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AN ACT

RELATING TO LIBRARIES; SUPPORTING THE PRESERVATION,
DEVELOPMENT AND ESTABLISHMENT OF RURAL LIBRARIES THROUGHOUT
THE STATE; CREATING THE RURAL LIBRARIES ENDOWMENT FUND AND
THE RURAL LIBRARIES PROGRAM FUND; CREATING THE RURAL
LIBRARIES GRANT PROGRAM; REPEALING THE RURAL LIBRARIES
DEVELOPMENT ACT; MAKING APPROPRIATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of Chapter 18 NMSA 1978 is
enacted to read:

"RURAL LIBRARIES ENDOWMENT FUND--DISTRIBUTIONS.--

A. The "rural libraries endowment fund" is created
in the state treasury to support the preservation,
development and establishment of rural libraries throughout
the state by providing funding for rural libraries'
operational and capital needs and funding for the delivery of
specialized services to rural libraries.

B. The rural libraries endowment fund consists of
appropriations and donations to the fund and all income from
investment of the fund. The state investment officer shall
invest money in the fund as money in the fund described in
Article 12, Section 7 of the constitution of New Mexico is
invested.

C. Distributions of money from the rural libraries

1 endowment fund shall be:

2 (1) in the following gross amounts:

3 (a) for fiscal year 2022 and each of
4 the following five fiscal years, the difference, if positive,
5 between all fund investment income yielded through the
6 immediately preceding calendar year and all fund
7 distributions, up to five percent of the year-end market
8 value of the fund for the immediately preceding calendar
9 year; and

10 (b) for fiscal year 2028 and each
11 subsequent fiscal year, the average of fund investment income
12 yielded in the immediately preceding five calendar years, up
13 to five percent of the year-end market value of the fund for
14 the immediately preceding calendar year; and

15 (2) in the following proportions:

16 (a) ninety-five percent of the gross
17 distribution to the rural libraries program fund for grants
18 through the rural libraries grant program; and

19 (b) five percent of the gross
20 distribution to the cultural affairs department for the
21 state's delivery of specialized services to rural libraries."

22 SECTION 2. A new section of Chapter 18 NMSA 1978 is
23 enacted to read:

24 "RURAL LIBRARIES GRANT PROGRAM--SPECIALIZED SERVICES.--

25 A. The "rural libraries grant program" is created.

1 Through that program, the state librarian shall annually
2 disburse, in the form of grants directly benefiting
3 developing rural libraries and established rural libraries
4 and grants for the establishment of developing rural
5 libraries in cities, towns and villages without libraries,
6 money from the rural libraries program fund. The state
7 librarian shall endeavor each year to disburse the full
8 amount available for rural libraries grants. The portion, if
9 any, of that amount not disbursed shall be made available for
10 the next award of grants.

11 B. The state librarian shall use money allocated
12 for specialized services to rural libraries from the rural
13 libraries endowment fund distribution to provide specialized
14 services to rural libraries."

15 SECTION 3. A new section of Chapter 18 NMSA 1978 is
16 enacted to read:

17 "RURAL LIBRARIES PROGRAM FUND CREATED.--The "rural
18 libraries program fund" is created in the state treasury.
19 The fund consists of distributions from the rural libraries
20 endowment fund that are designated for the rural libraries
21 grant program and appropriations, gifts, interest and other
22 money attributed to the fund. Money in the fund shall not
23 revert at the end of a fiscal year. Money in the fund may be
24 appropriated by the legislature to carry out the provisions
25 of Sections 1 through 4 of this 2019 act. Expenditures from

1 the fund shall be made upon warrant of the secretary of
2 finance and administration pursuant to vouchers signed by the
3 state librarian or the state librarian's authorized
4 representative."

5 SECTION 4. A new section of Chapter 18 NMSA 1978 is
6 enacted to read:

7 "DEFINITIONS.--As used in Sections 1 through 4 of this
8 2019 act, and to the extent allowed by law:

9 A. "developing rural library" means a rural
10 library whose library staff, whether salaried or volunteer,
11 is dedicated to delivering library services to the public for
12 at least fifteen hours per week and on at least two days each
13 week;

14 B. "established rural library" means a rural
15 library:

16 (1) with permanent, salaried staff; and

17 (2) that offers library services to the
18 public for at least twenty-five hours per week;

19 C. "rural library" means a library that is
20 established:

21 (1) through an ordinance or legal resolution
22 adopted by a political subdivision of the state and is
23 located in a municipality with a population at the time of
24 the library's establishment of three thousand or less or is
25 located in an unincorporated area of the state;

1 (2) by a legal resolution of a tribal
2 government in New Mexico and is located in a census
3 designated place with a population at the time of the
4 library's establishment of three thousand or less; or

5 (3) as a corporation with tax-exempt status
6 pursuant to Section 501(c)(3) of the United States Internal
7 Revenue Code of 1986 and is located in a municipality with a
8 population at the time of the library's establishment of
9 three thousand or less or is located in an unincorporated
10 area of the state; and

11 D. "specialized services" means professional
12 development opportunities, program support, information
13 technology support and other capacity-building services, as
14 defined by the state librarian."

15 SECTION 5. Section 6-8-1 NMSA 1978 (being Laws 1957,
16 Chapter 179, Section 1, as amended) is amended to read:

17 "6-8-1. DEFINITIONS.--As used in Chapter 6, Article 8
18 NMSA 1978:

19 A. "council" means the state investment council;

20 B. "department" means the department of finance
21 and administration;

22 C. "land grant permanent funds" means the
23 permanent school fund established by Article 12, Section 2 of
24 the constitution of New Mexico and all other permanent funds
25 derived from lands granted or confirmed to the state by the

1 act of congress of June 20, 1910, entitled "An Act To enable
2 the people of New Mexico to form a constitution and state
3 government and be admitted into the Union on an equal footing
4 with the original States...";

5 D. "permanent funds" means the land grant
6 permanent funds, rural libraries endowment fund, severance
7 tax permanent fund, tobacco settlement permanent fund and
8 water trust fund;

9 E. "secretary" means the secretary of finance and
10 administration;

11 F. "severance tax permanent fund" means the fund
12 established by Article 8, Section 10 of the constitution of
13 New Mexico;

14 G. "tobacco settlement permanent fund" means the
15 fund established by Section 6-4-9 NMSA 1978; and

16 H. "water trust fund" means the fund established
17 by Article 16, Section 6 of the constitution of New Mexico."

18 SECTION 6. TEMPORARY PROVISION--FUND TRANSFER.--On July
19 1, 2019, the balance in the rural library development fund is
20 transferred to the rural libraries endowment fund.

21 SECTION 7. REPEAL.--Sections 18-15-1 through 18-15-4
22 NMSA 1978 (being Laws 2007, Chapter 83, Sections 1 through 4)
23 are repealed.

24 SECTION 8. EFFECTIVE DATE.--The effective date of the
25 provisions of this act is July 1, 2019. _____