

REVISED: January 27, 1982

DATE: January 13, 1982

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Wagner</u>	<u>Overstreet</u>	1. <u>G.O.</u>	<u>Fav/1 amend.</u>
2. _____	_____	2. <u>App.</u>	_____
3. _____	_____	3. _____	_____

SUBJECT:

Florida Administrative Code
And Weekly

BILL NO. AND SPONSOR:

SB 245 by
Senator Steinberg

I. SUMMARY:

A. Present Situation:

Section 257.05, F.S., provides that each state official, department, board, court, or agency which issues a public document shall provide the Division of Library Services of the Department of State with 25 copies of that document.

Furthermore, the section directs the division to designate university, college, and public libraries as depositories for public documents and to provide a system for distributing public documents to the designated depository libraries.

In s. 257.05, F.S., "public document" is defined as "any annual, biennial, regular or special report or publication of which at least 500 copies are printed and which may be subject to distribution to the public."

Section 120.55, F.S., provides that the Department of State shall publish the Florida Administrative Code and the Florida Administrative Weekly. Although the section provides that the department shall contract with a publishing firm for the publication of the F.A.C., it declares that "the department shall retain responsibility for the code as provided in this section."

Section 120.55, F.S., also provides that the department shall furnish, without cost, and upon request, the Florida Administrative Code and Weekly to, among others, the State Library and each state university library. These libraries constitute 10 of the division's 24 designated depository libraries. The section also provides that the department shall furnish, without cost, the Florida Administrative Weekly to each depository library.

Prior to the commercial publication of the code, the Department of State furnished the code as a public document, pursuant to s. 257.05, F.S., to the Division of Library Services which distributed the code, without cost to the 14 depository libraries not specifically authorized to receive it under s. 120.55, F.S.

Because the code is now being commercially published, the Department of State feels that s. 257.05, F.S., no longer requires it to provide the code to the Division of Library Services as a public document for distribution to depository libraries.

B. Effect of Proposed Changes:

The bill would specifically require the department to furnish one set of the Florida Administrative Code, without cost and upon request, to each depository library. Since 10 of the depository libraries are furnished the code pursuant to s. 120.55, F.S., the net effect of the bill would be to furnish the code to each of the additional 14 depository libraries.

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Analyst: Wagner
Staff Director: Overstreet
Subject: Florida Administrative Code
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I I. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

None

B. Government:

A set of the Florida Administrative Code will cost approximately \$495 when published on March 1, 1982. Pursuant to s. 120.55, F.S., 10 of the state's depository libraries are entitled to receive one set of the F.A.C. It would cost approximately \$6,930 to supply the 14 additional depository libraries with one set of the code.

There would be a yearly cost of approximately \$149 for an annual supplement. It would cost approximately \$2,086 per year to furnish the annual supplement to the 14 depository libraries.

Revised or recompiled individual volumes may, periodically, be necessary to enhance the usefulness of the code. The cost of these revised individual volumes and the frequency with which they will be published is unknown.

I I I. COMMENTS:

As defined in s. 257.05, F.S., the Florida Administrative Code is a public document and as such the Department of State is obligated to supply the Division of Library Services with 25 copies of the code in order that the division may distribute the copies to depository libraries.

The bill could be interpreted to direct the department to furnish each state university library and the State Library with two sets of the code and weekly. An amendment to correct this ambiguity has been prepared.

The bill is substantially similar to HB 246, which has been referred to the House Governmental Operations Committee.

I V. AMENDMENTS:

1 by Governmental Operations:

Technical amendment to remove a redundant reference to state university libraries and the State Library.

HB _____

The Committee on Governmental Operations recommended the following amendment which was moved by Senator.....and adopted: and failed:

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Amendment

On page 1, line 22, strike

each state university library; the State Library;

~~and insert:~~

CODING: Words in ~~struck through~~ type are deletions from existing law; words underlined are additions.

Amendment No. 1, taken up by committee: Adopted ~~Failed~~

Offered by Senator Steinberg

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