

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By  
\_\_\_\_\_

1 AMEND House Committee Substitute for Senate Bill No. 695, Page 6, Section 161.072, Line 16,  
2 by inserting after all of said section and line the following:

3  
4 "181.022. 1. The secretary of state shall create the "Secretary's Council on Library  
5 Development" to advise the secretary of state and the state library on matters that relate to the state's  
6 libraries and library service to Missouri citizens, to recommend to the secretary of state and the state  
7 library policies and programs relating to libraries in the state, and to communicate the value of  
8 libraries.

9 2. Members of the secretary's council on library development shall serve three-year terms,  
10 to be served on a rotating basis as shall be established by the secretary of state.

11 3. The members of the secretary's council on library development shall be appointed by the  
12 secretary of state, to include ~~[members of the house of representatives, members of the senate,]~~  
13 representatives of the public and of libraries, trustees of Missouri libraries, and users of the state  
14 libraries, as well as members of the house of representatives, members of the senate, and the state  
15 librarian, who shall serve as ex-officio members of the council.

16 181.100. 1. As used in sections 181.100 to ~~[181.130]~~ 181.110 the following terms shall  
17 mean, unless the context requires otherwise:

18 (1) "Agency", each department, office, commission, board, or other administrative office or  
19 unit of state government;

20 (2) "Electronic repository", a collection of electronic publications kept in a secure  
21 environment with adequate backup to protect the collection;

22 (3) "Format", any media used in the publication of state information including electronic,  
23 print, audio, visual, and microform;

24 (4) ~~["Participating libraries", a library selected by the secretary of state to assist the public in~~  
25 ~~locating and using state publications in any format; and designated to house and make available to~~  
26 ~~the public publications which agencies have produced in print;~~

27 ~~—(5)]~~ "Publications", the information published by agencies intended for distribution to the  
28 legislature, agencies, political subdivisions, nonprofit organizations or broad distribution to the  
29 public, including publications issued electronically or in other formats;

30 ~~[(6)]~~ (5) "State publications access program", a program to provide access to state  
31 publications for all citizens of Missouri through a secure repository of electronic publications  
32 available to the public through electronic networks ~~[and print collections located in libraries~~  
33 ~~throughout Missouri].~~

34 2. ~~[Other provisions of law to the contrary notwithstanding, all state agencies required to~~  
35 ~~issue and distribute multiple-produced annual, biannual, or periodic reports shall distribute such~~  
36 ~~reports without charge only to those persons and offices listed in subsection 4 of this section.]~~ For

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 the purposes of sections 181.100 to ~~[181.130]~~ 181.110, the word "report" means a state publication  
 2 which is either a ~~[printed]~~ statement by a state agency, issued at specific intervals, which describes  
 3 its operations and progress, and possibly contains a statement of its future plans; or a formal, written  
 4 account of an investigation given by a person or group delegated to make the investigation. Such  
 5 reports shall not be distributed to any other person, including members of the general assembly,  
 6 state officeholders, other state agencies, divisions or departments, or to members of the public,  
 7 except upon request.

8 3. ~~[No report described in subsection 2 of this section shall be distributed free of charge to~~  
 9 ~~any person or office, except as provided in subsection 4 of this section. Each recipient of any such~~  
 10 ~~report shall pay the cost of printing and postage, which cost shall be determined by the issuing~~  
 11 ~~agency prior to distribution of the document.~~

12 ~~——4.] Each agency of state government which distributes annual, biannual, or periodic reports~~  
 13 ~~printed in paper shall provide such copies of each such document free of charge to the state library~~  
 14 ~~as the state library shall specify[, along with a statement of the cost and address where additional~~  
 15 ~~copies of such report may be requested]. Two copies of all reports shall be provided to the~~  
 16 ~~legislative library, one copy to the chief clerk of the house of representatives, one copy to the~~  
 17 ~~secretary of the senate, one copy to the supreme court library and one copy to the governor.~~

18 181.110. 1. For the purpose of providing the services described in this section, each agency  
 19 shall have the following responsibilities and powers:

20 (1) To submit to the state library electronically each publication created by the agency in a  
 21 manner consistent with the state's enterprise architecture;

22 (2) ~~[To determine the format used to publish;~~

23 ~~——(3)] For those publications which the agency determines shall be printed and published in~~  
 24 ~~paper, to supply the number of copies [for participating libraries] as determined by the secretary of~~  
 25 ~~state;~~

26 ~~[(4)] (3) To assign a designee as a contact for the state publications access program and~~  
 27 ~~forward this information to the secretary of state [annually].~~

28 2. For the purpose of providing the services described in this section, the secretary of state  
 29 shall have the following responsibilities:

30 (1) Through the state library, to provide a secure electronic repository of state publications.  
 31 Access to the state publications in the repository shall be provided through ~~[multiple methods of~~  
 32 ~~access, including the statewide online library catalog and]~~ a publicly accessible electronic network;

33 (2) ~~[To create, in administrative rule, the criteria for selection of participating libraries and~~  
 34 ~~the responsibilities incumbent upon those libraries in serving the citizens of Missouri;~~

35 ~~——(3)] To set by administrative rule the (3) electronic formats acceptable for submission of~~  
 36 ~~publications to the electronic repository;~~

37 ~~[(4)] (3) May issue and promulgate rules to enforce, implement and effectuate the powers~~  
 38 ~~and duties established in sections 181.100 to [181.130] 181.110.~~

39 3. For the purpose of providing the services described in this section, the state library shall  
 40 ~~[have the following responsibilities, all] administer the electronic repository of state publications for~~  
 41 ~~access by the citizens of Missouri, to be performed in a manner consistent with e-government[:~~

42 ~~——(1) To administer the electronic repository of state publications for access by the citizens of~~  
 43 ~~Missouri, and receive and distribute publications in other formats, which will be housed and made~~  
 44 ~~available to the public by the participating libraries;~~

45 ~~——(2) To ensure the organization and classification of state publications regardless of formats~~  
 46 ~~and the distribution of materials in additional formats to participating libraries;~~

47 ~~——(3) To publish regularly a list of all publications of the agencies, regardless of format.~~

48 ~~——4. For the purpose of providing the services described in this section, the participating~~

1 libraries shall have the following responsibilities:

2 ~~—— (1) To ensure citizens who come to the library will be able to access publications~~  
3 ~~electronically;~~

4 ~~—— (2) To maintain paper copies of those state publications that agencies publish in paper that~~  
5 ~~are designated by the secretary of state to be included in the Missouri state publications access~~  
6 ~~program;~~

7 ~~—— (3) To maintain a collection of older state publications published by the agencies in paper~~  
8 ~~and designated by the secretary of state to be included in the Missouri state publications access~~  
9 ~~program;~~

10 ~~—— (4) To provide training for staff of other libraries to assist the public in the use of state~~  
11 ~~publications;~~

12 ~~—— (5) To assist agencies in the distribution of paper copies of state publications to the public].~~

13 ~~[5:]~~ 4. All responsibilities and powers set out in this section shall be carried out consistent  
14 with the provisions of section 161.935.

15 ~~[6:]~~ 5. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
16 created under the authority delegated in this chapter shall become effective only if it complies with  
17 and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This  
18 section and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
19 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are  
20 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
21 adopted after August 28, 2004, shall be invalid and void.

22 182.900. Any city in this state may maintain from its own resources a free public library  
23 without the levy or collection of a tax specifically designated for the support and maintenance of  
24 such library. The governing body of the city may act as the library board for the library and may  
25 designate city officers and employees to serve in other capacities related to the operation of the  
26 library. The governing body of the city may accept from any sources property or funds to be  
27 utilized for the establishment, maintenance and support of the library. Any city, not already served  
28 by a county or other established library district as established under sections 182.010 to 182.802,  
29 maintaining from its own resources a free public library without the levy or collection of a tax  
30 specifically designated for the support and maintenance of such library shall be eligible for state aid  
31 to public libraries under the provisions of chapter 181 if the support provided by the city for the  
32 public library is at least equal to the amount of revenue which would be realized by a tax of one mill  
33 if the library had been tax supported.

34 ~~[181.130. The state library may enter into agreements with participating~~  
35 ~~libraries which meet standards for eligibility to be established by the state library.];~~  
36 and

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40 Further amend said bill by amending the title, enacting clause, and intersectional references  
41 accordingly.