

Memo

To: Montana State Library Commission

From: Jennie Stapp, State Librarian
Evan Hammer, Digital Library Director

Date: January 18, 2019

Re: Digital Library budget authority adjustment

To date this fiscal year the Montana State Library has accrued approximately \$65,000 in legal fees to defend itself against legal action brought against the agency because of the implementation of budget cuts in 2017.

According to the Governor's Budget Office, the State may pay for expenses associated with an employee's position from the funding source that funds the position, in this case Montana Land Information Act (MLIA) funds. Therefore, MSL staff requests spending authority from the State Library Commission to use MLIA funds to cover the cost of these, and any additional legal fees, as is their purview under 90-1-404 Montana Code Annotated. This spending authority is over and above what is currently budgeted in the FY '19 Land Plan budget.

Staff is comfortable that there are sufficient funds in the account. The balance of the MLIA account at the end of the FY '19 2nd quarter is \$1,128,440. Monthly collections in FY '2018 averaged \$64,157. The FY '19 and FY '20 Land Plans budget \$865,000 and \$845,000 of MLIA funds respectively.