

Memo

To: Commission Members
From: Darlene Staffeldt, State Librarian
Date: April 3, 2006
Re: Executive Planning Process pieces

Please find attached the five executive planning process (EPP) pieces for the Governor's Budget Office consideration as well as the three pieces of proposed legislation from the State Library. These are close to final drafts but not quite there yet. The EPP pieces are due at the Governor's office by May 1st. The three draft proposed legislation are due over at his office on Friday, April 14th. All pieces are still draft, we will be working with Permanent Public Access committee, our attorney, Brad Sanders from purchasing, and others as well as bill drafters to make sure the proposed legislation says what we need it to say. We still have to do some editing on some of the presentations in order to get the entire package down to a more concise package. I have placed the pieces in your mailing in the order of priority that I would recommend but the Commission is encourage to review and suggest a priority or ranking order.

As a summary:

Topic:	Biennial cost:
EPP – Montana State Library Moderate increases	\$380,000
EPP – Montana Library Card	\$2,000,000 (\$ general fund, \$ one time only demonstration funding)
EPP – Permanent Public Access	\$160,000
EPP – NRIS/Heritage Funding	\$450,000
EPP – Montana Shared Catalog	\$1,114,646 (\$314,646 general fund, \$800,000 local funds)

Legislation – Permanent Public Access

Legislation – Montana Library Card

Legislation – Montana Procurement Act

Moderate increases to existing Montana State Library programs in order for us to keep up with the ever increasing demands for our services and products from Montana's citizens. Approximate total biennial cost for this issue would be \$380,000, including:

- Recruitment, interviewing, hiring budget: For years, we have had significant difficulties trying to fill positions. Time and time again we are hindered by an inadequate budget available to help bring in strong candidates for interviews and/or being able to help with moving costs. (Approximate cost would be \$20,000.)
- Montana State Library computer network and desktop support budget: MSL's reliance on computers and the Internet to acquire, manage, catalog, store, and provide access to data and information has grown significantly over the past decade, and MSL has effectively utilized new technologies to deliver quality information to patrons at their desktops. By drawing from budgets throughout the agency and with considerable help from its many partners, MSL has been able to build the information systems necessary to support the agency's move into the world of electronic information management and dissemination and hire staff to support this function; however, effective maintenance and support is not possible without dedicated budget and staff. Direct funding for equipment and software maintenance and replacement and a dedicated IT support FTE are necessary. (Approximate cost would be \$200,000)
- Talking Book Library staff request. The National Library Services for the blind and physically handicapped service standards require 8 FTE for the service area size represented in Montana, we have only 6 FTE in our program and we are constantly struggling to provide the services our special Montanans require in this area. We need to add at least the one FTE to this important program. (\$76,000)
- Public Information Officer for the Montana State Library. MSL provides a wide variety of services to Montanans all over the State and we need to be able to do a better job of telling Montanans about the services that are available to them. (Approximate cost for a half time position and project budget would be \$84,000.)

Issue ranking:

Total request: \$2,000,000

Adequate library service is a critical component of educational excellence, healthy citizens, and sustainable economic and community development for all Montanans. Yet Montana library users are served by some of poorest funded public libraries in America—Montana’s public libraries rank 44th in the nation for per capita total expenditures¹. Our libraries’ relative poverty inhibits their ability to support local economic and community development, their users distance and life-long learning, and other library-related needs. Montana’s libraries’ relative poverty threatens many of our communities with being cut-off from our knowledge-based economy.

Montana is devolving into a state of library-haves and have-nots. Many Montanans lack access to library resources that would be meaningful to them. The Montana Library Card program leverages existing networked library services, library materials, and modern library practices to counter this trend. The statewide card has been on the books (MCA 22-1-329) for 16 years; it is time to fund it and make it real.

The biennial cost of this pilot project, “Montana Library Card”, is \$ 2,350,000. Of this amount, \$350,000 is funds currently part of the Montana State Library’s budget, earmarked for the interlibrary loan reimbursement program (MCA 22-1-328). We wish to broaden this statute to include more ways of providing more materials, to more Montanans, more conveniently, faster, and for a significantly less cost per delivered item. The balance of funds, \$2,000,000, represents new pass-through funding, benefiting all Montana’s libraries and library users.

This proposal addresses the following Montana State Library agency goals:

Goal 1: “The Montana State Library manages and acquires relevant quality content for Montana library partners and patrons.”

The pilot Montana Library Card includes purchase of shared library materials costing \$150,000, and provides, as its central feature, user-initiated direct access to millions of library titles from libraries around the state and the world. A rapid delivery service for items owned in-state is included.

From our library users’ perspective, the Montana Library Card will help Montana’s libraries in many ways function as ‘one big library’. Library users in Missoula, Libby, Browning, Havre, Wolf Point, Colstrip, Miles City, Billings, Virginia City, Dillon, and Darby—anywhere in Montana—will have quick and easy access to millions of books, magazine articles, reference materials, films, and pictures. Library users in Malta, if for instance PBS titles were purchased, would have access to as many library DVDs as did those living in Missoula.

MSL’s strategic planning goals three and four are both addressed by this project—

Goal 3: “The Montana State Library promotes partnerships and encourages collaboration among our partners and patrons.”

Libraries have become increasingly interdependent. In order to offer more relevant material for a larger percentage of the populations we serve, we have learned to work collaboratively, library-to-library, and library-to-other-partners (which often includes local governments, businesses, museums, et cetera).

No library is sufficient unto itself; even the New York Public Library shares its resources and depends upon others to supplement its collections and services. Likewise Montana libraries increasingly work

¹ (This most current state comparison is from: U.S. Department of Education, National Center for Education Statistics, Federal-State Cooperative System for Public Library Data, Public Libraries Survey, FY 2003.)

together to provide great service—for instance a growing statewide integrated library system-based consortia currently comprised of 66 libraries, just checked out its six millionth book after five years.

Goal 4: “The Montana State Library provides access by providing libraries, agencies, and our partners and patrons with convenient access to quality, cost-effective, library content and services.”

The Montana Library Card will help libraries vastly improve the variety of materials conveniently available to their users, at costs affordable to our libraries. Libraries will increasingly share their collections with one another, providing all Montanans with unprecedented access to library resources and services.

It will become true to say, as did Jamie Grant, a Bitterroot Public Library Trustee, that “...I can use my library card anywhere in the State.” This will be true for online users as well as using the library in person...library users will be able to obtain materials, quickly and easily, from most any Montana library. For our users, Montana’s libraries will act as one big library, which just happens to have storefronts spread from Thompson Falls to Plentywood. Library users requesting a book on Monday, owned by another Montana library, will usually get it by Wednesday, even though it was sitting on a library shelf 300 miles away.

Service & Project Description

1) Statewide Membership in OCLC

OCLC provides Montana library users with WorldCat, a catalog of 61+ million library owned resources in Montana, our nation, and the world. And OCLC provides our libraries and users with the tools needed to obtain library materials from these 53,000+ libraries in 96 countries.

Montana has a statewide contract with OCLC, costing annually approximately \$540,000. 255+ Montana libraries actively use OCLC’s cataloging and resource sharing services and pay for these services individually; this project would make it possible for all Montana’s libraries and library users to enjoy the operational efficiencies and service benefits of OCLC membership—and complete a statewide union catalog and services infrastructure enabling convenient end-user borrowing from libraries state- and world-wide.

All Montana libraries will be urged to participate, and shown how these services will save them time and money, while providing their users unprecedented access to the world’s library resources. School libraries in Harlem, Heart Butte or Hysham would have access to the same cost-saving, service-enhancing OCLC resources as those in Billings, Bozeman, or Butte.

2) Fulfillment Services, including interlibrary loans, shared collections, courier services, etc. Courier services comprise the majority of the \$950,000 biennial cost. This pilot project will be simultaneously implemented in three regions, corresponding to Montana’s current library Federation structure:

- Western (Tamarack and Broad Valley Federations)
- Hi-Line (Pathfinder and Golden Plains Federations)
- Eastern (Sagebrush and South Central)

All library types will be included (academic, public, school, special, and tribal). Each region will have approximately \$247,000 to spend on courier services (a blend of bus, mail, and courier services), \$50,000 to spend on shared collections, and \$10,000 for necessary computer applications, training, and public information. The totals spent for the biennium are:

Courier services	\$ 740,000
Shared collections	\$ 150,000
<u>Computer applications, training, public information</u>	<u>\$ 60,000</u>
Total over biennium	\$ 950,000

For this pilot project, 100+ Montana libraries will qualify after a statewide inclusive competitive application process. This statewide pilot project builds on a very successful small pilot project involving six public libraries in western Montana, a pilot in which these six libraries exchanged more books between each other, than did

all the other libraries in Montana combined. This unequivocally demonstrates that this 'statewide library card-like' service is valued and would be used by Montanans.

- 3) Single Search and Authentication Services. This includes two parts: Single (sometimes called "federated" search tools, and authentication.

Single Search—The Montana Library Card includes a single-search component that allows a single search to find materials in any Montana library, or from any online source to which the user's library has purchased access. Imagine if Google let you search through the open Web, as well as the content of 6,000 magazines and the contents of 10,000 e-books. This is what we'd like to make possible for all Montanans. Imagine being in the Chief Woodenlegs Library in Lame Deer, and being able to search through books, magazine articles, legal briefs, Web sites, reports, maps, and films relating to coal exploration on Indian lands—without having to be intimately familiar with each source's peculiarities.

Authentication—The Montana Library Card project requires that library users be recognized by other libraries' online circulation systems and by online resource vendors, as belonging to a specific Montana library.

A workable authentication mechanism would allow our users to request items directly from other libraries, with libraries' assurance that these users are who they say they are—and in good standing with their local libraries. It would allow convenient access to the online copyrighted materials purchased for them by their libraries—magazine articles, e-books, automobile repair manuals, tests or other reference sources. And it would allow rural Montana library users, at 2:00 a.m., in their kitchens, in their bunny slippers, to explore library riches equal in many ways to those found in the West's largest cities. This equivalent library access is a vital component of life long learning, economic development, sustainable communities, and our citizens' happiness.

NOTES

What's Involved and What Does it Cost? (Biennial costs)

COSTS	
1) Statewide Membership in OCLC	\$1,200,000
2) Fulfillment Services, including interlibrary loans, shared collections, courier services, etc. Courier services comprise the majority of this cost.	950,000
3) Federated Search and Authentication Services (required infrastructure to make 1,2,3 above work)	<u>200,000</u>
TOTAL COSTS	\$ 2,350,000
REVENUES	
1) MCA 22-1-328 ILL Reimbursement moneys	350,000
2) New moneys	<u>2,000,000</u>
TOTAL REVENUES	\$ 2,350,000

(2) Fulfillment Project budget

	Per region	Annual	Biennial
Courier services (1 yr)	\$123,333	\$370,000	\$740,000
Floating collection	25,000	75,000	150,000
NCIP servers \$10k/e 8 possible	10,000	30,000	30,000
Public information, training	5,000	15,000	30,000
	\$148,333	\$445,000	\$950,000

If by bus...

24,667	boxes at \$5/box per year
474	boxes per week
68	boxes per day
45	libraries per region at 1.5 boxes per day

If by mail...

48,366	mailed books at \$2.55/book (USPS media mail book rate)
930	books mailed per week
133	mailed books per day
13	libraries if 10 books mailed per day

Bus Service

<http://www.greyhound.com/home.asp>
<http://www.rimrocktrailways.com/links.htm>

GreyHound

Arlee (B)
Basin
Big Timber (B)
Billings
Boulder (B)
Bozeman
Butte
Columbus (B)
Craig Jct (B)
Deer Lodge (B)
Dillon
Drummond
Eddys Corner (B)
Evaro (B)
Forsyth
Geyser (B)
Glendive
Grass Range
Great Falls
Hardin
Helena
Hobson
Hysham
Jefferson City (B)
Kalispell
Lakeside (B)
Laurel
Lewistown
Livingston
Melrose (B)
Miles City
Missoula
Moccasin (B)
Moore (B)
Pablo (B)
Polson
Ravalli (B)
Raynesford (B)
Ronan

Roundup
St Ignatius
St Regis
Stanford
Terry (B)
Three Forks
Ulm Jct (B)
Whitefish (B)
Whitehall (B)
Wibaux
Windham (B)

Rimrock Trailways

Arlee
Basin
Belgrade
Belt
Big Timber
Billings
Boulder
Bozeman
Butte
Cascade
Columbus
Craig Jct
Deer Lodge
Dillon
Drummond
Eddy's Corner
Evaro
Forsyth.
Geyser
Glendive
Grass Range.
Great Falls
Helena
Hobson

Hysham
Jefferson City
Kalispell
Lakeside.
Laurel
Lewistown
Lima
Livingston
Manhattan.
Medora
Melrose
Miles City
Missoula
Moccasin
Moore
Pablo
Polson
Ravalli.
Raynesford
Ronan
Roundup
St. Ignatius
Stanford
Steele
Sterling Corner
Terry
Three Forks
Ulm Jct
Valley City
Warm Springs
Whitefish
Whitehall
Wibaux
Windham
Wolf Creek

Executive Planning Process FY08-09

Issue Title: Permanent Public Access

Issue ranking:

Total request: \$160,000

Permanent Public Access and collection(s) budget: The rate of acquisition of items into the MSL State Publications Center (22-1-212, MCA) continues to increase, as does the number of depository libraries supported by the program and the number of items shipped to depository libraries. In addition, many items are now available only in electronic format, or in both electronic and print format, a trend in publishing that requires additional staff time and skills, dedicated software, electronic storage, and preservation assistance. MSL is currently funding some of these needs from its collections budget, which was already significantly reduced by the 2003 legislature, not because of lack of support for the collection budget, but in response to the statewide budget crisis that hit all agencies. Dedicated funding for costs associated with acquisition and preservation of electronic publications and an addition FTE to support acquisition, cataloging, and preservation of the ever-increasing number of publications are necessary.

STATE PUBLICATIONS, LOOKING BACK

Back in 1995, taking numbers from the library's cataloging system based on publication year, there were 1,176 government publications received by Library and Information Services.

In 2001 the number of published items placed in the stacks amounted to 1,437. The number of items shipped out to the 15 depository libraries across the state reached 3,378. Although none of these items were digital, it still requires the same amount of time to catalog and create a shipping list for a digital item as it does a physical one.

By 2005 the number of items from the 30 state agencies we receive publications from made a giant leap to 4,814 of which we shipped back out 3,591 to 15 separate locations. Of all those publications only 33 were catalogued as electronic resources with no paper equivalent.

DIGITAL REPOSITORY, LOOKING TO THE FUTURE

To respond to the trend in publishing electronically, MSL has created a digital repository, working through OCLC (a non-profit library technology corporation) to provide the tools that allow the library to provide permanent and free public access to state and federal government information. Since July, 2005, we have placed nearly a thousand objects (publications, maps, website content) representing the publications from just a few state agencies into our digital repository. If a conservative educated guess were to be made projecting current trends outward five years, by 2010 we will have 5000 digital publications available to the public at their desktop. This is despite the fact that print publishing (and printed document acquisition) will likely continue. More likely there will be even more reports and publications produced by state government because technology will make it ever easier to publish digitally without incurring restrictive printing costs.

Meanwhile The number of state depository libraries has grown to 18. State agencies continue to release their materials in both paper and electronic formats because of the recognized fragility and untested repercussions of digital migration of content over more than a few years. Cataloging and handling takes longer when both formats are preserved. We continue to ship out publications printed at government expense to state depositories.

Considered must also be given to the cost of public access via an increasing number of computer stations required to meet demands of a digital divide between patrons seeking state published materials who have electronic access and those without access to such technology. If we expect to acquire state publications electronically, the equipment and training required by employees and the public must increase as well.

New costs to MSL associated with this effort include licensing for the software that allows us to acquire and catalog publications and place them into the repository, and storage costs. This expense currently comes out of our budget reserved for purchasing reference materials for state government employees. A more significant demand on the agency is the cost of personnel resources needed to administer this effort. Currently, staff with other, preexisting responsibilities are being stretched to get this effort underway. To continue its growth into the future this project requires dedicated staff and needs to find permanent funding outside of the library's book and electronic research budget.

Issue ranking:

Total request: \$450,000.

Funding for the Natural Resource Information System/Natural Heritage Program (NRIS/NHP) has always been complex and inadequate to fully support the program. Funds come from a mixture of sources, including the Resource Indemnity Trust (RIT), the General Fund, state agencies that rely on NRIS/NHP services ("source agencies"), and contracts. Source agencies include Fish Wildlife and Parks, the Department of Environmental Quality, the Department of Transportation, the Department of Natural Resources and Conservation, and the University System.

NRIS/NHP relies on this funding to obtain, catalog, store, manage and provide access to natural resource information from state agencies and other sources, work with source agencies to routinely update this information, develop and manage a website providing access to the information, conduct outreach and training to promote effective access and use, and respond to user requests. Through a contract with The Nature Conservancy (soon to be transferred to the University of Montana), a significant portion of this core funding is used to operate our Natural Heritage Program, the state's clearinghouse for information on the status and distribution of native species and habitats, emphasizing those of conservation concern.

Current state funding for the program supports only about one half of the staff that are needed to provide mandated services. The funding shortfall has made it impossible to keep up with public and private sector demands for information on Montana's natural resources and native species and habitats. For example, the Natural Heritage Program has a data processing backlog of 25,000 records for Species of Concern locations. Even more data exists – and continues to accumulate – in agency databases and files, but funding constraints have made it impossible to find and assimilate this data, or to conduct regular updates of existing datasets .

Another key bottleneck had been dissemination of the data. Users need access via the web, which is the only effective way to serve large volumes of natural resource data. However, NRIS has been able to dedicate only limited staffing to ensure web-access to data and information, and there has been no state funding for development of internet access to NHP information.

To keep the program functional, both parts of the program have relied on soliciting special projects. While this has helped retain staff, it diverts them from the primary tasks of data acquisition, cataloging, management, and dissemination to fulfill the program's service mandate.

Without the ability to keep Natural Heritage Program databases up-to-date and make them readily available to decision-makers, the state runs the risk of developments or decisions going forward that destroy valuable wildlife or habitat, simply because the information that they existed at that location was not available. At best, this results in unnecessary losses of Montana's biological wealth – and at worst, in increased species endangerment. With insufficient funding to keep the NRIS databases current, there is increased risk that valuable information will be lost because it is unknown and/or unavailable, as well as increased costs to government and the private sector because existing information cannot be readily found and used. It is also more difficult for Montana citizens to obtain information produced by their government.

To remedy the funding deficiencies in the NRIS/NHP, we are seeking the following:

- MSL seeks an increase in its General Fund budget of \$75,000 per year for support of the Natural Heritage Program contract.

- We are asking the source agencies to increase their funding by a total of \$150,000 per year, \$75,000 of which will remain in the NRIS budget and \$75,000 of which will be passed through to the Natural Heritage Program. The amount of funding currently provided from each of the state source agencies was determined in 1999, based on the best-available analysis of usage. The amount of agency funding and the division of costs among agencies has remained constant since then.
- Via a separate EPP, MSL seeks to obtain funding for a network system administrator and additional IT infrastructure. To date, the agency could support a system administrator only by pulling funds from various agency programs. This EPP item will provide funding for this critical function at an agency-wide level, relieving the impact on programs that are already under-funded, including NRIS.

Issue ranking: Total request: \$1,114,646 (\$314,646 general funds, \$800,000 local funds)

The Montana Shared Catalog (MSC) is a voluntary consortium comprised, as of January 2006, of 62 libraries serving 246,945 users with 593,343 titles. The proposal is to provide budget authority and a proprietary fund so that the State Library could manage the MSC budget, pay MSC bills and collect annual membership payments on behalf of MSC.

Library patrons can use MSC to search library holdings, learn more about books of interest (reviews, tables of content, summaries, chapter excerpts), scan bestseller lists and determine availability, place holds on library materials, and be notified via e-mail when interesting materials come into the library. MSC is comprised of all kinds and sizes of libraries, with more libraries joining every year. The shared vision of the MSC involves continued growth of the catalog statewide, encouragement of resource sharing among member and non-member libraries, and ongoing improvement of the catalog to best serve our users.

The State Library administrative staff would manage the MSC budget, pay MSC bills and collect annual membership payments on behalf of the MSC. New budget authority is required to do this. A "proprietary fund", a fund marked specifically for MSC operations, would likely be established by the legislature for management of MSC monies. The State Library's involvement in the MSC as an ongoing project would include supporting statewide growth of the catalog and encouraging user sharing groups. Staff and hardware infrastructure to run the MSC would continue to be supplied by the State Library. The system would continue to be administered by staff that is, therefore, not answerable to any particular MSC library. A "proprietary fund", a fund marked specifically for MSC operations, would likely be established by the legislature for management of MSC monies. MSC monies would fall under the auspices of the State. Approximate cost in general funds would be \$157,323 per year or 314,646 for the biennial. Approximate annual ongoing budget for the Shared Catalog with monies coming into a proprietary fund from libraries across Montana would be \$400,000 yearly or \$800,000 for the biennial.

The Missoula Public Library has served as the MSC fiscal agent since the consortium's inception, handling MSC financial matters through Missoula County. The MSC is in a strong financial position today, due in part to the care taken by Missoula Public in managing our budget but as the MSC grows and becomes more and more a statewide effort it has been recommended that the financial structure be moved to the State Library.

Current Montana Shared Catalog membership: **Belgrade Community Library, Big Horn County Public Library, Hardin; Big Timber Schools:** includes: Sweet Grass Elementary; Big Timber High School; **Bitterroot Public Library, Hamilton; Bozeman Public Library; Carnegie Public Library, Big Timber; Clinton Elementary School; Dillon Public Library; Drummond School Community Library; Flathead County Library:** includes: Flathead Main Library; Flathead Bigfork Branch; Flathead Columbia Falls Branch; Flathead Whitefish Branch; Flathead Marion Branch; **Flathead Valley Community College Library; Glendive Public Library; Hearst Free Library, Anaconda; Hellgate School District No. 4:** includes: Hellgate K-2; Hellgate 3-5; Hellgate 6-8; **Highwood School Library; Jefferson County Library System:** includes Boulder Community Library, Clancy Community Library, and Whitehall Community Library; **Kalispell Regional Medical Center Library; Laurel Public Library; Lewistown Public Library; Madison Valley Public Library, Ennis; Meagher County/City Library, White Sulphur Springs; Miles City Public Library; Miles Community College Library; Missoula Public Library:** includes: Missoula Main Library; Missoula Seeley Lake Branch; Missoula Swan Valley Branch ; **Montana Academy; Montana Bible College Library; Montana Dept. of Transportation Library; Montana Legislative Reference Center ; Montana State Library; MT Historical Society Library and Archives; Park High School Library; Plains Public Library District; Plains School Library; Polson City Library; Ronan Schools:** includes: Ronan High School; Ronan Middle School; K Wm Harvey Elementary; Pablo Elementary; **Rosebud County Library** includes: Rosebud County Library, Forsyth; Bicentennial Library of Colstrip Branch; **Sheridan Public Library; St Ignatius School-Community Library; State Law Library of Montana; Thompson Falls Schools:** includes: Thompson Falls Elementary School, Thompson Falls Middle School; Thompson Falls High School; **Thompson Falls Public Library; Thompson-Hickman County Library, Virginia City; Three Forks Community Library; Twin Bridges Public Library; West Yellowstone Public Library**

Related to budget issue by same name request of \$160,000

Draft Proposed Bill for 2007 Legislature

INTRODUCED BY REQUEST OF THE STATE LIBRARY COMMISSION

A BILL FOR AN ACT ENTITLED: "AN ACT MODIFYING THE DEFINITION OF "STATE PUBLICATIONS" AND THE DEPOSITION OF STATE PUBLICATIONS; CREATING A STATE DEPOSITORY LIBRARY PROGRAM; ESTABLISHING PERMANENT PUBLIC ACCESS TO PUBLICATIONS; AMENDING SECTIONS 22-1-211, 22-1-212, 22-1-213, 22-1-214, 22-1-215, 22-1-216, AND 22-1-218, MCA; AND REPEALING SECTION 22-1-217, MCA."

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

Section 1. Section 22-1-211, MCA, is amended to read:

"22-1-211. Definitions.

~~(1) "Print" includes all forms of printing and duplicating, regardless of format or purpose, with the exception of correspondence and interoffice memoranda.~~

~~(2)~~(1) "State agency" includes every state office, officer, department, division, bureau, board, commission, authority, institution, regional planning council and agency of the state and, ~~where~~ when applicable, all subdivisions of each.

~~(3)~~(2) "State publication" ~~includes any document, compilation, journal, law, resolution, bluebook, statute, code, register, pamphlet, list, book, proceedings, report, memorandum, hearing, legislative bill, leaflet, order, regulation, directory, periodical, or magazine issued in print or~~

~~purchased for distribution by the state, the legislature, constitutional officers, any state department, committee, or other state agency supported wholly or in part by state funds.~~ means any information published, disclosed or distributed to state government or the public, regardless of format, or medium, source or copyright, license or trademark originating and or produced by the authority of or at total or partial expense of any state agency. “State publication” does not include information produced strictly for internal administrative or operational purposes.

(3) “Print publication”—A publication (A) that is published in a format that is accessible without the use of a computer, including information published on paper, in microformat, on audio tapes, vinyl discs or audio compact discs, on videotape or film, or on any other media that are not specifically cited in this definition, and (B) that is not an Internet publication as defined in this part.

(4) “Internet connection”—A combination of hardware, software and telecommunications services that allows a computer to communicate with any other computer on the worldwide network of networks known as the Internet, and that adheres to the standard protocols listed in Internet standards documents of the Internet Engineering Steering Group, Internet Architecture Board, and Internet community.

(5) “Internet publication”—A publication published on the Internet as a file or files accessible by Internet connection.

(6) “On-line”—Accessible via a computer or terminal, rather than on paper or other medium.

(7) “Publicly distributed”—Provided to persons outside of the agency, in print or other physical medium, or by an Internet connection, or from a limited local area network on agency premises, or at another location on behalf of the agency.

(8) “Electronic format”—A form of recorded information that can be processed by a computer.

(9) “Physical format”—A tangible system for the compilation and presentation of information, including print publications and electronic external storage devices as defined in this chapter.

(10) “Electronic external storage devices”—Removable electronic media used to store and transfer electronic information.

Section 2. Section 22-1-212, MCA, is amended to read:

"22-1-212. Creation of ~~distribution center~~ state depository library program—rules.

~~There is hereby created, as a division of the state library and under the direction of the state librarian, a state publications library distribution center. The center shall promote the establishment of an orderly depository library system. To this end the state library commission shall make such rules necessary to carry out the provisions of this part.~~ (1) The state library shall administer a state depository library program. The state library commission shall adopt rules necessary to carry out the provisions of this depository library program.

(2) The state library shall identify, collect, catalog, distribute, preserve, and provide permanent public access to state publications in all formats in which the publication is publicly distributed. The state library shall provide public access by distributing print publications and disseminating Internet publications to depository libraries.

(3) The state library will maintain an online catalog providing free access to records of state publications in all formats in which the publications are publicly distributed.

Section 3. Section 22-1-213, MCA, is amended to read:

"22-1-213. Standard Deposit and Reporting Requirements for State Publications. Every state agency shall deposit or make accessible copies of all state publications that have not been exempted from the state depository library program in 22-1-218 of this part. ~~at least four copies of each of~~ When a state publication is distributed to the public in multiple formats simultaneously, state agencies are required to provide access to or copies of that publication to the state library in all formats in which the publication is publicly distributed. State agencies are not required to provide to the state library copies of publications on electronic external storage devices, if the state publications are made available by an Internet connection. ~~(1) For most state publications in physical formats, four (4) copies must be deposited with the State Publications Depository Program. State agencies must also deposit additional copies shall in quantities certified by the~~

state library to meet the needs of the depository library program and to provide interlibrary loan service to non-depository libraries.. The state library shall reimburse the state agency ~~such~~ for the additional sale publications, and for additional publications ~~so~~ required ~~where~~ when the quantity desired requires additional printing or other expense to ~~such~~ the agency.

(2)For state publications available in electronic formats, but not by an Internet connection, four (4) copies must be deposited on electronic external storage devices. For state publications available in electronic formats and by an Internet connection, only notification of the Internet publication must be deposited with the state library in a form specified by the state library.

Section 4. Section 22-1-214, MCA, is amended to read:

"22-1-214. Depository libraries -- eligibility. The ~~center~~ state library may enter into depository contracts with any ~~municipal or county free library, the library of congress, the midwest interlibrary center,~~ The requirements for eligibility to contract as a depository library ~~shall~~ be established by the state library commission upon recommendations of the state librarian. The standards ~~shall~~ must include and take into consideration the type of library, ability to preserve ~~such~~ state publications and to make them available for public use, and also ~~such~~ geographical locations ~~as~~ that will make the publications conveniently accessible to residents in all areas of the state."

Section 5. Section 22-1-215, MCA, is amended to read:

"22-1-215. Available publications. The ~~center~~ state library shall publish and distribute regularly to contracting depository libraries and other libraries upon request a list of available state publications."

Section 6. Section 22-1-216, MCA, is amended to read:

"22-1-216. Current publications and permanent public access to publications. Upon request by the ~~center~~ state library, issuing state agencies shall furnish the ~~center~~ state library with a complete list of their current state publications and a copy of their mailing and/or exchange lists. The state library shall coordinate with state agencies, depository libraries, or other entities to ensure permanent public access to state publications in all formats in which the publication is publicly distributed. The state library shall offer all state publications that it decides to deselect to the Montana Historical Society that shall determine which state publications are of permanent value to the state and should be preserved and protected as provided for in 22-3-203."

Section 7. Section 22-1-218, MCA, is amended to read:

"22-1-218. Exemptions. This part does not apply to officers of or affect the duties concerning publications distributed by:

~~(1) the state law library;~~

~~(2)~~(1) the code commissioner in connection with duties under Title 1, chapter 11, as amended;
and

~~(3)~~(2) the legislative services division in connection with its duties under 5-11-203, as amended."

NEW SECTION. **Section 8. Repealer.** Section 22-1-217, MCA, is repealed.

- END -

Related to budget issue by same name request of \$2,000,000

Draft Proposed Bill for 2007 Legislature

INTRODUCED BY REQUEST OF THE STATE LIBRARY COMMISSION

22-1-325. Short title. Sections [22-1-325](#) through [22-1-331](#) may be cited as the "Information Access Montana Act".

History: En. Sec. 1, Ch. 670, L. 1989.

[Leave unchanged]

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) "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.

History: En. Sec. 11, Ch. 260, L. 1967; R.C.M. 1947, 44-227; amd. Sec. 8, Ch. 670, L. 1989; amd. Sec. 1, Ch. 356, L. 1991.

(4) "Montana Library Card" means a service, available to a Montana resident with a library card from any participating library, that may be used for library services in any participating library in the state. Participating libraries are those libraries that have registered their participation in this cooperative service with the Montana State Library.

(5) "Fulfillment" includes a wide variety of library services whose purpose is getting the right library content into library patrons' hands conveniently, quickly, efficiently, and affordably. Fulfillment includes an often blended variety of library-related tools and processes, 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, shared automated integrated library systems, et cetera.

Deleted: (4) "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.

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

(2) As provided in [22-1-325](#) through [22-1-329](#), the commission shall administer state aid to public libraries and public library districts created and operated under part 7 of this chapter. The purposes of state aid are to:

- (a) broaden access to existing information by strengthening public libraries and public library districts;
- (b) augment and extend services provided by public libraries and public library districts; and
- (c) permit new types of library services based on local need.

(3) Money appropriated for the purposes of this section may not be used to supplant general operating funds of recipient public libraries or public library districts. The commission may withhold a distribution to a library or district that receives less support from a mill levy or local government appropriation than its average for the preceding 3 fiscal years if the decrease may reasonably be linked to money received or expected to be received under [22-1-325](#) through [22-1-329](#).

History: En. Sec. 2, Ch. 670, L. 1989; amd. Sec. 2, Ch. 356, L. 1991; amd. Sec. 1, Ch. 203, L. 2005.

[Leave unchanged]

22-1-327. State aid -- per capita -- per square mile. The commission shall distribute grants to public libraries and public library districts on a per capita and per square mile basis.

History: En. Sec. 3, Ch. 670, L. 1989; amd. Sec. 2, Ch. 203, L. 2005.

[Leave unchanged]

22-1-328. ~~Get It! Montana program – eligibility~~ (1) ~~Montana libraries eligible to receive financial recompense, library content, or services~~ under this section for ~~are bound by the rules~~ adopted by the commission.

(2) Libraries eligible for ~~recompense, library content, or library services~~ 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, and libraries operated by nonprofit, private medical, educational, or research institutions.

(3) ~~Fulfillment is defined in 22-1-201.~~

History: En. Sec. 4, Ch. 670, L. 1989; amd. Sec. 1, Ch. 183, L. 1999.

22-1-329. Montana Library Card. The commission shall develop a program to allow Montana libraries to issue to residents a ~~Montana Library Card~~ as defined in [22-1-301](#).

History: En. Sec. 5, Ch. 670, L. 1989.

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

(1) the distribution of state aid to public libraries and public library districts on a per capita and per square mile basis;

(2) ~~rules and procedures pertaining to the Montana Library Card;~~

(3) ~~disbursement of fulfillment-related funds (as defined in 22-1-301);~~

(4) distribution of base grants provided for in [22-1-331](#); and

(5) the composition of the library federation board of trustees, as provided in [22-1-404](#).

History: En. Sec. 6, Ch. 670, L. 1989; amd. Sec. 2, Ch. 183, L. 1999; amd. Sec. 3, Ch. 203, L. 2005.

22-1-331. Base grants. The commission shall provide a base grant for each public library to support the cooperative activities and services of the six library federations in the state.

History: En. Sec. 7, Ch. 670, L. 1989.

Deleted: State interlibrary loan program -- reimbursement -- eligibility

Deleted: Each

Deleted: library

Deleted: for reimbursement

Deleted: participation in the statewide interlibrary loan program must be reimbursed according to

Deleted: interlibrary loan reimbursement

Deleted: for institutionalized persons

Deleted: 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.

Deleted: State multilibrary card.

Deleted: state multilibrary card

Deleted: issuance of state multilibrary cards

Deleted: reimbursement for interlibrary loan lending

Executive Planning Process: proposed legislation

Issue Title: Book purchasing

To request that library book purchasing be exempt from the Montana Procurement Act

Meeting with Brad Sanders, Department of Administration's Bureau Chief, State Procurement Bureau on Wednesday, April 5th to determine (1) if legislation is necessary and (2) who will take the lead on legislation, Department of Administration or State Library.