

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: SB 541a

51st Legislature, 1st Session, 2013

Tracking Number: .191782.3

Short Title: Library Acquisitions Fund

Sponsor(s): Senator Howie Morales and Others

Analyst: Sarah Amador-Guzman

Date: March 4, 2013

AS AMENDED

The Senate Indian and Cultural Affairs Committee amendment clarifies that the appropriation is for expenditure by “publicly funded” libraries.

Original Bill Summary:

SB 541 adds a new section to the *Cultural Affairs Department Act* that:

- creates the Library Acquisitions Fund in the State Treasury as a non-reverting fund;
- allows the fund to be administered by the library division of the Cultural Affairs Department; and
- establishes the Library Acquisition Task Force to:
 - develop guidelines;
 - make recommendations; and
 - establish an allocation formula for the Library Acquisition Fund.

The members of the task force are appointed by the Governor, and are comprised of a representative from each of the following:

- public school library;
- institution of higher education library;
- public library; and
- tribal library.

Finally, SB 541 makes an appropriation.

Fiscal Impact:

\$5.0 million is appropriated from the General Fund to the Library Acquisitions Fund to be used for:

- expenditure in FY 14 and subsequent fiscal years;
- acquisitions and operations of:

- public libraries;
- college and university libraries;
- tribal libraries;
- other state libraries; and
- public school libraries.

Any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert to the General Fund.

Substantive Issues:

According to the New Mexico Higher Education Department bill analysis, the money appropriated to the Library Acquisitions Fund may be used for the acquisitions of library resources, including:

- library processing services;
- inter-library resource-sharing services; and
- library materials including:
 - print;
 - non-print and electronic materials;
 - equipment;
 - bookmobiles;
 - computer hardware and software; and
 - furniture related to library display, housing, and electronic subscriptions.

The Fiscal Impact Report by the Legislative Finance Committee suggests that SB 541 would provide a reliable source of acquisition funds for libraries in the state distinct from general obligation bonds, which are intended to supplement local effort in providing local public library service (see “Background,” below).

Technical Issues:

The analysis by the Cultural Affairs Department suggests clarifying that only public college and university libraries will receive funds from the Library Acquisitions Fund.

Background:

According to the New Mexico Task Force for School Libraries, historically, public libraries are funded through general obligation bonds. School libraries also receive funds from the School Library Materials Fund and funds from school budgets. SB 541 would establish a fund specifically for libraries.

Committee Referrals:

SIAC/SFC

Related Bills:

None as of March 4, 2013.