

1 *Heave Runner* *House* BILL NO. *366* *Bartlett*
 2 INTRODUCED BY *Reef* *Bohlinger* *Ahner* *Mc Gillsch* *Hestel* *Waters*
 3 *Hayes* *Kayley* *Jurgeson* *Eck* *John Johnson* *Waters*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE STATEWIDE LIBRARY ELECTRONIC ACCESS
 5 PROGRAM; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 22-1-301, 22-1-302, 22-1-326, AND
 6 22-1-330, MCA; AND PROVIDING AN EFFECTIVE DATE."
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STATEMENT OF INTENT

A statement of intent is required for this bill because 22-1-330 grants rulemaking authority to the state library commission to adopt rules and procedures allowing Montana libraries to implement the statewide library electronic access program. It is the intent of this legislation to authorize funds to be spent to provide greater ability for Montana libraries to access electronic information, to communicate electronically, and to receive training required to implement and administer the statewide library electronic access program. Electronic access may include but is not limited to:

- (1) connections to a state telecommunications backbone;
- (2) interstate and intrastate library access via the internet;
- (3) shared data bases, both commercial and noncommercial; and
- (4) hardware connections.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Statewide library electronic access program -- eligibility. (1) The commission shall implement a program to allow statewide library electronic access.

- (2) Libraries eligible to participate under this section include:
 - (a) public libraries;
 - (b) libraries operated by public schools or school districts;
 - (c) libraries operated by public colleges or universities;
 - (d) libraries operated by public agencies; and
 - (e) libraries operated by nonprofit, private educational or research institutions.

1 **Section 2.** Section 22-1-301, MCA, is amended to read:

2 **"22-1-301. Definitions.** Unless otherwise provided, the following definitions apply in this part:

3 (1) "City" means city or town.

4 (2) "Commission" means the state library commission.

5 (3) "Public library" means a library created under 22-1-303 through 22-1-317 that provides library
6 services to the public by means of central facilities, branch facilities, or bookmobiles.

7 (4) "State multilibrary card" means a card that is issued to a Montana resident by a public library
8 created under Title 7 or under 22-1-303 and that may be used for library services in every public library in
9 the state.

10 (5) "Statewide library electronic access" means access to electronic services issued or provided
11 by a library. The access or authority for access may be used for library services in every eligible library in
12 the state."

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14 **Section 3.** Section 22-1-302, MCA, is amended to read:

15 **"22-1-302. Purpose.** It is the purpose of this part to encourage the establishment, adequate
16 financing, and effective administration of free public libraries in this state to give the people of Montana
17 the fullest opportunity to enrich and inform themselves through ~~reading~~ acquiring information."

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19 **Section 4.** Section 22-1-326, MCA, is amended to read:

20 **"22-1-326. State aid to public libraries.** (1) As used in 22-1-326 through 22-1-331 and [section
21 1], "public library" means a library created under Title 7 or under 22-1-301 through 22-1-317.

22 (2) As provided in 22-1-325 through 22-1-329 and [section 1], the commission shall administer
23 state aid to public libraries. The purposes of state aid are to:

24 (a) broaden access to existing information by strengthening public libraries;

25 (b) augment and extend services provided by public libraries; and

26 (c) permit new types of library services based on local need.

27 (3) Money appropriated for the purposes of this section may not be used to supplant general
28 operating funds of recipient public libraries. The commission may withhold a distribution to a library that
29 receives less support from a mill levy or local government appropriation than its average for the preceding
30 3 fiscal years if ~~such~~ a decrease may reasonably be linked to money received or expected to be received

1 under 22-1-325 through 22-1-329."

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3 **Section 5.** Section 22-1-330, MCA, is amended to read:

4 **"22-1-330. Commission rulemaking authority.** The commission may adopt rules and procedures
5 for the distribution of state aid to public libraries on a per capita and per square mile basis, for issuance of
6 state multilibrary cards, ~~and~~ for reimbursement for interlibrary loan lending, and for implementation and
7 administration of the statewide library electronic access program."

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9 **NEW SECTION. Section 6. Appropriation.** There is appropriated \$340,000 from the general fund
10 to the state library commission for the biennium beginning July 1, 1997, to implement the statewide library
11 electronic access program provided for in [section 1].

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13 **NEW SECTION. Section 7. Notification to tribal governments.** The secretary of state shall send
14 a copy of [this act] to each tribal government located on the seven Montana reservations.

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16 **NEW SECTION. Section 8. Codification instruction.** [Section 1] is intended to be codified as an
17 integral part of Title 22, chapter 1, part 3, and the provisions of Title 22, chapter 1, part 3, apply to
18 [section 1].

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20 **NEW SECTION. Section 9. Effective date.** [This act] is effective July 1, 1997.

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