

# Unofficial Draft Copy

As of: June 13, 2008 (9:01am)

\*\*\*\* Bill No. \*\*\*\*

Introduced By \*\*\*\*\*

By Request of the State Library Commission

A Bill for an Act entitled: "An Act revising certain provisions of the information access Montana act; replacing the interlibrary loan reimbursement program with a statewide interlibrary resource-sharing program; replacing the state multilibrary card with a statewide library access program; amending sections 22-1-301, 22-1-328, 22-1-329, and 22-1-330, MCA; and providing an effective date."

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) "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 or a library created under 22-1-701 through 22-1-716 that provides library services to the public by establishing a public library district or a public library created under title 7.

~~(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."~~

{Internal References to 22-1-301:  
x22-1-326\* a22-1-329)

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

**"22-1-328. State Statewide interlibrary loan resource-sharing program -- reimbursement -- 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.~~

~~(2) Libraries eligible for interlibrary loan reimbursement under this section include~~ The commission shall establish a statewide interlibrary resource-sharing program. The purpose of the program must be to administer funds appropriated by the legislature to support and facilitate resource-sharing among libraries in Montana including, but not limited to, 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. *Support may include, but need not be limited to, assistance with acquisitions, collection development, courier services, floating collections, interlibrary loans, joint purchases of content, membership fees required for access to a bibliographic utility or data base, shared collections, and shared automated and integrated library systems.*

~~(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."~~

{Internal References to 22-1-328:  
x22-1-325\* x22-1-326\* x22-1-326\* x22-1-326\*}

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

**"22-1-329. ~~State multilibrary card~~ Statewide library access program.** The commission shall develop a voluntary statewide library access program to allow Montana libraries whereby a participating library to issue to residents a state multilibrary card as defined in 22-1-301 may allow access to the library's materials and services by patrons registered and in good standing with another library."

{Internal References to 22-1-329:  
x22-1-325\* x22-1-326 x22-1-326\* x22-1-326}

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

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

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

(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."

{Internal References to 22-1-330:  
x22-1-325\* x22-1-326\*}

**NEW SECTION. Section 5. {standard} Effective date.** [This act] is effective July 1, 2009.

- END -

{Name : Sheri S. Heffelfinger  
Title : Research Analyst  
Agency : Legislative Services Division  
Phone : 444-3596  
E-Mail : sheffelfinger@mt.gov}