

AMENDED IN SENATE MAY 3, 2006

SENATE BILL

No. 1293

Introduced by Senator Kuehl
(Coauthor: Assembly Member Pavley)

February 15, 2006

An act to add Article 5 (commencing with Section 19340) to Chapter 7 of Part 11 of the Education Code, relating to state library materials.

LEGISLATIVE COUNSEL'S DIGEST

SB 1293, as amended, Kuehl. State library: access to electronic and online materials.

Existing law establishes the California State Library and sets forth the powers and duties of the State Librarian, including the purchasing of books and other materials and equipment necessary to carry out State Library programs and services. Existing law requires contracts for the purchases of goods and services by state agencies to be approved by the Department of General Services and requires purchases by state agencies be conducted through a competitive bidding process, as specified.

This bill would require the State Librarian to establish the Electronic Information Access Service to collectively purchase access to electronic journals and other online resources on behalf of the Resources Agency, the California Environmental Protection Agency, and the California Health and Human Services Agency. The bill would require the service to provide access to electronic journals and information resources for the specified state agencies that, at a minimum, is comparable to the electronic information access provided to researchers and students of the University of California. This bill

would require the State Librarian to purchase access to electronic journals and information for the service and permit him or her to do so without advertising for bids and without the approval of the Department of General Services. The bill would require the specified state agencies, to the extent practicable, to make their requests for purchases of access to electronic journals and information resources through the Electronic Information Access Service of the California State Library.

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

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

1 SECTION 1. Article 5 (commencing with Section 19340) is
2 added to Chapter 7 of Part 11 of the Education Code, to read:

3
4 Article 5. Access to Science and Government Efficiency Act
5 of 2006
6

7 19340. This article shall be known, and may be cited as the
8 Access to Science and Government Efficiency Act of 2006.

9 19341. The Legislature finds and declares all of the
10 following:

11 (a) State agency staff involved in the preparation of regulatory,
12 planning, and management documents, or involved in regulatory
13 actions, planning, management of state programs, and
14 stewardship of public trust natural resources, should have access
15 to the best available science and information. It is the policy of
16 the state that scientists and other professional staff of state
17 agencies shall have desktop online access to electronic journals
18 and other electronic publications that are relevant to the work of
19 state agencies.

20 (b) State agencies should purchase access to electronic
21 journals and information resources through a collective state
22 effort to provide the electronic access to scholarly and current
23 information at the lowest cost. Collective purchasing efforts by
24 universities and other states have achieved significant savings.

25 (c) A centralized process is required to collect and consolidate
26 requests for electronic access to scholarly information and to

1 collectively negotiate and acquire ~~license~~ *licenses* to access these
2 needed materials online.

3 19342. The State Librarian shall establish the Electronic
4 Information Access Service to collectively purchase access to
5 electronic journals and other online resources on behalf of the
6 Resources Agency, the California Environmental Protection
7 Agency, and the California Health and Human Services Agency.
8 The service shall be authorized to:

9 (a) Collect and consolidate requests for access to electronic
10 resources from these state agencies.

11 (b) Negotiate and acquire licenses to access electronic
12 information and resources on behalf of these state agencies.

13 19343. The Electronic Information Access Service shall
14 provide access to electronic journals and information resources
15 for the state agencies specified in Section 19342 that, at a
16 minimum, is comparable to the electronic information access
17 provided to researchers and students of the University of
18 California.

19 ~~19344. Notwithstanding Chapter 2 (commencing with Section~~
20 ~~10290) of Part 2 of Division 2 of the Public Contract Code or any~~
21 ~~other provision of law, the~~ *The State Librarian shall purchase*
22 *access to electronic journals and information for the Electronic*
23 *Information Access Service and may do so without advertising*
24 *for bids and without the Service. Contracts awarded pursuant to*
25 *this section are exempt from the advertisement and competitive*
26 *bidding requirements of the Public Contract Code and shall be*
27 *exempt from the review or approval of the Department of General*
28 *Services.*

29 19345. The Resources Agency, California Environmental
30 Protection Agency, and California Health and Human Services
31 Agency, to the extent practicable, shall make their requests for
32 purchases of access to electronic journals and information
33 resources through the Electronic Information Access Service of
34 the California State Library.

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