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# Memo

**To:** Montana State Library Commission

**From:** Jennie Stapp, State Librarian

**Date:** September 24, 2012

**Re:** **AG Opinion Comments Received**

The following comments were made to State Library staff regarding the impact of and/or recommended action regarding the recent AG opinion. In addition to specific comments, MSL staff polled 41 librarians who attended a September 20 webinar on the opinion to determine how they viewed the opinion and what level of priority MSL and/or MLA should give the opinion. The results are included below.

There were two questions in the poll. Attendees were asked to select a response.

1. How high a priority is it for MSL or MLA to pursue legislative changes?  
Really high priority; can we pursue this now?: 11  
It's a priority: 11

Somewhat of a priority: 1

It's important but funding from the legislature is a higher: 4

2. What course of action would you like to see from MSL and/or MLA?

Pursue legislation that would exempt all libraries: 25

Do nothing unless the opinion starts harming libraries: 2

Something else (Please use chat to explain): 2

- Continue to monitor and seek understanding of the impact of the AG opinion and support libraries in developing strong interlocal agreements

Comments received from	Comments
Marilyn Trosper conversation w/Tracy Cook, April 14, 2012	Discouraged by the news since the board and Marilyn believed that they were fully autonomous when the library became a district. However Marilyn believes they have good enough relations to move forward and hopefully not be too badly impacted by AG opinion.
Ron Birkle (Darby) and Warren Neyenhuis (Hamilton) conversation w/Tracy Cook, May 19, 2012	Uncertain as to how to proceed; both libraries have interlocal agreements that are older. Some concern about the impact of the decision on the extra monies (above and beyond the original agreement) the two libraries are currently receiving. The extra money is basically an inflationary amount that has been added over the years.
Sonja Woods conversation w/Tracy Cook, May 23, 2012	Unconcerned about AG opinion; doesn't believe it will have an impact in Miles City
Cherie Hesar email to Wired June 6, 2012	<p>I just wanted to comment that while I am solidly in support of libraries and library boards -- and relieved that the AG's comments included clarifying the authority of boards to control allocation of money -- I completely understand the reasoning behind the opinion. So many of the city and county officials are having to make extremely difficult decision about expenditures and about what the taxpayers can bear. It makes sense that they have to consider the overall picture when they are asking for more mills from people hard hit by the economy or when they are deciding whether money will go to keeping the roads plowed in the winter or toward library expenditures.</p> <p>My reaction to this opinion is that it puts even more responsibility on the shoulders of library directors and staff -- and boards -- to make sure that their officials and the voting public see library services as essential services worthy of support for the health of the community. I would like to commend both the State Library and MLA for their multiple efforts to support library outreach and promotion.</p>
Desiree Dramstad and North Valley Library Board Chair conversation w/Tracy Cook, June 20, 2012	Very concerned about the impact of this opinion on the district. Not certain if the county commission will change anything, but they were disappointed. Stevensville initially became a district to escape the fighting about budgets and the library, so they were disappointed to be possibly put in the same position. (Would prefer that we use board letter; hopes board can send to commission before October meeting)

Kim Crowley conversation w/Tracy Cook, June 28, 2012	Sees this as business as usual.
Carly Delsigne and Jane Hamman, North Jefferson County Library conversation w/Tracy Cook , July 11, 2012	Questions about reserve fund versus depreciation; some concern and doubt about whether or not districts are really included in this AG opinion; some concern about other libraries who may be facing hostile commissioners or city councils.
Jodi Smiley, Jefferson County Library conversation w/Tracy Cook, July 11, 2012	Not too concerned about this year; more concerns about next year. Described the AG opinion and its impact on the general fund as something hanging over the library's head. Was interested in finding a way for libraries to be exempted. Did express a desire to talk to board about contacting Jennie to encourage some kind of solution.
Anonymous conversation w/ Tracy Cook, July 17, 2012	Okay with AG opinion; believes they will be okay, but is moving forward with updating their interlocal agreement to reflect current funding amounts.
Honore Bray conversation w/ Sarah McHugh, July 25, 2012	Initially concerned that we should fight it but acknowledged confusion over general funds vs. dedicated funds as funding source for libraries. Feels like it is very important to keep a good working relationship with MACO.
Email from Honore Bray to Tracy Cook	I don't know if you are interested in opinions or not but I think most libraries are not on the radar and if someone moves forward on this it may hurt the small libraries where the powers to be have no idea they can change things. I am not sure the pro-active way is the right way on this. Once someone has issues then there is a reason to do something different. I really don't see how this will change the playing field at this time. The way most do business now.
Director from a MJSD library email conversation w/Tracy Cook, August 29, 2012	I really don't have much to ask or say to the Commission except that they should not just let this stand. No one really abuses the power of the Boards and having the final say and such strong laws for our library Boards has saved our bacon a number of times. I just feel this AG opinion has set us back years and now it will be a struggle on our part to get back where we used to be. Somehow this just does not seem fair. Thank goodness this is an election year and the powers that be won't be so gung ho to jump on the band wagon, but look out in 2013. Sorry to be such a downer. I know you will do everything in your power to help everyone out, but dang why did this have to happen.

<p>Email from Gail Bacon September 19, 2012</p>	<p>I view the credibility of the MSL with the State Legislature as something to be highly regarded. Priorities must be made with clear thinking and by understanding the rationale behind what hills you climb for us, and where you stand back and strategically wait.</p>
<p>General comments and areas of confusion from various directors and board members</p>	<p>Surprised that voted levies aren't protected; a little concern, but generally not as worried about their own situation. Seem more worried about other libraries. Definitely surprised to hear that library districts aren't excluded.</p>
<p>Feedback from librarians conversations w/Lauren McMullen, over the course of the summer</p>	<p>The librarians with whom I have discussed this didn't think it would affect them; they are general fund libraries that have always been subject to the will of the funding bodies and whose strategies are to maintain the best possible relationships and high levels of community support.</p> <p>The key is having good working relationships with local governments. The library community has higher priorities like the Courier Project and OCLC and these should be the legislative focus. Legislative efforts around the AG opinion could derail progress for items that are a higher priority.</p>