

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1973

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature

1973

it shall mean the "Parole Board;" Title 15, sections 2142, 2162, 2607, 2611; Title 34, section 710.

Sec. 290. Commissioner of Educational and Cultural Services; authorized to grant easement. RESOLVED, that the Commissioner of Educational and Cultural Services in the name of the State of Maine is authorized and directed to grant an easement to Portland Water District, its successors and assigns, to install and maintain an underground electrical cable along and under land owned by the State of Maine on Mackworth Island, Town of Falmouth, extending in a westerly direction from Causeway Road at the north end of Mackworth Island to the chemical feed structure, a distance of approximately 640 feet, following generally along existing nature path.

Sec. 291. R. S., T. 29, § 363, amended. The last paragraph of section 363 of Title 29 of the Revised Statutes, as enacted by section 1 of chapter 529 of the public laws of 1973 is amended to read as follows:

The Secretary of State may issue temporary plates and certificates to dealers who request them under such rules and regulations as he shall deem necessary and shall receive ~~75¢~~ 50¢ per plate.

Sec. 292. Effective date. Section 291 of this Act shall become effective 91 days after the adjournment of the Legislature.

Sec. 293. R. S., T. 28, § 2, sub-§ 18, amended. Subsection 18 of section 2 of Title 28 of the Revised Statutes, as amended, is further amended by adding a new paragraph at the end to read as follows:

Except that sales to overseas passengers passing through the airport terminal facilities may be exempted from the calculations of the food to liquor ratio in an amount to be determined by the Bureau of Alcoholic Beverages and subject to such records and requirements as the bureau may deem necessary for the purpose of carrying out this paragraph.

Emergency clause. In view of the emergency cited in the preamble and except as otherwise provided in this Act, this Act shall take effect when approved.

Effective July 5, 1973 unless otherwise indicated

CHAPTER 626

AN ACT Creating Regional Library Systems.

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

Sec. 1. R. S., T. 27, § 31, amended. The first sentence of section 31 of Title 27 of the Revised Statutes is repealed and the following enacted in place thereof:

The State Librarian shall keep the library open at least 35 hours per week.

Sec. 2. R. S., T. 27, § 34, amended. Section 34 of Title 27 of the Revised Statutes, as amended by section 2 of chapter 127 of the public laws of 1971, is further amended to read as follows:

§ 34. Library extension

The State Librarian shall maintain a **library development** section ~~of library extension~~ which shall carry on such activities as are enumerated in sections 36 and 37.

Sec. 3. R. S., T. 27, § 36, amended. Section 36 of Title 27 of the Revised Statutes, as amended by section 7 of chapter 480 of the public laws of 1971, is further amended by inserting after the first sentence the following new sentence:

It shall formulate and present to the Legislature a plan for state-wide library development and it shall be designated as the agency for the administration of said plan and shall be granted the authority to administer said plan on behalf of the State.

Sec. 4. R. S., T. 27, § 37, amended. Section 37 of Title 27 of the Revised Statutes is amended to read as follows:

§ 37. Bookmobile service

In furtherance of, and in addition to, the powers given in section 36, the State Librarian is authorized and empowered to provide bookmobile service for residents of the State ~~especially to rural schools and farm homes.~~

Sec. 5. R. S., T. 27, §§ 67 and 68, repealed. Section 67, as amended by chapter 236 of the public laws of 1967, and section 68 of Title 27 of the Revised Statutes are repealed.

Sec. 6. R. S., T. 27, c. 4, additional. Title 27 of the Revised Statutes is amended by adding a new chapter 4 to read as follows:

CHAPTER 4

REGIONAL LIBRARY SYSTEMS

§ 110. Definitions

In this chapter, unless the context clearly requires a different meaning, the following words shall have the following meanings.

1. **Appeals board.** "Appeals board" means the Maine Library Commission acting, on request from interested citizens, as a board of review for decisions made concerning the State's library plan.

2. **Area reference and resource center.** "Area reference and resource center" means a large public, school or academic library designated by the Commissioner of Educational and Cultural Services and the State Librarian and receiving state aid for the purpose of making its resources and services available without charge to all residents of the district, of providing supplementary library services to local libraries within the district, of coordinating the services of all local libraries within the district which by contract become part of the library district.

3. Common borrower's card. "Common borrower's card" means a system of personal identification for the purpose of borrowing and returning books and other materials from any library that participates in the regional system.

4. District consultant. "District consultant" means a Maine State Library employee who acts as a general library consultant to one or more districts.

5. District council. "District council" means an advisory body serving as a policy-making authority for a constituency of participating libraries within a geographical district.

6. District plan. "District plan" in entirety means a statement describing the specific purposes for which the district is formed, the means and the agencies by which such purposes are to be accomplished, and an estimate of the funds necessary to their accomplishment; also the public agency which is to receive those funds.

7. Library district. "Library district" means a defined geographic area consisting of local libraries joined cooperatively to an area reference and resource center and a research center. Local libraries within the district may also be joined cooperatively with other types of libraries.

8. Local library board. "Local library board" means the body which has the authority to give administrative direction or advice to a library through its librarian.

9. Media center. "Media center" means any library utilizing print as well as extensive nonprint resources and materials.

10. Public library. "Public library" means a library freely open to all persons and receives its financial support from a municipality, private association, corporation or group. The above serves the informational, educational and recreational needs of all the residents of the area for which its governing body is responsible.

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

12. Research center. "Research center" means any library designated as such by the Commissioner of Educational and Cultural Services and the State Librarian and receiving state aid for the purposes of making its major research collections, under such rules and regulations as are defined by its governing board and head librarian, available to the residents of the State.

§ III. Regional library development

1. Maine Library Commission. There shall be created within the Department of Educational and Cultural Services a library commission which shall be designated as the Maine Library Commission. It shall consist of 15 members appointed by the Governor. The library commission shall be broadly representative of the State's libraries and shall consist of a representative from

public, school, academic, special, institutional and handicapped libraries, a trustee representative, one representative from each of the library districts as they are formed and 3 representatives from the State at large of whom one shall be representative of the disadvantaged.

The term of each appointed member shall be 5 years or until his successor is appointed and qualified. Of the members first appointed, 3 shall be for one year, 3 for 2 years, 3 for 3 years, 3 for 4 years and 3 for 5 years. Subsequent appointments shall be for the full term of 5 years. No members shall serve more than 2 successive terms. In the case of a vacancy other than the expiration of a term, the appointment of a successor shall be made in like manner for the balance of the term.

The commission shall meet at least 4 times a year. It shall elect a chairman for a term of 2 years and frame and modify bylaws for its internal organization and operation. The State Librarian shall serve as secretary to the commission. The members of the commission shall serve without compensation, but shall be reimbursed for expenses incurred in the performance of their duties.

§ 112. —functions

The library commission shall:

1. Appointment of State Librarian. Give advice and make recommendations to the Commissioner of Educational and Cultural Services with regard to the appointment of the State Librarian;

2. Policies. Give advice and make recommendations to the Commissioner of Educational and Cultural Services with regard to: The policies and operations of the Maine State Library and the State's library program including minimum standards of library service, the apportionment of state aid to libraries, the designation of library districts and their boundaries, the designation of area reference and resource centers and the designation of research centers after full consideration of the advice of the district council;

3. Review. Act, on written request by any interested library, as an appeals board concerning decisions of the commissioner regarding the items in subsection 2. The written request for a hearing shall be filed within 30 days from the date of the decision.

§ 113. Library districts

Upon the advice of the Maine Library Commission, the State shall be divided into as many districts as the commissioner shall determine are required and shall establish or modify the geographical boundaries of each district.

§ 114. District council

Each library district shall have an advisory council which shall be known as the district council.

1. Membership. The governing board of each library which has contracted to participate in the district system shall appoint a representative to the district council. At its first annual meeting the district council shall elect

an executive board composed of, in total, 9 members, which shall include 3 librarians, one trustee and 5 lay members. The district executive board shall elect from its number the appropriate officers as needed. The district council shall meet at least 3 times a year.

2. Duties. The district council shall:

A. Serve as a policy-making body for the district within the limits of its authority which shall in no way diminish the power of the local library board;

B. Develop and evaluate a program of services in the district which will encourage cooperative activity among all types of libraries and media centers;

C. Provide liaison among the municipalities in the district;

D. Make recommendations to the Maine Library Commission which would in turn make recommendations to the commissioner regarding programs and services which would help to make libraries and media centers in the district accessible to all;

E. Assist in the development of a comprehensive district plan based upon community plans of service;

F. Advise on the selection of an area reference and resource center and a research center for the district.

§ 115. Area reference and resource centers

Each district shall be affiliated with an area reference and resource center which shall be designated by the commissioner, with the advice of the library commission.

1. Duties. The area reference and resource center may:

A. Provide a common borrower's card for member libraries;

B. Participate with the district consultant in planning and conducting workshops on community-library planning;

C. Provide office space and support services to the extent able to the district consultant;

D. Join with the district council in assigning priorities to implement the district plan;

E. Such other cooperative activities and services as member libraries may need or require.

§ 116. Research centers

Research centers may be designated by the commissioner with the advice of the Library Commission.

1. Duties. The research center shall:

A. Provide for advanced research needs;

B. Act as a back-up collection for the specialized reference needs of the reference and resource centers;

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

§ 117. District consultants

The State Librarian, with the advice of the district council, shall appoint a staff member to serve as a district consultant to one or more districts as determined by the policies established by the commissioner.

1. Duties. The district consultant shall be an ex officio, nonvoting member of the district council and shall serve as secretary and further shall:

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

B. Study the needs of the district and make recommendations to the district council;

C. Coordinate services among libraries of all types;

D. Provide liaison between the district, other districts and state agencies;

E. Encourage local initiative and commitment to regional cooperative library service;

F. Assist in planning for area reference and interlibrary loan service;

G. Help evolve community based plans of service.

§ 118. School libraries and media center

Any school library or media center in a community with no public library service, or serving communities with no public libraries, which agrees to offer service as a public library, is entitled to all the benefits accruing to a public library with the approval of the commissioner.

Sec. 7. Appropriation. There is appropriated from the General Fund to the Department of Educational and Cultural Services the sum of \$380,000 for the purpose of creating regional library systems. The breakdown shall be as follows:

	1973-74	1974-75
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
1. Direct state aid		
10¢ per capita	\$ 80,000	\$ 80,000

To be allotted upon the application of the local library unit by the Commissioner of Educational and Cultural Services with the advice of the Maine Library Commission. The local unit must provide evidence that a financial effort to support library service is being made at a level no less than that of the previous year's budget. The local unit also must provide evidence that efforts are being made to achieve locally-designed goals toward meeting the minimum standards of the Maine Library Association. These goals should

1973-74 1974-75

EDUCATIONAL AND CULTURAL SERVICES
DEPARTMENT OF—continued

be in the form of a written plan for achievement which includes cooperative efforts among libraries within the community and the district during a specific period of time.

2. **Regional reference and resource centers** 10,000 10,000

These funds are to be allotted to the area reference and resource center by the Commissioner of Educational and Cultural Services on the advice of the Maine Library Commission upon the submission of a written plan which will provide in detail in the ways in which the applicants intend to achieve such goals as:

Common borrower's card and such other cooperative activities as member libraries may require.

3. **Audio-visual services** 20,000 20,000

These funds are to be allotted upon the basis of criteria established by the Maine Library Commission upon submission of a written plan which will provide in detail the ways in which applicants intend to achieve their goals.

4. **State Library development** . 80,000 80,000

These funds are to be assigned to the State Library to assure further development of library services such as:

Consultant service to local units. Audio-visual services. Support interstate cooperation, i.e., increased bookmobile service, development and dissemination of public information concerning library service.