

COPIES OF STATE PUBLICATIONS

House Bill 5390 as introduced First Analysis (2-12-04)

Sponsor: Rep. Matt Milosch
Committee: Government Operations

THE APPARENT PROBLEM:

Under the Library of Michigan Act, not less than 75 copies (or one copy in the proper format) of each document issued by a state official, department, board, commission, or agency that is not issued solely for use of that entity shall be issued to the Library of Michigan. Additional copies of a document shall also be provided to the library upon the request of the state librarian. Given the electronic age in which we are living and increased budget constraints on state agencies, it has been suggested that paper copies of documents not be provided if the document is freely available on the internet.

THE CONTENT OF THE BILL:

The bill would amend the Library of Michigan Act to specify that a state official, department, board, commission, or agency would not have to file 75 paper copies of a document if the document is freely available on the state's web site and the state librarian is notified of the document's availability on the Internet and of the Internet address at which the document may be accessed. The bill would also delete a provision that provides that additional copies of a document shall be provided to the library upon the request of the state librarian.

In addition, the act exempts state-supported colleges and universities from the filing requirement stated above, except that colleges and universities are required to provide the Library of Michigan with two copies of every publication of the college or university. The bill specifies that a college or university and university would have to provide two paper copies of each publication that is not freely available on the school's Internet web site.

MCL 397.19

FISCAL IMPLICATIONS:

There is no information at present.

ARGUMENTS:

For:

The bill brings the state into the 21st century by encouraging state documents to be made available to the public on state web sites. This improves accessibility to information and reduces state printing and publication costs.

Response:

This improves access to information for those that have access to the Internet, but not every population demographic in the state has that access. Also, there are a number of issues regarding applicability and implementation of the bill that need to be resolved. A lot of state information is only on state web sites for a limited time. What happens when a document is removed from a web site? Would the state agency have to provide 75 copies of a document that it produced several years earlier? Also, the content and design of web sites change frequently. When the Internet address of the state's web site changed not too long ago, it's likely that some documents were no longer made available, while the addresses of other state documents and information changed. What happens when the department is not notified of any address changes?

POSITIONS:

The Department of History, Arts, and Libraries supports the concept of the bill. (2-12-04)

Analyst: M. Wolf

■ 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.

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