

REIMBURSEMENT BY STATE AGENCIES FOR PUBLICATION-RELATED COSTS

Arizona law requires all officers and agents of state and local government, including agencies, boards, and commissions, (“agencies”) to deposit with the State Library copies of all public reports and publications (ARS 35-103, ARS 41-1335 (B), ARS 41-1338 (2), and ARS 41-4153). During the 2005 legislative session, HR 2187, (Chapter 151) reinforced existing statutes and provided specific instructions to agencies. Agencies shall:

Notify the Arizona State Library, Archives and Public Records if the reports subject to this section (see statutes listed above) are posted on an Internet web site.

Pay the Arizona State Library, Archives and Public Records the fee charged pursuant to Section 41-1345 if the governmental unit refuses the State Library’s request to deliver, and the State Library incurs any expenses in obtaining the copies that are required to be delivered....

These reports and publications include works, whether in print or electronic formats, that are published, disclosed, or distributed to the general public (or a targeted audience within the general public); and also at least one of the following:

that are required by law as a public report; or

that are required by law to be sent to the Governor, President of the Senate, or Speaker of the House; or

that describe an agency’s activities, programs, or policies, including annual reports; or

that are the results of a formal study or investigation.

BACKGROUND

Most agencies are in limited compliance. Many send only a few publications, and most do not send copies of publications available on their websites and rarely notify the State Library of these web publications. Agencies are unaware of the short life span of web-based information. Agency technology staffs routinely “refurbish” website information, inadvertently destroying permanently needed information. If the Library does not receive a copy, that information will be lost.

In 2002, the Legislature directed many agencies to publish annual reports on the web and to provide the State Library a copy. Of 130 agencies, boards, and commissions, the Library was able to identify only 35 annual reports issued in 2004. The Library received only 14 of those reports. Many agency websites with annual reports from 2004 have no reports for 2003 or 2002; in most instances, the Library never received the earlier reports, and those years may be lost forever.

The following fee schedule will allow the State Library to partially recoup the costs of locating, retrieving, and printing tangible publications and storing electronic versions that the State Library will retain and provide.

Costs of Depositing Copies

Sending the Library a print copy of a public report at the time of publication is a small cost to agencies. Printing costs are increased minutely, even with the additional cost of six more copies for the depository program. At worst, agencies will have to print one copy if the report or publication is generally distributed only in electronic format. The Library estimates it costs, on average, \$18 to print an electronic publication onto paper and bind it. Those printing costs are relatively low if distributed among the agencies, but are substantial when calculated by all 130 state agencies and those costs transferred to the State Library.

The State Library's costs to identify public reports and publications are significant. When agencies notify the State Library of their reports, the Library's staff saves time looking for those documents. The Library estimates it costs \$29 to locate and download those documents. This figure does not include the additional cost of printing.

The State Library projected that at least 4,000 public reports and publications were produced in FY2005, half of which were produced in print and half only in electronic format. It would cost the State Library \$116,000 to locate and download those documents, and at least \$72,000 to print those documents without agency compliance with statute.

The new law allows the Library to recover those costs from noncompliant agencies. Agencies will be charged only if they refuse to provide the Library with copies. Agencies that provide the library copies as specified in law will not be charged.

**Suggested Cost- Recovery Fees for State Agency Publications Not
Delivered to the Library**

Creation of Archival Print Copy

1-50 pp.	\$18
51-75 pp.	\$19
76-100 pp.	\$21
101-150 pp	\$23
151-200 pp	\$49
201+ pp.	\$54

Note: Documents over 150 pages require formal binding – therefore increase in cost. Per Arizona State Library Rule, electronic documents must be received in PDF (Adobe Portable Document Formats PDF or PDF/A) format. If documents require conversion by Arizona Library and Archives, a fee of \$10 per file requiring format conversion will be charged in addition to the above printing and binding costs.