

## **New Mexico (ST-7 Report)**

*New Mexico State Representative Bradley Carrington*

August 2017

### **MPLA Activities**

- sent message 7/3 to NMLA membership promoting the awards and the institute (see attached)
- submitted MPLA report to NMLA board for its June 13th board meeting
- submitted articles to MPLA newsletter

### **New Mexico Library Association News**

- see attached FY18 budget for NMLA, as well as the budget for our annual conference in November
  - the NMLA Board is likely to waive the fee for the MPLA booth at the annual conference exhibits
- see attached report on the dates and sites for upcoming NMLA conferences, including the joint MPLA/NMLA in 2019
- see the attached reports on NMLA membership, plus our renewal survey

### **NM news**

- Libraries Transform New Mexico
  - Follow-up to the statewide assessment and conference will be on October 17. Siobhan Reardon will again provide the keynote, and task force chairs will provide their reports. Attendees will have the opportunity to discuss the reports and make recommendations for policy avenues to pursue.
  - Topics /Task force chairs:
    - Teresa Ortiz (broadband/e-rate)
    - Dean Smith (sustainable government funding)
    - Norice Lee (alternative income sources)
- State Library working on confirming that public and tribal libraries met the revised 4.5.2 NMAC eligibility requirements for State Aid, with a big “push” this last quarter (see attached admin reg)

**From:** Carrington, Bradley, DCA  
**To:** "[nmlamembership@mailman.nmsu.edu](mailto:nmlamembership@mailman.nmsu.edu)"  
**Subject:** MPLA awards and Institute and newsletter!  
**Date:** Monday, July 03, 2017 2:13:38 PM  
**Attachments:** [june-july-2017-newsletter.pdf](#)  
[image001.emz](#)  
[image002.png](#)

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Hello Mountain-Plains folk,

I attached a copy of the latest Mountain Plains Library Association newsletter. MPLA has an email account for the NM reps: **new\_mexico@mpla.us** For good continuity the email to this account stays for the next NM rep to use, etc.

For your consideration:

**Awards!** <http://mpla.us/services/awards/>

MPLA Awards honor both individuals and groups, from those who have just embarked on a library career to those who have spent many years in service.

Nominations due August 1st

Awards will be presented at the 2017 MPLA Joint Conference with the Nevada Library Association, to be held in Stateline, Nevada (South Lake Tahoe), October 16 - 18, 2017. You must be an MPLA member to nominate, although only some of the awards require membership of the honoree.

The revised descriptions of the six MPLA awards are now available on the website <<http://www.mpla.us/services/awards/>>.

- The newly revised Unsung Hero award has become the MPLA **Dan Chaney Unsung Hero** Award.
- The **Literary Contribution** award is to be given to an author
- **Carl Gaumer** award can be awarded to a group or organization who has consistently offered support to libraries and library staff.
  
- **MPLA Beginning Professional Award** recognizes an MPLA member who, as a librarian/media specialist within the first five years after being awarded a library/media degree, has made a positive impact on the quality and role of library service.
  
- **MPLA Innovator Award** recognizes an up-and-coming individual(s) or group(s) in the MPLA region for a creative, inventive, trail-blazing project that has significance to the library community.
  
- **MPLA Distinguished Service Award:** To be given to an MPLA member who has made notable contributions to the library profession, furthered significant development of libraries in the Mountain Plains region, or performed exemplary service for an extended period of time.

Nominations will be accepted from May 15 through August 1, 2017.

**Leadership Institute!** <http://www.mpla.us/quick-links/leadership-institute.html>

2018 Leadership Institute April 29 - May 4 // Fellow and Mentor Applications Open: June 1, 2017

- Earn 2 Credit-Hours for Attending Leadership Institute Through Mayville State University (ND) -- Continuing education credit is available to anyone needing it for maintaining credentials (primarily affecting school librarians). Mayville State University will grant 2 credits for an extra fee of \$110.

# New Mexico Library Association Profit and Loss Budget Overview

July 2017 - June 2018

Ordinary Income/Expense	<b>Jul 17 - Jun 18</b>
<b>Income</b>	
Advertising	600.00
Annual Conference	35,850.00
Dues	15,000.00
Marion Dorroh Donation	600.00
Mini Conference	6,000.00
NMLA General Fund Donation	500.00
Fundraising	50.00
Total Income	<b>\$ 58,600.00</b>
Gross Profit	<b>\$ 58,600.00</b>
<b>Expenses</b>	
Administrative	
Administrative Contractor	5,000.00
Administrative Assistant - Expenses	500.00
Travel Expenses	250.00
Dues	175.00
Phone Service	10.00
Fax Service	80.00
Total Administrative Contractor	<b>\$ 6,015.00</b>
Postage & Bulk Mail	200.00
President	
ALA Travel Expenses	1,500.00
Total President	<b>\$ 1,500.00</b>
Treasurer	
Accountant	1,000.00
Bank Charges	3,000.00
Credit Card Fees	600.00
Filing Fee	10.00
Insurance, Bond	1,000.00
Miscellaneous	200.00
Paypal Fees	200.00
Software	200.00
Supplies	200.00
Total Treasurer	<b>\$ 6,410.00</b>
Website Fees	200.00
Total Administrative	<b>\$ 14,325.00</b>
Annual Conference	<b>\$ 31,202.50</b>
Committees	
Awards	
Awards/Engraving	400.00

Total Awards	<b>\$ 400.00</b>
Education	
College Scholarships	500.00
Continuing Ed Grants	600.00
Marion Dorroh Scholarship	2,000.00
Total Education	<b>\$ 3,100.00</b>
Intellectual Freedom	
Freedom to Read Membership	100.00
Total Intellectual Freedom	<b>\$ 100.00</b>
Land of Enchantment	600.00
Legislation	2,180.00
Membership	50.00
Nominations & Election	150.00
Public Relations	
Newsletter Editor Fee	600.00
Newsletter Production	200.00
Total Public Relations	<b>\$ 800.00</b>
Total Committees	<b>\$ 7,380.00</b>
Mini Conference	<b>\$ 6,000.00</b>
Representatives	
ALA Councilor	1,500.00
MPLA Dues	100.00
Total Representatives	<b>\$ 1,600.00</b>
Special Interest Groups	
Academic	100.00
Advocacy for School Libraries	1,700.00
Assessment & Statistics	30.00
Bonds for Libraries	1,050.00
Digital Collections	0.00
Gov Info & Documents	0.00
Local Regional History	25.00
Native American Libraries	100.00
Technical Services	0.00
Total Special Interest Groups	<b>\$ 3,005.00</b>
Total Expenses	<b>\$ 63,512.50</b>
Net Operating Income	<b>(\$4,912.50)</b>
Net Income	<b>(\$4,912.50)</b>

PRELIMINARY NMLA ANNUAL CONFERENCE BUDGET  
JANUARY 27, 2017

**Estimated Revenue**

ATTENDEE REGISTRATION	REGISTRATION TOTAL	RATE	TOTAL
<b>Early Bird</b>			
Member	100	\$110.00	\$11,000.00
Non-member	50	\$130.00	\$6,500.00
Pre-Conference	30	\$25.00	\$750.00
Daily Member	5	\$75.00	\$375.00
Retiree/Student	2	\$60.00	\$120.00
<b>Regular</b>			
Member	50	\$120.00	\$6,000.00
Non-member	10	\$165.00	\$1,650.00
Daily Member	5	\$100.00	\$500.00
Retiree/Student	2	\$60.00	\$120.00
<b>Late/Onsite</b>			
Member	10	\$135.00	\$1,350.00
Non-member	5	\$185.00	\$925.00
Daily - Member	10	\$95.00	\$950.00
Daily - Non-Member	2	\$110.00	\$220.00
Retiree/Student	1	\$60.00	\$60.00
<b>Total Registrations</b>	<b>282</b>		
<b>Meal Events</b>			
Awards Banquet	55	\$45.00	\$2,475.00
Youth Literature Lunch	40	\$35.00	\$1,400.00
			<hr style="border-top: 1px solid black;"/>
Subtotal			<b>\$15,650.00</b>
<b>Other Revenues</b>			
Sponsors			\$500.00
Silent Auction			\$500.00

PRELIMINARY NMLA ANNUAL CONFERENCE BUDGET  
JANUARY 27, 2017

**Vendor Registration**

Commercial	38	\$450.00	\$17,100.00
Non-profit	10	\$50.00	\$500.00
Artist/Crafter	2	\$200.00	\$400.00
Advertising			\$1,200.00
		<b>Total Revenue</b>	<b>\$35,850.00</b>

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**Estimated Expenses**

**Site Expenses**

Room Rental		\$1,500.00	\$1,500.00
Food and Beverage			25,000
Program Printing	250	\$4.63	1200
Lanyards & Name Tags			200
Supplies			250
Awards			200
Registration table rental	2	45	90
Exhibit tables and chairs	55	17.5	962.5
Convention Services of the SW			100
Speaker expenses			1000
Audiovisual			700
		<b>Total Expenses</b>	<b>\$31,202.50</b>

## Upcoming NMLA conferences

**2017 NMLA Annual Conference:** Albuquerque Marriott Pyramid North, 5151 San Francisco Road NE, Albuquerque, NM, 87109, Wed., Nov. 1 – Friday, Nov. 3, 2017

**2018 NMLA Mini-Conference:** Western NM University (WNMU) in Silver City, NM, April 5-6, 2018  
*Planning is underway:* vendor exhibits anticipated to be located in Miller Library open forum area, which can easily accommodate 15-20 vendors and would be a high foot traffic area.

*Potential sponsors:* Bookstore (to sponsor an author presentation or reading), WNMU Student Government (may serve as ambassadors and may sponsor refreshments), Silver City Public Library and other area libraries, the Town of Silver City, members of the Southwest Festival of the Written Word;  
*Office of the President:* Dr. Joe Shepard, University President, is delighted that we are considering having the mini held at WNMU – would be available to welcome attendees at appropriate event such as at opening reception; would likely sponsor a breakfast or refreshments during a break; the president's Chief of Staff will confirm if Dr. Shepard would be waiving any rental costs for use of facilities)

**2018 NMLA Annual Conference:** Albuquerque Marriott Pyramid North, 5151 San Francisco Road NE, Albuquerque, NM, 87109, Wed., Oct. 31 – Friday, Nov. 2, 2018

**2019 NMLA/MPLA Joint Conference:** Hotel Albuquerque at Old Town, 800 Rio Grande Blvd. NW, Albuquerque, NM, 87104, <http://www.hotelabq.com/>, Wed., Oct. 30 – Friday, Nov. 1, 2019

**?2020 and 2021 NMLA Annual Conference:** Hotel Albuquerque at Old Town (We're exploring this as our venue.)

## **Report of the Membership Committee**

New Mexico Library Association

June 12, 2017

*Submitted by David Hurley*

### **Committee Members:**

David Hurley, Chair

Kathleen Dull

### **The Numbers:**

#### **336 Personal members**

- 17 Sustaining Member- (\$80.00)
- 89 Salary \$50,000+- (\$60.00)
- 42 Salary: \$40k-\$49k- (\$55.00)
- 33 Salary: \$30k-\$39k- (\$45.00)
- 29 Salary: \$23k-\$29k- (\$35.00)
- 18 Salary: \$15k-\$22k- (\$25.00)
- 12 Salary: \$10k-\$14k- (\$15.00)
- 2 Trustee- (\$10.00)
- 11 Friend- (\$10.00)
- 23 Student- (\$10.00)
- 22 Retired- (\$10.00)
- 17 Salary \$0 - \$9999- (\$10.00)
- 3 Unknown membership type.
- 18 Honorary Lifetime Member- (Complimentary)

**6 Institutional members**

**2 Commercial members**

### **Other Activities:**

New membership applications are under development. They will be ready by July 1<sup>st</sup>, to coincide with the launching of our new institutional membership.

The committee prepared and distributed a survey to the 347 members who expired before January 1, 2017 and have not renewed. Some of these members have been expired for several years. Those who report they have moved out of state or have left libraries, will be flagged so that they do not receive additional communications from NMLA.

We will report the results of the survey for the next Board report.

The five-question survey is reproduced below:



## NMLA Membership Update

*Submitted by David Hurley, NMLA Membership Chair*

As of July 1, our new institutional membership in NMLA comes with a great new benefit: Two complementary registrations at NMLA events during the membership year! This can be two registrations at our annual or mini conferences, or one registration at each. Any institutional member that joins or renews after July 1 is eligible. Membership costs \$250 year and is open to libraries, library boards, friends groups, foundations, and other non-profit organizations that support libraries. Businesses selling products or services to libraries can still join as Commercial members, which includes advertising in our newsletter or conference program.

A few frequently asked questions about the new membership:

Q. Do you have to know who will attend the conference when you join NMLA?

A. No, you can decide who will attend once conference registration ends. If you send one person to the annual conference, you can send a different person to the Mini.

Q. Does the conference registration have to be used by someone at the institution? A. No, if a Friends group wants to use their complementary registrations to send library staff to the conference, that's fine.

Q. Can my organization purchase membership by PO? A. Yes! You can purchase your membership by purchase order, check, credit card, or even PayPal. Full information is at [nmla.org/membership](http://nmla.org/membership)

If you have any other questions, contact the Membership Committee at [membership@nmla.org](mailto:membership@nmla.org).

# NMLA Membership Renewal Survey

**1. We noticed your membership has expired and you haven't renewed. We're curious about why.**

- I have been meaning to renew. (Want to do it now? Here's a handy [link to the online renewal page.](#))
- I am retired, or no longer work in libraries. (*Retired members and 'friends of libraries pay only \$10 per year. We'd love to have you back.*)
- I no longer live in New Mexico.
- NMLA Membership is too expensive.
- I did not find NMLA valuable.
- I was unhappy or unsatisfied with my experience with NMLA.
- Other reason:

**2. If we fell short, help us improve our organization by letting us know what went wrong.**

**3. What do you think New Mexico Library Association does well?**

**4. How could the New Mexico Library Association improve? Alternatively, what do you want from a state library association like NMLA?**

**5. Do you have any other comments, questions, or feedback? (If you would like a response from us, please include your email address.)**

**TITLE 4 CULTURAL RESOURCES**  
**CHAPTER 5 STATE LIBRARY**  
**PART 2 STATE GRANTS IN AID TO PUBLIC LIBRARIES**

**4.5.2.1 ISSUING AGENCY:** Department of Cultural Affairs, New Mexico State Library Division.  
 [4.5.2.1 NMAC - Rp, 4.5.2.1 NMAC, 6/1/2016]

**4.5.2.2 SCOPE:** Public libraries and developing public libraries.  
 [4.5.2.2 NMAC - Rp, 4.5.2.2 NMAC, 6/1/2016]

**4.5.2.3 STATUTORY AUTHORITY:** Subsection I of Section 18-2-4 NMSA 1978 directs the state librarian to make rules and regulations necessary to administer the division and as provided by law. Subsection B of Section 18-2-4 NMSA 1978 directs the state librarian to administer grants-in-aid and encourage local library services and generally promote an effective statewide library system.  
 [4.5.2.3 NMAC - Rp, 4.5.2.3 NMAC, 6/1/2016]

**4.5.2.4 DURATION:** Permanent.  
 [4.5.2.4 NMAC - Rp, 4.5.2.4 NMAC, 6/1/2016]

**4.5.2.5 EFFECTIVE DATE:** June 1, 2016 unless a later date is cited at the end of a section.  
 [4.5.2.5 NMAC - Rp, 4.5.2.5 NMAC, 6/1/2016]

**4.5.2.6 OBJECTIVE:** The objective of this rule is to describe the state grants in aid to public libraries program (hereinafter "the state aid program") and to establish criteria for reviewing and awarding the grants. The purpose of the state aid program is to provide financial assistance that encourages and supports public library service by public libraries and developing public libraries. The state aid program is intended to supplement and encourage local effort in providing local library service. The state aid program consists of developing library grants and public library grants that may be used for library collections; library staff salaries; library staff professional development; library equipment; or other operational expenditures associated with delivery of library services.  
 [4.5.2.6 NMAC - Rp, 4.5.2.6 NMAC, 6/1/2016] *how/where you can spend the money*

**4.5.2.7 DEFINITIONS:**

**A. "Annual report"** means a report sent once a year from a public library or developing library to the state library. An annual report shall at least accomplish the following tasks:

- (1) provide information in the time, manner, and form prescribed by the state library;
- (2) describe prior fiscal year's activities, including income, expenditures, statistics on collections and services, and compliance with state aid program criteria;
- (3) be certified by the library as to the accuracy, completeness, and truthfulness of the information provided; and
- (4) be approved by and on file at the state library.

**B. "Basic library services"** means free services provided in a library's legal service area, including library collections with circulating materials; reference services; a catalog of library holdings accessible by the public; educational programs; interlibrary loan services; public access computers connected to the internet; and internet connectivity for patrons and staff. Basic library service may include any technology or service that relates to the access to information for patron use. *\*if you're not doing all these, you're not eligible for State Aid\**

**C. "Bookmobile"** means a mobile branch that offers basic library services with the exception of computers and internet connectivity.

**D. "Branch"** means an auxiliary service administered by a public or developing library that provides the following public services:

- (1) separate quarters from the main library;
- (2) a permanent library collection and reference services;
- (3) offers basic library services;
- (4) staff present during open hours; and
- (5) at least 20 hours of public access to physical quarters per week on an annual basis.

**E. "Circulating materials"** means items from library collections that are checked out by patrons for use outside of the library.

**F. "Collection development policy"** means guidelines used by library staff for making decisions about the budget for and selection, management, and preservation of library collections.

**G. "Community analysis and needs assessment"** means an evaluation of a library's legal service area, its current and future needs, and the library's role in meeting those needs.

**H. "Developing library"** means a New Mexico organization that has initiated and is progressively implementing basic library services within its legal service area.

- (1) A developing library is established through one of the following mechanisms:
  - (a) through an ordinance or legal resolution of a subdivision of state government;
  - (b) by a contract between a private entity and a subdivision of state government;
  - (c) by an Indian nation; or
  - (d) as a non-profit corporation.
- (2) A developing library provides the following public services:
  - (a) staff present during open hours;
  - (b) at least 15 hours of public access to physical quarters per week on an annual basis; ;

*\* 4.5.2.7 F, G, R - all required to be delivered to the State Library in print by June 30, 2017*

- (c) at least two days of public access to physical quarters per week on an annual basis; and
- (d) hours of operation posted on or near the library.

I. "Fiscal year" means July 1 through June 30.

J. "Legal service area" means the geographic area for which a library has been established to offer services and from which, or on behalf of which, the library derives income. The legal service area may be defined by a written agreement with a political subdivision of the state for which the library is the primary service provider. The most recent United States or tribal census determines the population of the legal service area if the population figures are given separately for that area. If the census does not report a discreet population figure for the legal service area, then the state library in its sole discretion shall determine the population for the library's legal service area.

K. "Library board" means an administrative or advisory group comprised of representative members of the library's community.

L. "Library collections" means library items for public use. Library collections may include such items as books, videos, sound recordings, licensed databases, and equipment. A portion of the collections must be circulating materials.

M. "Library equipment" means equipment associated with the delivery of library services.

N. "Library staff" means salaried employees or volunteers whose time is regularly dedicated to delivery of library services.

O. "Matching funds" means the amount expended in a fiscal year for library collections from any source other than the state. Sources for matching funds may include municipal funds, county funds, tribal funds, or money acquired through donations, fund-raising, or grants. In-kind contributions are not matching funds. Matching funds do not include funds used for operating costs, administrative costs, or regular staff salaries.

P. "Public library" means a New Mexico organization that offers basic library services within its legal service area.

- (1) A public library is established through one of the following mechanisms:
  - (a) through an ordinance or legal resolution adopted by a subdivision of state government;
  - (b) by a contract between a private entity and a subdivision of state government;
  - (c) by an Indian nation; or
  - (d) as a non-profit corporation.
- (2) A public library provides the following public services:
  - (a) staff dedicated to the library
  - (b) year-round public access to the physical location at least 25 hours per week;
  - (c) at least two days of public access to physical quarters per week on an annual basis; and
  - (d) hours of operation posted on or near the library.

Q. "Reference services" means the provision of library staff to answer reference questions during all the hours the library is open.

R. "Strategic plan" means a detailed program to ensure that library services meet the current and future needs of the library's legal service area. The strategic plan shall include a vision and mission statement as well as goals and objectives, and it shall cover a period of at least the next three years and not exceed five years.

[4.5.2.7 NMAC - Rp, 4.5.2.7 NMAC, 6/1/2016]

#### 4.5.2.8 DEVELOPING LIBRARY GRANT:

A. **Purpose:** To supplement an eligible developing library's budget for up to five years until it meets the minimum requirements for a public library grant.

B. **Description:** The developing library grant funds shall be used for library collections, library staff salaries, library staff training, library equipment, or other operational expenditures associated with delivery of basic library services.

C. **Criteria for reviewing and awarding developing library grants:** The state library shall award developing library grants to developing libraries that meet or exceed the following criteria.

- (1) timely submission of an annual report with the state library;
- (2) receipt of no more than five, consecutive, awards of developing library grants;
- (3) continuous operation for at least nine months;
- (4) demonstration of receipt of financial support from sources other than the state. In particular, matching funds in relation to the population of the library's legal service shall be at least \$0.25 per person in its first year and any non-consecutive years of developing library grant application participation; \$0.50 per person in its second consecutive year; \$0.75 per person in its third consecutive year; \$1.00 per person in its fourth consecutive year; and \$1.25 per person in its fifth consecutive year;
- (5) maintenance of adequate financial and other records to support the library's eligibility for receiving library grants; the state library may audit such records annually, or as needed, as determined in the state library's sole discretion;
- (6) compliance with all state statutes and rules;
- (7) compliance with requirements for developing library grants;
- (8) employment of a designated director;
- (9) creation of a library board that meets at least two times a year and adheres to the state's open meetings law; and
- (10) successful expenditure of all developing library grant funds during the prior fiscal year, if applicable.

[4.5.2.8 NMAC - Rp, 4.5.2.8 NMAC, 6/1/2016]

#### 4.5.2.9 PUBLIC LIBRARY GRANT:

A. **Purpose:** To supplement eligible public libraries' budgets.

B. **Description:** The public library grant funds shall be used for library collections, library staff salaries, library staff training, library equipment, or other operational expenditures associated with delivery of basic library services.

C. **Criteria for reviewing and awarding public library grants:** The state library shall review and award public library grants to public libraries that have met the following criteria:

- (1) timely submission of an annual report with the state library for the current year and a minimum of two years prior;
- (2) continuous operation for at least one year;

*see definition 4.5.8.70*

- (3) receipt of a minimum of three consecutive developing library grants;
- (4) demonstration of receipt of financial support from sources other than the state; in particular, matching funds in relation to the population of the library's legal service area shall be at least \$1.50 per person;
- (5) maintenance of adequate financial and other records to support the public library's eligibility for receiving library grants; the state library may audit such records annually, or as needed, as determined in the state library's sole discretion;
- (6) compliance with all state statutes and rules;
- (7) compliance with all requirements for public library grants;
- (8) Formation of a strategic plan that the public library reviews, updates, and files with the state library every three years, and a community analysis and needs assessment, and a collection development policy that the public library reviews, updates, and files with the state library every five years;
- (9) maintain a library board that meets at least two times a year and adheres to the state open meetings law;
- (10) employment of a designated director; and
- (11) successful expenditure of all public library grant funds during the prior fiscal year.

[4.5.2.9 NMAC - Rp, 4.5.2.9 NMAC, 6/1/2016]

#### 4.5.2.10 DISTRIBUTION OF FUNDS: The library division shall distribute state grants in aid in the following manner:

- A. **Application:** The annual report submitted for the immediate prior year shall serve as the developing or public library's application for state grants-in-aid.
- B. **Allocation:** For state grants-in-aid, the state library shall award at least a quarter of a share (0.25) of the annual allocation to developing libraries, one (1) share of the allocation to each public library, and one half (.50) of a share of the allocation to each branch and bookmobile.
- C. **Notification:** Following the end of the application period, the state library shall calculate the grant award for each library. The state library shall notify all eligible public libraries informing them of the amount of their grant.
- D. **Request for payment:** Each library shall return the signed grant agreement to the state library within 60 days of receipt of the agreement measured from the postmark or electronic postmark. Upon timely receipt of the grant agreement, the state library shall process a payment request form. If a library does not submit the grant agreement within the required time period, it forfeits the grant award.
- E. **Maintenance of effort:** A library's local budget shall not be reduced by its governing body as a result of eligibility for the state aid program. Upon demonstrated evidence that such a reduction has occurred, the library shall be ineligible to receive funds from the library grants award for one year after the reduction has occurred.

[4.5.2.10 NMAC - Rp, 4.5.2.11 NMAC, 6/1/2016]

#### 4.5.2.11 LIMITATION ON FUNDS:

- A. The grant amounts may vary by year, depending on the amount of the appropriation to the state library by the state legislature and the state library's other budgeted expenses.
- B. Libraries shall not use grant funds for administrative or indirect expenses such as budgeting, accounting, financial management, information systems, data processing, and legal services
- C. Public and developing libraries shall expend all grant funds during the fiscal year in which they are awarded.
- D. Should a library cease providing basic library services prior to or within thirty days of funding; grant funds shall revert to the state library.

[4.5.2.11 NMAC - Rp, 4.5.2.12 NMAC, 6/1/2016]

#### 4.5.2.12 APPEAL OR VARIANCE:

- A. In the event that any library is denied a grant by the state library or does not meet a requirement of this rule, that library may appeal the decision of the state library or request a variance from the requirement.
- B. Such appeal or variance shall be made in writing to the state librarian within 10 days of notification of denial of funds or within 10 days of discovery of non-compliance with a requirement. The appeal or variance shall state all relevant facts and conditions.
- C. The state librarian shall consider each appeal or request for variance and respond in writing to the appealing or requesting party with a decision within 30 days. The state librarian's decision is the department of cultural affairs' final action on the matter.

[4.5.2.12 NMAC - Rp, 4.5.2.14 NMAC, 6/1/2016]

#### HISTORY OF 4.5.2 NMAC:

##### Pre-NMAC History:

- NMSL 67-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, Revised April 19, 1967, filed 5/3/67.
- NMSL 67-2, State Grants-In-Aid To Public Libraries, Rules and Regulations, Amended August 28, 1967, filed 8/30/67.
- NMSL 68-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, Amended August 28, 1967, filed 12/19/68.
- NMSL 69-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, Revised May 26, 1969, filed 6/20/69.
- NMSL 69-2, State Grants-In-Aid To Public Libraries, Rules and Regulations; Revised September 16, 1969, filed 10/9/69.
- NMSL 70-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, Revised February 26, 1970, filed 4/27/70.
- NMSL 73-4, State Grants-In-Aid To Public Libraries, Rules and Regulations, June 1973, filed 7/10/73.
- NMSL 74-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, July 19, 1974, filed 8/16/74.
- NMSL 75-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, 1975, filed 6/9/75.
- NMSL 76-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, March 31, 1976, filed 4/27/76.
- NMSL 77-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, January 21, 1977, filed 2/4/77.
- NMSL Rule 79-1B, State Grants-In-Aid To Public Libraries, Rules and Regulations, June 11, 1979, filed 6/25/79.
- NMSL 79-3, State Grants-In-Aid To Public Libraries, Rules and Regulations, July 1, 1979, filed 7/27/79.
- NMSL 81-2, State Grants-In-Aid To Public Libraries, Rules and Regulations, May 11, 1981, filed 5/12/81.

NMSL 89-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, filed 10/23/89.

NMSL 93-1, State Grants-In-Aid To Public Libraries, Rules and Regulations, filed 1/28/93.

**History of Repealed Material:**

NMSL 93-1, State Grants-In-Aid To Public Libraries, Rules and Regulations (filed 1/28/93), repealed 7/1/2000.

4.5.2 NMAC, State Grants-In-Aid To Public Libraries (filed 6/19/2000), repealed 7/1/2009.

4.5.2 NMAC, State Grants-In-Aid To Public Libraries (filed 7/1/2009), repealed 6/1/2016.

**Other History:**

NMSL 93-1, State Grants-In-Aid To Public Libraries, Rules and Regulations (filed 1/28/93) was replaced by 4.5.2 NMAC, State Grants In Aid To Public Libraries, effective 7/1/2000.

4.5.2 NMAC, State Grants In Aid To Public Libraries (filed 6/19/2000) was replaced by 4.5.2 NMAC, State Grants In Aid To Public Libraries, effective 7/1/2009.

4.5.2 NMAC, State Grants In Aid To Public Libraries (filed 7/1/2009) was replaced by 4.5.2 NMAC, State Grants In Aid To Public Libraries, effective 6/1/2016.