

## **INTERNET ACCESS TO LEGISLATIVE INFORMATION**

**House Bill 4875 as passed by the House**  
**Sponsor: Rep. Nancy Quarles**

**House Bills 4879 and 5006 as passed by  
the House**  
**Sponsor: Rep. Lingg Brewer**

**House Bills 4884 and 4885 as passed by the  
House**  
**Sponsor: Rep. Greg Kaza**

**House Bill 4886 as passed by the House**  
**Sponsor: Rep. Patricia Birkholz**

**House Bill 4895 as passed by the House**  
**Sponsor: Rep. Bob Brown**

**Committee: Advanced Technology and  
Computer Development**

**Second Analysis (2-10-98)**

### ***THE APPARENT PROBLEM:***

The Internet -- a world-wide computer network that is used by government agencies, schools, colleges and universities, libraries, private businesses, and individuals -- has reportedly grown to over six million interconnected networks and more than 40 million users. Access to the Internet -- where a vast array of information and services awaits -- is possible from almost anywhere in the U.S. and from over 40 countries. Since September 19, 1997, Internet users have also been able to obtain access to a variety of Michigan legislative documents and information at the Michigan Legislature's website (<http://MichiganLegislature.org>).

The website enables Michigan residents and others around the world to have quick and easy access to introduced bills and joint resolutions, bills and joint resolutions as passed by the House and Senate, enrolled bills and joint resolutions, daily journals for the House and Senate, legislative calendars, and the status of bills and resolutions. (The website also provides a link to several other state government websites, including the House and Senate web pages, each of which provides

additional legislative information such as membership lists of the standing committees.) The site received over

House Bills 4875, 4879, 4884, 4885, 4886, 4895 and 5006 (2-10-98)

5,000 visitors and over 110,000 hits in the first month, with 1.4 gigabytes of information being downloaded. The website was developed by the Legislative Web Site Development Group -- a cooperative effort made up of staff from the information systems departments of the Senate, House, and Legislative Council through the Library of Michigan and the Legislative Service Bureau, and should not be confused with the Legislative Session Integration System (LSIS) project (see ). The documents and data for the Internet site originate with the House of Representatives, Senate, and Legislative Service Bureau, and the Library of Michigan provides administrative oversight.

Though there is no subscription fee to enter the website, a computer, modem, phone line, and an Internet access service are needed to connect to the Internet. Recent changes to the federal Telecommunications Act in 1996 required, among other things, that telecommunications carriers providing services on an interstate (between states) or an intrastate (state-wide) level provide telecommunications services to eligible schools and

libraries at a discount. Earlier this year, Public Acts 95 and 96 of 1997 created legislation that enabled schools and libraries to apply for the discounted telecommunications services offered through the Universal Service Support program. (For further information, see the House Legislative Analysis Section's analyses on Senate Bill 637 [Public Act 95 of 1997] and House Bill 4997 [Public Act 96 of 1997] dated 7-2-97). Reportedly, almost half of the K-12 schools in Michigan have submitted technology plans in compliance with P.A. 95's requirements. As more and more schools and libraries across the state equip their facilities with computers and receive discounted telecommunications services (which would include reduced rates for an Internet access service), increased numbers of people can enjoy access to the Internet and to the Legislative website in particular.

The legislative website is viewed as a "work in progress" and plans include expanding the site in subsequent phases of the project to offer other legislative information, such as committee notices, bill analyses, and fiscal analyses. However, though the current climate is conducive to promoting citizen access to legislative information via the Internet, some feel that it is advisable to ensure future accessibility by establishing a statutory requirement that certain legislative information be provided on the Internet.

### ***THE CONTENT OF THE BILLS:***

The package of bills would amend the Legislative Council Act to require that certain legislative information be made available to the public on the Internet. The bills, with the exception of House Bill 5006, would require that the information specified in each bill that was maintained by the council would have to be made available in the shortest feasible time after the information was available. If the information was not maintained by the council, it would have to be made available in the shortest feasible time after the information had been made available to the council. The bills would also specify that the requirement to make the information accessible would not alter or relinquish any copyright or other proprietary interest or entitlement of the state that related to any of the information made available under the bills. Further, the bills (with the exception of House Bill 5006) would specify that the information required to be available on the Internet pertained to the current session. All the bills would specify that the Legislative Council could not charge a fee for the information to be provided on the Internet. The bills individually would amend the act to do the following:

House Bill 4875: Beginning January 1, 1998, require the status of each introduced bill and resolution to be offered online (MCL 4.1204e).

House Bill 4879: Beginning December 31, 1998, require that fiscal analyses of legislation prepared by the House Fiscal Agency or the Senate Fiscal Agency be offered online (MCL 4.1204d).

House Bill 4884: Beginning January 1, 1998, require that all bills introduced, passed by each house, and enrolled be offered online (MCL 4.1204b).

House Bill 4885: Beginning December 31, 1998, require that bill analyses prepared by the House Legislative Analysis Section and the Senate Fiscal Agency be offered online (MCL 4.1204c).

House Bill 4886: Beginning December 31, 1998, require that the legislative calendar, notices of committee meetings and subcommittee meetings (including the agendas), and a listing of the committees of each house and their members be offered online (MCL 4.1204a).

House Bill 4895: Beginning January 1, 1998, require that the text of the House and Senate journals be offered online (MCL 4.1204f).

House Bill 5006: Beginning December 31, 1998, require that the Michigan Compiled Laws (Questor data base or comparable data base) be offered online (MCL 4.1204). The bill would take effect December 31, 1998.

### ***FISCAL IMPLICATIONS:***

The general government appropriations bill for fiscal year 1997-98 (Public Act 111 of 1997) appropriated funding for automated data processing in the amount of \$1,979,500 for the House of Representatives, \$1,444,3000 for the Senate, \$1,036,600 for the Library of Michigan, and \$1,222,300 for the Legislative Service Bureau. According to the House Fiscal Agency, the requirements of House Bills 4875, 4879, 4884, 4885, 4886, and 4895 would not create any additional costs over those for which appropriations were made. House Bill 5006, which would require the MCL database to be put online, could create additional costs not covered by the funding appropriated. However, both the amount of the cost increase and the timing of the cost are indeterminate at this time. Further, the Legislative Council currently collects fees, which are deposited into the Legislative Computer Information Fund, for access to Questor and Bill Status. Amendments to strike existing

language permitting the Legislative Council to charge a fee for access to computerized data bases and to prohibit the council from charging a fee for information provided under section 204 of the Legislative Council Act (MCL 4.1204) would result in a loss of approximately \$100,000 to the state. (2-6-98)

### **BACKGROUND INFORMATION:**

Reportedly, the Michigan Legislative website began as a side project of the Legislative Session Integration System (LSIS) project. The LSIS project, due to be completed in early 1999, will integrate the components of the legislature -- House of Representatives, Senate, and Legislative Service Bureau (LSB) -- into one computer system. Currently, the LSB and each house operates on a separate computer network, which drastically limits the types of information that can be shared electronically between the three. As part of the integration project, the Tandem computer housing the Questor database (Michigan Compiled Laws) will be replaced with a database offering easier search capabilities. Also, LSIS will provide some automation between the session floor and legislative offices, and will automate some of the tasks of the session staff. It is important to note that LSIS will be a closed system within the legislature. Though, as now, subscriptions to the MCL database may be offered, LSIS will not be accessible to the public. However, LSIS may be a source of some information to be fed into the Internet site.

Due in part to unforeseeable delays in the development of LSIS, it was deemed important to provide some increased access to legislative information in an electronic format for legislative staff. Thus, in August 1997, the "Intranet" website was established for members of the House, Senate, and LSB. The Intranet site operates as a "private slice", so to speak, of the Internet and is accessible only by members of the legislature and their staffs. Then, in September, the Michigan Legislature website was established on the Internet so that the public could have a similar accessibility to legislative documents. Information and updates are initially made to the Intranet site, and then copied over to the Internet site. Though additional documents and information are scheduled for subsequent phases of the Internet site, such as adding committee schedules and bill analyses, the Intranet and Internet sites will provide a different service -- and therefore different types of information -- than LSIS will when the integration project is complete. Further, the website project, unlike LSIS, does not receive separate funding. Funding for the website project has been absorbed within the operating budgets of the information systems departments of the House, Senate, and LSB. In addition, the Library of Michigan used \$50,000 to purchase some hardware and software to put

the Intranet and Internet sites online. By contrast, the LSIS project received an appropriation of \$2,178,000 for fiscal year 1997-98 (Public Act 111 of 1997).

### **ARGUMENTS:**

#### **For:**

The Internet continues to grow in importance as a resource tool for research and, with the price of computers dropping in recent years and the establishment of some free Internet servers (e.g., HyperNet offers free Internet access by running continual advertisements in a small window), more and more people can utilize the Internet. Plus, the Universal Service Support fund, established by recent federal telecommunications legislation, will enable schools and libraries to receive discounted telecommunications services, thus opening up the world of the Internet to even more students and citizens around the state, and even the world.

The bills would place in statute a requirement for legislative information to be accessible electronically, and thus would ensure continued access to legislative information via the Internet. Not everyone has the opportunity to travel to Lansing to watch the legislature in session or to pick up copies of bills that they may be interested in. Though copies of bills and other documents can be mailed to residents making requests, some bills move through the House and Senate too quickly for requests to be addressed in a timely enough fashion by mail. Though faxing information and documents can help fill some requests, it is not economical to rely on faxes to meet the great need for information requested by constituents. The Internet, therefore, can provide a quick and relatively inexpensive way for people to track a piece of legislation, and, when the Michigan Compiled Laws go online, to look up current law on a subject of interest.

In addition, as more schools gain access to the Internet, the legislative website can be incorporated into lesson plans and class projects. From an earlier age, students can learn in depth how the legislature works and can grow up feeling more comfortable about and secure in being involved with state government.

Further, the fact that the site had about 5,000 visitors and 110,000 hits in the first month shows what a necessary and desired service this is. (A "visitor" is a person accessing the website; a "hit" is each thing that a visitor does when visiting a site, e.g., clicking on a highlighted phrase to get more specific information.) The bills' requirements to add such information and documents as bill analyses, fiscal analyses, committee schedules, and so on will only add to the educational experience available to residents who use the Internet,

and should result in more politically aware and involved  
citizens in the state

**Response:**

The information services staffs of the House, Senate, and Legislative Service Bureau have been able to absorb the costs of the website within their yearly operating budgets so far, but the addition of the Michigan Compiled Laws will exceed the yearly allocation. For the MCLs to be added to the information offered online and to be maintained and updated properly, additional operating funds would need to be appropriated.

**Against:**

A House floor amendment was added to each of the bills to prohibit the Legislative Council from charging for the information provided by the Internet site. However, for House Bill 5006, the amendment may have a farther reaching effect than intended. The bill amends a section of the Legislative Council Act that permits the council to charge a fee for access to computerized council legislative data bases and information for individuals and organizations that are not a part of the legislative branch of government. Currently, the council offers access to the Questor database, which houses the Michigan Compiled Laws, to non-legislative offices through a subscription service. The council also contracts with various legal publishing firms for access to legislative histories and other information. As written, therefore, the bill may prohibit the council not just from charging for the public Internet access, but also prohibit fees for access to information provided by other data bases. The bill should be amended to restrict the ban on charging a fee for computerized information to the information that would be provided to the public on the legislative website. (Note: Reportedly, the search capabilities for the Questor database may differ from what the Internet site could offer due to cost considerations in maintaining a complicated system having a large pool of users. Therefore, even after the Michigan Compiled Laws database is online, the council may still offer access on a subscription basis for the legislative version, as a way of offsetting the costs involved with a more sophisticated system.)

**Against:**

The bills really are not needed. The legislative website is already up and running. The high usage experienced in the first month of operation already ensures that a significant public outcry would be raised if the site were, for any reason, discontinued. The website is considered to be a work in progress, and plans are already underway to expand the documents available on the site. By attempting to legislate not only specific documents and information to be offered, but also time frames, the bills may raise unrealistic expectations. According to information services staff involved in the Internet project, the Internet project is a supplement to the Legislative Session Integration Project (LSIS), and so time frames for

some documents to be placed on the Internet may be affected by the larger LSIS project. For example, recent changes in the new Michigan Compiled Laws database system for the LSIS project will now enable access to the MCL via the Internet site to be offered much earlier than what was originally thought possible. Conversely, the time needed to put the MCL database online could delay the start dates for the few remaining documents specified by the bills to be put online.

**POSITIONS:**

The Michigan Education Association (MEA) supports the bill. (1-29-98)

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#This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of the