

## **S.220 - Summary for Committee Discussion**

- Sec. 2 (pgs. 4-7) – Licensing of Electronic Literary Products.
  - This section proposes to add 22 V.S.A. chapter 3, subchapter 4 to:
    - Establish prohibited provisions for contracts between publishers and libraries. Prohibited provisions include disproportionate pricing and restrictions on:
      - licensing of products to library users;
      - loaning electronic literary materials to borrowers or through interlibrary loan systems; and
      - the number of licenses that a library may acquire.
  - This section also proposes define the use of a prohibited provision as an unfair and deceptive trade practice pursuant to the State’s consumer protection laws.
- Secs. 3-5 (pgs. 7-9) – Selection and Retention of Library Materials.
  - These sections propose to amend various provisions of Title 22 to:
    - Require public libraries to adopt a policy for the selection and retention of library materials. Policies must comply with the First Amendment and certain federal and State laws.
    - The Department of Libraries is granted discretionary authority to adopt model policies governing subjects including materials reconsideration and collection development.
- Sec. 6 (pg. 9) – Confidentiality of Library Patron Records; Minors.
  - This section proposes to amend 22 V.S.A. § 172 to provide that patron records shall not be disclosed, except to custodial parents or guardians of patrons under the age of 12.
- Sec. 7 (pgs.9-10) – Library Consultant; Positions.
  - This section proposes to establish three full time Library Consultant provisions—one within the Agency of Education and two within the Department of Libraries.
- Sec. 8 (pg. 10) – Training and Education for Library Staff.
  - This section proposes to amend the duties of the Department of Libraries to formalize the practice of providing continuing education for a Certificate in Public Librarianship.
- Secs. 9-10 (pgs. 10-12) – Public Safety.

- These sections propose to amend:
  - 13 V.S.A. § 1702 to add public libraries to the provisions governing criminal threatening at certain public facilities and locations; and
  - 13 V.S.A. § 4004 to add public libraries and library grounds to the statute governing possession of a deadly weapon within a school building, school property, or school bus.
- Secs. 11-14 (pgs. 13-16) – Library Governance.
  - These sections propose to amend various statutes governing the powers, governance models, and funding of public libraries. These sections:
    - Amend provisions governing the mandatory and discretionary duties within the general law governing public libraries to align those duties and powers with the statute governing the powers and duties of library trustees (22 V.S.A. § 143);
    - Amend provisions governing the maintenance of and appropriations for public libraries by municipalities to provide that a municipality shall vote to appropriate funds for its public libraries in sufficient amounts for the maintenance, care, and increase of the libraries; and
    - Expressly state that a library director shall be under the supervision and control of library trustees.
- Secs. 15-16 (pgs. 16-17) – Department of Libraries.
  - These sections propose to amend the duties and functions of the Department of Libraries to require the Department to adopt collection development policies that reflect an enumerated list of diverse classifications.
  - These sections also propose to add a new 22 V.S.A. § 612 to authorize the Department to adopt rules governing minimum standards for Vermont public libraries.
- Sec. 17 (pgs. 17-18) – Appropriations.
  - This section proposes to appropriate \$500,000 to the Department of Libraries for the programs and services established within the bill and for new positions; and 112,500 to the Agency of Education for a new position.