

FAQ: County payments for library services

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What's the statutory reference?

43.12 County payment for library services.

(1)(a) By March 1 of each year, each of the following payments of not less than the minimum amount calculated under par. (b) shall be made:

1. Except as provided in subd. 2., by a county that does not maintain a consolidated public library for the county under s. 43.57 and that contains residents who are not residents of a municipality that maintains a public library under s. 43.52 or 43.53, to each public library in the county and to each public library in an adjacent county, other than a county with a population of at least 500,000 or a county that maintains a consolidated public library for the county.

2. If the adjacent county maintains a consolidated public library and provides the notice under sub. (1m), by a county that does not maintain a consolidated public library for the county under s. 43.57 and that contains residents who are not residents of a municipality that maintains a public library under s. 43.52 or 43.53, to the consolidated public library for the adjacent county providing the notice under sub. (1m).

3. If a county maintains a consolidated public library and provides a notice under sub. (1m), by that county to each public library in an adjacent county, other than a county with a population of at least 500,000, that provides a statement to the county under sub. (2).

(b) The minimum amount under par. (a) shall be calculated to equal 70 percent of the amount computed by multiplying the number of loans of material made by the library during the prior calendar year, for par. (a) 1. or 3., to residents of the county who are not residents of a municipality that maintains a public library under s. 43.52 or 43.53, or, for par. (a) 2., to residents of the county who are not residents of a municipality that contains a branch of the consolidated library, as reported under sub. (2), by the amount that results from dividing the total operational expenditures of the library during the calendar year for which the number of loans are reported, not including capital expenditures or expenditures of federal funds, by the total number of loans of material made by the public library during the calendar year for which the loans are reported.

(c) The library board of the public library entitled to a payment under this subsection may direct the county to credit all or a portion of the payment to a county library service or library system for shared services.

(1m) If a county maintains a consolidated public library, the library shall provide a notice not later than April 1 to any public library from which it requests payment under sub. (1).

(2) By July 1 of each year, each public library lying in whole or in part in a county shall provide a statement to the county clerk of that county and to the county clerk of each adjacent county, other than a county with a population of at least 500,000, that reports all of the following:

(a) The number of loans of material made by that library during the prior calendar year to residents of the county, or adjacent county, who are not residents of a municipality that maintains a public library under s. 43.52 or 43.53.

(b) If the library is in a county that is adjacent to a county with a consolidated library system, the number of loans of material made by that library during the prior calendar year to residents of the adjacent county who are not residents of a municipality that contains a branch of the consolidated library.

(c) The total number of loans of material made by that library during the previous calendar year.

(3) A county may enter into an agreement with its participating municipalities or with a public library system to pay no less than the amounts determined under sub. (1) to the public library system for distribution to the public libraries that participate in that system.

(4) Upon request of a county clerk, a public library shall provide access to all books and records used to determine the amount computed under sub. (2).

(5m) Nothing in this section prohibits a county from providing funding for capital expenditures.

(6) The county library board or, if no county library board exists, the county itself, shall either distribute the aid provided by the county to the public libraries, as provided in the plan prepared under s. 43.11, or shall transfer the aid for distribution to the public library system in which it participates.

(7) This section does not apply to a county having a population of 500,000 or more.

(8) For the purposes of this section, a county that provides library service solely under s. 43.57 (2m) is a county that maintains a consolidated public library, and a tribal college-county joint library under s. 43.57 (2m) is a branch of the consolidated library.

What does it mean?

Most libraries have been established by a municipality—a city, village, or town—and receive the bulk of their support from that establishing municipality. Some libraries are “joint libraries”, established by two or more municipalities.

As a requirement for library system membership, libraries are required to provide services to all residents of the system area, including those from so-called “rural” areas that have not established a library. This law requires a county to reimburse libraries for serving county residents living in areas—townships and some villages—that have not established libraries. Counties are required to reimburse libraries at least 70% of the cost, as calculated by a formula set out in statute.

Libraries can receive funding not only from the county their municipality is in but also from adjacent counties.

How are payments calculated?

Payments are calculated in the spring based on the previous year’s statistics. Libraries first divide their total annual operational expenditures by the total number of items checked out to determine a “cost-per-circulation” or “cost-per-circ”. This cost-per-circ is then multiplied by the number of items checked out to county residents living in areas that do not maintain libraries (sometimes referred to as “rural residents”) to determine how much it cost the library to serve these residents. The county must pay the library at least 70% of this cost. 70% is the minimum; counties can pay more than the minimum and many do.

Funding is always calculated after service has been rendered and payment is always the following year. For example, in 2016 libraries submit a bill based on 2015 statistics which will be paid in 2017.

Why is our county library funding formula different?

Counties are not required to use the statutory formula and many counties, by agreement with the libraries and library system, use other formulas for library funding. This is acceptable as long as libraries receive at least the minimum required by statute.

How long has this been around?

While counties have supported libraries for many years it was not mandatory until 1998. That year the legislature passed Wisconsin Act 150 which required county reimbursement for library services and specified a formula. This law only required counties to pay libraries in municipalities within the county.

So what's this "Act 420" that people talk about?

In 2006 the Legislature passed Act 420 which extended the reimbursement requirement to adjacent counties.

How come some counties don't have to pay?

Counties must pay for use by residents living in areas that have not established their own library. When a county has established a consolidated county library the county itself is considered to be the municipality that has established the library. In this case counties are not required to reimburse libraries in adjacent counties.

Why is only circulation counted in the calculation? Our library does a lot of other things.

Circulation is used because those statistics are already kept and their accuracy is easy to verify. It represents the full range of services the library offers.

Where can I find more information?

- [FAQ About County Library Funding to Libraries in Adjacent Counties
http://dpi.wi.gov/pld/legislation-funding/funding-adjacent-county](http://dpi.wi.gov/pld/legislation-funding/funding-adjacent-county)

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