

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 1697

By: Anderson of the Senate  
and  
Murphey of the House

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8 An Act relating to public libraries; amending 65 O.S.  
2001, Sections 3-113.1, 3-113.3 and 3-114, which  
9 relate to state publications; stating legislative  
intent; modifying duties of Publications  
10 Clearinghouse; providing that requirement to deposit  
copies of publications not apply if published in  
11 electronic format; specifying certain duties of state  
agencies; and providing an effective date.  
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14 AUTHOR: Add the following House Coauthor: Pittman

15 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill  
and insert  
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17 "An Act relating to public libraries; amending 65  
O.S. 2001, Sections 3-113.1, 3-113.3 and 3-114,  
18 which relate to state publications; stating  
legislative intent; modifying duties of Publications  
19 Clearinghouse; providing that requirement to deposit  
copies of publications not apply if published in  
20 electronic format; specifying certain duties of  
state agencies; and providing an effective date.  
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23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:  
24

1 SECTION 1. AMENDATORY 65 O.S. 2001, Section 3-113.1, is  
2 amended to read as follows:

3 Section 3-113.1 A. The Publications Clearinghouse is hereby  
4 created as a unit of the Oklahoma Department of Libraries. The  
5 Publications Clearinghouse shall be directed by the Director of the  
6 Department of Libraries. The Director shall ~~adopt~~ promulgate rules  
7 ~~and regulations~~ necessary to implement the functions and duties of  
8 the Publications Clearinghouse as provided for by law.

9 B. It is the intent of the Legislature that state agencies  
10 issue publications in an electronic format whenever possible, unless  
11 such issuance would interfere with the availability to the public of  
12 such publications and the information contained therein. It is the  
13 further intent of the Legislature that the Publications  
14 Clearinghouse and the Oklahoma Department of Libraries disseminate  
15 links to or other means by which to access publications to the same  
16 recipients required by law to receive copies or who have  
17 traditionally received copies of publications not published in an  
18 electronic format. A directory of the links to the publications  
19 shall be prominently featured on the ok.gov portal.

20 SECTION 2. AMENDATORY 65 O.S. 2001, Section 3-113.3, is  
21 amended to read as follows:

22 Section 3-113.3 The Publications Clearinghouse shall have the  
23 following duties:  
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1 1. To establish a state publications depository library system  
2 for the use of the citizens of this state; ~~and~~

3 2. ~~To~~ Other than publications issued in an electronic format,  
4 to collect state publications from every agency and to retain and  
5 preserve permanently a minimum of two copies of ~~said~~ the  
6 publications; ~~and~~

7 3. For publications issued in an electronic format, to  
8 electronically retain and preserve permanently such publications or  
9 the information contained therein, and to facilitate free public  
10 access to such publications or information;

11 4. To enter into contracts with other libraries within this  
12 state whereby the Publications Clearinghouse designates the  
13 contracting library to be a depository library for the Oklahoma  
14 Department of Libraries and agrees to distribute copies of state  
15 publications deposited with the Publications Clearinghouse to ~~said~~  
16 the depository library, and the contracting library agrees to  
17 receive and maintain the collection of ~~said~~ publications and not to  
18 dispose of ~~said~~ publications without prior approval of the  
19 Publications Clearinghouse, to provide adequate facilities for the  
20 storage and use of the publications, and to provide free access to  
21 the publications for the use of its patrons; ~~and~~

22 4. ~~5.~~ To determine the necessity of and to make arrangements  
23 for the conversion of state publications to microform or electronic  
24 formats and to establish a system to assure the availability of ~~said~~

1 ~~microform~~ such publications for distribution to designated  
2 depository libraries; and

3 ~~5-~~ 6. To prepare and publish official lists of state  
4 publications and to distribute ~~said~~ the lists to all contracting  
5 depository libraries, other libraries within this state, and every  
6 agency; and

7 ~~6-~~ 7. ~~To~~ For publications not published in an electronic  
8 format, to determine the quantity of each publication of an agency  
9 to a maximum of twenty-five copies required to meet the needs of the  
10 state publications depository library system and to notify each  
11 agency of the required quantity; and

12 ~~7-~~ 8. To distribute copies of state publications not published  
13 in an electronic format as follows:

- 14 a. One copy to the United States Library of Congress,  
15 b. Two copies for the collection of state publications  
16 within the Publications Clearinghouse, and  
17 c. Selected copies to each depository library; and

18 ~~8-~~ 9. To receive for use and for exchange purposes a maximum of  
19 fifty copies of all state legal publications not published in an  
20 electronic format, including bar journals and official reports of  
21 decisions, codes, opinions, rules and regulations, and ~~one hundred~~  
22 ~~ten~~ sixty copies of Oklahoma Statutes, Oklahoma Statute Supplements,  
23 and Oklahoma Session Laws; and

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1       - 10. To compile and maintain a permanent record of state  
2 publications.

3       SECTION 3.        AMENDATORY        65 O.S. 2001, Section 3-114, is  
4 amended to read as follows:

5       Section 3-114. A. Every agency except institutions of higher  
6 education, but specifically including any board of regents for  
7 higher education, which issues a state publication shall immediately  
8 deposit a maximum of twenty-five copies with the Publications  
9 Clearinghouse; provided, the provisions of this section shall not  
10 apply to a publication which is published in an electronic format  
11 and made available to the public on the website of the issuing  
12 agency. Any agency issuing a publication which is published in an  
13 electronic format shall notify the Publications Clearinghouse and  
14 provide and maintain a link to the electronic version of the  
15 publication.

16       B. Upon failure of an agency to comply with the provisions of  
17 this section, the Director of the Department of Libraries shall  
18 forward a written notice of the failure to the chief administrative  
19 officer of the agency. The notice shall state a reasonable time,  
20 not to exceed thirty (30) days, in which the agency shall fully  
21 comply. Further failure to comply shall be reported in writing to  
22 the Speaker of the House of Representatives, the President Pro  
23 Tempore of the Senate, and the Attorney General. The Attorney

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1 General shall immediately institute mandamus proceedings to secure  
2 compliance by ~~said~~ the agency.

3 SECTION 4. This act shall become effective November 1, 2010."

4 Passed the House of Representatives the 31st day of March, 2010.

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7 \_\_\_\_\_  
8 Presiding Officer of the House of  
9 Representatives

10 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2010.

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14 Presiding Officer of the Senate

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