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## STATE AGENCY WEB SITES

### House Bill 5538 as introduced First Analysis (4-22-98)

**Sponsor: Rep. Lingg Brewer**  
**Committee: Advanced Technology and  
Computer Development**

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

Many state agencies, offices, bureaus, and so on currently have web sites on the Internet. People from around Michigan, as well as the world, can access information on the sites 24 hours a day. Indeed, more and more people are choosing to use the Internet to obtain information. In light of the increasing trend for people to choose the Internet as a tool for communication, some feel that certain information should be required to be on the state Internet sites.

#### ***THE CONTENT OF THE BILL:***

The bill would create the Citizen's Information Act to require state agencies that have web sites on the Internet to include certain information, including a complaint and comment form, on the web site. A "state agency" would be defined as a department, board, commission, office, agency, authority, or other unit of state government, and would include colleges and universities. Beginning July 1, 1998 or six months after the effective date of the bill, whichever was later, each state agency Internet web site would have to include at least the following:

- \* A complaint and comment form. (A "complaint and comment form" would be defined as a form that an individual could use to specify a complaint or comment that related to a state agency. The form would have to be written in a clear and coherent manner and use words and phrases that had common meanings.)
- \* Instructions on how to electronically obtain the form, along with instructions on how to download, complete, and electronically mail the form to the agency.
- \* Notices of employment opportunities with that agency, or a referral to the Department of Civil Service Internet site along with a statement that employment opportunities may be listed at that site.

- \* A newsletter or other document that describes the agency's purpose and services provided.

- \* A list of names, telephone numbers, and e-mail addresses of persons within the agency that could provide the public with specific information that relates to services provided by the agency. (The determination of who to include in such a list could be made by the agency.)

- \* A list of frequently asked questions of the agency, along with a written response to each question.

- \* Instructions on the most efficient means to request and obtain information from the agency.

Beginning on the date that a state agency makes a complaint and comment form available on its web site, the agency would also have to: 1) provide a copy of the form to the Department of Consumer and Industry Services; 2) advise people seeking to make a complaint by telephone that the agency's complaint and comment form, and if applicable, a complaint form regarding persons licensed by the state and regulated by that agency, was available on the agency's web site; and 3) advise people seeking to make a complaint by telephone that many public libraries provide Internet access. Information required to be on the web sites would have to be updated at least four times each year.

Further, to the extent that it was economically feasible, a state agency would have to include its Internet web site address in telephone directories that contained the agency's telephone number. Also, the Department of Consumer and Industry Services would have to compile the blank complaint and comment forms it received from the various agencies and make copies of those forms available to public libraries.

**FISCAL IMPLICATIONS:**

Fiscal information is not available.

**ARGUMENTS:**

**For:**

Use of the Internet as a tool for communicating is continuing to increase. One reason for its popularity is that web sites can be accessed 24 hours a day, so people can obtain information when it is convenient for them. Also, since the Internet is global, people from around the world can have access to Michigan government web sites. This is particularly helpful as family members of Michigan residents may use the Internet to obtain information about agencies and services for an elderly relative. Vendors who provide services to state agencies may also use Internet sites or e-mail to communicate to those agencies. For others, the web sites may provide a first look at the state and its services. Therefore, it is important that the web sites contain useful information that is up-to-date.

Currently, there is little uniformity in the types of information provided on the various governmental web sites. Rather than create a formula for web page design, the bill would ensure that certain types of basic information would be available at each site. For instance, the bill would require that employment opportunities be posted along with information about the agency's purpose and services that it provides. Also, the requirement for the names, telephone numbers, and e-mail addresses of contacts in the agency would make it easier for people to contact an appropriate employee to discuss their concerns. For people who would prefer to make comments or register complaints in writing, the bill's requirement for an on-line complaint and comment form would provide a quick and easy means for individuals to be heard. Since not everyone owns a computer, the bill would require that telephone callers be notified that the web sites contain a complaint and comment form, and that most libraries have computers with Internet capabilities. Also, under the bill, libraries would have hard copies of the various complaint and comment forms from the state agencies. Though not a requirement of the bill, the libraries could make the forms available for people to photocopy if so desired. In short, the bill would establish some uniformity in basic information to be provided to people on the Internet, ensure that the information is current, and provide an easy means for people to register complaints and comments with state agencies.

**Against:**

The bill's requirements could be burdensome and costly for some of the smaller state agencies and colleges and universities. Further, some agencies may interpret the requirement to advise those who seek to make a complaint by telephone that the web sites have complaint and comment forms and that computers are available at public libraries as meaning that this provision would replace having to take telephone complaints. If the complaint form were seen as a replacement for taking complaints by telephone, those who do not have ready access to a computer would be disadvantaged. Even if computers with Internet access are available at public libraries, not all people can easily get to a public library, such as people living in rural communities, those dependent on public transportation, and people with certain disabilities. Also, not all people feel comfortable using a computer. The bill should not be construed in such a way as to further isolate certain segments of the population from quick and direct access to state agencies.

**POSITIONS:**

There are no positions on the bill.

Analyst: S. Stutzky

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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 legislative intent.