

# FINAL

## MAINE STATE LEGISLATURE

### LAW AND LEGISLATIVE REFERENCE LIBRARY

#### PROTOCOL ON DELIVERY OF LIBRARY INFORMATION TO REMOTE PUBLIC PATRONS

(as amended June 25, 2025)

The Maine State Law and Legislative Reference Library (LLRL) is directed by statute to "provide a law and legislative reference library adequate to the informational needs of the Legislature, other branches of State Government and the citizens of Maine" (Maine Revised Statutes, Title 3, § 171). The LLRL must provide this service within the financial and staffing resources allocated to it by the Legislature.

The following provisions establish rules for delivering library information to public patrons who are not physically present in the library. Exceptions to these provisions lie within the sole discretion of the LLRL's Director or Deputy Director and will be granted only for good cause and in the most urgent cases.

#### A: Definitions

1. Analysis -- the review of library information to determine applicability to a patron's specific situation or question.
2. Delivery -- the transfer of library information to a remote public patron via electronic methods such as a link to a website or an attachment to an email, or physically via an agent such as the U.S. Postal Service or an express mail or package service. Delivery via all-electronic methods comes at no cost to remote public patrons. Delivery via physical methods may require reimbursement of material and postage costs by the remote public patron, although the LLRL will provide limited complimentary quantities of physical copies as described in Section E below.
- 2A. Faxes -- with respect to faxes (telefaxes), a faxed page is equivalent to one photocopy with respect to complimentary copies and/or charges.
3. Library information -- information extracted from materials held in the LLRL collection or readily accessible to LLRL staff through online resources related to the law or legislative matters. The LLRL will generally not reach beyond these resources to satisfy requests by remote public patrons.
4. Page -- with respect to photocopies, a page is one side of a sheet. Double-sided photocopies are charged as two pages per sheet.
5. Remote public patron -- an information requester who is not a legislator or staff member of the legislative branch, who is not an official, appointee or staff member of the executive or judicial branches, AND who is not physically present in the LLRL at the time of placing a request for library information. When prioritizing requests for library information by remote public patrons, LLRL staff may give preference to Maine citizens over requests by out-of-state patrons.

# FINAL

6. Scan -- in the context of the limitation on scans in Section D, a single "scan" is as much library information as can be captured with a single press of the scanner button. A single scan may include up to two book pages and may involve resizing the scanning area to capture the maximum amount of library information.

## B: Open online resources

Whenever possible, LLRL librarians shall direct remote public patrons to open online resources to satisfy their information needs. These resources may include library information posted online on the LLRL or related websites or identified on other websites through a simple search by LLRL librarians. There is no charge to the remote public patron for this service.

## C: Non-open online resources

LLRL librarians may utilize non-open (licensed) online resources to satisfy information needs for remote public patrons. Ability by the LLRL to access this information may be restricted in content or quantity by the terms of the LLRL's license with the information provider. The LLRL will not incur "out-of-plan" charges in fulfilling any public patron requests, remote or otherwise. In general, there is no charge to the remote public patron for this service, provided that downloaded information can be delivered electronically via the Internet.

## D: Scans on demand

LLRL staff may scan materials from the library collection on demand for delivery via email attachment. The amount of material scanned may be limited by U.S. copyright law or the condition of the library materials. Furthermore, in light of demands on staff time, requests for scans will be limited to 100 scans per request. The LLRL Director may reduce this limit further at times of high workload in the library.

## E: Photocopies on demand

The LLRL strongly encourages the delivery of library information to remote public patrons through electronic means. However, LLRL staff may photocopy limited amounts of materials from the library collection on demand for delivery via mail or express package service. The amount of material photocopied may be limited by U.S. copyright law or the condition of the library materials. These limits also apply to pages that are faxed.

If a remote public patron wants library information delivered via mailed photocopies or by fax, the LLRL will provide 50 complimentary pages of photocopies, plus postage (if mailed), per patron per month.

The cost of photocopies or faxes over the 50-page complimentary limit is 10 cents per page, plus the cost of postage (if mailed). Remote public patrons desiring this service must pay the invoiced amount before the photocopies or faxes will be delivered.

The LLRL will not provide complimentary photocopies or faxes of material to residents at jails or correctional facilities if the material is made available to them by the library or educational officer at the jail or correctional facility; this includes material made available for viewing via an electronic legal research service. For facilities under the Maine Department of Corrections, the list of materials falling under this prohibition is found in the attached schedule ("Rider A, Scope of Work," item III(B)).

# FINAL

F: Books

With respect to delivery of books or similar printed materials, this protocol incorporates the LLRL's policies on circulation and interlibrary loan.

LLRL librarians do not perform analysis for public patrons, remote or otherwise, although they may consult finding aids and catalogs to identify library information that may be useful to the public patron.

The LLRL reserves the right to further limit the number of complimentary scans, faxes, or photocopies should a patron make repetitious or excessive requests. For example, the LLRL may refuse to provide complimentary scans, faxes, or photocopies should a patron repeatedly demand services beyond the limits set forth in this protocol.

This protocol is effective when signed by the Director of the LLRL and supersedes all previous policies on delivery of library information to remote public patrons.

  
\_\_\_\_\_  
Director, Law and Legislative Reference Library

Date: 6-25-25

**RIDER A: SCOPE OF WORK****TABLE OF CONTENTS**

- I. Acronyms
- II. Introduction/Overview
- III. Deliverables
- IV. Technical Requirements

**I. ACRONYMS/DEFINITIONS:**

The following terms and acronyms shall have the meaning indicated below as referenced in this Contract:

<b>COMMONLY KNOWN ACRONYMS AND DEPARTMENT ABBREVIATIONS</b>	
BAA	Business Associate Agreement
Contract	Formal and legal binding agreement
Department	Maine Department of Corrections (or "Maine DOC")
Provider	West Publishing Corporation
State	State of Maine
IT	Information Technology

**II. INTRODUCTION/OVERVIEW:**

Provision of legal reference materials to incarcerated individuals is required under state and federal law. This contract provides the means to accomplish this objective for residents being housed within Maine DOC facilities.

**III. DELIVERABLES:**

A. SERVICE REQUIREMENTS: The Provider shall perform all services and maintain all standards and requirements for services provided under this Contract in accordance with the below: If the contract is for multiple types of services, then replicate the subsections for each service.

1. 24-7 provision of online resident law library access at seven (7) statewide MDOC facilities consisting of approximately 1,800 residents.
2. Limits residents to legal references only (e.g. no services such as email, instant messaging or texting are permitted). Note: Hyper-linking access by residents is firewalled in the State of Maine's network fabric and is not a requirement of the Provider.

3. Server(s) used to host law reference library material may not use Proxy Services. The online service website cannot function as or employ proxy services. For security purposes, the State of Maine resident law library architecture is designed to limit access to only the law library site(s); proxy services would circumvent that limitation.
4. The Provider will promptly notify the Department when changes to the application are anticipated which may affect access and/or connectivity to law reference products.
5. Access to the law reference library materials must be provided via kiosk workstations located throughout Maine DOC facilities, as well as via tablets made available through its contracted resident communications provider (currently ViaPath Technologies).

B. PRODUCT ACCESS LISTING: The following table contains a list of required state and federal law references which the Provider must provide:

<b>REQUIRED LAW REFERENCES FEDERAL</b>
US Supreme Court cases
Recent US Supreme Court Developments
US Supreme Court Rules
US Tax Court cases
Public Laws of the US
US Constitution
Code of Federal Regulations
Federal Register
Federal Rules
US Sentencing Commission Manual
All Federal Circuits, 1-11, plus Federal Circuit, and the DC Circuit
Recent Federal District Court Opinions
LOIS Federal District Court Opinions, all 50 states
Administrative Decisions Under Immigration and Nationality Laws of the U.S. - all 50 states
Current from Volume 1 I&N Dec. (1940-1943) to present
<b>REQUIRED LAW REFERENCES Maine State</b>
Revised Statutes
Session laws
Regulations
Court Rules
Case Law
Constitution

#### IV. TECHNICAL REQUIREMENTS:

- A. ACCESSIBILITY: All IT products must be accessible to persons with disabilities and must comply with State Accessibility Policy and Standards and the Americans with Disabilities Act. All IT applications must comply with the Digital Accessibility Policy (<https://www.maine.gov/oit/sites/maine.gov/oit/files/inline-files/DigitalAccessibilityPolicy.pdf>).

A waiver of accessibility requirements has been issued for this contract, valid January 22, 2025, allowing for temporary exceptions to standard accessibility protocols.

- B. STATE IT POLICIES: All IT products and services delivered as part of this Contract must conform to the State IT Policies, Standards, and Procedures (<https://www.maine.gov/oit/policies-standards>) effective at the time this Contract is executed.