

HOUSE BILL REPORT

SHB 2155

As Amended by the Senate

Title: An act relating to state publication preservation by state library services within the office of the secretary of state.

Brief Description: Regarding preservation of state publications by the state library services.

Sponsors: By House Committee on State Government Operations & Accountability (originally sponsored by Representatives Lantz and Shabro; by request of Secretary of State).

Brief History:

Committee Activity:

State Government Operations & Accountability: 3/1/05, 3/2/05 [DPS];

Appropriations: 3/5/05 [DPS(SGOA)].

Floor Activity:

Passed House: 1/25/06, 98-0.

Senate Amended.

Passed Senate: 3/6/06, 46-0.

Brief Summary of Substitute Bill

- Changes the requirements for distribution of state publications.

HOUSE COMMITTEE ON STATE GOVERNMENT OPERATIONS & ACCOUNTABILITY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Haigh, Chair; Green, Vice Chair; Nixon, Ranking Minority Member; Clements, Assistant Ranking Minority Member; Hunt, McDermott, Miloscia, Schindler and Sump.

Staff: Hannah Lidman (786-7291) and Marsha Reilly (786-7135).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on State Government Operations & Accountability be substituted therefor and the substitute bill do pass. Signed by 28 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Armstrong, Bailey, Buri, Clements, Cody, Conway, Darneille, Dunshee,

Grant, Haigh, Hinkle, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, Miloscia, Pearson, Priest, Schual-Berke, Talcott and Walsh.

Staff: Owen Rowe (786-7391).

Background:

The state Publications Distribution Center (Center) was established in 1963 as part of the State Library to serve as the official repository of state publications. Every state agency must promptly deposit copies of its publications with the Center. The Secretary of State may regulate how many copies of each publication are submitted.

The publications include reports, periodicals, magazines, books, pamphlets, leaflets, issued by the state, the Legislature, constitutional officers, or other state agencies supported by state funds, not including typewritten correspondence and interoffice memoranda. The Center may enter into contracts with libraries to serve as depositories of state publications to improve public access.

In addition to state publications being sent to the distribution center of the State Library, copies of state publications must also be sent to the Governor and the Legislature as required by law. Laws pertaining to state publications do not contain any provisions for electronic records.

Summary of Substitute Bill:

For the purpose of publications sent to the Center and to the Governor and Legislature, the definition of a state publication is changed to mean information published by state agencies intended for distribution to state government or the public. This includes both electronic and paper formats.

State agencies must electronically submit publications to the Center. If the publication is not available electronically, then the agency must deliver a copy of the publication to the Center. State agencies must provide the State Library an annual list of all publications made available to state government and the public during the preceding year. Agencies must assign a contact for the state librarian regarding agency publications.

The Secretary of State, through the state librarian, is required to preserve and make accessible electronic publications submitted to the state library through an electronic repository.

No additional appropriation is authorized for implementing these provisions.

EFFECT OF SENATE AMENDMENT(S):

The Senate striking amendment does the following:

Requires the State Library to ensure permanent public access to public state government publications, regardless of the format. Defines "electronic repository" and "format" and revises the definition of "state publication." Requires state agencies to submit copies of published information that qualify as state publications to the State Library. If the publication

is in print format only, the agency must provide a minimum of two copies of the publication to the library. If the publication is in electronic format only, the agency must provide an electronic copy of the publication to the library. If the publication is available in both print and electronic format, the agency must provide an electronic copy of the publication to the library, in addition to the two print copies. Requires each state agency to provide the State Library with an annual list of all the publications the agency made available to the public and to state government during the preceding year. The list includes publications provided in print or electronic formats. State agencies may elect to have copies of state publications printed by the public printer delivered directly to the State Library.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (State Government Operations & Accountability) (In support of original bill) The State Library would like to be able to preserve and distribute government documents to the public. It is important to keep an accurate history of the work of state government, through both print and electronic documents and publications. Technology offers new opportunities for the State Library to share information with the public and offers the public permanent access from a single access point to the government. The new generation demands and expects information to be available electronically. This bill extends what the library is already doing for print documents to electronic documents. This is standard library practice already in use on a smaller scale. This legislation creates clarity for agencies in what they are required to send to the library. The fiscal note is being revised so that all the costs will be absorbed internally. It is important that documents and publications are stored in one central repository because electronic documents can be lost or corrupted.

Testimony For: (Appropriations) None.

Testimony Against: (State Government Operations & Accountability) (Opposed to original bill) This bill may be duplicative as agencies are already required to send electronic copies to the State Library. The scope of the project is unknown and more costs may become apparent later. There is no clear difference between print and electronic documents in the legislation.

Testimony Against: (Appropriations) None.

Persons Testifying: (State Government Operations & Accountability) (In support of original bill) Representative Lantz, prime sponsor; Jan Walsh and Shane Hamlin, Office of the Secretary of State; Kay Newman, State Law Library; Winnie Boland, Friends of the Library; and Andrew F. Johnson, University of Washington.

(Opposed to original bill) Antonio Ginatta, Executive Policy Office.

Persons Testifying: (Appropriations) None.

Persons Signed In To Testify But Not Testifying: (State Government Operations & Accountability) None.

Persons Signed In To Testify But Not Testifying: (Appropriations) None.