

**ARTICLES OF INCORPORATION
of MONTANA LIBRARY FOUNDATION**

The undersigned incorporators are individuals 18 years of age or older and adopt the following articles of incorporation to form a nonprofit public benefit corporation.

ARTICLE I – NAME

The name of this corporation shall be Montana Library Foundation.

ARTICLE II – REGISTERED OFFICE ADDRESS

The place in Minnesota where the principal office of the corporation is to be located is

ARTICLE III – PURPOSE

This corporation is organized exclusively for charitable and educational purposes as specified in Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

The purpose of this corporation is to support reliable, equitable, and sustainable information access for all Montana residents. The Corporation's activities will complement and promote the work of the Montana State Library, the State's public libraries, and the State's geographic information systems (GIS) community.

ARTICLE IV – EXEMPTION REQUIREMENTS

At all times the following shall operate as conditions restricting the operations and activities of the corporation:

1. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its trustees, officers or to other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purpose set forth in the purpose clause hereof.

2. No substantial part of the activities of the corporation shall constitute the carrying on of propaganda or otherwise attempting to influence legislation, or any initiative or referendum before the public, and the corporation shall not participate in, or intervene in (including by publication or distribution of statements), any political campaign on behalf of, or in opposition to, any candidate for public office.
3. Notwithstanding any other provisions of this document, the organization shall not carry on any other activities not permitted to be carried on by an organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future tax code, or by an organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future tax code.

ARTICLE V – MEMBERSHIP/BOARD OF DIRECTORS

The corporation shall not have members.

The management of the affairs of the corporation shall be vested in a board of directors, as defined by the corporation’s by-laws. No director shall have any right, title, or interest in or to any property of the corporation.

The number of directors constituting the initial board of directors is _____; their names and addresses are as follows:

Members of the initial board of directors shall serve until the first annual meeting, at which time their successors will be duly elected and qualified, or removed as provided in the by-laws.

ARTICLE VI – PERSONAL LIABILITY

No member, officer, or director of this corporation shall be personally liable for the debts or obligations of this corporation of any nature whatsoever, nor shall any of the property of the officers or directors be subject to the payment of the debts or obligations of this corporation.

ARTICLE VII – DURATION/DISSOLUTION

The duration of the corporate existence shall be perpetual until dissolution.

Upon dissolution of the organization, assets of the corporation shall be distributed for one or more exempt purposes with the meaning of Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, to a state or local government, or a nonprofit corporation, for a public purpose in keeping with the stated purposes of the Montana Library Foundation.

ARTICLE VIII – INCORPORATORS

In witness whereof, we, the undersigned, have hereunto subscribed our names for the purpose of forming the corporation under the laws of the State of Montana, and certify we executed these Articles of Incorporation this _____, 20__.
