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Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 108 am S

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the functions and organization of  
7 the state library distribution and data access center."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that

10 (1) there is a large and growing amount of information about  
11 the state, much of which has been compiled at public expense;

12 (2) many state agencies, federal agencies, and local govern-  
13 ments do research and compile data on Alaska, directly or by contract,  
14 the results of which, unless published and made available through the  
15 state publications library distribution center of the state library,  
16 remain unknown outside the originating agency; and

17 (3) access to this underutilized data can be provided without  
18 necessarily centralizing the location of the data.

19 (b) In enacting legislation extending the duties of the current  
20 state publications library distribution center, it is the purpose of the  
21 legislature to

22 (1) minimize costs of data gathering, retrieval and distri-  
23 bution;

24 (2) provide multiple point access in various locations to  
25 research data which has been produced by state, federal and local  
26 agencies and private sources;

27 (3) establish a rapid and comprehensive data transfer network  
28 in the state for both published and non-published materials;

29 (4) enhance computer utilization through machine-readable

1 publication formats and coordination of reasonable standards of data  
2 collection, definition, indexing, sources and scales; and

3 (5) coordinate state efforts with national information net-  
4 work activities.

5 \* Sec. 2. AS 14.56.090 is amended to read:

6 ARTICLE 2. STATE [PUBLICATIONS] LIBRARY  
7 DISTRIBUTION AND DATA ACCESS CENTER.

8 Sec. 14.56.090. STATE [PUBLICATIONS] LIBRARY DISTRIBUTION AND  
9 DATA ACCESS CENTER ESTABLISHED. There is established in the state  
10 library the [A] state [PUBLICATIONS] library distribution and data  
11 access center.

12 \* Sec. 3. AS 14.56.100 is amended to read:

13 Sec. 14.56.100. DUTIES OF CENTER. The state [PUBLICATIONS]  
14 library distribution and data access center shall, in cooperation with  
15 federal, municipal, and private data collection and research efforts,  
16 promote the establishment of an orderly depository library and data  
17 index distribution and access system.

18 \* Sec. 4. AS 14.56.120 is repealed and re-enacted to read:

19 Sec. 14.56.120. DEPOSIT OF PUBLICATIONS AND RESEARCH DATA. (a)  
20 Each state agency shall deposit, upon release, at least four copies of  
21 each of its state publications in the center. Additional copies of each  
22 publication may be requested by the center for deposit in quantities  
23 necessary to meet the needs of the depository library system and to  
24 provide inter-library service to those libraries not having depository  
25 status.

26 (b) Each state agency shall notify the center of the creation of  
27 all data published or compiled by or for it at public expense and pro-  
28 vide for its accessibility through the center, unless the data is pro-  
29 tected by the constitutional right to privacy or is of a type stated

1 by law to be confidential or the agency is otherwise prohibited by law  
2 from doing so.

3 (c) The center is also a depository for publications of municipal-  
4 ities and regional educational attendance areas, including surveys and  
5 studies produced by a municipality or regional educational attendance  
6 area or produced for it on contract. Four copies of each publication  
7 produced for a municipality or regional educational attendance area may  
8 be deposited with the center for record and distribution purposes.

9 (d) Each municipality or regional educational attendance area may  
10 notify the center of the creation of all data published or compiled by  
11 or for it at public expense and provide for its accessibility through  
12 the center, unless the data is protected by the constitutional right  
13 to privacy or is of a type stated by law to be confidential or the  
14 municipality or regional educational attendance area is otherwise  
15 prohibited by law from doing so.

16 (e) When a research project or study is conducted for a person by  
17 a state agency, a municipality, or a regional educational attendance  
18 area, even though no state funding is involved, the state agency, muni-  
19 cipality or regional educational attendance area shall request that  
20 person for permission to make copies of its final report available to  
21 the center under AS 14.56.090 - 14.56.180. If permission is granted,  
22 the report shall be deposited with the center.

23 \* Sec. 5. AS 14.56 is amended by adding new sections to read:

24 Sec. 14.56.123. LIAISON WITH CENTER. Each state agency shall and  
25 each municipality and regional educational attendance area may designate  
26 one of its employees to be responsible for depositing the materials and  
27 information specified in AS 14.56.120.

28 Sec. 14.56.125. SUMMARIES AND INDICES. (a) Upon notification of  
29 the creation of data under AS 14.56.120, a state agency shall and a

1 municipality or regional educational attendance area may prepare an  
2 abstract or summary of it.

3 (b) The center shall prepare and keep current an index of all  
4 publications and data abstracts or summaries on file and shall publish  
5 and distribute that index regularly to contracting depository libraries  
6 and to other Alaska libraries upon request.

7 \* Sec. 6. AS 14.56.130 is amended to read:

8 Sec. 14.56.130. OTHER DOCUMENTS REQUIRED OF STATE AGENCIES. Upon  
9 the request of the center, a state agency shall furnish the center with  
10 a complete list of its current state publications, data published or  
11 compiled by or for it at public expense, and a copy of its mailing or  
12 exchange lists. However, data which is protected by the constitutional  
13 right to privacy or is of a type stated by law to be confidential or  
14 which the agency is otherwise prohibited by law from distributing may  
15 not be furnished to the center.

16 \* Sec. 7. AS 14.56 is amended by adding a new section to read:

17 Sec. 14.56.135. EFFICIENCY AND COMPUTERIZATION. The center shall,  
18 to the extent practicable, avoid duplication, coordinate its activities  
19 with other state agencies charged with record-keeping functions, and  
20 employ computerization to compile or organize research data and other  
21 materials.

22 \* Sec. 8. AS 14.56.150 is amended to read:

23 Sec. 14.56.150. DEPOSITORY LIBRARY CONTRACTS. The center may  
24 enter into depository contracts with municipal, regional educational  
25 attendance area, university or community college libraries, public  
26 library associations, state library agencies, [AND] the Library of  
27 Congress and other state and federal library systems. The requirements  
28 for eligibility to contract as a depository library shall be established  
29 by the Department of Education upon the recommendation of the state

1 librarian and shall include and take into consideration the type of  
2 library, its ability to preserve publications or data and to make them  
3 available for public use, and the geographical location of the library  
4 for ease of access to residents in all areas of the state.

5 \* Sec. 9. AS 14.56.170 is amended to read:

6 Sec. 14.56.170. [LIMITED] DISTRIBUTION OF STATE PUBLICATIONS AND  
7 RESEARCH DATA. The center may not engage in general public distribution  
8 of either (1) state publications or lists of publications or (2) the  
9 index of publications and research data. However, unless expressly  
10 prohibited by law, the center shall make available to any person, upon  
11 request, and under procedures established by it, publications, sum-  
12 maries, research data, indices, and other materials in its possession.  
13 Reasonable fees for reproduction or printing costs and for mailing and  
14 distribution of materials may be charged by the center.

15 \* Sec. 10. AS 14.56.180 is amended to read:

16 Sec. 14.56.180. DEFINITIONS. In secs. 90 - 180 of this chapter,  
17 unless the context otherwise requires,

18 (1) "center" means the state [PUBLICATIONS] library distri-  
19 bution and data access center;

20 (2) "state agency" includes state departments, divisions,  
21 agencies, boards, associations, commissions, corporations and offices,  
22 and the University of Alaska and its affiliated research institutes;

23 (3) "municipal" and "municipality" includes cities and or-  
24 ganized boroughs of every class, including municipalities unified under  
25 AS 29.68.240 - 29.68.440;

26 (4) "state publication" includes any official document,  
27 compilation, journal, bill, law, resolution, bluebook, statute, code,  
28 register, pamphlet, list, book, report, study, hearing transcript,  
29 leaflet, order, regulation, directory, periodical or magazine issued or

1 contracted for by a state agency determined by the state librarian to be  
2 appropriate for retention in the center;

3 (5) "research data" or "data" means a representation of  
4 facts, concepts or instructions in a formalized manner suitable for  
5 communication, interpretation, or processing by humans or by automatic  
6 means which was prepared to serve as a basis for reasoning, calcula-  
7 tion, discussion or decision and which is determined appropriate for  
8 indexing by the state librarian.

9 \* Sec. 11. AS 14.56.140 is repealed.

10 \* Sec. 12. The provisions of this Act establishing a state library dis-  
11 tribution and data access center modify the existing responsibilities of  
12 information and data centers established by state law only to the extent  
13 specifically provided in this Act. The provisions of this Act do not modify  
14 in any manner the provisions of information exchange agreements entered into  
15 by state agencies with third parties and in effect on the effective date of  
16 this Act, or the responsibility of state agencies to provide data and infor-  
17 mation to the public.

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