative officer of the State Library in accordance
6 with policies established by the [*trustees and the laws of this state*] **board**.

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

9 **“SECTION 15. (1) There is established a State Reference Coordi-**
10 **inating Council whose duties are to coordinate the delivery of library,**
11 **information and reference services provided by the State Library, the**
12 **State Archives and the State of Oregon Law Library, to clarify the**
13 **roles of the State Library, State Archives and State of Oregon Law**
14 **Library and to promote collaboration and reduce duplication of effort.**

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

17 **“(3) The council shall meet at least semiannually to develop and**
18 **improve plans for the coordination of library, information and refer-**
19 **ence services among state agencies.**

20 **“(4) The State Library, State Archives and State of Oregon Law**
21 **Library shall provide meeting facilities, staff and administrative sup-**
22 **port for the council.**

23 **“(5) The council shall develop a plan to provide coordinated online**
24 **access to online services provided by the State Library, State Archives**
25 **and State of Oregon Law Library.**

26 **“SECTION 16. (1) The State Library, in coordination with the**
27 **Oregon Department of Administrative Services, shall approve the se-**
28 **lection, negotiation, purchase and maintenance of subscriptions**
29 **statewide, for reference-related databases, and physical and digital**
30 **subscriptions for all state agencies.**

1 “(2) Each state agency shall obtain the written approval of the State
2 Librarian prior to purchasing reference-related databases or physical
3 and digital subscription licenses.

4 “(3) The State Library Board shall adopt rules pertaining to the
5 review and approval process described in this section.

6 “SECTION 17. ORS 357.095 is amended to read:

7 “357.095. The [*Trustees of the*] State Library **Board** shall designate no
8 more than 10 libraries as depository libraries, which shall be entitled to re-
9 ceive copies of [*public documents*] **government publications** that are
10 printed or produced in any other tangible medium and are deposited with the
11 State Librarian under ORS 357.090. Selection of libraries shall be based upon
12 the size of population served, geographic distribution and the ability of the
13 library to provide the public with access to these [*public documents*] **gov-**
14 **ernment publications.**

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

16 “357.100. (1) The State Library shall be the agency responsible for re-
17 ceiving copies of [*public documents*] **government publications** and making
18 them available to depository libraries.

19 “(2) The State Librarian shall periodically assess the performance of de-
20 pository libraries and report the results of these assessments to the [*Trustees*
21 *of the*] State Library **Board.**

22 “(3) The State Library shall ensure [*permanent*] public access to [*public*
23 *documents*] **government publications**, regardless of the format of the docu-
24 ment.

25 “SECTION 19. (1) **The State Library shall certify each biennium any**
26 **state agency library or library service that is maintained separate**
27 **from the State Library or that is proposed to be maintained separate**
28 **from the State Library.**

29 “(2) **The State Library Board shall adopt rules relating to the cer-**
30 **tification process and review criteria.**

1 **“(3) The State Library Board shall report to the Legislative As-**
2 **sembly each January of an odd-numbered year on the list of state**
3 **agency libraries or library services that fail to be certified or recerti-**
4 **fied by the State Library under this section.**

5 **“SECTION 20.** ORS 357.195 is amended to read:

6 **“357.195. (1) The State Library Donation Fund is established in the State**
7 **Treasury, separate and distinct from the General Fund. The following**
8 **moneys shall be placed in the fund:**

9 “(a) Gifts and donations to the State Library;

10 “(b) The interest, income, dividends or profits received on any property
11 or funds of the State Library derived from gifts, legacies, devises, bequests,
12 endowments or other donations;

13 “(c) Other interest earned by the fund; and

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

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

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

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

24 “(5) Moneys in the State Library Donation Fund are continuously appro-
25 priated to the State Library for use by, and support and maintenance of, the
26 State Library. Claims against the fund shall be approved and warrants issued
27 in the manner provided by law.

28 **“SECTION 21.** ORS 357.200 is amended to read:

29 **“357.200. (1) The State Librarian shall deposit with the State Treasurer**
30 **all moneys received for materials furnished and for services rendered and all**

1 federal grants and other revenues received, except those described in ORS
2 357.195 **and 357.203**. Moneys deposited with the treasurer under this sub-
3 section shall be deposited into the Miscellaneous Receipts Account for the
4 State Library and are continuously appropriated to the State Library for
5 books, pamphlets and periodicals, and for any other purpose authorized by
6 law.

7 “(2) The State Library may maintain a petty cash fund in compliance with
8 ORS 293.180 in the amount of \$200 from moneys in the Miscellaneous Re-
9 ceipts Account for the State Library.

10 **“SECTION 22.** ORS 357.203 is amended to read:

11 “357.203. (1) The State Library and State of Oregon Law Library operating
12 budget for services to state agencies shall be assessed against all state
13 agencies [*except the Oregon University System*]. The State Library assessment
14 shall be apportioned among the agencies as follows:

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

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

19 “(2) Except as provided in subsection (4) of this section, the Oregon De-
20 partment of Administrative Services shall cause the amount assessed to be
21 transferred from the moneys appropriated to each state agency to the [*Mis-*
22 *cellaneous 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 de-
25 partment shall determine and may at any time redetermine which state funds
26 or appropriations shall be assessed a reasonable share of State Library and
27 State of Oregon Law Library operating expenses that support state agencies.
28 In determining or redetermining the funds that shall be so assessed:

29 “(a) A fund consisting of moneys the use of which is restricted by the
30 Oregon Constitution shall be assessed only those governmental service ex-

1 penses ascertained as being necessarily incurred in connection with the
2 purposes set forth in the Oregon Constitution.

3 “(b) Trust funds shall be assessed only those governmental service ex-
4 penses ascertained as being necessarily incurred in connection with the
5 purposes for which the trust fund was established.

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

8 “(4) The Oregon Department of Administrative Services shall cause the
9 amount assessed against state agencies for the operating budget of the State
10 of Oregon Law Library to be transferred to the Judicial Department. Moneys
11 transferred under this subsection are continuously appropriated to the Judi-
12 cial Department and may be used only for the costs of operating the State
13 of Oregon Law Library.

14 “(5) Unless the Oregon Department of Administrative Services and the
15 Judicial Department agree to a different methodology and formula, the State
16 of Oregon Law Library assessment shall be apportioned on the basis of the
17 number of full-time equivalent employees budgeted by the agency.

18 **“(6) The State Library Assessment Account is established in the**
19 **State Treasury, separate and distinct from the General Fund. All**
20 **moneys received by the Oregon Department of Administrative Services**
21 **and apportioned to the State Library under this section shall be paid**
22 **into the account and are continuously appropriated to the State Li-**
23 **brary for the purposes of the State Library.**

24 **“SECTION 23.** ORS 357.206 is amended to read:

25 “357.206. (1) The state shall provide financial assistance for library re-
26 source sharing activities to public, school, tribal and academic libraries from
27 funds specifically appropriated [*therefor*] **for that purpose** in order to im-
28 plement [*ORS 357.005 (2)(d), which provides for a statewide network of all*
29 *types of libraries*] **section 2 (3) of this 2015 Act, which requires the State**
30 **Library to promote the establishment, development and support of lo-**

1 **cal library services.** The grants shall be provided only to libraries that
2 make interlibrary loans at no charge to other public, school, tribal and aca-
3 demic libraries in this state and shall be expended for one or more of the
4 following purposes:

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

7 “(b) To reimburse a library that serves as a regional center for the re-
8 ferral of reference questions from other libraries or provides reference ser-
9 vices in connection with a statewide cooperative reference services project;
10 and

11 “(c) To provide matching grants or other assistance to facilitate statewide
12 ground delivery of library materials to public, school, tribal and academic
13 libraries.

14 “(2) As used in this section, ‘tribal library’ means a library operated by
15 a federally recognized Indian tribe in Oregon.

16 “**SECTION 24.** ORS 357.209 is amended to read:

17 “357.209. The [*Trustees of the*] State Library **Board** shall administer the
18 provisions of ORS 357.203 to 357.212 and shall adopt rules governing the ap-
19 plication for and granting of funds. Funds granted for reference services by
20 one library for other libraries may be arranged by contract.

21 “**SECTION 25.** ORS 357.410 is amended to read:

22 “357.410. Any local government unit may:

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

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

28 “(3) Contract with one or more units of local government or library
29 boards pursuant to ORS 190.003 to 190.620 to provide jointly a public library
30 or public library service or share in the use of facilities, under such terms

1 and conditions as may be agreed upon.

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

4 “(5) Contract with [*the Trustees of*] the State Library **Board** for assistance
5 in establishing, improving or extending public library service.

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

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

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

17 **“SECTION 26.** ORS 357.750 is amended to read:

18 “357.750. Units of local government and counties may apply to [*the Trus-*
19 *tees of*] the State Library **Board** for annual establishment and development
20 grants. The grants may be made from funds specifically appropriated
21 [*therefor*] **for that purpose** and are to be used to establish, develop or im-
22 prove public library early literacy services for children from birth to six
23 years of age and to provide the statewide summer reading program, as de-
24 fined by rule of [*the Trustees of*] the State Library **Board**, for children from
25 birth to 14 years of age.

26 **“SECTION 27.** ORS 357.760 is amended to read:

27 “357.760. The [*Trustees of the*] State Library **Board** shall administer the
28 provisions of ORS 357.740 to 357.780 and shall adopt rules governing the ap-
29 plication for and granting of funds under ORS 357.740 to 357.780.

30 **“SECTION 28.** ORS 357.780 is amended to read:

1 “357.780. (1) The [*Trustees of the*] State Library **Board** shall disburse
2 moneys under this section based on the estimated total population of chil-
3 dren, from birth to 14 years of age, in the state. For those areas of the state
4 not served by local public libraries, the moneys available shall be reallocated
5 to qualifying public libraries. A public library [*which*] **that** begins providing
6 library service to previously unserved population shall be eligible for grants
7 from the moneys appropriated for purposes of this section. Upon satisfactory
8 application therefor, the [*Trustees of the*] State Library **Board** shall cause
9 the appropriate amount to be paid to the public library.

10 “(2) The [*Trustees of the*] State Library **Board** shall distribute 80 percent
11 of the funds specifically appropriated by the Legislative Assembly on a per
12 child basis for public library services in the following manner to [*assure*]
13 **ensure** the same population [*shall not be*] **is not** counted more than once:

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

18 “(b) Where public library services are provided by a public library for
19 which the governing authority has jurisdiction in more than one county,
20 there shall be paid to that library a per capita amount for each child residing
21 therein.

22 “(c) Where public library services are not provided as described in para-
23 graph (a) or (b) of this subsection, but by a library of which the governing
24 authority is the primary provider of public library services to a jurisdiction
25 less than county wide, there shall be paid to the library a per capita amount
26 for children residing therein. In addition, a public library having a valid
27 contract with a unit of local government to provide library services to a
28 population beyond its governing authority’s jurisdiction shall be paid a per
29 capita amount for the population of children served if specified in the con-
30 tract. The number of children residing within a jurisdiction that is less than

1 a county shall be estimated using the percentage of children in the total
2 population of the county.

3 “(d) Where public library services are not provided as described in para-
4 graph (a), (b) or (c) of this subsection, but are provided by a county or dis-
5 trict library that has a valid contract with one or more libraries to provide
6 persons in their jurisdiction with library services, there shall be paid to the
7 county or district library a per capita amount for each child residing therein,
8 exclusive of the populations served by libraries eligible for grants under
9 paragraph (c) of this subsection.

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

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

16 “**SECTION 29.** ORS 358.575 is amended to read:

17 “358.575. (1) The voting members of the Oregon Heritage Commission
18 shall be representatives of:

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

21 “(b) Heritage interests reflected in community institutions, libraries, mu-
22 seums, architecture, archaeology and historic preservation.

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

24 “(a) One member designated by the Director of the Department of Land
25 Conservation and Development;

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

27 “**(b) The State Librarian or a designee of the librarian.**

28 “(c) One member designated by the Higher Education Coordinating Com-
29 mission;

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

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

2 “(f) The Executive Director of the Oregon Historical Society or a designee
3 of the executive director;

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

5 “(h) The Coordinator of the State Historical Records Advisory Board or
6 a designee of the coordinator; and

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

8 **“SECTION 30. Sections 1, 2, 3, 4, 6, 7, 8, 12 and 16 are added to and
9 made a part of ORS 357.001 to 357.200.**

10 **“SECTION 31. ORS 357.001 to 357.200 do not apply to the State Ar-
11 chives, State of Oregon Law Library or county law libraries, or to legal
12 databases, information resources, subscription licenses or other ser-
13 vices or resources provided by the State Archives, State of Oregon Law
14 Library or county law libraries, unless specifically identified.**

15 **“SECTION 32. ORS 357.003, 357.005, 357.010 and 357.015 are
16 repealed.”.**

17
