

**Missouri Library Association
Proposed 2009 Legislative Agenda**

MLA will work for full funding from the Non-Resident Professional Athletes & Entertainers Tax (143.183 RSMo)

The Non-Resident Professional Athletes and Entertainers Tax (**A&E Tax**) is a tax on the earnings of professional athletes and entertainers when playing or performing in the State of Missouri. It is collected by the State of Missouri and, by Statute, is to be distributed among the following five groups: **Missouri State Library Networking Fund (10%), Missouri Humanities Council Trust Fund (10%); Missouri Public Television Broadcasting Corporation Special Fund (10%); Missouri Historic Preservation Revolving Fund (10%) and the Missouri Arts Council Trust Fund (60%).**

The 10% of the A&E funds distributed to public libraries is to purchase books and other library materials.

The Missouri Library Association requests that full funding be appropriated to the Missouri State Library Networking Fund for public libraries at the levels outlined in the Statutes. The amount of funds available should also be based upon the actual amount collected as reported by the Missouri Department of Revenue.

MLA opposes any attempts to allow groups other than the above listed cultural partners to benefit from A&E revenues prior to fair and equitable distribution of A&E monies to libraries.

MLA will support, at a minimum, the appropriation requests of the Secretary of State and for the University of Missouri Related Programs such as MOREnet and MOBIUS.

These appropriations include:

Missouri State Library funding covers staffing/programs of Missouri State Library, library development and consultant services to libraries in the State as well as the following programs:

State Aid for Public Libraries totaled \$4,004,456 for FY2009. The appropriation included funding that allowed 55 cents per capita state aid based on 2000 federal census figures.

The amounts being requested for the coming legislative session have not yet been determined. These amounts may not be known until the day of the Governor's Budget Message in January of 2009. As stated above, MLA will support, at a minimum, the appropriation request of the Secretary of State or an appropriation that will result in 55-cent per capita state aid as was appropriated in FY 2009.

Remote Electronic Access for Libraries (REAL) provides Internet connectivity and bandwidth for public libraries. In addition, it also provides statewide electronic licenses for information databases for Missouri libraries. MLA supports all requests for funding for REAL. This program allows all Missouri communities to stand on an equal footing, providing equal access to learning materials, small business resources, and other essential but not otherwise available information. Missouri and Missourians need this program to stay competitive with our neighboring states and in the world economy.

Other programs included in the Missouri State Library appropriations include the administration of federal grants and Literacy Investment for Tomorrow (LIFT).

The *Show-Me Connection* study from June 2004 concluded the following. "Summer learning loss is real. Spending time reading over the summer has proven effective in reducing this loss. Cooperating with the local public library to provide a summer reading program allows students to read more consistently while simultaneously giving them expanded opportunities to access resources. Summer reading programs impact student achievement." In support of this conclusion, since FY 2007 the legislature has provided in the budget core funding to support summer reading programs. MLA supports the core appropriation for summer reading programs and would oppose any decrease in the core funding for the program.

In 2007, the Secretary of State proposed the Missouri Digital Heritage Initiative. The program was created to fulfill several missions. First, the program builds a technological structure with the capacity to search millions of pages of resources that local groups can use to make their historical records easily accessible on the web. The program creates partnerships between the Missouri State Archives and the Missouri State Library, (divisions of the Secretary of State's office) and local governments, public libraries and community institutions. Finally, the program identifies millions of pages of information (documents, maps and photos) accessible via the Internet for instant access and use by students, citizens, historians, journalists and genealogists. To support this important effort, the legislature provides funding in the core budget to support the Missouri Digital Heritage Initiative. MLA supports the core appropriation and would oppose any decrease in the core funding for this program.

Funding for the ***Wolfner Library for the Blind and Physically Handicapped*** supports the cost of housing the collections of material and equipment as well as services and staff. MLA supports the work and services provided by the Wolfner Library and opposes any decrease in funding for this program.

University of Missouri Related Programs includes appropriation requests for funding of the following programs:

MOREnet (Missouri Research and Education Network) manages a statewide education and research network that links public libraries, schools, higher education institutions and state agencies to a secure broadband Internet connection and to each other. MOREnet also provides vital technical support, security services, and E-rate assistance in addition to staff training, video services and access to on-line resources. Because of the ever-changing advances in the world of technology, it is critical that additional funding be provided to MOREnet. To keep Missouri's investment in its public technical infrastructure, MOREnet needs additional funding every year for equipment and for upgrades to maintain and to enhance the state's backbone network. To this end, MLA supports MOREnet's requests for funding.

With the State of Missouri's every increasing use of technology and the Internet as a means of conducting business and communicating with its citizenry, it is vital for the State to assure access to this information to all citizens. MLA will support efforts to obtain new funding to increase Internet access capacity for public libraries and K-20 member connections.

Specific to the 2009 Legislative Session, MLA supports MOREnet's requests for funding increases.

- Realizing that there is always an increased cost for technology merely to stay at its current level, MLA supports the request of a \$535,694 to address the impact of inflation and staff merit & benefit programs which are not covered through any other funding source.
- Much like roads and other infrastructure, the MOREnet backbone requires upkeep and maintenance. MLA supports MOREnet's request for \$3,287,000 in one-time, capital to replace items that have reached the end of their useful lives or that no longer can operate in the modern technological environment.
- With programs like *virtual schools* and increased use of the Internet in classrooms and in libraries, additional bandwidth is always necessary. MLA supports MOREnet's request for \$2,692,000 in ongoing funds to meet demand for increased Internet access capacity for all members and bandwidth growth for public K-12 schools and higher education institutions.

Common Library Platform began as a state/institutional partnership that allows students, staff, faculty and patrons in Missouri to access books and materials owned by public/independent colleges and universities throughout Missouri. MOBIUS (Missouri Bibliographic and Information User System) is the consortium that oversees the administration of this system. Due to its success, an increasing number of public libraries now participate in MOBIUS. MOBIUS has not received any state appropriations for these purposes in recent years. MLA supports appropriations for MOBIUS to enhance resource sharing and to strengthen the Common Library Platform.

MLA supports adequate assistance for The State Historical Society of Missouri in Columbia. The State Historical Society houses the Missouri newspaper collection as well as a collection of materials relating to Missouri's heritage. These resources are very valuable to our state and must be preserved.

MLA will monitor all property tax legislation.

Local property taxes, both real estate and personal property, are the primary funding source of Missouri's public libraries. Percentages may vary from library to library, but it is not unusual for a library to have over 90% of its annual income being derived from property taxes.

While public schools and local community colleges are not as dependent on property taxes as public libraries, these institutions still receive a portion of their income from these taxes.

Any legislation that attempts to lower property taxes or do away with them would adversely affect Missouri's public libraries and could also have a negative effect on school and community college libraries.

For this reason, MLA will monitor all property tax legislation and make members of the Missouri General Assembly aware of how specific pieces of legislation affects library service in Missouri. MLA supports efforts to establish methods to fairly assess real and personal property.

MLA will monitor legislation that attempts to provide a diversification of revenue from alternative tax sources, including statewide and local options. MLA supports the efforts to determine what alternative tax sources there might be for libraries.

In addition, MLA will monitor any legislation that attempts to aid assessors in property assessments. MLA will study cost versus the benefits of any proposed legislation as well as any Hancock Amendment implications.

MLA will monitor all legislation dealing with Tax Increment Financing (TIFs), Chapter 100 RSMo, Chapter 353 RSMo, enterprise zones and tax abatements and the effects of the implementation of such legislation.

Economic development and growth is vital to the State of Missouri and to local communities. However, there are concerns when incentives offered to developers and new industries include the new tax revenue that would go to local taxing entities.

Under TIFs and tax abatement, developers use the funds that would normally pay the property taxes on new developments to cover costs associated with the project. This means that taxing entities are not receiving property taxes on the new development because the funds are being diverted.

When TIFs and tax abatements are used to finance commercial developments, some of the entities having their tax incomes diverted do receive additional new income from the sales tax generated by the development. Public libraries, along with other entities such as fire and ambulance districts, do not receive sales tax. Therefore, these districts must wait until the TIF or tax abatement is retired before any financial benefit is received. In many cases, the wait can be several years, including the statutory limit of twenty-three years. However, it is not unusual for a major commercial entity to file for a new development and a new set of incentives just as the old package is preparing to expire.

Because of the effect TIFs and tax abatements can have on the funding of public libraries and other property tax supported political subdivisions, MLA monitors any proposed legislation in these areas. It is the position of MLA that these laws should be more restrictive regarding eligibility requirements for developments.

MLA will examine and support that legislation which strengthens public library districts' status as political subdivisions and will monitor all legislation pertaining to the governance of libraries.

It is important that all public libraries be strong, independent political subdivisions regardless of their type of library district.

Library districts should have the same basic powers that are granted to other political subdivisions of the State, including, but not limited to the power to set their tax levies, budget their funds, make decisions regarding services and enter into contracts.

MLA will closely monitor any proposed legislation relating to the boundaries between municipal library districts and county library districts (referred to as the '65 law) as well as proposals relating to broadening the library sub-district law.

Any legislation that relates to the governance of libraries shall be studied by the MLA Legislative Committee to determine its effect upon libraries. This includes proposed legislation relating to Chapter 182 (County and City Libraries – Libraries Generally) and Chapter 181 (State Library) of the Revised Statutes of the State of Missouri.

MLA will monitor legislative activities and court actions related to the Hancock Amendment and other proposals related to state revenue/expenditures limitations.

The Hancock Amendment (Article X, Sections 16 to 24 of the Constitution of Missouri) deals with revenue limitations including limits on the amount of taxes the legislature may impose as well as the setting of tax levies and fees by all political subdivisions in the State. Any legislation related to The Hancock Amendment has an effect upon all tax supported political subdivisions. Institutions such as the Missouri State Library, universities, public libraries, school districts and community colleges all rely very heavily on tax-generated revenues.

MLA closely monitors any proposal relating to placing limitations on state revenues and state expenditures or proposals affecting any state funds that benefit libraries.

MLA will monitor all Internet filtering legislation.

MLA believes that a local library's Board of Trustees should make the decisions regarding all library services. Missouri's public libraries have been encouraged to adopt their own policies regarding Internet usage. These local policies will take into consideration the community needs of that library district.

Filters do not block all sites some consider harmful. Filters, depending upon the criteria used for blocking, can restrict access to sites that contain valid and important information. Additionally, mandating filtering could cause financial and logistical hardships on individual libraries.

MLA generally opposes any statewide effort to mandate Internet filters. Additionally, MLA will closely monitor any legislation concerning this matter.

MLA will continue to build coalitions with political subdivisions that have similar interests in legislation and funding.

Many of the issues that are of concern to librarians as well as trustees and friends also affect other political subdivisions in the State. By working together, MLA and other groups will increase awareness of these concerns and needs.

Submitted for a vote of the membership on Thursday, October 2, during the 2008 MLA Annual Business Meeting by Legislative Committee Chair Steve Potter, spotter@mcpl.lib.mo.us.