

TITLE 4 CULTURAL RESOURCES
CHAPTER 5 STATE LIBRARY
PART 9 SPECIAL GRANTS TO PUBLIC LIBRARIES

4.5.9.1 ISSUING AGENCY: Department of Cultural Affairs, New Mexico State Library Division.

4.5.9.2 SCOPE: Public libraries and developing public libraries.

4.5.9.3 STATUTORY AUTHORITY: Section 18-2-4(I) NMSA 1978 directs the state librarian to make rules and regulations necessary to administer the division and as provided by law. Section 18-2-4(B) NMSA 1978 directs the state librarian to administer grants-in-aid and encourage local library services and generally promote an effective statewide library system.

4.5.9.4 DURATION: Permanent.

4.5.9.5 EFFECTIVE DATE: [Filed July 1, 2015]

4.5.9.6 OBJECTIVE: The objective of this rule is to describe the special grants program. The special grants program shall provide supplemental assistance to libraries for activities that are not funded by state grants in aid or are not fully funded by state grants in aid and encourage local library service and promote an effective statewide library system.

4.5.9.7 DEFINITIONS:

- A. "Developing library" has the same meaning as in 4.5.2 NMAC.
- B. "Grant recipient" means a public library or developing library that the state librarian selects to receive a special grant.
- C. "Public library" has the same meaning as in 4.5.2 NMAC.
- D. "Special grants" means funds awarded by the state librarian for special library programs.
- D. "Special library program" means an activity that is not funded by state grants-in-aid or is not fully funded by state grants-in aid and that encourages local library service and enhances the effectiveness of a statewide library system.

4.5.9.8 SPECIAL GRANTS INITIATION: The state library or a public library may propose a special library program.

4.5.9.9 GRANT AVAILABILITY: The state library shall offer special grants when the state librarian identifies the need for state-wide coordination of a special library program and determines that sufficient federal or state funds are available.

4.5.9.10 FUNDING SOURCE: Special grants may be funded with federal funds, state funds, and any other funds available to the state librarian and not otherwise restricted. Use of state funds for special grants shall not reduce state grants-in-aid. No more than twenty-five percent (25%) of federal funds received by the state library shall be used for special grants.

4.5.9.11 ELIGIBILITY: Public libraries and developing libraries that are eligible for state grants-in-aid in a given fiscal year are also eligible for special grants, unless the grant guidelines otherwise restrict the library's eligibility.

4.5.9.12 GRANT GUIDELINES: When the state librarian identifies the need for state-wide coordination of a special library program and determines that sufficient funding is available, the state librarian shall issue a special grant announcement to all developing libraries and public libraries with grant guidelines. The grant guidelines shall include the following components:

- A. Description of the special library program;
- B. Grant application;

- C. Application timeline;
- D. Special library program's budget-planning worksheet;
- E. Applicable rules and regulations; and
- F. Selection criteria.

4.5.9.13 SELECTION: A committee selected by the state librarian shall review special grant applications and award special grants based on the selection criteria specified in the grant guidelines.

4.5.9.14 TRANSFER OF FUNDS: Special grants shall only transfer to the grant recipient after the grant recipient signs a contract, agreeing to the terms applicable to the applicable special library program. The state library will reimburse grant recipients for expenses documented in their state-library approved budget for the special library program.

4.5.9.15 ACCOUNTABILITY:

- A. Grant recipients shall account for special grants separately from other funds.
- B. If a special grant includes federal funds, federal requirements for procurement and record retention shall apply.
- C. The state library shall monitor special library programs.

4.5.2.16 MAINTAINANCE OF EFFORT: A grant recipient's governing body shall not reduce the grant recipient's budget as a result of the grant recipient's receipt of a special grant. Upon demonstrated evidence that such a reduction has occurred, the grant recipient shall be ineligible to receive special grants or state grants-in-aid for one year after the reduction occurs.

HISTORY OF 4.5.9 NMAC:

Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:

NMSL Rule 81-3, Interlibrary Cooperative Grants, Rules and Regulations, 5-12-81.

NMSL Rule 88-2, Interlibrary Cooperative Grants, Rules and Regulations, 8-2-88.

NMAC 4.5.4, Interlibrary Cooperative Grants.

History of Repealed Material: [RESERVED]