

HOUSE BILL NO. 133
INTRODUCED BY J. SESSO
BY REQUEST OF THE STATE LIBRARY COMMISSION

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE INFORMATION ACCESS MONTANA ACT; DEFINING CERTAIN TERMS; ADJUSTING THE CRITERIA FOR REIMBURSEMENT FOR INTERLIBRARY RESOURCE SHARING; AND AMENDING SECTIONS 22-1-301, 22-1-328, 22-1-329, AND 22-1-330, MCA."

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

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

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

(1) "City" means city or town.

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

(3) "Fulfillment" means a wide variety of library services provided for the purpose of getting the requested library content into patrons' hands conveniently, efficiently, and affordably. The fulfillment process often includes a blended variety of library-related tasks, services, and tools, including but not limited to acquisitions, collection development, courier services, floating collections, interlibrary loans, jointly purchased shared content, membership in a bibliographic utility, reimbursement or other financial recompense, shared collections, and shared automated integrated library systems.

~~(3)~~(4) "Public library" means a library created under 22-1-303 through 22-1-317 that provides library services to the public by means of central facilities, branch facilities, or bookmobiles.

~~(4)~~(5) "State multilibrary card" means a card that is issued to a Montana resident by a public library created under Title 7 or under 22-1-303 and that may be used for library services in every public library in the state. "Statewide information access program" means a service, available to a Montana resident with a current library card and with full library privileges from any participating library, that may be used for library services in any other participating library. Participating libraries are those libraries that have registered their participation in this cooperative service with the Montana state library."

Section 2. Section 22-1-328, MCA, is amended to read:

"22-1-328. State interlibrary loan resource-sharing program -- reimbursement compensation --

eligibility. (1) ~~Each Montana library eligible for reimbursement under this section for participation in the statewide interlibrary loan program must be reimbursed according to the rules adopted by the commission. The commission shall adopt rules that govern the means by which eligible Montana libraries are compensated, financially or nonfinancially, under this section. Eligible libraries must meet fulfillment requirements.~~

(2) ~~Montana Libraries libraries~~ eligible for interlibrary loan reimbursement under this section include public libraries, libraries operated by public schools or school districts, libraries operated by public colleges or universities, tribal libraries, libraries operated by public agencies ~~for institutionalized persons~~, and libraries operated by nonprofit, private medical, educational, or research institutions.

(3) ~~Notwithstanding subsections (1) and (2), the following types of interlibrary loans are not eligible for reimbursement:~~

- ~~—— (a) a loan between public school libraries located within the same public school district;~~
- ~~—— (b) a loan between an elementary school library and a high school library located within school districts with overlapping school district boundaries;~~
- ~~—— (c) a loan between libraries administered by a public or private, nonprofit college or university; and~~
- ~~—— (d) a loan between libraries administered by a public library."~~

Section 3. Section 22-1-329, MCA, is amended to read:

"22-1-329. State multilibrary card Statewide information access program. The commission shall develop a program to allow Montana libraries to ~~issue to residents a state multilibrary card as defined in 22-1-301.~~ offer materials and services to registered library patrons from other libraries. Eligible patrons must have a current library card and shall enjoy full library privileges with any library. Interlibrary sharing programs are voluntary and depend upon the reciprocal consent of each participating library. Eligible libraries are enumerated in 22-1-328(3)."

Section 4. Section 22-1-330, MCA, is amended to read:

"22-1-330. Commission rulemaking authority. The commission may adopt rules and procedures ~~for:~~

- (1) ~~for~~ the distribution of state aid to public libraries and public library districts on a per capita and per square mile basis;
- (2) ~~issuance of state multilibrary cards~~ pertaining to the statewide information access program;
- (3) ~~reimbursement for interlibrary loan lending~~ regarding the disbursement of fulfillment-related funds;
- (4) ~~for~~ distribution of base grants provided for in 22-1-331; and
- (5) pertaining to the composition of the library federation board of trustees, as provided in 22-1-404."

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