

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 BY REQUEST OF THE STATE LIBRARY COMMISSION

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CERTAIN PROVISIONS OF THE INFORMATION
7 ACCESS MONTANA ACT; REPLACING THE INTERLIBRARY LOAN REIMBURSEMENT PROGRAM WITH A
8 STATEWIDE INTERLIBRARY RESOURCE-SHARING PROGRAM; REPLACING THE STATE MULTILIBRARY
9 CARD WITH A STATEWIDE LIBRARY ACCESS PROGRAM; AMENDING SECTIONS 22-1-301, 22-1-328,
10 22-1-329, AND 22-1-330, MCA; AND PROVIDING AN EFFECTIVE DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13
14 **Section 1.** Section 22-1-301, MCA, is amended to read:

15 **"22-1-301. Definitions.** Unless otherwise provided, the following definitions apply in this part:

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

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

18 (3) "Public library" means a library created under:

19 (a) 22-1-303 through 22-1-317 that provides library services to the public by means of central facilities,
20 branch facilities, or bookmobiles; or

21 (b) Title 7.

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

24
25 **Section 2.** Section 22-1-328, MCA, is amended to read:

26 **"22-1-328. State Statewide interlibrary loan resource-sharing program -- reimbursement --**
27 **eligibility.** ~~(1) Each Montana library eligible for reimbursement under this section for participation in the statewide~~
28 ~~interlibrary loan program must be reimbursed according to the rules adopted by the commission.~~

29 ~~_____ (2) Libraries eligible for interlibrary loan reimbursement under this section include~~ The commission shall
30 establish a statewide interlibrary resource-sharing program. The purpose of the program is to administer funds

1 appropriated by the legislature to support and facilitate resource-sharing among libraries in Montana, including
 2 but not limited to public libraries, public library districts, libraries operated by public schools or school districts,
 3 libraries operated by public colleges or universities, tribal libraries, libraries operated by public agencies for
 4 institutionalized persons, and libraries operated by nonprofit, private medical, educational, or research institutions.

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

7 ~~—— (a) a loan between public school libraries located within the same public school district;~~

8 ~~—— (b) a loan between an elementary school library and a high school library located within school districts~~
 9 ~~with overlapping school district boundaries;~~

10 ~~—— (c) a loan between libraries administered by a public or private, nonprofit college or university; and~~

11 ~~—— (d) a loan between libraries administered by a public library."~~

12

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

14 **"22-1-329. State multilibrary card Statewide library access program.** The commission shall develop
 15 a voluntary statewide library access program to allow Montana libraries to issue to residents a state multilibrary
 16 card as defined in 22-1-304 whereby a participating library may allow access to the library's materials and
 17 services by patrons registered and in good standing with another library."

18

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

20 **"22-1-330. Commission rulemaking authority.** The commission may adopt rules and procedures for:

21 (1) the distribution of state aid to public libraries and public library districts on a per capita and per square
 22 mile basis, as provided in 22-1-327;

23 (2) ~~issuance of state multilibrary cards~~ the statewide library access program provided for in 22-1-329;

24 (3) ~~reimbursement for interlibrary loan lending~~ the statewide interlibrary resource-sharing program
 25 provided for in 22-1-328;

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

27 (5) the composition of the library federation board of trustees, as provided in 22-1-404."

28

29 **NEW SECTION. Section 5. Notification to tribal governments.** The secretary of state shall send a
 30 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell

1 Chippewa tribe.

2

3 NEW SECTION. **Section 6. Effective date.** [This act] is effective July 1, 2009.

4 - END -