

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1396

H.P. 1010

House of Representatives, March 26, 2019

An Act To Update the Laws Governing the Regional Library Systems

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative NADEAU of Winslow.
Cosponsored by Senator BELLOWS of Kennebec and
Representatives: BRYANT of Windham, CAMPBELL of Orrington, COLLINGS of Portland,
FARNSWORTH of Portland, FAY of Raymond, INGWERSEN of Arundel, KESCHL of
Belgrade, Senator: CARPENTER of Aroostook.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §12004-I, sub-§5-D** is enacted to read:

3 **5-D.**

4 <u>Culture</u>	<u>Maine Library</u>	<u>Not Authorized</u>	<u>27 MRSA §114-A</u>
5	<u>Advisory Council</u>		

6 **Sec. 2. 27 MRSA §110, sub-§2**, as corrected by RR 1991, c. 2, §101, is amended
7 to read:

8 **2. Area reference and resource center.** "Area reference and resource center"
9 means a large public, school or academic library designated by the State Librarian and
10 receiving state aid for the purposes of making its resources and services available without
11 charge to all residents of the ~~district~~ within a library region, of providing supplementary
12 library services to local libraries within the ~~district~~ library region and of coordinating the
13 services of all local libraries within the ~~district~~ library region that by contract become part
14 of the library ~~district~~ region.

15 **Sec. 3. 27 MRSA §110, sub-§4**, as amended by PL 1977, c. 125, §1, is further
16 amended to read:

17 **4. Maine State Library consultant or specialist.** "~~District~~ Maine State Library
18 consultant or specialist" means ~~one~~ an individual who acts as a general library consultant
19 or specialist to one or more ~~districts~~ library regions.

20 **Sec. 4. 27 MRSA §110, sub-§5**, as repealed and replaced by PL 1981, c. 464,
21 §29, is repealed.

22 **Sec. 5. 27 MRSA §110, sub-§6**, as enacted by PL 1973, c. 626, §6, is repealed.

23 **Sec. 6. 27 MRSA §110, sub-§7**, as enacted by PL 1973, c. 626, §6, is amended to
24 read:

25 **7. Library region.** "Library ~~district~~ region" or "region" means a defined geographic
26 area consisting of local libraries. Libraries from multiple regions may be joined
27 cooperatively to an area reference and resource center and a research center. Local
28 libraries within the ~~district~~ library region may also be joined cooperatively with other
29 types of libraries.

30 **Sec. 7. 27 MRSA §110, sub-§9**, as enacted by PL 1973, c. 626, §6, is repealed.

31 **Sec. 8. 27 MRSA §110, sub-§9-A** is enacted to read:

32 **9-A. Maine Library Advisory Council.** "Maine Library Advisory Council" means
33 an advisory body representing a constituency of participating libraries from all
34 geographical library regions, as described in section 114-A.

1 **Sec. 9. 27 MRSA §110, sub-§11**, as enacted by PL 1973, c. 626, §6, is amended
2 to read:

3 **11. Regional library system.** "Regional library system" means a network of library
4 ~~districts~~ regions interrelated by formal or informal contract; for the purpose of organizing
5 library resources and services for research, information and recreation to improve
6 statewide library service and to serve collectively the entire population of the State.

7 **Sec. 10. 27 MRSA §111, sub-§1**, as amended by PL 1993, c. 349, §57, is
8 repealed and the following enacted in its place:

9 **1. Maine Library Commission.** There is created the Maine Library Commission,
10 as established by Title 5, section 12004-G, subsection 7-E, which consists of 15 members
11 appointed by the Governor. The commission membership must be broadly representative
12 of the State's libraries and ensure geographic diversity and broad individual experiences
13 and consist of the following:

- 14 A. Two members representing public libraries;
- 15 B. Two members representing kindergarten to grade 12 libraries;
- 16 C. One member representing a large university library;
- 17 D. One member representing a small college or community college library;
- 18 E. One member representing a special or institution library;
- 19 F. One member representing persons with disabilities;
- 20 G. One member serving as a trustee for a library in the State;
- 21 H. One member of the Maine Library Advisory Council pursuant to section 114-A,
22 subsection 1;
- 23 I. One member representing underserved and rural communities;
- 24 J. One member representing a Native American community; and
- 25 K. Three at-large members.

26 The term of each appointed member is 3 years or until a successor is appointed and
27 qualified. A member may not serve more than 2 successive terms. In the case of a
28 vacancy other than the expiration of a term, the appointment of a successor must be made
29 in like manner for the balance of the term.

30 In addition to the 15 appointed members, the directors of the area reference and resource
31 centers shall serve as permanent, nonvoting ex officio members of the Maine Library
32 Commission.

33 The commission shall meet at least 4 times a year. It shall elect a chair and vice-chair for
34 terms of 2 years and frame and modify bylaws for its internal organization and operation.

35 The State Librarian shall serve as secretary to the commission. The members of the
36 commission are compensated according to the provisions of Title 5, chapter 379.

1 **Sec. 11. 27 MRSA §112, sub-§2**, as amended by PL 1989, c. 700, Pt. B, §27, is
2 further amended to read:

3 **2. Policies.** Establish the policies and operations of the Maine State Library and the
4 State's library program including minimum standards of library service, the
5 apportionment of state aid to libraries, the designation of library ~~districts~~ regions and their
6 boundaries, the endorsement of the designation of area reference and resource centers and
7 the designation of research centers after full consideration of the advice of the ~~district~~
8 council State Librarian;

9 **Sec. 12. 27 MRSA §113**, as repealed and replaced by PL 1989, c. 700, Pt. B, §29,
10 is amended to read:

11 **§113. Library regions**

12 The Maine Library Commission shall divide the State into as many ~~districts~~ regions
13 as the commission determines are required and shall establish or modify the geographical
14 boundaries of each ~~district~~ region.

15 **Sec. 13. 27 MRSA §114**, as amended by PL 1981, c. 464, §30, is repealed.

16 **Sec. 14. 27 MRSA §114-A** is enacted to read:

17 **§114-A. Maine Library Advisory Council**

18 There is created the Maine Library Advisory Council, as established in Title 5,
19 section 12004-I, subsection 5-D and referred to in this section as "the council."

20 **1. Membership.** The council consists of one member from each established library
21 region appointed in accordance with the council's bylaws. An additional member is
22 appointed by the Governor to serve as a liaison with the Maine Library Commission
23 pursuant to section 111, subsection 1, paragraph H. The council shall elect from its
24 membership officers as appropriate. The council shall meet at least 4 times a year.

25 **2. Duties.** The council shall:

26 A. Serve as an advisory body for the regions;

27 B. Evaluate library services in all regions in order to advise the Maine State Library
28 and the Maine Library Commission regarding services that encourage cooperative
29 activity among all types of libraries;

30 C. Provide liaison services among all local libraries in a region;

31 D. Make recommendations to Maine State Library staff and the Maine Library
32 Commission regarding programs and services that help to make libraries accessible to
33 all; and

34 E. Advise the State Librarian on the need for and the designation of area reference
35 and resource centers and research centers in any region.

1 **Sec. 15. 27 MRSA §115**, as amended by PL 1989, c. 700, Pt. B, §§30 and 31, is
2 further amended to read:

3 **§115. Area reference and resource centers**

4 Each ~~district shall~~ library region must be affiliated with an area reference and
5 resource center ~~which shall be~~ designated by the ~~Maine Library Commission~~ State
6 Librarian.

7 **1. Duties.** ~~The~~ An area reference and resource center may:

8 A. Provide a common borrower's card for ~~member~~ libraries and residents within
9 library regions, as determined through contractual arrangements between the Maine
10 State Library and the area reference and resource center;

11 B. Participate with the ~~district~~ Maine State Library consultant or specialist in
12 planning and conducting workshops on community-library planning;

13 C. Provide office space and support services to the extent able to the ~~district~~
14 consultant Maine State Library consultant or specialist; and

15 ~~D. Join with the district council in assigning priorities to implement the district plan;~~
16 ~~and~~

17 ~~E. Such~~ Provide other cooperative activities and services as ~~member~~ libraries may
18 need or require.

19 **Sec. 16. 27 MRSA §116, sub-§1, ¶C**, as enacted by PL 1973, c. 626, §6, is
20 amended to read:

21 C. Provide such other cooperative activities and services as ~~member~~ libraries may
22 need or require.

23 **Sec. 17. 27 MRSA §117**, as amended by PL 2013, c. 82, §10, is further amended
24 to read:

25 **§117. Maine State Library consultants or specialists**

26 Staff of the Maine State Library holding the position of consultant or specialist shall
27 provide consulting or specialist services to libraries in all library regions. The State
28 Librarian, with the advice of the ~~district council~~ Maine Library Advisory Council, shall
29 appoint a staff member, ~~or contract with an area reference and resource center,~~ to provide
30 ~~district consultant services~~ holding the position of consultant or specialist to serve as a
31 primary point of contact or liaison to one or more districts library regions.

32 **1. Duties.** ~~The district consultant shall serve as secretary of the district council and~~
33 ~~further~~ A Maine State Library consultant or specialist shall:

34 ~~A. Serve as a professional consultant to libraries within the district or districts;~~

35 B. Study the needs of the ~~district~~ library region or regions and make
36 recommendations to the ~~district council~~ Maine Library Advisory Council;

37 C. Coordinate services among libraries of all types;

- 1 D. Provide liaison between the ~~district, other districts~~ library region or regions and
2 the Maine State Library;
- 3 E. Encourage local initiative and commitment to regional cooperative library service;
4 and
- 5 F. Work with area reference and resource center staff members in planning area
6 reference and interlibrary loan service; ~~and~~
- 7 ~~G. Help evolve a district plan of service.~~

8 **Sec. 18. 27 MRSA §118**, as amended by PL 1989, c. 700, Pt. B, §32, is further
9 amended to read:

10 **§118. School libraries**

11 Any school library ~~or media center~~ in a community with no public library service, or
12 serving communities with no public libraries, ~~which~~ that agrees to offer service as a
13 public library; is entitled to all the benefits accruing to a public library with the approval
14 of the State Librarian.

15 **Sec. 19. Transition.** Notwithstanding the Maine Revised Statutes, Title 27,
16 section 111, subsection 1, members of the Maine Library Commission serving on the
17 commission immediately prior to the effective date of this Act continue to serve as
18 members of the commission for the terms for which they were appointed until the
19 Governor appoints their successors.

20 **SUMMARY**

21 This bill makes administrative updates to the laws governing regional library
22 systems. It promotes cooperation between library systems by replacing library districts
23 with library regions, consolidating the district councils by establishing the Maine Library
24 Advisory Council to serve as an advisory body to the library regions and directing staff of
25 the Maine State Library holding the position of consultant or specialist to provide
26 services to library regions as appointed by the State Librarian. The bill also revises the
27 membership and terms of the Maine Library Commission.