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LC004670

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO LIBRARIES -- STATE LIBRARY

Introduced By: Representative Lauren H. Carson

Date Introduced: February 02, 2024

Referred To: House State Government & Elections

(Secretary of State)

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 29-1-1, 29-1-2, 29-1-3, 29-1-10 and 29-1-11 of the General Laws in
2 Chapter 29-1 entitled "State Library" are hereby amended to read as follows:

3 **29-1-1. Library established -- State librarian.**

4 Within the department of state there shall be a state library and, for the supervision of the
5 state library, the secretary of state shall appoint a state librarian ~~qualified by training and experience~~
6 who has a master's degree from an American Library Association-accredited program who shall
7 serve at the pleasure of the secretary of state. The state librarian shall carry out the duties required
8 by chapters 1 — 3 of this title. The state librarian shall continue to maintain and supervise the
9 ~~legislative reference bureau~~ state library.

10 **29-1-2. ~~Care of library~~—~~Preservation of books and documents~~ Care of library --**
11 **Preservation of materials.**

12 The secretary of state shall have the care and custody of the state library, except the law
13 library, and shall receive and preserve all ~~books~~ materials and documents that may be sent to, or
14 purchased for, the library.

15 **29-1-3. ~~Clerical assistance~~ Reference assistance.**

16 The general assembly shall annually appropriate such sums as it may deem necessary for
17 ~~clerical service~~ reference librarians in the state library, and the state librarian is hereby authorized
18 and empowered to employ additional ~~clerical assistance~~ reference librarians. Reference librarians
19 shall have a master's degree from an American Library Association-accredited program. The state

1 controller shall draw orders upon the general treasurer for the payment of all sums appropriated
2 under the authority of this section, or so much thereof as may be from time to time required, upon
3 his or her receipt of proper vouchers approved by the state librarian and the secretary of state.

4 **29-1-10. Legislative reference bureau — Functions State library -- Functions.**

5 There shall be in the state library, under the direction of the state librarian, a legislative
6 reference bureau that shall collect, arrange, and place on file books, ~~pamphlets, and~~ other material
7 relating to legislation and subscribe to databases relating to legislation; ~~that shall prepare abstracts~~
8 ~~of laws in other states;~~ and that shall present such other information as may be useful and necessary
9 to the general assembly in the performance of its legislative duties.

10 **29-1-11. Expense of legislative reference bureau Expense of the state library.**

11 (a) The state librarian shall, with the approval of the secretary of state, employ such
12 assistance and incur such expenses as may be necessary in the proper administration of the
13 ~~legislative reference bureau~~ state library, and the general assembly shall annually appropriate such
14 sum as it may deem necessary for this purpose.

15 (b) The state controller is hereby authorized and directed to draw his or her orders upon the
16 general treasurer for the payment of the amount appropriated, or so much thereof as may be from
17 time to time required, upon his or her receipt of proper vouchers approved by the state librarian and
18 the secretary of state.

19 SECTION 2. Sections 29-1-5 and 29-1-15 of the General Laws in Chapter 29-1 entitled
20 "State Library" are hereby repealed.

21 **29-1-5. Exchange of publications with agencies outside state.**

22 ~~It shall be the duty of the state librarian to exchange with such nations, states,~~
23 ~~municipalities, institutions, and persons outside the state as may confer a corresponding benefit,~~
24 ~~copies of the laws, law reports, reports of departments and institutions, and all other books and~~
25 ~~pamphlets published by the state, and to distribute these publications to such other nations, states,~~
26 ~~municipalities, institutions, and persons outside the state as may, by law, be entitled to receive~~
27 ~~them. Nothing in this section shall be construed to prevent any department from distributing its~~
28 ~~own publications. Distributions to, or exchanges with, states shall be with the state libraries or the~~
29 ~~authorized exchange agencies of the states.~~

30 **29-1-15. Cooperation with federal officials.**

31 ~~The secretary of state is hereby empowered to cooperate with the Secretary of Education~~
32 ~~of the United States of America or any United States officer in carrying out the purposes of any~~
33 ~~and all acts of Congress for the benefit of those library services, including archives and records that~~
34 ~~are under his or her jurisdiction.~~

1 SECTION 3. Sections 29-7-2, 29-7-3, 29-7-4, 29-7-5 and 29-7-6 of the General Laws in
2 Chapter 29-7 entitled "State Publications Clearinghouse" are hereby amended to read as follows:

3 **29-7-2. Definitions.**

4 As used in this chapter:

5 (1) "Depository library" means a library designated to collect, maintain, and make
6 available state publications to the general public. The clearinghouse director shall consider the
7 geography of the state when designating depository libraries;

8 (2) "Printed" means any form of printing and duplicating, regardless of format, with the
9 exception of correspondence, and interoffice and intraoffice memoranda;

10 (3) "State agency" means any state office, whether legislative, executive, ~~or~~ judicial,
11 regulatory, administrative body of the state, or any political subdivision thereof; including, but not
12 limited to, any constitutional officer, department, division, bureau, board, commission, office,
13 authority, any school, fire, or water district, and/or any other agency or quasi-public agency of
14 Rhode Island state or local government which exercises governmental function and/or that expends
15 state appropriated funds or any other public or private agency, person, partnership, corporation, or
16 business entity acting on behalf of any public agency; and

17 (4) "State publication" means any publication, regardless of physical form or
18 characteristics produced, made available electronically, printed, purchased, or authorized for
19 distribution by a state agency, except those determined by the issuing agency to be required for
20 official use only for administrative or operational purposes.

21 **29-7-3. Creation.**

22 There is hereby created, as a section of the state library, and under the direction of the state
23 librarian, a state publications clearinghouse for libraries, hereinafter referred to as "the
24 clearinghouse". The clearinghouse shall promote the establishment of an orderly depository library
25 system and shall maintain a complete and permanent collection of state publications. To this end,
26 the secretary of state, with the assistance of the state librarian and the director of the state
27 publications clearinghouse ~~for libraries and the clearinghouse advisory committee~~, shall adopt rules
28 and regulations necessary to carry out the provisions of this chapter.

29 **29-7-4. Director.**

30 The state librarian shall designate from the state library staff a director of the state
31 publications clearinghouse. The director shall hold a graduate degree in library science from an
32 accredited library school. The clearinghouse director shall maintain guidelines for documents
33 officers on the state library's website as well as in person to give guidance on what is a state
34 document and how to send it to the clearinghouse. The clearinghouse director shall maintain an

1 [online catalog of recently acquired state publications regardless of form.](#)

2 **29-7-5. Deposits of state publications.**

3 Each state agency shall designate one person as its documents officer and shall notify the
4 clearinghouse of his or her identity. The documents officer shall, prior to public release of a state
5 publication, deposit with the clearinghouse ~~a minimum of twenty five (25)~~ [as many tangible](#) copies
6 [as are specified by the clearinghouse director](#) of publications that are produced in printed or other
7 tangible forms and for electronic publications, one electronic copy ~~and as many tangible copies as~~
8 ~~are specified by the clearinghouse director to meet the needs of the depository library system~~ [to be](#)
9 [housed on a digital preservation platform and in an online catalog managed by the state library.](#)

10 **29-7-6. Depository agreements.**

11 The clearinghouse may enter into depository agreements with any municipal library, public
12 library, private college or university library, or research library in the state of Rhode Island, and
13 shall provide for distribution of state publications to the Center for Research Libraries and the
14 Library of Congress. The requirements for eligibility to become and continue as a depository library
15 shall be established by the clearinghouse. The standards shall include, and take into consideration,
16 the type of library, ability to preserve state publications and to make them available for public use,
17 and ~~also~~ such geographical locations as will make the publications conveniently accessible to
18 residents in all areas of the state, except as otherwise provided by law.

19 SECTION 4. Sections 29-7-7 and 29-7-8 of the General Laws in Chapter 29-7 entitled
20 "State Publications Clearinghouse" are hereby repealed.

21 ~~**29-7-7. List of state publications.**~~

22 ~~The clearinghouse shall publish and distribute to depository libraries, all other libraries,~~
23 ~~state agencies, and legislators, a quarterly checklist of state publications.~~

24 ~~**29-7-8. Clearinghouse advisory committee.**~~

25 ~~There shall be a state publications clearinghouse advisory committee. The committee shall~~
26 ~~consist of nine (9) members, five (5) of whom to be selected from the clearinghouse member~~
27 ~~libraries and appointed by the state librarian to two year (2) terms. The state librarian and the~~
28 ~~director of the clearinghouse shall be ex officio members of the committee. The chairperson of the~~
29 ~~CRIARL government documents committee or designee, who shall be a member of the CRIARL~~
30 ~~committee, and a state agency representative designated by the chief library officer shall also be~~
31 ~~ex officio members. The purpose of the committee shall be to advise the state librarian and the~~
32 ~~clearinghouse director on the operation of the state publications clearinghouse for libraries. The~~
33 ~~committee shall meet quarterly and shall elect a chairperson to preside at meetings, and a secretary~~
34 ~~to record the meeting minutes and distribute them to the clearinghouse depository libraries.~~

1 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO LIBRARIES -- STATE LIBRARY

1 This act would modernize all state library laws by eliminating the clearinghouse advisory
2 committee, updating how the clearinghouse publishes its list of publications, reducing the number
3 of physical copies and facilitating digital publication.

4 This act would take effect upon passage.

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