



League of Women Voters of Minnesota Records

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*Some of this proposal became
law in '94: chapter 632, article 3,
section 19-21)
attached*

Minnesota Public Information Network

Legislative Proposal DRAFT: For Review and Comment

Information Policy Office
Department of Administration
State of Minnesota
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Information Policy Office
For the Ad-hoc Electronic Access to Public Information Task Force

Minnesota Public Information Network

Legislative Proposal - Draft for Review and Comment

Introduction

During the 1993 legislative session, a proposal was introduced that raised a number of issues around the need to improve public access to government information and the delivery of services through the use of information technology. The Information Policy Office, with the support of the Information Policy Council, established the Ad-Hoc Electronic Access to Public Information Task Force to address those issues and propose an overall strategy for coordinated state-wide electronic public access and service delivery.

Summary

The Minnesota Public Information Network will be established to improve public access to government information and the delivery of government services through the use of information technology. This draft legislative proposal covers the purpose, responsibility, and authority of the MPIN. The MPIN will assist government planning, coordination, and collaboration to ensure that the public interest is served through the creation of an open, accessible, and organized electronic communication environment for the citizen's interaction with government. It will develop access methods to government information that include a common access point, and kiosks.

Most information and service be provided by the State agencies, local governments, educational institutions, libraries, and other government units through the expanding government information networks that allow for distributed access. It also defines a set of information resources, the "Tools of Democracy" that are important for citizen participation and should be made available at no or low cost.

It is proposed that the MPIN will be administered through the Department of Administration. A direct Legislative funding request will be developed and it is likely that Federal matching funds will exist for planning and demonstration projects. The final section lists a number of recommended changes to the Data Practices Act to ensure electronic access to public information and it addresses some other important issues.

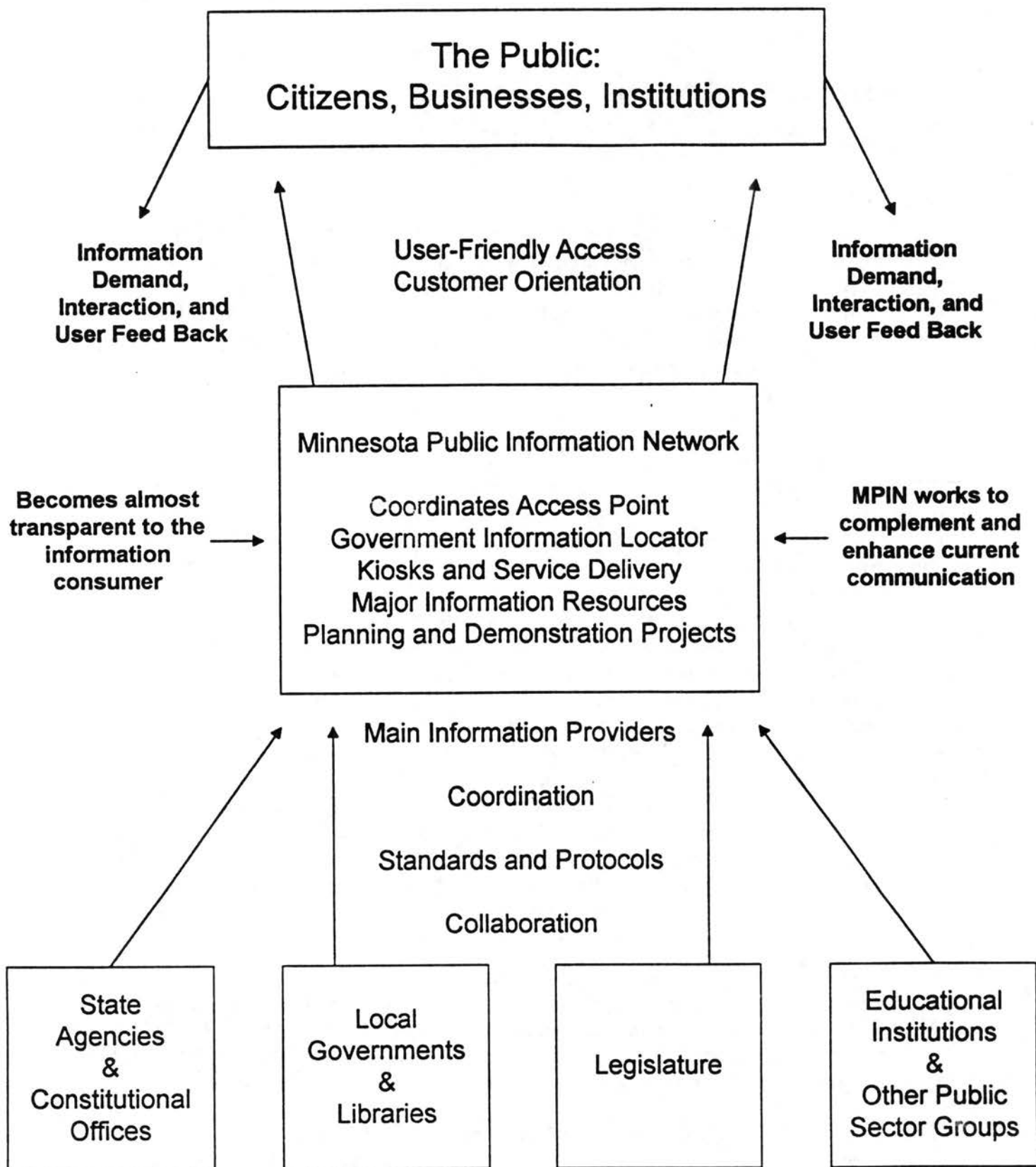
Comments and Suggestions

This proposal will be widely circulated in both paper and electronic formats. Written comments and suggestions are requested through Friday, February 4, 1994. The proposal will then be written into legislative form for consideration during the upcoming legislative session later in the month. Please send your comments to the IPO:

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General Information - Directory Information - Information Services - Transactions

Reports - Press Releases - Rules - Educational Material - Correspondence

Answers to Frequently Asked Questions - Forms - Registrations

Minnesota Public Information Network

1.0 Overview - A Time for Action

The time for action is here. The demand for government services is outstripping the public resources available. This requires that Minnesota to develop more effective and efficient ways to deliver public services. The use of information technology in the interactions between the public and government will be a public investment that will allow us to develop those methods.

We are in a new information era and with it comes opportunities for the citizens of Minnesota and their government. Advancing information technologies and expanding information networks make the citizen a more active and energetic information consumer and producer. The challenge for our democratic society and its governing institutions is to determine how we will use this energy and possibility to address the public challenges that face us all.

Whether it is Vice-President Al Gore giving a speech about the "information super highway," another cable and telephone company partnership, or a story about the millions of people using electronic mail, we sense that a fundamental shift in how communication determines what kind of world we live in is occurring. The State of Minnesota must begin to address these challenges by concentrating its efforts on organizing a portion of this new communications environment.

The Minnesota Public Information Network will be established to improve public access to government information and to improve the delivery of services to the public. The general purpose of the Minnesota Public Information Network is to make government more open, efficient, effective, and responsive to each and every citizen through the application and use of a wide array of information technologies. It will help build and organize an electronic communications environment that will allow the citizen to interact with all levels of government by concentrating on improving public access to government information and the delivery of public services.

While the private sector and government as a whole addresses the building of the "information super-highway," and the development of more advanced information technologies, the Minnesota Public Information Network will create a central coordination point for government information in electronic form. It will be built with citizen, government, and private sector involvement and with the needs of the information consumer in mind. While the Nation determines what "universal service," "open access," or "public-right-of-way" will mean in this new information age, Minnesota will work to ensure that its citizens have information tools, resources, and services to make those concepts mean something.

Minnesota Public Information Network

2.0 Principles, Responsibilities, and Authority

The MPIN will be responsible for developing a state-wide, comprehensive, and coordinated public access system to government information and services. It will provide leadership in planning and help set Minnesota's direction in the creation of major government information resources and initiatives geared toward the public. It will help coordinate and bring together demonstration and planning projects. It will work to ensure that the public interest is served through the creation of an open, accessible, and organized electronic communication environment for the citizen and their government.

2.1 Guiding Principles

1. It is in the public interest to improve and promote public access to government information in electronic forms.
2. It is in the public interest to use information technology to improve the delivery of public services and to encourage more convenient and efficient transactions between the public and government.
3. The application of information technology in communications between government and the citizen is by its very nature interactive and should be used to help the citizen access and develop an interchange with government institutions.
4. Scarce resources and significant costs make it imperative that government entities at all levels coordinate their efforts and integrate these activities into the whole of their organizations in order to achieve the best possible outcome for the public.
5. Government collaboration and cooperation must ensure the inter-operability of public access systems, a diversity of information sources, and the development of an open, accessible, and organized electronic communication environment that is user-friendly.
6. This communications environment must be designed from the citizens' perspective and allow for broad public involvement in its growth and development. The public access system should also be developed with an understanding of the global nature of information networks and of the important role the private sector will play in the development of the Nation's information infrastructure.
7. The MPIN must work to ensure universal service and open access to government information and services through libraries, schools, businesses, and homes through telecommunications and information networks.

2.2 Responsibilities and Authority

1. Lead State-wide planning efforts and assist state agencies, local government, educational and other public sector entities in the planning and development of information resources and services geared toward the public.
2. Coordinate and assist demonstration projects at all levels of government in this area. With sufficient funding, the MPIN will help support initiatives requiring matching funds from the Federal government or other funding sources. (See funding section.)
3. Ensure inter-governmental coordination and collaboration and the adoption of general standards and protocols where appropriate. These standards must be flexible and anticipate the introduction of new technologies and applications.
3. Ensure that planning and project evaluation efforts include public involvement and user feedback. This should also include an evaluation of consumer interest and demand.
4. Develop a pro-active approach in the promotion of public access to government information and improved delivery of services.
5. Develop outreach, training, and education efforts geared toward the public and government.
6. Develop positive relationships with community-based and civic networks, Freenets, commercial information services in order to broaden public access to the state-wide public access system.
7. The MPIN is not authorized to serve as a network service provider (i.e. full Internet access, sale of individual electronic mail accounts, etc.), where other commercial, non-profit, government telecommunications and Internet providers are more appropriate. (i.e. USWest, Minnesota Regional Net, MNet (STARS), etc.)

3.0 Common Access, Resources, and Methods

3.1 Common Access Point and Government Information Locator System

The MPIN will create a government information locator system and a common access point. The common access point will bring together all networked government information resources and services in order to present a "single-face" to government that is organized and user-friendly. The government information locator system would provide details on possible government information resources and provide directions on where to obtain government information not accessible through the common access point.

The distributed nature of government information networks and resources will require an approach that understands that participating government units will likely be the primary information creators and providers. Also, the expansion and increasing interoperability of government information networks and the need for government agencies to integrate electronic access and service delivery in to their work at all levels, will require a coordinated approach. The past models of information service centralization will not meet the requirements of the new information age.

These systems will be accessible through the Internet (see Section 3.6) and through dial-up connections with a modem and computer. As digital data networks expand, whether it be through a "digital dial-tone" or through cable television lines, the MPIN will seek to ensure that these services are accessible through those networks. Also, the common access point must support widely accepted network applications and government information resources must be flexible enough to allow access through multiple interfaces and applications.

During its initial phase the common access point will provide access to Minnesota government based information servers that are geared toward the public, government sponsored computer bulletin boards and databases, library catalogs, local, educational, Federal and other important public sector information resources and to the "Tools of Democracy" which are described in the next section.

Information Resources and Services

3.2 General Information and Services

State agencies, local governments, educational institutions, and other units of government produce and distribute information in the pursuit of their mission. This is the kind of information that governments are beginning to distribute electronically. In most cases, through information servers housed at a government agency they will provide access to the electronic equivalent of newsletters, brochures, press releases, reports, and other publications. Of the 14 government agencies present at the first Electronic Access to Public Information Task Force meeting in October 1993, almost all reported current activities or plans in this area.

Governments are also developing more convenient and efficient ways to deliver services to the public through the use of information technology. These transactions with government may take place in the home, at a public access terminal, or through an information kiosk. Examples of services include renewing motor vehicle tabs, ordering an official copy of a birth certificate for mail delivery, or registering for an interview at your local Jobs and Training Office.

3.3 "Tools of Democracy"

The MPIN will plan and help develop major state-wide information resources and tools that will provide means to help the citizen access the government bureaucracy, find government information, offices, and services, and improve democratic participation. These core information resources must be made available to the general public at no or low cost. Local and regional units of government will be encouraged to complement these tools with information resources that encompass similar information geared toward their citizens. The "Tools of Democracy" include:

A. Directory of Government Services and Institutions - This directory would be a combination of the State Telephone Directory and the Guide to State Agency Services which would eventually cover all levels of government and allow for easy access to government contacts within government and by the public. (A Request for Proposals has been issued by the State for the integration of disparate electronic mail systems and for directory services which should offer a base for activities in this area.)

B. Legislative Information - The MPIN will work with the State Legislature and the Revisor's Office to provide electronic public access to legislative information including public information newsletters, bill text and summaries, meeting schedules, research reports, and other information vital to the promoting citizen participation and understanding of the legislative process. This also includes electronic access to the basic text of the State Statutes and Rules. (The House of Representatives and the Revisor's Office have developed "Gopher" servers that are accessible through the Internet at: gopher.revisor.leg.mn.state.us . It is likely that these legislative branch gopher servers are currently the most developed in the world.)

C. Governor's Office, Constitutional Officers, and Executive Branch Information - The MPIN will work with the Governor's Office to make important documents, releases, speeches and proclamations available to the public in electronic form. Much of the core information about the Executive Branch and information from the office's of other Constitutional Officers will be contained in the "Directory." The MPIN will provide access to the information resources and services developed and maintained by those offices through the common access point.

D. State Virtual Public Library - Working with the various networks of libraries in Minnesota a information system containing the digitized text of important government documents and publications will be created. This is a long-term project that will require planning, the major involvement of the State's libraries, and an allocation of resources.

3.4 Fee-Based

Many of the services of this type would likely find an increase in demand for their services if they made them available through the common access point. The Data Practices Act allows agencies to charge a fee that recovers demonstrated information development costs when it is commercially valued. In most cases this type of public information is on individuals, entities, or properties. Many of the currently operational government information services are the result of demand from the private sector for information. In many cases the State Legislature has developed special requirements that State agencies fund the provision of those resources through fees on the information user. Examples include the electronic provision of business registrations by the Secretary of State or motor vehicle record searches in the Department of Public Safety. (Section 6.0 addresses some of issues in this area.)

Another type of fee-based service might include an information service geared toward a narrow constituency. The agency might decide that this service should not be subsidized by the taxpayers as a whole because the benefits are received by a small portion of the public. In these cases the agency may charge no more than the cost to provide the service. However, when such a service is made available through the common access point the agency may be able support an expanded level of service due to an increase in demand.

The third fee-based arrangement may include the enhanced delivery of a public service or government product, like a form, license, etc.. In some cases the development of an enhanced level of service may be supported by what amounts to a surcharge to support the operation and development of that service. This is used to support a portion of the costs for a number of kiosk networks in other States.

Public Access Methods

3.5 Internet and Dial-up Connections

The Internet is often referred to as a precursor to the "information super-highway." It is a global network of networks that allows for the transfer of digital information of all kinds. It will likely provide the most cost efficient method to ensure broad public access to government information over the long run. In the short-term allowing for dial-up connections and public access terminals to the common access point will need to be available.

The most frequently cited Internet information server is called "Gopher." The software was developed by the University of Minnesota and is now used around the world to present basic textual information and link access points to other information systems. For those with a high-speed data connection, it is possible to use a program called Mosaic which allows for the use of graphics, linked text, sound, etc. through these networks. Also some cable system and telephone companies in the United States are now offering high-speed digital access to the Internet. The MPIN will work to assist the public sector in efforts to take advantage of these advancements, but will ensure that technological capacities do not create barriers for the public attempting to access government information or services.

3.6 Electronic Mail Distribution

The MPIN will develop an information server that can distribute selected government information and documents through electronic mail and eventually through a fax-back system. This server will allow most citizens who have commercial or Internet electronic mail accounts to retrieve documents by sending basic commands to the server. This is based on a model currently used by the USDA Extension Service and the Americans Communicating Electronically initiative. To test their systems send an empty e-mail message to: info@ace.esusda.gov.

This server will also have mailing list capabilities (often referred to as a "listserver") that will allow agencies to broadcast or distribute information to established lists of subscribers. State Agencies and other government units will also be able to use this server to develop electronic mail working groups for a specific program or within the context of their mission. This server will not be the host of general social or political debate which should remain unencumbered by government sanction or oversight.

3.7 Kiosks

The MPIN will be the host for the coordination of an information kiosk initiative. This initiative will involve interested State Agencies and other units of government. The information kiosks will be used to improve the delivery of public services and allow for transaction based services. The MPIN will be responsible for the development of a general kiosk platform and network for government use in Minnesota.

Kiosk initiatives are highly visible and currently provide the best platform for secure transactions between a member of the public and government services. The Info/California kiosk effort and the activities of other States need to be fully examined and the lessons from their experience should be integrated into Minnesota efforts.

3.8 Clearinghouse

The MPIN will develop a clearinghouse on the use of information technologies, including interactive voice mail response systems, fax back retrieval systems, used to improve the dissemination of information or delivery of services to the public. This clearinghouse will also collect information from sources both inside and outside of Minnesota on information services and activities used in the public sector. The MPIN will also use its electronic mailing list capabilities to establish links for the sharing of knowledge and experience among those government units using or developing plans to use specific information tools in their interactions with the public.

4.0 MPIN Location and Structure

1. The Minnesota Public Information Network will be administered through the Department of Administration.
2. The Information Policy Council and the Information Policy Office will act as the advisory bodies to MPIN.
3. The MPIN will create working groups that involve other units of government in state-wide planning, the development of major services, assist with the creation of standards and protocols for public access systems, and work to integrate the use of information technology into government interaction with the public generally.
4. The Information Policy Office will have the ultimate authority to establish standards and protocols for government organizations to follow in the development and use of information kiosks, network applications and systems used to access government information, government computer bulletin board systems, and other systems that allow electronic access to government information and services. These standards and protocols must be flexible in nature and not constrain the use of new technologies and applications. They must focus on ensuring the development of user-friendly systems and the creation of common government electronic communication environment. The MPIN will work with the IPO in this area.
5. The IPO and MPIN will report on policy issues that arise during the development and implementation of this initiative. They will also lend advice on issues related to government access to the advancing information and telecommunications networks and develop policy guidelines and recommendations for legislative action. The IPO must address the development of fee guidelines to assist government units in pricing of information services according to the Data Practices Act.
6. The MPIN will issue a report during the 1995 Legislative Session about how it proposes to carry out its mission and meet its responsibilities.

5.0 MPIN Funding and Resources

Appropriations and other funds made available to the Minnesota Public Information Network for staff, operational expenses, and grants will be administered through the Department of Administration.

The majority of the initial planning, demonstration, and general operating resources will come from an appropriation from the Legislature and matching grants from the Federal government. The MPIN will explore the issue of whether it should establish fees to fund a portion of the operating costs and future development of information resources and public access systems.

It is likely that major public investment in this area will be spread out across all levels of government. This view fits with the perspective in this proposal that the use of information technology to improve public access and service delivery must be integrated into the work of government. The MPIN will assist government units by developing a state-wide framework and with an appropriate level of funding, issue grants for planning and demonstration projects in this area.

5.1 Legislative Appropriation

The MPIN will request a \$_____ appropriation for FY95 for the first phase of the development of this initiative. They will return to the Legislature with a budget request for FY96-97 during the next legislative session.

5.2 Federal Matching Grants

The United States Department of Commerce, National Telecommunications and Information Administration, will be releasing a request for proposals for its National Information Infrastructure Planning and Demonstration Grants Program in the near future.

The MPIN will apply for major matching grants in the areas of State planning and demonstration projects. The total amount to be distributed this year is \$26 Million. (Pending U.S. Senate approval the authorization for FY95 is \$100 million and FY96 is \$150 million.) It looks like they will be allocating sixty percent for demonstration grants, twenty percent for local planning and twenty percent for State planning. Overall, if Minnesota received only two percent of the total matching grants in these areas it would total over \$500,000.

The NTIA expects proposals to come from all levels of government and from other organizations. With adequate funding the MPIN will assist selected Minnesota based proposals. This assistance may include contributions toward planning or demonstration projects of up to full amount required by the Federal matching grant program. We will be watching for more details about this program as they emerge.

Amendments to the Data Practices Act

6.0 Ensuring Electronic Access to Public Information

MS Section 13.03, Subdivision 1. requires that for public data, "The responsible authority in every state agency, political subdivision and statewide system shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use." The advancing use of information technology and information networks in both business and society requires that government maintain a relative level of convenience. The amendments to the Data Practices Act will affirm this analysis by establishing the State's interest in promoting electronic access to public information and the use of information technology to improve the delivery of public services and allow for electronic transactions.

6.1 "Tools of Democracy"

Define a core set of government electronic information resources that must be provided at no cost or low cost to the general public. These "Tools of Democracy" (as mentioned in the MPIN section) are geared to help the citizen break through government bureaucracy, find government information, offices, and services, and improve democratic participation. The core information resources are:

1. Legislative information, reports, documents, meeting notices and bill text
2. Releases and official documents of the Governor's Office
3. Basic text of the State Statutes and Rules
4. State Telephone Directory and Guidebook to State Agency Service's or a new combined electronic version thereof.
5. Development of a State-wide Virtual Public Library over the long-term.

6.2 Equity of Access to Fee-based Services

Government units that provide fee-based information services must also ensure equity of access to public information contained in those services. Options include on-site public access terminals, arrangements by the government unit with public libraries or other institutions, a rebate system, time-based no-fee or subsidized access (non-peak hours), or a base time or search allotment of free trial access.

Note: The current Statute allows agencies to charge for an information "service" that goes beyond basic "convenience" at fee no higher than cost to provide that service. In cases where the information has "commercial value" fees may be set to recover "actual development costs of the information." The cost savings or benefits to both the consumer of government information and services and to the government itself will be difficult to measure until such services are developed. This proposal, which establishes the "Tools of Democracy," assumes that more specialized information services created by an agency and a core group of client institutions, for example, may require a fee based set-up to fund the development and delivery of such a service. The question of when an information service should

subsidized by the taxpayers as a whole must be viewed within the context of a government unit's mission and authority.

6.3 Public Access to Search Tools

Establish the right of public access and use of electronic search and database tools. In situations where a government unit has created a database or information system where the value of the information, or combination/manipulation of pieces of public data is affected by the use those search tools the public shall have the right to use those search tools. Government units shall have the authority to determine how best to ensure access, but it is the State's interest to promote both on-site and remote access.

6.4 On-site Electronic Inspection

The notion of electronic inspection will be established as it relates to the public's right to view information stored on-site in electronic form. Government units must ensure that the public has access to public information in whatever form, but may develop policies and procedures that maintain the security of their information system. These policies and procedures must not deny the public the right to inspect government information in a timely manner nor may they inhibit the public's access to the available public information. (In some cases an agency may have an employee assist someone or they may ultimately print the information and allow inspection that way.)

6.5 Government Subscription-based Publications in Electronic Form

If a government units function is to develop and distribute fee-based subscription based information in print form, the addition of electronic dissemination or access may be integrated into the overall fee structure. A government unit may choose to provide subsidized or free access to past publications and must provide for electronic dissemination when possible and found to be in the interest of the information consumer. (i.e. State Register, etc.)

6.6 Monopoly Control Prohibited without Statutory Exemption

Units of government shall not enter into agreements that provide for exclusive of monopoly control of public information in electronic form through a single commercial entity unless provided for under Statute. This does not prohibit non-government entities from offering value-added services that contain public information. Also, government units may enter into non-exclusive agreements with commercial or non-profit information services.

6.7 Commercial Provision of Public Information

The provision or sale of public information by a commercial information provider must contain accurate information on how and where that information may be obtained directly from government. This applies to situations where the information has not been enhanced significantly or was copied from the government information providers public access system without an agreement between the government unit and the commercial information provider. This section represents a balance between the private entities right to use the public information for whatever purpose and the public's right to access it as established by government.

6.8 MPIN and Non-exclusive Arrangements with Non-Government Entities

The Minnesota Public Information Network is authorized to establish non-exclusive arrangements with commercial and non-profit information and network service providers. These arrangements may allow access to the state-wide public access system through those service providers. Fees may be established in accordance with the Data Practices Act, but should be structured to ensure broad public access. This provision, for example, could provide for access to the state-wide common access point to be available through a community-based information network or Freenet at no cost to that provider. A commercial information provider through negotiations with the MPIN may be charged a fee associated with the commercial value of the information service.

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15.91 PERFORMANCE REPORTING FOR AGENCIES OF STATE GOVERNMENT

Subdivision 1. DEFINITION. For purposes of sections 15.90 to 15.92, "agency" means a department or agency, as designated in section 15.01 and the pollution control agency.

Subd. 2. PERFORMANCE REPORTS. (a) Each agency shall develop a performance report for ~~its operations~~ the major programs that it provides or administers. The report shall include each of the following items or an explanation of why an item does not apply to the agency or its individual programs:

(1) a statement of the mission, goals, and objectives of the agency including those set forth in statute;

(2) measures ~~and goals~~ of the output and outcome of the ~~agency program~~;

(3) identification of priority and other ~~service~~ populations, ~~or other service measures, served by the programs~~ under current law and how those populations are expected to change within the period of the report;

(4) plans for how outcome information can be used as an incentive for improving state programs and program outcomes;

(5) requests for statutory flexibility needed to reach outcome goals;

(6) ~~explanation of proposals and cost estimates for collecting new outcome information that could be available with new data collection systems; and~~

(7) other information that may be required to explain the past and projected performance of state programs.

The ~~goals~~ objectives required under clause (1): (i) must be simple declarative statements of intent; (ii) should carry benchmarks for accomplishment; and (iii) should be specific enough so citizens can measure progress year to year.

(b) Each agency shall issue a ~~draft report by November 1, 1993,~~ a first annual report by September 1, 1994, and annual updated reports no later than September 1 of each year beginning in 1995. A report must cover a period of four years previous and two years in the future from the date that it is required to be issued, including previous forecasts versus actual measures.

(c) Each agency shall send a copy of each report issued to the governor, the speaker of the house of representatives, the president of the senate, the legislative commission on planning and fiscal policy, the legislative auditor, the commissioner of finance, and two copies to the legislative reference library.

(d) The legislative auditor shall review the drafts and give comments to agencies and the legislature before September 1, 1994, and shall review and give comments on annual reports on a rotating biennial schedule.

(e) State agency reports shall be compiled as required in this paragraph. The commissioner of finance, in consultation with the commissioner of administration, the legislative commission on planning and fiscal policy, and the finance committees and divisions of the house of representatives and senate, shall:

(1) develop forms and instructions and coordinate training for the use of the agencies in the preparation of their reports;

(2) work with individual agencies to determine acceptable measures of staff workload, unit costs, output, and outcome for use in reports; and

(3) request any needed additional information concerning any agency report submitted.

Each agency shall include citizens, agency clients, consumer and advocacy groups, worker participation committees, managers, elected officials, and contractors in its planning.

Sec. 19. PURPOSE.

The purposes of sections 15.95 and 15.96 are to establish a process:

(1) for improving public access to government information and data, and therefore for improving the democratic process, through the use of information technology; and

(2) for helping government become more efficient, effective, and responsive to the public through the use of information technology.

Sec. 20. 15.95 GOVERNMENT INFORMATION ACCESS COUNCIL.

Subdivision 1. MEMBERSHIP. The government information access council consists of the following members:

(1) all Minnesota residents who are members of the president's national information infrastructure advisory group;

(2) two commissioners of state agencies, appointed by the governor;

(3) one person appointed by the University of Minnesota board of regents;

(4) one person appointed by the higher education board;

(5) one representative of public television, appointed by the Minnesota public television association;

(6) one representative aligned with the Minnesota equal access network, appointed by the board of the network;

(7) one member appointed by the telephone company providing access to the largest number of customers within the state;

(8) one corporate executive from a company that is a member of the Minnesota business partnership, selected by the partnership;

(9) one representative of the citizens league, appointed by the league;

(10) one member of the intergovernmental information systems advisory council, appointed by the council;

(11) one member appointed by the Minnesota AFL-CIO;

(12) one member of American Federation of State, County, and Municipal Employees, council 6, appointed by the executive board of council 6;

(13) one member of the joint media committee, appointed by the committee;

(14) one member representing each of the following groups, appointed by the members of the council appointed under clauses (1) to (13): telephone companies, the cable television industry, and librarians who manage government information;

(15) four additional members representing diverse communities, or private citizens with unique perspectives regarding information policy, appointed by the members of the council appointed under clauses (1) to (14);

(16) one person representing a telecommunication carrier providing interexchange service to the largest number of customers within the state, appointed by the members of the council appointed under clauses (1) to (14);

(17) one member representing a public utility regulated under chapter 216B, appointed by the members of the council appointed under clauses (1) to (14); and

(18) one member representing nonprofit cable communication access centers serving community populations, appointed by members of the council appointed under clauses (1) to (14).

One member of the house of representatives, appointed by the speaker; one member of the senate, appointed by the subcommittee on committees of the committee on rules and administration; one member of the house of representatives, appointed by the minority leader; and one member of the senate, appointed by the minority leader shall serve as members of the council without votes.

Subd. 2. TERMS; COMPENSATION. Members serve at the pleasure of the appointing authority, and shall be appointed by September 1, 1994. Members receive compensation and expense reimbursement as provided by section 15.059, subdivision 3.

Subd. 3. CHAIR; MEETINGS. The governor shall designate the chair of the council from among its members. The chair shall schedule meetings at least quarterly. The chair must report any council recommendations or actions to the legislature, the governor, and affected state agencies, as appropriate, within one week of making the recommendation or taking the action. All meetings of the council, the executive committee, and work groups are subject to section 471.705.

Subd. 4. EXECUTIVE shall and appoint an executive committee of members of the council infrastructure advisory board representation 1, clause (7), the executive, one citizen representative, designated by the council, must recommend or must develop agenda;

(b) The council may include a group may include a

Subd. 5. DUTIES elected officials and more efficient access es. In developing t

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Subd. 6. OTHER

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Subd. 4. EXECUTIVE COMMITTEE; WORK GROUPS. (a) The council must establish and appoint an executive committee. The executive committee consists of the following members of the council: one person who is a member of the president's national information infrastructure advisory group, the University of Minnesota representative, the higher education board representative, the telephone company representative appointed under subdivision 1, clause (7), the Minnesota business partnership representative, the librarian representative, one citizen representative, the AFL-CIO representative, and one other member of the council, designated by the council. The executive committee must meet at least monthly. It must recommend organization of other committees or work groups. The executive committee must develop agenda items for the full council.

(b) The council may establish other committees or work groups. Each committee or work group may include up to two persons who are not members of the council.

Subd. 5. DUTIES. The primary mission of the council is to develop principles to assist elected officials and other government decision-makers in providing citizens with greater and more efficient access to government information, both directly and through private businesses. In developing these principles, the council must consider:

(1) the most effective and efficient means to make information available to the public in a manner that is designed primarily from the perspective of the citizen;

(2) how to provide the greatest possible public access that is demand driven to the widest possible array of public government data and information maintained by state or local governments, including open access through libraries, schools, nonprofit organizations, businesses, and homes;

(3) what information should be made available free of charge directly from government agencies, in addition to information that is available for inspection free of charge under section 13.03, subdivision 3;

(4) what information should be sold, either by government agencies or through private businesses, and what factors should determine the prices that government should charge to citizens for providing information directly, and to businesses who will resell information;

(5) how government can encourage private businesses to foster the creation of new private business endeavors by making digital information available for the purpose of distributing enhanced government information services to citizens;

(6) what changes need to be made in governmental operations to assure that more government information is readily available to citizens, whether provided directly by government agencies or provided through private businesses;

(7) whether digital information should be made available on an exclusive or nonexclusive basis, and how different types of information should be treated differently for this purpose;

(8) how the state and other governmental units can protect their intellectual property rights, while making government data available to the public as required in chapter 13;

(9) the impact of data collection and dissemination practices on privacy rights of individuals;

(10) what technological changes governmental agencies need to make to facilitate electronic provision of governmental information, either directly to citizens, or to private businesses who will distribute the information; and

(11) how to avoid duplicating services available from private providers, except as necessary to achieve goals set in subdivision 7.

Subd. 6. OTHER DUTIES. (a) The council shall:

(1) coordinate statewide efforts by units of state and local government to plan for and develop a system for providing the data and services in the manner envisioned by this section;

(2) make recommendations that facilitate coordination and assistance of demonstration projects;

(3) advise units of state and local government on provision of government data to citizens and businesses; and

(4) explore ways and means to improve citizen and business access to public data, including implementation of technological improvements.

(b) In fulfilling its duties under this subdivision, the council shall seek advice from the general public, government units, system users, professional associations, libraries, academic groups, and other institutions and individuals with knowledge of and interest in such areas as networking, electronic mail, public information data access, advanced telecommunications, and electronic transfer and storage of information.

Subd. 7. ACCESS TO DATA. The legislature determines that the greatest possible access to certain government information and data is essential to allow citizens to participate fully in a democratic system of government. The principles that the council develops must assure that certain information and data, including, but not limited to the following, will be provided free of charge or for a nominal cost associated with reproducing the information or data:

- (1) directories of government services and institutions;
- (2) legislative and rulemaking information, including public information newsletters, bill text and summaries, bill status information, rule status information, meeting schedules, and the text of statutes and rules;
- (3) official documents, releases, speeches, and other public information issued by the governor's office and constitutional officers; and
- (4) the text of other government documents and publications that the council determines are important to public understanding of government activities.

The council, on a continuing basis, shall identify and take action to ensure that identified government data are available free of charge, or for a nominal cost associated with reproducing the data.

Subd. 8. INFORMATION INSTITUTE. The council shall also advise the legislature on issues relating to an information institute to deal with major public policy issues involving access to government information and to foster the development of private sector information industries.

Subd. 9. APPROVAL OF STATE AGENCY INITIATIVES. No state agency may implement a new initiative for providing electronic access to state government information unless the initiative is reviewed by the council and approved by the information policy office.

Subd. 10. CAPITAL INVESTMENT. No state agency may propose or implement a capital investment plan for a state office building unless:

- (1) the agency has developed a plan for increasing telecommuting by employees who would normally work in the building, or the agency has prepared a statement describing why such a plan is not practicable; and
- (2) the plan or statement has been reviewed by the council and approved by the information policy office.

Subd. 11. SUPPORT. The information policy office shall provide staff and other support services to the council.

Sec. 21. 15.96 DUTIES OF OTHER GROUPS.

(a) The groups in paragraphs (b) to (g) shall work with the government information access council in accomplishing its mission.

(b) The information policy office shall provide technical assistance to the council, and shall oversee state agency efforts to implement projects and programs in accordance with principles adopted by the council.

(c) The University of Minnesota shall continuously assess best practices and conduct other research to keep Minnesota in a leadership role in the area of access to and distribution of government information.

(d) The public utilities commission shall address changes needed in the regulatory environment to facilitate access to and distribution of government information.

(e) The governor, through the state's Washington, D.C. office, shall monitor recommendations of national advisory groups, monitor legal and regulatory developments at the federal

level, and review gr agencies.

(f) The department initiate efforts to pr through the council a

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Sec. 22. 15.97 IN

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level, and review grant proposals made by Minnesota governmental entities to federal agencies.

(f) The departments of trade and economic development and education shall immediately initiate efforts to provide greater access to and distribution of their information working through the council as envisioned by section 15.95.

(g) The department of revenue shall study how tax policy might be used to facilitate entry onto the information highway.

Sec. 22. 15.97 INFORMATION AND TELECOMMUNICATIONS INSTITUTE.

The legislature intends to establish an institute of telecommunications technology applications and education. The institute must be structured as a collaboration between at least the computer science, health science, teacher education, and extension programs at the University of Minnesota, other post-secondary educational institutions in the state, Minnesota Technology, Inc., the department of trade and economic development, libraries, and other institutions and entities that have an interest in applications for and education on telecommunications and information technology. The mission of the institute will be to:

(1) engage in applied research in order to develop applications and methodologies for use of existing and expanded telecommunications and information resources and networks particularly in the areas of provision of health care, education, business, and employment communications and services; and

(2) provide technical assistance, education, and information to current and potential users of telecommunications networks and systems, including at least health care providers, teachers, employers, and employees and to advocate and promote appropriate and efficient use of the networks and systems to improve efficiency and flexibility of the networks and systems and of their users.

Sec. 23. 15.98 INDOOR ICE FACILITIES.

This section applies to an indoor ice arena operated by a political subdivision, a state agency, the University of Minnesota, a state higher education institution, or any other organization that makes an arena available to the public. If the arena provides more prime ice time to groups of one gender than to groups of the other gender, the arena may not deny a request for prime ice time from the group of the underrepresented gender, provided that the group of the underrepresented gender pays the same price charged to groups of the other gender. An underrepresented gender group must be allowed up to 15 percent of prime ice time for the 1994-1995 season, up to 30 percent by the 1995-1996 season, and up to 50 percent by the 1996-1997 season. This section does not: (1) require an arena to allocate more time to any one group than is generally allocated to other groups; or (2) affect a political subdivision's ability to grant preference to groups based in the political subdivision, provided this preference is not based on gender. For purposes of this section, prime ice time means the hours of 4:00 p.m. to 10:00 p.m. Monday to Friday and 9:00 a.m. to 8:00 p.m. on Saturdays and Sundays. Any group that generates revenue as a result of tickets sold to persons in attendance at arena events must be excluded in determining if the arena provides more prime ice time to groups of one gender than the other.

Sec. 24. Minnesota Statutes 1992, section 16A.124, subdivision 2, is amended to read:

Subd. 2. COMMISSIONER SUPERVISION. The commissioner shall ~~exercise constant supervision over~~ monitor state agencies to insure the prompt payment of vendor obligations.

Sec. 25. Minnesota Statutes 1992, section 16A.124, subdivision 7, is amended to read:

Subd. 7. REPORT TO LEGISLATURE. The commissioner shall report to the legislature each year summarizing the state's payment record for the preceding year. The report shall include the number and dollar amount of late payments made by each agency, the amount of interest penalties and collection costs paid, and the specific steps being taken to reduce the incidence of late payments in the future.

Sec. 26. Minnesota Statutes 1992, section 16A.127, as amended by Laws 1993, First Special Session chapter 2, article 3, section 2, is amended to read: