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**CITY OF SACRAMENTO
CALIFORNIA**

March 14, 1991

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Law and Legislation Committee
Sacramento, California

**SUBJECT: SB 8 (Robbins) Relating to Public Documents for
Depository Libraries**

Honorable Members in Session:

SUMMARY

This report recommends that the Law and Legislation Committee support SB 8 (Robbins) relating to public documents for depository libraries.

BACKGROUND

The Library Director has previously asked the Law and Legislation Committee to oppose federal legislation that would have passed along to libraries which hold federal documents some of the costs of those government publications. The Director pointed out that such a policy would burden local libraries and reduce the access of the public to federal documents. SB 8 (Robbins) concerns provision of state and local publications to depository libraries. It would add to state law a provision that one copy of all state and local documents be provided to each library without charge. Passage of this bill would prevent state agencies from imposing charges for state documents on libraries as a way to raise revenues. The requirement that local governments also provide certain documents at no cost is expected to have little impact on the City of Sacramento. However, a charge for state documents would constitute a significant fiscal burden for the Sacramento Public Library.

The Library Director recommends that the City support SB 8.

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FINANCIAL DATA

None. Enactment of SB 8 will prevent the imposition of charges for state documents on libraries.

POLICY CONSIDERATIONS

None.

MBE/WBE

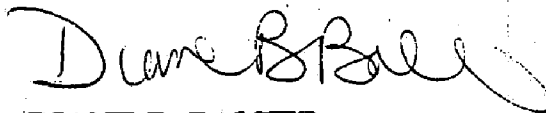
Not applicable.

RECOMMENDATION

The Library Director recommends that the Law and Legislation Committee support SB 8 (Robbins) relating to public documents for depository libraries.

Respectfully submitted,

SHARON SIEDORF CARDENAS, City Attorney



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Law and Legislation
March 20, 1991
All Districts

Introduced by Senator Robbins

December 3, 1990

An act to add Section 14914 to the Government Code, relating to libraries.

LEGISLATIVE COUNSEL'S DIGEST

SB 8, as introduced, Robbins. Depository libraries: public documents.

Existing law requires that one copy of every state publication be provided to each complete depository library, and one copy of each publication of the type or issuing agency selected by a library be provided to each selective depository library. Complete and selective depository libraries are designated pursuant to contract with the Department of General Services.

This bill would require that whenever a public document, whether prepared by the state or any city, county, district, or other political subdivision thereof, is required by law to be provided to a depository library, one copy of the document be provided at no cost to the library.

Since the bill would apply to the provision of documents to depository libraries by local agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates which do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that this bill contains costs mandated by the state, reimbursement for those costs shall be made

pursuant to those statutory procedures and, if the statewide cost does not exceed \$1,000,000, shall be made from the State Mandates Claims Fund.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14914 is added to the
2 Government Code, to read:

3 14914. Whenever a public document, whether
4 prepared by the state or any city, county, district, or other
5 political subdivision thereof, is required by law to be
6 provided to a depository library, one copy of the
7 document shall be provided at no cost to the library.

8 SEC. 2. Notwithstanding Section 17610 of the
9 Government Code, if the Commission on State Mandates
10 determines that this act contains costs mandated by the
11 state, reimbursement to local agencies and school
12 districts for those costs shall be made pursuant to Part 7
13 (commencing with Section 17500) of Division 4 of Title
14 2 of the Government Code. If the statewide cost of the
15 claim for reimbursement does not exceed one million
16 dollars (\$1,000,000), reimbursement shall be made from
17 the State Mandates Claims Fund. Notwithstanding
18 Section 17580 of the Government Code, unless otherwise
19 specified in this act, the provisions of this act shall become
20 operative on the same date that the act takes effect
21 pursuant to the California Constitution.