



Rep. Michael J. Madigan

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1 AMENDMENT TO HOUSE BILL 3761

2 AMENDMENT NO. _____. Amend House Bill 3761 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Public Library Construction Act.

6 Section 5. Definitions. As used in this Act:

7 "Grant index" means a figure for each public library equal
8 to one minus the ratio of the public library's equalized
9 assessed valuation per capita to the equalized assessed
10 valuation per capita of the public library located at the 90th
11 percentile for all public libraries in the State. The grant
12 index shall be no less than 0.35 and no greater than 0.75 for
13 each public library; provided that the grant index for public
14 libraries whose equalized assessed valuation per capita is at
15 the 99th percentile and above for all public libraries in the
16 State shall be 0.00.

17 "Public library" means the governmental unit of any free
18 and public library (i) established under the Illinois Local
19 Library Act, the Public Library District Act of 1991, the
20 Illinois Library System Act, or the Village Library Act or (ii)
21 maintained and operated by a unit of local government. "Public
22 library" does not include any private library.

23 "Public library construction project" means the
24 acquisition, development, construction, reconstruction,

1 rehabilitation, improvement, architectural planning,
2 installation, maintenance, and upkeep of capital facilities
3 consisting of buildings, structures, durable equipment, and
4 land for public library purposes.

5 Section 10. Grant awards. The Capital Development Board is
6 authorized to make grants to public libraries for public
7 library construction projects with funds appropriated by the
8 General Assembly from the Public Library Construction Fund
9 pursuant to the provisions of this Act.

10 Section 15. Grants. The Secretary of State is authorized to
11 determine grant eligibility for public library construction
12 projects and shall determine the priority order for public
13 library construction project grants to be made by the Capital
14 Development Board. When a grant eligibility has been determined
15 for a public library construction project, the Capital
16 Development Board shall notify the public library of the dollar
17 amount of the public library construction project's cost that
18 the public library will be required to finance with non-grant
19 funds in order to qualify to receive a public library
20 construction project grant under this Act from the Capital
21 Development Board. The Secretary of State shall thereafter
22 determine whether a grant shall be made.

23 Section 20. Grant application; public library facilities
24 plan. Public libraries shall apply to the Secretary of State
25 for public library construction project grants. Public
26 libraries filing grant applications shall submit to the
27 Secretary of State a public library facilities plan that shall
28 include, but not be limited to, an assessment of present and
29 future public library facility needs as required by present and
30 anticipated public library programming, the availability of
31 local financial resources including current revenues, fund

1 balances, and unused bonding capacity, a fiscal plan for
2 meeting present and anticipated debt service obligations, and a
3 maintenance plan and schedule that contain necessary
4 assurances that new, renovated, and existing facilities are
5 being or will be properly maintained. The Secretary of State
6 shall review and approve public library facilities plans prior
7 to determining eligibility and authorizing grants. Each public
8 library that is determined to be eligible shall annually update
9 its public library facilities plan and submit the revised plan
10 to the Secretary of State for approval.

11 Section 25. Eligibility and project standards.

12 (a) The Secretary of State shall establish eligibility
13 standards for public library construction project grants and
14 approve a public library's eligibility for a public library
15 construction project grant pursuant to the established
16 standards. These standards shall include minimum service
17 population requirements for construction project grants.

18 (b) The Capital Development Board shall establish project
19 standards for all public library construction project grants
20 provided pursuant to this Act. These standards shall include
21 the determination of recognized project costs that shall be
22 eligible for State financial assistance and enrichment costs
23 that shall not be eligible for State financial assistance.

24 Section 30. Priority of public library construction
25 projects. The Secretary of State shall develop standards for
26 the determination of priority needs concerning public library
27 construction projects based upon approved public library
28 facilities plans. These standards shall call for
29 prioritization based on the degree of need and project type in
30 the following order:

31 (1) Replacement or reconstruction of public library
32 facilities destroyed or damaged by flood, tornado, fire,

1 earthquake, or other disasters, either man-made or
2 produced by nature;

3 (2) Projects designed to address population growth or
4 to replace aging public library facilities;

5 (3) Replacement or reconstruction of public library
6 facilities determined to be severe and continuing health or
7 life safety hazards;

8 (4) Alterations necessary to provide accessibility for
9 qualified individuals with disabilities; and

10 (5) Other unique solutions to facility needs.

11 Section 35. Public library construction project grant
12 amounts; permitted use; prohibited use.

13 (a) The product of the public library's grant index and the
14 recognized project cost, as determined by the Capital
15 Development Board, for an approved public library construction
16 project shall equal the amount of the grant the Capital
17 Development Board shall provide to the eligible public library.
18 The grant index shall not be used in cases where the General
19 Assembly and the Governor approve appropriations designated
20 for specifically identified public library construction
21 projects.

22 (b) In each fiscal year in which public library
23 construction project grants are awarded, of the total amount
24 awarded statewide, 20% shall be awarded to the Chicago Public
25 Library System, provided that the Chicago Public Library System
26 complies with the provisions of this Act, and 80% shall be
27 awarded to public libraries outside of the City of Chicago.

28 (c) No portion of a public library construction project
29 grant awarded by the Capital Development Board shall be used by
30 a public library for any on-going operational costs.

31 Section 37. Carry over projects. If a public library has
32 been determined eligible for a public library construction

1 project, has arranged and approved all local financing, and is
2 eligible to receive a public library construction project grant
3 award in any fiscal year, but does not receive such award in
4 that year due to lack of adequate appropriations, those public
5 library construction projects shall continue to be considered
6 for grant awards for the following fiscal year.

7 Section 40. Supervision of public library construction
8 projects. The Capital Development Board shall exercise general
9 supervision over public library construction projects financed
10 pursuant to this Act. Public libraries, however, must be
11 allowed to choose the architect and engineer for their public
12 library construction projects, and no project may be
13 disapproved by the Secretary of State or the Capital
14 Development Board solely due to a public library's selection of
15 an architect or engineer.

16 Section 50. Referendum requirements. After the Secretary
17 of State has approved all or part of a public library's
18 application and made a determination of eligibility for a
19 public library construction project grant, the governing body
20 of the public library shall submit the project or the financing
21 of the project to a referendum when the referendum is required
22 by law.

23 Section 55. Rules.

24 (a) The Capital Development Board shall promulgate such
25 rules as it deems necessary for carrying out its
26 responsibilities under the provisions of this Act.

27 (b) The Secretary of State shall promulgate such rules as
28 it deems necessary for carrying out its responsibilities under
29 the provisions of this Act.

30 Section 60. Public library capital needs assessment. The

1 Secretary of State and the Capital Development Board shall file
2 with the General Assembly a comprehensive assessment report of
3 the capital needs of all public libraries in this State before
4 January 1, 2006 and every 2 years thereafter. This assessment
5 shall include, without limitation, an analysis of the 5
6 categories of capital needs prioritized in Section 5-30 of this
7 Act.

8 Section 900. The State Finance Act is amended by adding
9 Section 5.640 as follows:

10 (30 ILCS 105/5.640 new)

11 Sec. 5.640. The Public Library Construction Fund."