GOVERNMENT INFORMATION
ACCESS COUNCIL

DIGITAL DEMOCRACY

Minnesota Citizens' Guide for
Government Information Policy

December 1996

Pursuant to Minn. Stat. 15.95 Subd. 5

Department of Administration

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EXECUTIVE SUMMARY

The Minnesota Government Information Access Council (GIAC) was created in 1994 by the Minnesota State Legislature for the following purposes: to improve public access to government information and, therefore, to improve the democratic process, through the use of information technology; and to help government become more efficient, effective and responsive to the public through the use of information technology.

GIAC is a broadly representative group of 29 members who have met to provide vision and leadership for the tremendously exciting and challenging issues that the "information age" brings to a democracy. The Council embraced input from additional citizen members in their Work Groups, and traveled across the state conducting public meetings to include any interested individual or organization; all to gain inclusion and capture the collective wisdom of the people.

The vision guiding the Government Information Access Council is an ideal of more open government and more participatory citizens. All policy for access to and dissemination of government information and services must revolve around this philosophy; therefore, GIAC recommends that the following vision statement be formally adopted in statute as a guidepost for all future planning: **A primary purpose of providing information access is open government.**

A series of recommendations and a review of the GIAC basic principles is offered in this report. Although many important issues remain to be resolved, these can form the foundation for action on the part of elected officials and other government decision makers as deliberations proceed on how to enhance Minnesota's position as a leader in quality of life. The tools of technology can and will affect Minnesotans' opportunities, rights and responsibilities. Thoughtful consideration of the guidance, observations and needs of the citizens will serve our state and our country well as leaders establish policies on information technology and applications.

I. RECOMMENDATIONS

Specific action is required to move forward in the implementation of the vision. To that end, GIAC has made the following recommendations:

   A. **Systems Design:** All new or redesigned electronic government systems containing public information and services should fully integrate electronic public access to the information and services, and they should be interoperable[1] to the greatest extent possible.

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[1]"Interoperable" means a system designed with interfaces and protocols that allow hardware and software on multiple machines from multiple vendors to communicate meaningfully using either private or public networks.

B. **Training:** Comprehensive training and education programs for all government personnel should be available. Such training should result in government personnel who are knowledgeable about fulfilling obligations and requirements under Minnesota's information policy laws and practices; and are able to use current technologies and technology applications to improve public access to information and services. In addition, incentives should be provided for collaborative efforts to make available comprehensive training and education programs for citizens. The object of this training is to result in citizens who are knowledgeable about their rights under Minnesota's information policy laws and are able to use current technologies and technology applications to access public information and services.

C. **Government On-line:** North Star should be recognized as Minnesota government's official electronic access point. The State of Minnesota should implement a government information locator and index system that is compatible with established standards for government documents, information and services. The public should be enabled and encouraged to communicate electronically with elected officials, policy makers in government to encourage active citizenship. An on-line clearinghouse that includes service models, best practices, and an index of government on-line activities should be developed through the North Star Project. Local government representatives should be involved in determining what information and services should be provided by local governments, and in establishing a local government model for delivering information and services via North Star.

D. **Information Policy Organization and Enforcement:** Government units should review current practices to ensure that procedures for public access to public information and services are fully and clearly articulated, whether those procedures involve paper or electronic dissemination. To simplify proper understanding and use, existing government information policy law should be codified into a single chapter or a series of related chapters of Minnesota statute. Alternative methods to the resolution of disputes in a simple and less expensive manner than through the courts, need to be established. A Joint Legislative Commission on Information Policy should be created to assume primary responsibility for the development of uniform public information policy, strip old statutes of the confusing mix of nomenclature, and work with new legislation to ensure consistent language and policy results.

E. **Community Access:** Additional funding should be made available for the development of technology-supported government information and service projects at the local level. To ensure that citizens in every community have access to public, on-line government information and services, terminals for general public use should be made available during locally determined times at community sites. Comprehensive and ongoing outreach program to inform citizens about information technologies and services should be established to help them realize the potential benefits that information technologies offer to individuals, organizations and communities. Such an outreach program would identify which government organizations serve as the liaisons to support local grass-roots initiatives for developing information technologies and telecommunications infrastructure; and help citizens identify and use various public and private assistance that is available for improving the community's economic development

opportunities through the use of technologies. The use of interactive regional teleconferencing, public access channels and public broadcast facilities should be encouraged, with emphasis given to the provision of access to government decisionmaking.

F. Additional Recommendations: Further recommendations were discussed at length by GIAC, and are also offered in this report. They address collaborative, multi-government efforts to share information; Universal Service; equitable access; the matter of costs associated with getting government information; and the notification of the public as to the public availability of information.

It is the hope of all members of the Government Information Access Council that the publication of Digital Democracy, *Minnesota Citizens' Guide for Government Information Policy,* provides guidance to elected officials in providing improved public access to government information, improves the democratic process and helps government become more efficient, effective and responsive to the public as it incorporates information technology into the daily conduct of business.

II. GOVERNMENT INFORMATION ACCESS COUNCIL PRINCIPLES

The recommendations that are forwarded in this report are based on the 12 guiding principles that were adopted by GIAC in January 1996. Those principles are:

1. *Access to government information[2] is a fundamental right of all citizens in a democracy.*

2. *Responsive provision of information access and the dissemination of government information are essential functions of government.*

3. *Public access to government information shall be free, and any charge for copies shall not exceed marginal cost.[3]*

4. *All citizens, regardless of geographic, physical, cultural, socio-economic status or other barriers, shall have equitable and affordable access to government information.*

5. *The Minnesota Government Data Practices Act and other information access policy laws must be complied with and enforced at all levels of government.*

6. *Privacy is a right that must be maintained and protected in the context of changing*

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[2] "Government information," used as a term throughout GIAC documents, means government data and as such can be used interchangeably. The statutory definition of government data is: "Government data" means all data collected, created, received, maintained or disseminated by any state agency, political subdivision, or statewide system regardless of its physical form, storage media or conditions of use."

[3] "Marginal cost" means charges to recover the cost for copies of information and data are limited to the costs for materials and supplies or electronic transmission, but excludes labor, overhead and development costs.

technology.

7. *Government information shall exist in the public domain to the greatest extent possible.*

8. *Government shall ensure that government employees and citizens have the tools, applications, training and support for electronic access.*

9. *Interaction among citizens, governments, businesses and organizations shall be promoted through the use of information technology and networks.*

10. *Citizens shall be enabled and encouraged to be consumers and producers of electronic information and services.*

11. *The State shall ensure that all citizens of Minnesota have the benefits of Universal Service[4].*

12. *Effective competition in telecommunications services[5] in Minnesota is an essential component of effective access and interactive use of government information and services in electronic form.*

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[4] "Universal Service" in this report means access to those electronic communication services, without regard to economic or geographic barriers, necessary for individuals, businesses and communities to survive and thrive, particularly with respect to access to education, health care, business, culture and community, and government information.

[5] "Effective competition in telecommunications services" is a condition where there are generally available in all populated locations throughout the state many providers of telecommunications services, and where there is organized and open transfer of information about the providers to the buyers.

DIGITAL DEMOCRACY

Government Information Access Council

I. INTRODUCTION

In 1995, the Government Information Access Council (GIAC)[1] developed principles to guide elected officials and other government officials in decisions that impact citizen access to government information. Those principles were the basis for the recommendations that follow. It is significant to note that GIAC is made up of a diverse group of individuals who think and feel passionately about government and information in the emerging electronic age.
Their backgrounds, experiences and commitments mold their beliefs on the subject, and during the process of considering the issues that was apparent. GIAC members, as well as additional citizen members, formed four Work Groups: Citizens and their Government - Tools of Democracy, Regulation and Tax Policy, Information Access Principles, and Demonstration Projects, Equal Access and Outreach. These Work Groups were the springboard for the recommendations presented in this report. For a summary of the Work Group objectives and supplemental information generated by them, please turn to Appendix D.

Of particular importance is the identification of certain tools of democracy that can and should be made available as quickly as possible. The Minnesota Data Practices Act[2] stands out as the foundation for assuring that government information is publicly accessible. In addition, GIAC enabling legislation[3] identifies some types of specific information or data that is essential to allow citizens to participate fully in a democratic system of government, and the following list of tools include those and core information resources that are important to public understanding of government activities. These documents or publications are currently accessible in traditional format, and most have statewide application. Electronic dissemination and access is viewed as necessary to carry out the spirit of the GIAC legislation.

A. TOOLS OF DEMOCRACY

The following list identifies the particular documents, data or information that are considered the basic electronic tools of democracy:
(1)   directories of government services and institutions; Minnesota Guidebook to State Agency Services; State of Minnesota Telephone Directory; Legislative Directories

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[1]For more information on the membership and duties of the Government Information Access Council, please see Appendix A.

[2]For a pertinent excerpt from the Minnesota Data Practices Act, see Appendix B.

[3]For enabling legislation for GIAC, see Appendix B.

(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 (including index and search tools); state register

(3)   official documents, releases, speeches and other public information issued by the Governor's Office and Constitutional Officers, such as Secretary of State, Attorney General, State Treasurer's Office, and the State Auditor's Office

(4)   the text of other government documents and publications such as the Supreme Court and Court of Appeals opinions and general judicial information; Ethical Practices Board, election finance and other reports; state budget information; local government documents like city codes, and county board minutes

In addition to these tools, government should be encouraged to offer services to the public electronically to improve convenience of access to those services. Examples include such services as applications for licenses such as driver's or hunting licenses, the filing of tax returns or applications for employment.

B. VISION

The vision guiding the Government Information Access Council, as well the recommendations in this report, is an ideal of more open government and more participatory citizens. The two mutually encourage one another: open government--government that makes its information readily accessible to citizens-- allows citizens to become more knowledgeable and therefore participatory; more participatory citizens demand that their government be more open, and therefore more efficient, effective and responsive.

All policy for access to and dissemination of government information and services must revolve around this philosophy; therefore, GIAC recommends that the following vision statement be formally adopted in statute as a guidepost for all future planning in this area:

A primary purpose of providing information access is open government.

We are at an evolving, chaotic and transitory time in history, and the lively discussions that have taken place through GIAC represent a healthy discourse that will help us as a state and as a nation take action with awareness. Our country is a patchwork of differing points of view, and finding consensus on topics is both important and challenging. As we travel through this difficult period, government is presented with issues that demand immediate decision making as well as ongoing adjustments as we learn their long-term impacts. Readers of this report can take assurance that the recommendations and principles stem from a vision about democracy, equity and efficiency, and that this is a dialogue that will continue far into the future.

II. RECOMMENDATIONS

In its second year of meetings, the Government Information Access Council concentrated on refining, and then prioritizing, specific recommendations to the Legislature for improving public access to government information and for improving government efficiency, effectiveness and responsiveness through the use of information technology. In order to establish these priorities, members of the Priorities Committee generated and applied the following criteria:

> ➤   Will the recommendation improve and expand citizen access to government information?

> ➤   Will the recommendation improve government efficiency and effectiveness?

> ➤   Is the recommendation a foundational initiative, which must be established before other recommendations can be implemented?

> ➤   Will the recommendation clarify policy and principles that impact government information and services?

> ➤   Is the recommendation cost-effective?

Based on this criteria the following five recommendations were those categories in which most consensus was demonstrated. In the section following these five priorities, all other recommendations are discussed. Each of the recommendations in this section of the report have strong advocates within GIAC; recognizing that a simultaneous effort may disperse energy and resources too broadly, the Priorities Subcommittee of GIAC used a nominal group process to establish the criteria listed above to rank order the comprehensive array of recommendations. A summary of that process is available as Appendix C. Individual members of GIAC were offered the opportunity for comment to allow for the expressions of any concerns that may have been missed in the consensus building process. These comments are noted in Appendix G.

Recommendation Categories:

A.   System Design
B.   Training
C.   Government On-line
D.   Information Policy and Enforcement
E.   Community Access
F.   Additional Recommendations

A. System Design

New information technologies can eliminate barriers that sometimes exist between citizens and their government, as well as between government units themselves. If state and local governments make their public information and services available electronically, even more citizens will have ready access to the information and services, no matter what their geographic distance from the government unit that manages and maintains the information, no matter what time of day they want to access the information and services. Further, if government systems for delivering information and services are interoperable, new possibilities for improving efficiency and effectiveness arise.

To ensure that government units become more efficient and effective by taking full advantage of the possibilities offered by information technologies, GIAC makes the following recommendations:

▶ 1. **All new or redesigned electronic government systems containing public information and services should fully integrate electronic public access to the information and services.**

▶ 2. **New or redesigned government systems should be interoperable to the greatest extent possible.**

B. Training

It is important to remember that information technologies are only a tool, almost meaningless in their own right. Without ongoing training and education programs for the people who collect, manage, generate and provide electronic information and services, and for the citizens who use and benefit from them, the information technologies that can improve our lives will never realize their potential. Government personnel, for example, must clearly understand what information and services are to be provided, and they must know the most efficient and effective way to provide them. Citizens must know what information and services are available, and they must know how to access them.

To ensure that both government and citizens are able to take full advantage of these valuable resources, GIAC makes the following recommendations:

▶ 1. **Comprehensive training and education programs for all government personnel should be available. These programs should result in government personnel who are:**
   a) **knowledgeable about fulfilling obligations and requirements under**

Minnesota's information policy laws and practices; and

b)   able to use current technologies and technology applications to improve public access to information and services.

▸   2.   Incentives should be provided for collaborative efforts between the private sector, libraries, educational programs and institutions, state and local government, non-profit organizations and other community groups to make available comprehensive training and education programs for citizens. These programs should result in citizens who are:

a)   knowledgeable about their rights under Minnesota's information policy laws; and

b)   able to use current technologies and technology applications to access public information and services.

C. Government On-line

Effective democracy requires ready public access to government information and services. Citizens need to have one clearly identified starting point from which to access all government information and services. Public government information and services must be well indexed, easily navigable, and presented in a uniform fashion. Further, citizens must be steadily informed on the issues being considered by elected officials, have forums for discussing the issues among themselves, and have clear, efficient ways to offer feedback and suggestions to decision-makers. Information technologies offer unprecedented opportunities to expand and improve this kind of citizen participation in government and its decision-making processes.

To ensure that Minnesota advances with its global leadership position for on-line citizen participation in government, GIAC makes the following recommendations:

▸   *1.*   *North Star* should be recognized as Minnesota government's official electronic access point, and each agency should assist in enhancing and expanding the North Star functions.

▸   2.   The State of Minnesota should implement a government information locator and index system for government documents, information and services. This system should be compatible with all national and international standards for such systems.

▸   3.   The public should be enabled and encouraged to submit comments and other correspondence electronically to elected officials, policy makers and government units at the state and local level.

▶ 4. Active citizen participation and input should be encouraged in the official public decision-making process through the use of electronic interactive forums. In particular, all public decision-making bodies should be encouraged to provide electronic interactive forums as a part of the official public-input processes, and also to participate in electronic interactive forums hosted by groups outside of government.

D. Information Policy Organization and Enforcement

Understanding of state information policy is a challenge for many that conduct business with or for the state. The various Minnesota statutes contain a confusing mix of nomenclature and this sometimes yields inconsistent policy results. Emerging technologies make information policy issues even more complex, and make comprehensive, long-range planning crucial. All policy, no matter how clear and well-planned, will sometimes give rise to disputes. Currently, the only way to resolve such disputes is through a cumbersome legal process.

To ensure that public information policy is consistently and uniformly developed, applied and enforced and to establish an alternative dispute resolution process that is simple, quick, and non-litigious, GIAC makes the following recommendations:

▶ 1. Government units should review current practices to ensure that procedures for public access to public information and services are fully and clearly articulated, whether those procedures involve paper or electronic dissemination.

▶ 2. Existing information policy law should be codified into a single chapter or a series of related chapters of Minnesota statutes.

▶ 3. To assist with the resolution of disputes in a simple and less expensive manner than through the courts, alternative methods need to be established. One example reviewed by GIAC was an independent Commissioner for Freedom of Information and Privacy. Such a commissioner would have sufficient authority and political independence to:
   a) ensure that government units comply with the access and data practices provisions of the Minnesota Government Data Practices Act and other state information access and data practices laws, policies and procedures;
   b) inform and educate the public about Minnesota's access and data practices laws, policies and procedures;
   c) resolve disputes about the enforcement of access and data practices laws, policies and procedures; and

d)   conduct research on access and data practices issues in order to provide advice and comment on proposed government legislation, systems, programs and policies.

See Appendix E for more information on a model for a Minnesota Commissioner for Freedom of Information and Privacy, based on that of the Canadian province of British Columbia.

▶   4.   A Joint legislative Commission on Information Policy should be created. The commission would assume primary responsibility for the development of uniform public information policy, stripping old statutes of the confusing mix of nomenclature, and working with new legislation to ensure consistent language and policy results.

E. Community Access

The United States Advisory Council on the National Information Infrastructure concluded that the "quickest, most efficient way" to give every citizen access to the Information Superhighway by the year 2000 is "to bring the Superhighway to the neighborhood--to schools, libraries, and community centers."

To ensure that local communities receive the support, encouragement and impetus they need to bring all levels of government information and services into their neighborhoods, GIAC makes the following recommendations:

▶   1.   Additional funding should be made available to award grants, or matching grants in collaboration with the Regional Initiative Funds, for the development of technology-supported government information and service projects at the local level. Priority should be given to projects that provide 24-hour access.

▶   2.   To ensure that citizens in every community have access to public, on-line government information and services, terminals for general public use should be made available during locally determined times at community sites (such as educational institutions, libraries, and county government centers) where electronic network connections are funded in part by state dollars.

▶   3.   A comprehensive and ongoing outreach program to inform citizens about information technologies and services should be established. This outreach program should result in citizens who:
a)   realize the potential benefits that information technologies offer to individuals, organizations and communities;
b)   know what government organizations serve as the liaisons to support

local grass-roots initiatives for developing information technologies and telecommunications infrastructure; and

c)   can identify and use various public and private assistance that is available for improving the community's trade and economic development opportunities through the use of technologies.

▸   4.   The use of interactive regional teleconferencing, public access channels and public broadcast facilities should be encouraged and funded where appropriate. A major emphasis should be the provision of statewide access to legislative and executive deliberations, and regional or local access to local government deliberations.

F. Additional Recommendations

In addition to the highest priorities listed above, there are also a number of other recommendations that are very important to the realization of the vision.
Additional Recommendation Categories:
> **Collaborative, Multi-government Efforts**
> **Universal Service**
> **Equitable Access**
> **Cost**
> **Information Access Awareness**

1. Collaborative, Multi-government Efforts
State and local governments collect and manage vast amounts of information. Until now, these efforts have been relatively isolated: government units did not necessarily cooperate with one another to collect or provide information and services. New information technologies, however, can eliminate these kinds of barriers between government units and provide opportunities for new collaborative efforts. An excellent basis for this work would be an electronic rulemaking information system used by state agencies with rulemaking authority.

To ensure that all government units begin to take full advantage of the collaborative possibilities offered by information technologies, GIAC makes the following recommendations:

a.   **Incentives should be provided for government units to continue and expand collaborative, multi-government efforts to improve efficiency and effectiveness when collecting and disseminating information and meeting requests for public information. Such collaborative efforts might include sharing databases and access points; obviously, this would be greatly assisted by a basis of interoperability.**

b.   **To promote public understanding of and participation in the state's rule-making process through electronic access, a task force should be established to:**

1) review the existing rulemaking process in order to develop a proposal for an electronic rulemaking information system; and

2) ensure electronic public access to that information system.

2. Universal Service

The term Universal Service[4] was originally associated with electronic communications features provided by regular telephone service. As new technologies have emerged, the state has modified the definition of Universal Service to include new features such as touch-tone, 911 access, and single line service. This definition should periodically be reviewed and revised to reflect changing standards.

To ensure that citizens of Minnesota can take advantage of all information technologies and the opportunities and advantages they provide, GIAC makes the following recommendations:

a. **Through adaptation of its methods and jurisdiction for regulation of telecommunications services, government should assure that Universal Service is achieved.**

b. **In conjunction with the Federal Telecommunications Act, a fund designed to provide Universal Service should be researched and created.**

c. **Consistent with the Federal Telecommunications Act, the Legislature should act to expand the definition of Universal Service, and periodically define the specific products, services and infrastructure requirements which constitute Universal Service.**

3. Equitable Access

Information technologies can remove a variety of barriers which have until now made it difficult, if not impossible, for certain citizens to access vital government information and services. Barriers including physical limitations and language can be minimized when information and services are delivered electronically.

To ensure that all citizens have equitable access to vital government information and services, GIAC makes the following recommendations:

a. **Following the federal Americans with Disabilities Act (ADA) and any other existing applicable state or local government disabilities regulations, government units should be required to accommodate those with disability or impairment when**

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[4] "Universal Service" in this report means access to those electronic communication services, without regard to economic or geographic barriers, necessary for individuals, businesses and communities to survive and thrive, particularly with respect to access to education, health care, business, culture and community, and government information.

developing on-line government information and service systems, and when providing public sites for access to those systems.

b. A policy for providing electronic access to existing and future Minnesota government information and services in languages other than English (as requested) should be established, similar to the current Communication Services Act.

c. In order to make it easier for businesses to interact with Minnesota state government, Minnesota state government procurement policies should be modified under a transition plan to an electronic commerce environment. The policies should closely parallel those of the federal government as dictated by the Federal Acquisition Streamlining Act of 1994, and any subsequent federal procurement laws and regulations.

d. Existing public access projects, such as Access Minnesota and METC grants, should continue to ensure that all Minnesota communities, both rural and urban, have equitable and reasonable access to public on-line government information and services. Communities with limited resources should be targeted for supplementary assistance in establishing public access sites.

4. Cost

The cost of accessing public government information and services can be an additional barrier to certain citizens. Many kinds of basic information must be made available at no cost, particularly if the information affects citizens' rights and responsibilities.

To ensure that this barrier is minimized, if not eliminated, GIAC makes the following recommendations:

a. The Legislature should establish in statute a definition for "marginal cost" (if it opts to replace the current term "actual cost") regarding fees assessed for copies or electronic transmission of government data. GIAC recommends that the Legislature adopt the definition of marginal cost articulated in the GIAC Principles (see footnote, Principle 3).

b. The existing "commercial value" section of Minn. Stat. 13.03 should be reviewed in developing any new information access policy. GIAC recommends that all fees for copies and electronic access collected by government units be retained by the government unit to improve and accelerate public access to its information and services. Further, GIAC recommends that the Legislature retain the current practice of requiring government units who charge for value-added service to obtain specific permission from the Legislature.

5. Information Access Awareness

a.   **The Minnesota Government Data Practices Act should be amended to require agencies requesting public data from citizens to inform those citizens that the data being requested are public data under Minnesota law, and that anyone may access public data.**

IV. GUIDING PRINCIPLES

These are the principles adopted by the Government Information Access Council in 1996.

1. ***Access to government information[5] is a fundamental right of all citizens in a democracy.***

    1.1   Citizens can more effectively contribute to democratic, economic and social progress when they can access and use public information without restraint.

    1.2   Basic access rights include the equal and timely right to free inspection, to receive copies, and to access and use government information in all forms and media for any legal purpose.

    1.3   All Minnesota government data should be presumed to be public unless otherwise classified by statute.

2. ***Responsive provision of information access and the dissemination of government information are essential functions of government.***

    2.1   Creating, disseminating and providing access to information is a mission of government units and such activities should be funded by public dollars just as are any other essential government functions.

    2.2   Government has a duty to collect and disseminate information to further its public purpose only, not for its economic gain.

    2.3   To achieve convenient and cost-effective public access, intergovernmental coordination and organization of information--from creation to preservation--is essential.

    2.4   Government units shall support the essential functions of citizen assistance and education, and provision of information locator tools.

    2.5   Government shall acknowledge the "Tools of Democracy"[6] as essential for

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[5] "Government information," used as a term throughout GIAC documents, means Government data and as such can be used interchangeably. The statutory definition of Government data is: "'Government data' means all data collected, created, received, maintained or disseminated by any state agency, political subdivision, or statewide system regardless of its physical form, storage media or conditions of use."

[6] "Tools of Democracy is the term used for "those government information and data whose access is essential to allow citizens to participate fully in a democratic system of government" [Minn. Stat.

citizens to actively participate in and understand government, and shall make those tools available in various media, including electronically, at no cost to the user.

3.   ***Public access to government information shall be free, and any charge for copies shall not exceed marginal cost.***[7]

    3.1   Inspection of public data in all media must be available free of charge. Copies shall be available for duplication or electronic transmission for free, or at a cost not to exceed the marginal cost of dissemination.

    3.2   Recovery of development costs or generation of revenue from information created or collected with public funds shall not occur without specific statutory authorization.

4.   ***All citizens, regardless of geographic, physical, cultural, socio-economic status or other barriers shall have equitable and affordable access to government information.***

    4.1   Geographic and economic barriers to access shall be eliminated by making tax incentives and funding mechanisms available to citizens, government jurisdictions, private businesses and especially providers of content, connectivity and site access for linked community-business networks.

    4.2   Barriers to information access shall be eliminated in accordance with the Americans with Disabilities Act of 1990 (ADA).

    4.3   Government information access barriers that are based on language and culture shall be eliminated by implementing, in accordance with federal and state laws, multilingual and multicultural components.

    4.4   The State shall ensure equitable and affordable access to government information through a variety of public-private funding mechanisms including tax incentives, low-interest loans, public appropriations, private foundations and charitable contributions.

5.   ***The Minnesota Government Data Practices Act and other information access policy laws must be complied with and enforced at all levels of government.***

15.95,Sec.1,Subd.7].

    [7] "Marginal cost" means charges to recover the cost for copies of information and data are limited to the costs for materials and supplies or electronic transmission, but excludes labor, overhead and development costs.

5.1   Training of government personnel and citizen education regarding the rights granted under access and data practices laws is essential for compliance with those laws.

5.2   Additional non-litigious mechanisms for effective enforcement of the Minnesota Government Data Practices Act and other access laws shall be developed and implemented.

6.   *Privacy is a right that must be maintained and protected in the context of changing technology.*

6.1   The public's right to know should be balanced with individuals, businesses and organizations right to privacy.

6.2   Users of government information shall have a protectable privacy interest.

7.   *Government information shall exist in the public domain to the greatest extent possible.*

7.1   Stewardship of government information, and the value of that information, is a function of government.

7.2   Government shall protect the right of citizens to use public government information for any legal purpose and shall promote the use of public government information to meet public purposes.

7.3   Use of government information should not be constrained by copyright or copyright-like controls except under limited circumstances.

7.4   A government unit may exercise copyright on certain government information pursuant to criteria established by the Legislature.

7.5   In no case should government's exercise of copyright be used to deny public access for inspection or to receive copies of public government information.

8.   *Government shall ensure that government employees and citizens have the tools, applications, training, and support for electronic access.*

8.1   The State shall provide training to government personnel across all levels of government on information access and service technologies, applications and policies which shall be supported by additional state appropriations.

8.2   The State shall establish a variety of outreach and public relations programs

statewide to educate and inform citizens on the value and use of emerging information access and service technologies used by the State.

8.3 The State shall provide support to citizens who require assistance accessing government information and services electronically on a twenty-four-hours-per-day, seven-days-per-week basis.

9. *Interaction among citizens, governments, businesses and organizations shall be promoted through the use of information technology and networks.*

9.1 Government shall accelerate the provision of its services through technology and networks which encourage electronic interaction among citizens, businesses and organizations

9.2 Publicly-supported, statewide electronic access to government information and services through multiple technologies and public access points is essential for information dissemination and efficient delivery of government services.

9.3 A diversity of information sources in the public, private and non-profit sectors should be encouraged to provide the public with access to government information resources.

9.4 The State shall establish timetables for statewide electronic public access to government information and services.

9.5 Government shall support public and private on-line efforts to ensure the development of on-line public spaces for discussion of public issues, civic participation, and problem-solving.

9.6 Government shall increase its use of electronic communication infrastructures and promote their use in the professional work of government staff.

9.7 Demonstration projects and outreach efforts shall be promoted and/or developed by government at all levels.

9.8 Government shall base its investment in the development and provision of electronic services on the long-term economic and social benefits of those investments.

10. *Citizens shall be enabled and encouraged to be consumers and producers of electronic information and services.*

10.1 State policies should encourage symmetry in the access and dissemination of

information.

10.2 State policies shall support individual and community economic vitality through effective and efficient electronic information and services.

10.3 The State shall provide individuals, libraries, educational institutions, non-profits and businesses with tax incentives or other financial assistance to acquire and use equipment, applications, content, infrastructure, training and other tools to stimulate demand for electronic access to government information and services.

10.4 The State should provide libraries and public and private educational institutions with ongoing financial assistance for recurring costs of electronic access to government information and services.

11. *The State shall ensure that all citizens of Minnesota have the benefits of Universal Service.*

11.1 The Legislature and Administration shall periodically define the specific products, services, and infrastructure requirements which constitute Universal Service.

11.2 The State shall establish a fund to provide Universal Service. Support for such Universal Service Fund should be equitably assessed on all providers of telecommunications services.[8]

12. *Effective competition in telecommunications services[9] in Minnesota is an essential component of effective access and interactive use of government information and services in electronic form.*

12.1 The State shall continue to adapt its methods and jurisdiction for regulating providers of telecommunications services toward the point where effective competition in telecommunications services ensures reasonable cost telecommunications services throughout the state, and ensures development of telecommunications infrastructure throughout the state.

12.2 Until such time as there is effective competition in telecommunications services

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[8] "Telecommunications Services" means those services for the two-way, interactive transfer of information by electronic means, including such technologies as traditional telephony, wireless, cable, and computers.

[9] "Effective competition in telecommunications services" is a condition where there are generally available in all populated locations throughout the state many providers of telecommunications services, and where there is organized and open transfer of information about the providers to the buyers.

throughout the state, the State shall have the legal power and the practical ability, within the construct of the Telecommunications Act of 1996, to intercede in the market so as to avoid or prevent pricing disparities among groups of customers and/or regions of the state, and to ensure development of the telecommunications infrastructure throughout the state.

12.3   At such time as there is effective competition in telecommunications services throughout the state, the State's oversight of the telecommunications services market shall be limited to the extent necessary to ensure Universal Service, interoperability of telecommunications systems, and consumer protection as is provided in other competitive markets.

12.4   The State shall create a formal mechanism to coordinate policy formation and oversight with respect to appropriations, regulatory, and tax policy to ensure continuity and consistency among federal, state and local policies which affect telecommunications services.

APPENDICES

Appendix A. *The Government Information Access Council*

The Minnesota Government Information Access Council (GIAC) was created in 1994 by the Minnesota State Legislature to improve public access to government information, and therefore to improve the democratic process, through the use of information technology; and to help government become more efficient, effective and responsive to the public through the use of information technology.

MEMBERSHIP
The Council has 29 members representing citizen groups, state and local government, higher education, the legislature, libraries, telecommunications entities, business, broadcast and media organizations, labor, and other diverse communities. Beginning in 1994, Council members were appointed according to Minnesota Statute; the current membership is composed as follows:

All Minnesota residents who are members of the President's National Information Infrastructure Advisory Group: **Stanley S. Hubbard**
President and CEO
Hubbard Broadcasting Inc.

Vance K. Opperman
President
Key Investment, Inc.

Two commissioners of state agencies, appointed by the governor:
Elaine Hansen
Commissioner
Department of Administration

John Gunyou
Executive Director
Office of Technology
Previous member:
Michael Jordan
Commissioner
Department of Public Safety

One person appointed by the University of Minnesota Board of Regents:
Julia F. Wallace
Head, Government Publications Library
University of Minnesota

One person appointed by the Higher Education Board:

Gerrit Groen
Program Manager for Distance Learning
Minnesota State Colleges and Universities
(Formerly known as the Higher Education Board)

One representative of public television, appointed by the Minnesota Public Television Association:

Mark Lynch
Manager, Education Technology Division
Twin Cities Public Television

Previous member:

Bill Strusinski
President
Capitol Hill Associates, Inc.

One representative aligned with the Minnesota Equal Access Network, appointed by the board of the network:

Randy Young
Manager of External Relations
Minnesota Equal Access Network

Previous member:

Lawrence Ware
General Manager
Garden Valley Telephone Company

One member appointed by the telephone company providing access to the largest number of customers within the state: **Pam Matchie-Thiede**
Minnesota Manager
U S WEST

Previous members:

Chuck Anderson
Manager, Community of Interest Networks
U S WEST

Will Kitchen
Manager, Community of Interest Networks
U S WEST

One corporate executive from a company that is a member of the Minnesota Business Partnership, selected by the partnership:

> **Duane Benson**
> **Executive Director**
> **Minnesota Business Partnership**

One representative of the Citizens League, appointed by the league:

> **Milda Hedblom**
> **Professor**
> **Augsburg College**

One member of the Intergovernmental Information Systems Advisory Council, appointed by the council:

> **James Krautkremer, Executive Director**
> **Intergovernmental Information Systems**
> **Advisory Council (IISAC)**
> *(Previous member)*
> **Merry Beckmann**
> **Membership Services Manager**
> **Association of Minnesota Counties**

One member appointed by the Minnesota AFL-CIO:

> **Richard Johnson**
> **President**
> **Minneapolis Central Labor Union**

One member of American Federation of State, County and Municipal Employees, Council 6, appointed by the Executive Board of Council 6:

> **Julie Bleyhl**
> **Legislative Director**
> **AFSCME Council 6**

One member of the Joint Media Committee, appointed by the committee:

> **John R. Finnegan**
> **President**
> **Minnesota Joint Media Committee**

One member representing each of the following groups, appointed by the members of the council previously designated:
Telephone companies:

> **Scott W. Johnson**
> **President**
> **Cannon Valley Telephone Company**

The cable television industry: **Michael C. Martin**
Executive Director
Minnesota Cable Communications
Association

Librarians who manage government information:
Catherine S. Fischer
Senior Librarian
Hennepin County Library

Four additional members representing diverse communities, or private citizens with unique perspectives regarding information policy, appointed by the members of the council previously designated: **Bijoy Khandheria, M.D.**
Associate Professor of Medicine
Mayo Medical School

Richard A. Krueger
Executive Director
Minnesota High Technology Council

Allan Malkis
Research Associate
The Urban Coalition

Chandler Harrison Stevens
President, Stevens Associates
Austin/Southeast Minnesota CoNet

One person representing a telecommunication carrier providing interexchange service the largest number of customers within the state, appointed by the members of the council previously designated: **David Clarkson**
National Account Director
AT&T

One member representing a public utility regulated under chapter 216B, appointed by the members of the council previously designated:
Thomas Ferguson
Director, Power Delivery
Minnesota Power

One member representing nonprofit cable communication access centers serving community populations, appointed by the members of the council previously designated: **Pamela Colby**
Executive Director
Minneapolis Telecommunications Network
Previous member:
Anthony Riddle
Executive Director (Former)
Minneapolis Telecommunications Network

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:
Representative Steve Kelley

Senator Ted A. Mondale

Representative Virgil Johnson

Senator Dennis Frederickson

Previous member:
Representative Marc Asch

In addition to these 29 members, the Council sought advice, comment and participation from 10 citizens during the course of its deliberations. These 10 citizen advisors are:

Dennis Fazio
Information Access Principles Working Group

Dick Hawley
Regulatory and Tax Policy Working Group

Diane Hofstede
Demonstration Projects, Equal Access and Outreach Working Group

Linda Hopkins, Chair
Information Access Principles Working Group

Nancy Jacobson
Demonstration Projects, Equal Access and Outreach Working Group

Sandra Krebsbach
Citizens and their Government Working Group

Richard Neumeister
Information Access Principles Working Group

Christopher Sandberg, Chair
Regulatory and Tax Policy Working Group

Mick Souder
Information Access Principles Working Group

Craig Wilson, Chair
, Citizens and their Government Working Group

The Government Information Access Council has been a part of the Information Policy
Office, Department of Administration, State of Minnesota, from 1994-1996. In July of 1996,
with the creation of the Office of Technology, responsibilities for GIAC have been in an
transitional phase that connects GIAC with both the Office of Technology and the
Department of Administration.

GIAC Staff: Tom Satre, Executive Director
              Steven Clift
              Kevin Hartmann
              Susan O'Neil
              Julie Smith Zuidema, Interim Director and Report Coordinator

*A special note of thanks goes to Cheryl Gunness, intern, for her work on the draft of this
report.*

Appendix B: *Government Information Access Council Statute Relevant Minnesota Data Practices Statute Excerpt*

Full text of Statutes can be found at: (GIAC)

http://www.revisor.leg.state.mn.us/st96/15/95.html

http://www.revisor.leg.state.mn.us/st96/15/96.html

(Data Practices) http://www.revisor.leg.state.mn.us/st96/13/

Minnesota Statute 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 committee; work groups.** (a) The council must establish and appoint an executive committee. The executive committee consists of the following members of the council: on 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 ALF-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 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.

History: 1994 c 632 art 3 s 20

Minnesota Statute 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.

© 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 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.

History: 1994 c 632 art 3 s 21

Minnesota Government Data Practices Statute Excerpt

Minnesota Statute 13.03 ACCESS TO GOVERNMENT DATA.

Subdivision 1. Public data. All government data collected, created, received, maintained or disseminated by a state agency, political subdivision, or statewide system shall be public unless classified by statute, or temporary classification pursuant to section 13.06, or federal law, as nonpublic or protected nonpublic, or with respect to data on individuals, as private or confidential. The responsible authority in every state agency, political subdivision and statewide system shall keep records containing government data in such a n arrangement and condition as to make them easily accessible for convenient use. Photographic, photostatic, microphotographic or microfilmed records shall be considered as accessible for convenient use regardless of the size of such records.

Subd. 2. Procedures. The responsible authority in every state agency, political subdivision, and statewide system shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner. Full convenience and comprehensive accessibility shall be allowed to researchers including historians, genealogists and other scholars to carry out extensive research and complete copying of all records containing government data except as otherwise expressly provided by law.
A responsible authority may designate one or more designees.

Subd. 3. Request for Access to Data. Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data. The responsible authority or designee shall provide copies of public data upon request. If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, compiling and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data. If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible.

When a request under this subdivision involves any person receipt of copies of public government data that has commercial value and is a substantial and discrete portion of, or an entire formula, pattern, compilation, program, device, method, technique, process, data base, or system developed with a significant expenditure of public funds by the agency, the responsible authority may charge a reasonable fee for the information in addition to the costs of making, certifying and compiling the copies. Any fee charged must be clearly demonstrated by the agency to relate to the actual

development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged.

If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.

Appendix C: *Prioritization Process*

After several weeks of refining the meaning and importance of the numerous action recommendations that had been developed by the GIAC Working Groups, the Priorities Subcommittee identified that simultaneous action on all recommendations could result in a scattering of energy and subsequent slower achievement of goals.

The first task was to agree on criteria that would help in the evaluation of recommendations. A "nominal group process" took place, where all members of the subcommittee were asked to list the factors that could mark some recommendations as more important to the immediate action plan. These factors were listed on a board for everyone to see and grouped according to category. Twelve general categories evolved, which were:
- foundational initiative which provides base for future action
- improves and expands citizen access to government information
- improves government efficiency and effectiveness
- easily implemented
- clarifies policies and principles
- specificity
- cost effective
- is not an unfunded mandate
- improves responsiveness of government
- is specifically a government function
- improves the democratic process
- provides impetus to private business

Members were then each allotted 100 points to allocate to the criteria they felt was most important conceptually. They could attribute all 100 points to a single criteria, or distribute the points in whatever manner best reflected their opinion on the importance of considering that criteria. After all contributing Priorities Subcommittee members had voted, the criteria ranked highest were:
- improves and expands citizen access to government information
- improves government efficiency and effectiveness
- foundational initiative which provides base for further action
- clarifies policies and principles
- cost effective

These criteria, along with their weight determined by the criteria's relative points given by subcommittee members, were then applied by each member to the list of 28 initiatives. Each recommendation was evaluated by the member as to whether it met each of the five criteria. Through a process of multiplying the number of members votes times the weight of the criteria, the top five recommendations were identified. Specific numeric scores are available upon request.

Appendix D. *GIAC Work Group Objectives and Report Excerpts*

The Government Information Access Council conducted much of its work through the use of Work Groups. Efforts were organized as follows:

> ### Information Access Principles Work Group
> ### Citizens and Their Government-Tools of Democracy Work Group
> ### Regulation and Tax Policy Work Group
> ### Demonstration Projects, Equal Access and Outreach Work Group

For each Work Group, presented below are the objectives of that group and excerpts of their reports that convey a flavor of their discoveries and recommendations.

▶ *Information Access Principles Work Group*

Objectives

- ▶ Develop mandated principles for decision makers and the legislature.
- ▶ Perform an in-depth review of information access and pricing issues.
- ▶ Review principles impact on data practices and privacy issues.
- ▶ Review intellectual property, exclusivity/non-exclusivity and other statute issues.
- ▶ Ensure that efforts of other Work Groups are consistent with principles.
- ▶ Build public awareness of information access principles and data privacy issues.

▶ *Information Access Principles Work Group Report*

Basic Access Rights - Inspection and Copies

Principle: Inspection of public data (or private data on oneself) must be available free of charge regardless of medium and without geographic discrimination. (Adopted 2-3-95 and 2-17-95)

Recommendations:

Public access to government information is a fundamental right in a democracy. Basic access rights should include the right to free inspection, to receive copies, and the right to use government information in all forms or mediums for any purpose.

Access to government information should be available on an equal and timely basis and be restricted only by the enactment of narrowly drawn statutes to protect certain specific legitimate public interests determined by state or federal law. (See privacy and use section.)

Pricing for Access (Copies, Electronic Transmission)

Principle: All public information is available for duplication or transmission for free or at a cost not to exceed the marginal cost of dissemination unless otherwise specified in law.

Recommendations:

To encourage the widest possible dissemination of public information, government data should be available to the public free of charge whenever copies, regardless of the storage

medium, are requested. Where costs are prohibitive, government units may require the requesting person to pay a reasonable fee for the marginal cost of providing copies. The following costs have been identified :
- searching and retrieving government data
- cost of employee time or labor required to provide copies
- making, certifying, compiling and electronically transmitting copies of the data
  - paper costs, printing costs (standard schedule of copying charges)
  - mailing costs
  - telecommunications and computer costs
(Note: These cost assume that the government data exists and the request does not involve the creation of new government data.)
Fees for access to government information based on perceived or real value or actual use of the information should be not allowed unless specifically authorized by state statute. Government information is the result of a participatory process and is a shared responsibility. - All parties are both providers and users of information. Taxpayers pay for government and its generation and collection of information; individuals and organizational taxpayers pay to provide government with information, and taxpayers must pay for information disseminated to the general public. Individuals and organizations should pay only for the costs of providing the information, and for that information which they require independently of others and for private use.

Fees for Access Not Exceed the Marginal Cost of Dissemination - Government should encourage the widest possible dissemination of public information by making it available at a price not to exceed the marginal cost of dissemination. Other pricing mechanisms, by their very nature, restrict access and innovation.

Electronic access to unrestricted information shall be free of charge except for the actual cost of providing the information. Actual cost shall not exceed the incremental cost of providing the data, which does not include the cost of creating the data, which does not include the cost of creating the information systems for purposes relating to the agency mission. Agencies may elect to provide access at reduced or no charge.

State agencies may charge a reasonable and standardized fee for reproducing public data or records but in no case may the fee be based on the cost of creating information systems. State agencies may require a person requesting data to pay the actual cost of searching and retrieving government data but may not charge for separating public from non-public data. The public should not pay for electronic program enhancements.

Equitable and Geographic Access
Recommendations:
All citizens have a right of equal access to government information regardless of geographic location, physical ability, race or economic condition. Government has a constitutional responsibility to ensure that no citizen "shall be disfranchised or deprived of any of the rights or privileges secured to any citizen" in their interactions with government unless done so by law.

The provision of electronic access to government data shall not remove the responsibility of a government unit to provide basic access through traditional formats such as print and other alternative formats or waive the legal requirement to provide free on-site inspection to government data.

Eliminate geographic and physical barriers to public information access

Electronic access to government information must be readily and equally available to all citizens regardless of residence, race or economic condition.

There should be no discrimination against public access to data because of geographical considerations.

Information in electronic form regardless of the geographic location, economic condition, or physical abilities of the user of that information.

Governments should provide a variety of adaptive technologies and alternative information access methods to help overcome physical barriers to public information. For example, information provided in graphical for should also be provided in text form when possible.

Electronic access to state and local jurisdiction information should be provided to every citizen without regard to the individual's financial ability to obtain the technology necessary for electronic access. Government shall provide at least one mechanism for electronic access by the general public free of charge.

Provision of electronic access to government data shall not replace or be an excuse for failing to provide access to such data in other forms such as print or on site inspection.

Information Organization
Principle: Information must be organized in a way that provides easy and convenient access
               to the public. (Adopted 3-17-95)
Recommendations:
Government shall keep records containing government data in such an arrangement and condition as to make the easily accessible for convenient use. The use of information technology shall be integrated into access systems to ensure that the public sector offers a level of convenient service similar to the private sector.

Electronic public access to government information in information systems shall be fully built into the development and function of government information systems.
Government units that upgrade their systems to provide required convenient public access shall not pass the on the cost to those accessing the information unless the service is clearly a value-added service that provides a level of service to the users not required for internal government use.

Easy to use information locator records and tools shall be developed to encourage citizen access to public government information at all levels. These records shall document the existence and public access options for all publications, information systems, and other collections of government information. State-wide efforts should be modeled after the Federal Government Information Locator Service initiative.

Develop easy to use, intuitive, information locator tools

Government has the responsibility to announce the existence and availability of its information and its new information systems and publications. - To facilitate access for those who need specialized information, government is encouraged to provide a master, centrally available index to its information and information sources, in a readily available manner, at no cost to the users.

When and individual or business attempts to seek information from the government the ease with which that information is obtained is crucial. The ease of use can be a deterrent as well as an incentive. Currently, there is no one point from which a broad spectrum of general information regarding government services or agency specific information can be obtained. To acquire information, people must be willing to devote considerable time and effort to finding the desired data. The task force envisions a system which will cut through the layers of bureaucracy and enable the public to obtain the information they seek easily and quickly. An electronic information catalog which can be accessed through a variety of methods would be ideal.

Citizen Assistance and Education
Principles: It is an important responsibility of government as a whole to provide information access assistance to ensure that citizens receive the help and support necessary to locate, obtain, and use government information.

Upon request, citizens have the right to be informed of the government data's meaning. In cases where this request cannot be fully met, the citizen should be referred to the responsible authority in government.

Recommendations:
Proactive efforts should be made to develop public awareness of the system and provide training in its use.

Rudimentary training in electronic retrieval of government data should be available to the public.

Personal assistance at selected locations such as local libraries and government offices should be available when needed. Citizens should not be expected to have the knowledge and background to step up to a counter or computer and gain access to the information they need.

Recognizing that an information literate workforce is a necessity and competitive advantage in the world economy, the state should invest in a lifelong learning system

which will increase and maintain the skills of its citizens. State funded and/or promoted activities should include the development of curricula for people of all ages, races, economic conditions, national background or primary language; recommendation of information literacy standards or achievement goals; and coordination of non-traditional education activities by community organizations and other institutions reaching low income people and communities of color.

Government Compliance, Enforcement, and Training

Principle: Government units shall provide training to their employees regarding their responsibilities and obligations under information laws. (Adopted 4-28-95)

Recommendations:

All state agencies should include an implementation strategy to provide electronic access to public information

Educate government employees in using and implementing technology to serve the public. Inform the public to effectively use technology to obtain government information and services.

Many government employees require training in the use electronic technologies for public services

Establishing a core of specialists to educate government employees on electronic resources such as voice interactive response, Internet, and videoconferencing could yield great benefits. Such training opportunities could be coordinated with the existing education technology centers. The same core of resource people could inform the public about the government office of the future and how to use technology to provide them with information access.

Coordinating educational opportunities for government employees and the general public would provide excellent opportunities for interaction between the public government employees, leading to a better understanding of each others' needs and responsibilities. Working together, government employees and the general public will achieve more successful implementation of electronic access.

Privatization of government services must not mean that information previously categorized as public within those programs can now be considered as private or confidential.

Data concerning public employees such as hiring, salaries, job performance, disciplinary actions, and dismissals should be public.

Government Coordination and Information Technology

Principle: Government units should work to coordinate and leverage each others' information access and dissemination activities, particularly as it relates to the use of information technology, networks, and public access sites. (Adopted 4-28-95)

Recommendations:

All state agencies must standardize and coordinate their information creation, collection and dissemination systems. A system of oversight should be established to assure such coordination.

All government entities should be aware of the full scope of their information resources and should work toward efficiently creating, managing, and making accessible, as appropriate, such resources throughout their life cycle.

Establish standards that promote public access to information

Because all levels of government are important producers and users of information, cooperation and sharing between and among these levels is essential to efficient management, use, and delivery of government information.

Electronic access to government information shall be available through a single standardized interface and access system, rather than requiring citizens to learn and /or choose amongst multiple systems to access information from different agencies, departments or branches.

State agencies will facilitate broad public electronic access to public information. Public electronic access should be made a consideration in the design of all information systems created by and for state government agencies. Government should finance the change-over to electronic information storage and dissemination.

Electronic barriers to accessing state electronic data bases should be overcome. One method is development of a public kiosk program. Use of information depositories should be expanded.

Implementation of fax-back systems in government offices should reduce processing and mailing cost and improve the delivery of services. A pilot project should be initiated to involve an agency which provides direct service to citizens.

Improve access to government bulletin board systems. The system supports electronic mail and public information relating to energy conservation. Many public schools operate bulletin boards to improve communications with parents. An index of government operated bulletin board systems should be established.

Public information disseminated in electronic form must be usable by the public. Reasonable standards for common formations and indexes must be established across all state and local jurisdictions to allow convenient access.

Information Dissemination - Places, Methods, Timing, and Tools of Democracy
Recommendations:
Government information shall be made available electronically in a timely fashion.

Public information, including records of the actions of government, both proposed and undertaken, should be easily accessible and usable to all persons on an equal and timely basis.

Government laws, regulations, and policies should facilitate public access to government-held public information by encouraging a diversity of sources, including the library community and private sector information industry, to offer or provide access to such information.

Demonstrate public access using a variety of methods and technologies

Means of public access such as kiosks and computer terminals in public places broaden citizen access to public information, including people with disabilities.

General public access may be concentrated in certain institutions such as public libraries. A demonstration project should be developed to provide public access to information in electronic form at the state's depository libraries, which already disseminate information in paper form.

State and local governments should implement pilot projects utilizing a variety of Internet tools and report lessons learned to other public agencies.

Local government can require the provision of public, education, and or government access channels as a condition to granting cable television franchises in their communities. Access channels provide television coverage of local community events such as city council meetings and provide a forum for community opinion

A Diversity of Information Sources Be Encouraged - Government laws, regulations, and policies should facilitate public access to government-held public information by encouraging a diversity of sources, including the library community and private sector information industry, to offer or provide access to such information industry, to offer or provide access to such information.

Access to government information from a diversity of sources is essential. - This ensure that all citizens have a choice of delivery systems and modes of access. The government itself, the information industry, other industry and businesses, academia, libraries and information centers, publishers, and the press share in the responsibility for making all government information available to the nations's citizens in a timely and accurate manner.

Equal and Timely Access Be Assured - Information held by a government entity should be available to all persons on an equal and timely basis in all reproducible media used by the government entity to store or distribute the information.

Public involvement is an essential element in the development of improved public services. Assurances must be made for public involvement and comment through such

methods as electronic mail, user surveys, public hearings, newspaper surveys, programming on public access television channels, interactive video conferences, and others.

Assure methods for public involvement and comment

Electronic Access, Information Networks and Telecommunications
Recommendations:
Statewide network access to key government information and services shall be assisted from telecommunications universal service funds currently under legislative consideration. (Proposed 2-17-95)

*For a report emanating from this Work Group on **Minnesota Government Use of Copyright and Intellectual Property** visit the website at http://www.state.mn.us/ebranch/admin/ipo/giac/copyright/*

► Citizens and Their Government-Tools of Democracy Work Group

Objectives
- ► Coordinate implementation of access to data or "Tools of Democracy" section.
- ► Focus on long term trends and applications that may change the relationship between the citizens and their government.
- ► Propose ways to use information technology to improve the citizen's interaction with government.
- ► Seek "break through" government re-engineering proposals that will improve the delivery of government services.

► Citizens and Their Government Work Group Report

The Citizens and Their Government Work Group focused on the "Tools of Democracy" and developed recommendations in the areas of public access, electronic interaction, government applications and government re-invention and service delivery.

Tools of Democracy
The primary focus of discussions in the Citizens and Their Government Work Group has been on the "Tools of Democracy" section of the Government Information Access Council (GIAC) statute found in Appendix B on page ___ of this report. The Minnesota Government Data Practices Act stands out as the foundation for ensuring that government information is publicly accessible. All government information, from data through books, is defined as public, or publicly accessible, unless otherwise classified by law. It should be noted that all public government data should be in an "arrangement and condition as to make them easily accessible for convenient use." The full application of the "Tools of Democracy" statute will help Minnesota prioritize efforts to significantly improve government openness and citizen participation by prompting active dissemination of this information through electronic and other means.

This section highlights government information resources that should be actively disseminated and made available electronically whenever possible, either for free or at no more than the nominal cost for reproduction or electronic transmission. The task of the GIAC is to determine which information resources the GIAC legislation applies to and make recommendations on issues that arise with specific information provision, resource requirements, and potential conflicts in state statute.

Identified Tools of Democracy
The following list of "tools" are based on months of discussion and research by the Citizens and Their Government Work Group. The list identifies the core information resources that are "essential to allow citizens to participate fully in a democratic system of government" or are "important to public understanding of government activities."

These documents or publications are currently accessible in traditional formats. Most of the information resources below have statewide application, criteria for specific resources from various government units are in the next section. Electronic dissemination and access is viewed as necessary to carry out the spirit of the GIAC legislation. The legislative language categories are in italics.

(1) directories of government services and institutions;
      Minnesota Guidebook to State Agency Services
      State of Minnesota Telephone Directory
      Legislative Directories

(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;
      Legislative Information
      State Statutes (including Index and search tools)
      State Register - Sections with Rulemaking Information
      Official Rulemaking Records and Public Rulemaking
      Dockets of State Agencies
      State Rules

(3) official documents, releases, speeches, and other public information issued by the governor's office and constitutional officers; and
      Governor's Office - Executive Orders, Speeches, News Releases, Appointments, Other
      Secretary of State - Open Appointments, Legislative Manual, Election Awareness Information
      Attorney General's Office - Attorney General's Opinions
      State Treasurer' Office - State Investment and Accounts Information
      State Auditor's Office - Information on local government budgets, revenues, and expenditures and other reports

(4) the text of other government documents and publications that the council determines are important to public understanding of government activities.

Statewide - General Information Resources

> Supreme Court and Court of Appeals - Slip opinions, general judicial information
> Ethical Practices Board - Election Finance and Other Reports
> State Budget Information
> Local Government - Tools of Democracy (Items like city codes, board minutes, etc. are likely candidates, a model information access system should be developed for potential use by local governments, see Government Applications Recommendations section).

The "other" category is general in nature. The Work group has developed a set of criteria for use by government units in setting priorities for improved access to information that should be considered a "Tool of Democracy." These criteria focus on the identification of information resource categories. The identification of specific publications or documents by the Government Information Access Council in the general "other" category is considered impractical, except for those that are statewide/government-wide in their application.

Information Resource Categories - Tools of Democracy Criteria

Information resources that meet one or more of the criteria below should be considered "Tools of Democracy." Government interest in providing improved access to information to meet public demand is growing; information dissemination prioritization and allocation of resources for well planned and fully implemented on-line efforts are required to allow Minnesota take advantage of this opportunity. Important challenges for effective electronic access and dissemination of information are organization, indexing, and storage of information and the need for networked public access terminals across the state.

Below is a list of evaluation criteria. The more characteristics that apply, the more likely the information resource should be given priority for improved public access as a tool of democracy.

> A. The information resource is representative of the types of information listed in the "Identified Tools of Democracy" section, but produced by local and regional units of government, or is substantially produced with public funds.

> B. The information resource is a public information newsletter, press release, or general information disseminated by a government unit to improve the public understanding of government activities, services, or institutions.

> C. The information resource is a report required by statute to be submitted to the state legislature from any governmental unit. (State Agencies, Commissions, Task Forces, Local Governments, etc.) (There are thousands of required "reports" to the legislature. The requirement of submission of information to the legislature, raises the likelihood that the document should be considered a "tool of democracy," but the requirement itself should not be the only factor in prioritization for electronic access.)

> D. The information resource is a report required by statute to be submitted to the Governor from any governmental unit. (State Agencies, Commissions, Task Forces, Local Governments, etc.)

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E. The information resource is a major public policy report developed by a government unit for the purpose of informing the democratic decision-making process or a document which is important to public understanding of a government units activities.

F. The information resource consists of government budget information including information about revenues, expenditures, and performance.

Pricing for Tools of Democracy

The "Access to Data" section of the GIAC statute states that information should be provided "free of charge or for a nominal cost associated with reproducing the information or data." The Information Access Principles Work group has focused on this issue. According to the GIAC statute, it could be interpreted that pricing schemes allowed by other sections of statute like the determination of commercial value or actual cost pricing should not be used to price paper or electronic copies of a government unit's "Tool of Democracy."

The Citizens and Their Government Work group recommends that whenever possible, electronic versions of any "Tool of Democracy" should not have a fee associated with their access or use. In the era of electronic access, particularly through the Internet, a nominal or marginal cost pricing system would likely cost more to implement than the sum of revenue generated from fees collected for electronic copies.

Additional Citizens and Their Government Work Group Recommendations:

Public Access
Recommendations:
1. Public Access Points. Public access points to government information and services must be established across the state for the general public. These public access points should provide access to those government information services that should be universally accessible across Minnesota.

The provision of government information and services electronically require coordinated efforts at all levels of government in conjunction with local organizations and the private sector. Public access points and necessary support for information technology oriented government service delivery should include a basic level of human assistance when needed. Over the next decade a significant number of Minnesota homes will have direct access to information and services through computer networks, however, the provision of a public service requires that all citizens have a reasonable opportunity to access that service. Technologies like the telephone-based interactive voice response systems and automated postal and fax-back systems should be used to complement computer and kiosk access systems.

These public access points may take the form of computer terminals connected to the Internet, interactive kiosks that allow secure transactions, and improved use of widely available technologies like the telephone, FAX, and cable television systems. Proposals should be developed ensure that the following sites are explored for public Internet or kiosk access to government information services: public libraries, government offices, schools, colleges and universities, community and neighborhood centers, Extension offices, and other non-government "public" spaces that are conveniently located. By leveraging open networks like the Internet,

government will be able to reach its customers through access points established for many different purposes.

2. Television - Interactive, Cable, and Broadcast. Interactive television, public access cable channels, and broadcast facilities should be utilized on a statewide basis to provide access to legislative and other government hearings. Advances in telecommunications and deregulation should include development of a public access system for video and audio coverage of important government events in Minnesota. Interactive television should be used across Minnesota more frequently to encourage broader public testimony at legislative and executive branch hearings.

One of the most important "Tools of Democracy" is access to video and audio from the legislative process. The concept of Public, Education and Government (PEG) access to current and future mass communication mediums is fundamental to democracy. Advances in digital technology and the potential to distribute legislative and new executive branch video programming should be explored. All Minnesotans, regardless of geography, should have access to this informative programming. The experience of local governments and non-profit efforts like M-SPAN, should inform possible statewide developments. The expanding educational interactive television networks and MNet's digital video services may provide the framework for statewide distribution of government programming.

Electronic Interaction
Recommendations:
1. Government E-mail Addresses. All state agencies and important divisions that interact regularly with the public should have standardized general e-mail addresses to handle public inquires. These e-mail addresses and mechanisms to respond to basic electronic correspondence should be in place by July 1, 1996.

2. Community and Public-Access Networks. Support for community and public access networks across the state should include the involvement of the public, non-profit, foundation, and commercial sectors. The legislature should consider the development of mechanisms to support the development of community networks in all areas of the state to ensure that Minnesotans will be both consumers and content providers in Minnesota's information environment. Community networks, broadly defined, represent a significant on-line "public space" for citizen use of government information made available electronically. Citizen-to-citizen problem solving through electronic communication and traditional meetings at the community and state level should also be encouraged. Many government entities exist to develop and broker information for various public purposes, the electronic communication medium will offer new ways to create and share information that may change the way a government unit functions.

3. Government Participation in Electronic Communication. Government staff at the state and local level will find it possible to offer advice and assistance to community efforts within their professional focus through scores of electronic interest forums that will likely develop in Minnesota over the next few years. Training for government staff in how to best use this communication medium should be provided. Government agencies should be active participants in electronic interaction whether government sponsored or otherwise. The appropriate boundaries for government involvement and technical support for communication spaces where discussions involve broad social and political discourse should be explored and developed through experience. The professional use of this medium by government staff should not be

confused with personal use which should be handled through private on-line accounts. Legislative and other decision-making bodies should use electronic interaction and electronic submission of public comments as a way to enhance and complement current participation activities in our representative form of government.

4. Elections and Information Technology. The legislature has considered allowing individuals to request absentee ballots via FAX. The application of information technology in the voting and election process would have major implications for our democracy. Proposals that would allow voting via telephone, FAX, or electronically should would require significant attention to authentication and security as well as the carefully considered determination that voting in this fashion would improve our representative democracy. This is a topic that will likely arise in the state legislature over the next few years. The Work group recommends that this issue should be seriously considered and discussed.

Government Applications
Recommendations:
1. Government Information Locator and Indexing. The State of Minnesota should develop a comprehensive index and locator system for government documents and information systems. Such a system should utilize emerging standards and be compatible with efforts like the Federal Government Information Locator Service initiative. Such a locator system should include searchable data fields to ensure that government records and information systems are easy to find, whether on-line or not and assist the process for archiving and preservation of important records. The legislature should create a task force to develop a prototype system and make recommendations for the full implementation of such a system to the 1997 legislature.

2. Minnesota Government Information Architecture. Minnesota needs a comprehensive customer-focused government service delivery system that uses information technology and networks. Government organizations at local, state, and federal level, in the context of international open systems information standardization efforts, should collaborate to ensure that the citizen are provided with a user-friendly package of services. The legislature should support efforts by the Information Policy Office and Information Policy Council to create a government-wide information architecture for the cost-effective delivery of information and services and efficient intergovernmental communication. This information architecture should be implemented in a way that reduces government costs to deliver services and the overall costs to customers receiving services or information from government.

3. Accelerate Connectivity. Expansion of information network connectivity should be accelerated across all government units. A mix of direct connections to larger government and dial-up connectivity to smaller local governments should provide a full suite of Internet-based information services. Options for development include continued expansion of MNet (the state's telecommunication network), the use of private network service providers, development of an dial-up service for government units similar to the Internet for Minnesota Schools initiative, a combination of the above and other options. Use of these services should be directed toward provision of general e-mail addresses for government units for public communication and intergovernmental use. By the year 2000 all government units should have ability to receive and send e-mail and have basic connectivity to the Internet or government information networks.

4. North Star Internet Demonstration Project. The North Star Demonstration Project should be continued beyond June, 1996 and be expanded. The use of the World-Wide-Web and other Internet-based applications are an important starting point for government experience with seamless electronic publishing and service delivery. Resources for coordination/collaborative projects like North Star will be important for easy access to the scores of information services being developed by government units at all levels. Resources to assist the development of specific agency demonstration projects should be considered to help develop government best practices in this area. In order to make specific content available, the cost to maintain and develop integrated information services will exist in many government units.

5. Rulemaking Information System. A publicly accessible rulemaking information system should be developed. During the 1995 legislative session the legislature reformed the rulemaking process. State agencies with rulemaking authority are now required to maintain an official rulemaking record and a public rule making docket. These two sets of documents, that include rulemaking information from the State Register, statements of need or reasonableness, written comments, and rule proposal status information, present the framework for an electronic rulemaking public access information system.

6. Local Government Tools of Democracy Information System. A model system for collection and delivery of basic local government information like codes, rules and regulation, official minutes, and others should be developed. Local governments at the city, school district, county, and township level should work to develop a coordinated/replicable system for storage and retrieval of public information. The legislature should promote the development of a plan for and prototype for such a system. Efforts should include local government representatives, local library representatives, citizens interested in local government information access and others interested in strengthening local democracy.

7. Education. The beneficial use of government information in a democratic society will be considerably aided by a citizenry with information skills. Building information skills required for general participation in the information age will have positive results that will go far beyond the use of government information. The economic development, civic engagement, and creative and cultural expression possibilities will likely motivate many of the efforts in this area. Educational programs that start with children in the schools and adults in community and higher education will help ensure that efforts in this area will make a positive contribution to the quality of life for all Minnesotans.

Government Services Re-invention
Recommendations:
1. New Government. The devolution of the Federal government and efforts to move various government responsibilities to the state and local level provide a significant opportunity for innovation. The foundation for a horizontal government that promotes open communication and collaboration across all levels and units of government must be developed. Across the world, the barriers of geography and bureaucratic hierarchy are dissolving with the introduction of information networks This process of change will be assisted by the strategic development of information tools and communication forums that help bring governments together in order to find new and better ways to serve their citizens and succeed in meeting their goals and public purposes.

To bring about "New Government," the basic connectivity described in other recommendations should include access to a well organized and powerful set of information tools that will make government-wide communication possible. Government staff, regardless of their location, should be able to communicate, share experiences, and collaborate on efforts in their professional area. This full service intergovernmental communications system should provide a set of Internet-based interactive services including basic e-mail, groupware applications - starting with e-mail group lists and news group forums, and a place to post notices and announcements of official government activities. These virtual government communication sectors would allow, for example, recycling coordinators in different communities to share ideas and strategies for improving recycling in their own communities.

2. Improved Service Delivery. The potential for improved delivery of government services is tremendous. The use of information technology should not simply automate inefficient delivery systems or make ineffective government programs less expensive to continue.

Some ideas for improved government services include:

2a.   Intergovernmental Data Sharing. Government units should improve their sharing of information to improve their service to the public and at the same time ensure that privacy concerns are fully addressed in the development of information system that contain information on individuals.

Information that has been submitted by a citizen or business to a government institution, is legal to share, and which can be transferred electronically, should not be requested by another public institution again. Data should be requested only once.

Government agencies should assess their demand for the information, which citizens and businesses must give, and stop collecting information no longer necessary for agency activities. Government databases with public information on persons, companies or geographical data should be more interrelated, and double registration of information should be avoided.

Any combined or centrally accessible (information may reside in many database, but be technically retrievable through a single computer interface) public information database with information on individuals has tremendous privacy implications even if the information is not legally classified as private. Mechanisms for government-wide data sharing may require additional privacy protections even though information is publicly accessible directly from collecting agencies. It is important to note that in many cases the same information that is public in one agency is classified by law as private in another.

2b.   N-1-1 - Single Telephone Access Number to Government. According to a survey by GIAC, the telephone is used more often than other technologies by the public to request government information and make inquiries. On-line efforts should include an emphasis that will help the citizen and government use the telephone more effectively. This includes human directory assistance, information referral, and use of interactive voice response technologies. A few states have studied the possibility of assigning a number like 3-1-1 to government. Depending upon where the call originates, an operator or Interactive Voice Response system would help route the call to the appropriate government unit in local, state, and potentially federal government.

2c. "One-stop Shopping" for Citizens and Businesses. The use of information networks make it possible to provide a mix of highly specialized government services from distributed service centers across the state. Service centers for business might include staff specializing in small business development with new computer-based video conferencing equipment to allow business persons and center staff to interact with specialists on other issues across the state. Other examples include current efforts in job searching, and continued interest in using secure kiosks to deliver certain licenses, permits and vehicle tabs. Future "one-stop" proposals should leverage each other's infrastructure needs to bring down total costs and be presented to the public under one banner or easy to identify government logo.

3. Economic Development. Efforts to promote economic development through improved access to economic development information produced by government should be encouraged. Minnesota should strive to be a world leader in the efficient and effective interaction among governments and businesses through the use of information technology and networks. The provision of services (either way), regulation and compliance, licensing, procurement, taxation and other interactions should be developed in ways that work to reduce the costs of that administrating that function for all parties involved.

Resources
Recommendations:
1. Commitment of Resources. Whether it be improved access to the "Tools of Democracy", use of electronic interaction, or improvements in government services, these efforts require a commitment of resources and setting of priorities. Resources such as staff time and management leadership are as important as funding or reallocation of government budget resources. In an era of tight government budgets and likely budget cuts, the well planned use of information technology may help us maintain our level of public service through more efficient delivery of services. It should be recognized that the need for resources involves multiple levels of government and that in many cases technological investments will be required for future savings.

2. Leveraging Resources. Government should work to leverage international networks such as the Internet and position itself for use of future broadband digital networks. Open systems and interfaces such as the World-Wide-Web and more advanced standardization efforts will ensure that government does not bear unnecessary costs in developing stand alone systems and networks. Citizens, businesses, and potential public access points access many information sources from the private and non-profit sector as well as government. By ensuring the compatibility of government information services with this information infrastructure, government units at all levels will be able to focus their resources on the development of applications.

3. Funding through Efficiency. The costs to members of the public for the receipt of government services and information through the use of information technology should generally be comparable to the costs of traditional access. The delivery of information and services should be developed with the goal of being cost-effective for both the public and government unit. Efficient delivery systems should be promoted more heavily to increase public use. The legislature may determine that specific applications should allow for more cost recovery to support the costs of new technology, but this should only be done in such a way that fits the public mission of the agency or service. To support the development of more on-line services,

the legislature should consider allocating portions of legislatively mandate fees for services/licenses to efforts of automation and electronic delivery.

4. Universal Service Funds. Public access to important government information services through public access points across the state should be supported through telecommunication universal service funds. Defining the "public lane" on the "information highway" should first focus on the infrastructure for general public access, and work to ensure over the long run that electronic information services the government develops are available to citizens and information consumers through advanced communication systems that use various telecommunications technologies. The distribution of government services electronically requires efforts to improve equitable access, however, the use of universal service funds should be reasonable and not create disincentives for investment or further development. It will be important to bring the information infrastructure providers and users into a process that develops a Minnesota vision for our information future. See the extended work of the Tax and Regulation Work Group for extended discussion on universal service funds.

▸ ## *Regulation and Tax Policy Work Group*
Objectives
▸ Explore regulatory reform that will be necessary to ensure competitive, statewide, reasonable cost telecommunication services.
▸ Explore regulatory reform that will be necessary to help the state's telecommunications network ensure the basic access to government information in electronic form on a statewide basis.
▸ Work with the Public Utilities Commission to help address changes in the regulatory environment that are identified as necessary to facilitate access to and distribution of government information.
▸ Work with the Department of Revenue to help identify and explore any tax policy that may help facilitate development of Minnesota's information environment.

▸ ## *Regulation and Tax Policy Work Group Report*
The Tax and Regulatory Policy Work Group has developed the following proposed statements of general policy and specific recommendations, based upon two of the charges given to the Work Group:
• to explore regulatory reform that will be necessary to ensure competitive, statewide, reasonable cost telecommunication services, and

• to explore regulatory reform that will be necessary to help the state's public telecommunications network ensure the basic access to government information in electronic form on a statewide basis.

"Bill of Rights" Points
A. The State should take the actions needed to ensure that all citizens of the State have the benefits of Universal Service.

B. The State should establish and maintain policies that ensure that government information is accessible in electronic form to all citizens and communities in Minnesota.

C. The State should adopt regulatory and tax policies that encourage the development of competitive markets for telecommunications, applications, and information services which provide methods of access to government information.

D. The State should adopt economic policies that assist individuals, businesses, and public and private institutions in obtaining access to the tools - equipment, applications, infrastructure, and training - they need to use in electronic form the government information that will let them be fully participating citizens in an electronic age.

Strategies

1. The statutory goal for "Universal Service" should be, "Access to those electronic communications services, without regard for economic or geographic barriers, necessary for individuals, businesses, and communities to survive and thrive, particularly with respect to access to education, health care, businesses, culture and community, and government information."

2. The Legislature and Administration should periodically define those specific services which constitute Universal Service.

3. The State should establish a Universal Service Fund, designed to ensure Universal Service and funded on an equitable basis by all providers of telecommunications services.

4. The State should mandate that State agencies provide information in electronic form and provide services through electronic media.

5. State policies should encourage symmetry in the access and dissemination of information, where content is both consumed by and created by users.

6. The State should identify and review existing tax and regulatory policies which impede the development of content, tools, and applications, and should adopt policies which promote content, tools, and application development.

7. The State should continue to adapt its methods and jurisdiction for regulating providers of telecommunications services towards the point where effective competition in telecommunications services ensures reasonable cost telecommunications services throughout the State, and ensures development of telecommunications infrastructure throughout the State.

8. Until such time as there is effective competition in telecommunications services throughout the State, the State should have the legal power and the practical ability to intercede in the market, so as to avoid or prevent pricing disparities among groups of customers and/or regions of the State, and to ensure development of the telecommunications infrastructure throughout the State.

9. The State should create a formal mechanism to coordinate policy formation and oversight with respect to appropriations, regulatory, and tax policy to ensure

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continuity and consistency among federal, state, and local policies which affect telecommunications services.

10. At such time as there is effective competition in telecommunications services throughout the State, the State's oversight of the telecommunications services market should be limited to the extent necessary to ensure Universal Service, interoperability of telecommunications systems, and consumer protection as is provided in other competitive markets.

11. The State should not compete with private parties by creating a separate electronic infrastructure for the dissemination of government information, but should encourage and rely upon the emerging competitive market for telecommunications services to provide it with cost-effective means for distributing government information and receiving information from citizens.

12. State and local government procurement policies should serve as a catalyst for the development of the market for diverse telecommunications services for all users in local communities.

13. Until such time as there are competing private systems for the dissemination of government information throughout the State, the State should provide financial assistance to public and private institutions to experiment with methods of making government information available to citizens in their area.

14. To stimulate demand for electronic access to government information and services, the State should provide individuals and businesses with tax incentives or other financial assistance to acquire and utilize the tools (including equipment, applications, content infrastructure, and training) which permit them to do so.

15. The State should provide public and private educational institutions with ongoing financial assistance for the purchase of tools and recurring costs of electronic access to government information.

16. Local units of government should comport their tax and regulatory policies with those established by the State.

17. The Work Group's definition of "telecommunications services" is, "Services for the two-way, interactive transfer of information by electronic means, including such technologies as traditional telephony, wireless, cable, and computers."

18. The Work Groups's definition of "effective competition in telecommunications services" is , "A condition where there are generally available in all populated locations throughout the State many providers of telecommunications services, and where there is organized and open transfer of information about the providers to the buyers."

▶ ***Demonstration Projects, Equal Access and Outreach Work Group***

Objectives
- ▶ Raise awareness and interaction among demonstration projects across the state.
- ▶ Develop proposals for efforts to help assist demonstration projects.
- ▶ Review state agency electronic access demonstration projects.
- ▶ Address the Americans with Disabilities Act and other equal access issues.
- ▶ Address current statewide /local network access issues (terminals for e-access.)
- ▶ Bring citizens, the private sector, non-profit organizations, and all levels of government into discussions on access issues.
- ▶ Aid and abet development of public/private sector collaborative.
- ▶ Identify and explore sector access principles, issues, and coordination in economic development, education, medicine, local government, electronic commerce and criminal justice.

▶ ***Demonstration Projects, Equal Access, and Outreach Work Group Report***

This group concentrated on the following mission in planning their activities: *Promote and train citizens and communities* [in rural Greater Minnesota, inner-city neighborhoods and knowledge-elite suburbs] *regarding access and dissemination of information and services through electronic technologies.* Their philosophy provided the basis for a plan of action in conducting outreach meetings across Minnesota. A summary of the information gathered during that process follows.

Promotion Minnesota's comprehensive outreach must proactively inform and involve all citizens and communities through interactive media events and continuous outreach via public access sites.

- **Outreach to involve Small Communities, Neighborhoods and Isolated Citizens:** Peak and continuous outreach needs to be bottom-up and involve cluster groups at grass- roots, which can be organized through various associations, clubs and advocacy groups such as the League of Women Voters.

- **Community Outreach to Involve Mass Media and to be Interactive:** Public broadcasting could be catalyst to involve all media to support community building, with peak media events within a continuum of the development of online activities and learning.

- **"Peak Outreach Events" in "Outreach Continuum" for heightening Awareness:** Electronic town meetings, via mass media and tele-conferencing sites, should be organized in 1996.

- **Commercial Nodes in Community Kiosks Network to Extend Outreach:** Businesses should be able to add and feature their online content in open network of access kiosks. Commercial kiosks and paid online advertising should help support free civic information access.

Training Minnesota's outreach must utilize existing educational facilities along with other facilities for training and continuing support for all citizens and communities.

- **Interaction with Dispatchers/Netweavers/Searchers, In Person/Online/By phone:**
  Disadvantaged people as well as "advantaged newcomers" should have immediate access to live, computer-assisted "operators" or dispatchers, reference librarians, extension agents or new "Netweavers" during outreach peak events and more continuously online.

- **Outreach Support for Isolated/Disabled people Such as in Senior Citizens Homes:**
  Second-hand as well as new computers, equipped with modems, need to be placed so as to reach remote or relatively isolated people, as in senior citizen homes, so that outreach is not exclusive.

- **Open Systems Approach to Allow other Key Nodes to Extend Outreach:**
  No organization nor place should be excluded as a potential node in open system of access kiosks.

- **Community/Technical Colleges, Schools and Libraries as Key Nodes:**
  newly equipped and newly merged community and technical colleges, backed by universities, should become geographically well-placed resources for local key   nodes.

- **Training of Trainers/Facilitators (librarians, extension agents, teachers):**
  Network shops at colleges/schools/libraries/etc. in 1996 and beyond should train trainers/facilitators for information technology instruction.

- **Interoperability and Upward/Downward Compatibility of Outreach:**
  Outreach needs to be through both high-end and low-end technologies. For example, multimedia web pages need to include text in place of images for those with older text-only computers, and links to those without computer access can be through interactive mass media and access kiosks.

- **Continuity of Outreach:**
  Twenty-four-hour-per-day access is needed through dial-in access, open-access public kiosks, and newly emerging technologies.

GIAC Outreach Campaign: "Plugging In" Minnesota Communities

The Demonstration Project, Equal Access and Outreach Work Group implemented their recommendation for community forums as "Plugging In", during the summer of 1996.

The GIAC outreach meetings were completed July 23 in Little Falls which marked the end of eight regional events. The following paragraphs are an attempt to summarize all of these

meetings and bring together a cohesive evaluation of what was discussed, and what the greatest concerns were among those who attended. Attendees were allowed to choose the policy issues they wished to discuss. Choices were made relevant to the stage of development in that community, and the interests of the individuals who attended the outreach session. The policy issues on the agenda were: **(1) training and education, (2) economic development, (3) Universal Service Fund, (4) funding, (5) privacy and public information, and (6)government information and services.**

Training and Education
Training and education were chosen at seven of the eight meetings. There is a significant concern over the lack of general literacy of citizens in information technologies, especially in the outstate regions. In response, attendees encouraged the government to host more meetings of this kind, or other types informative events and campaigns that increase the general awareness of communication technologies. It was suggested that application-specific training programs regarding information technologies could be held at a variety of venues such as schools or libraries. Many stressed the importance of offering basic computer training like keyboarding and introductory computer courses, but also offer advanced computer and software training for those who seek more sophisticated applications of communication technologies. This diversity of training and education parallels the concept of "life long learning": the notion that education should be a life long process and that anyone anywhere should have the opportunity to access many types of education resources. Moreover, the idea that technology eases geographic boundaries was demonstrated by an educator from central Minnesota who proposed that the state consider investing in satellite technologies so that students and adults alike could take classes that are not offered locally such as Latin, Japanese, accelerated math and computer courses. Most of the attendees recognized the importance of focusing and tailoring the training by targeting specific needs and applications, as well as the diversity among communities. Not all places in Minnesota need or want the same information and training on information and service technologies; however, many supported the idea of a central clearinghouse where much of this type of training and education could be coordinated and posted. Another concern was that the "have-nots' not be overlooked but should be targeted as a priority. Finally, when more citizens recognize the importance and benefits of information and service technologies, then they are more likely to use it.

Economic Development
Part of the mission for the outreach campaign was to inquire about local demand for information technologies. Pent up demand should lead to an infrastructure that is market driven. The more people use telecommunications, the lower the costs and the more sustainable the infrastructure will be. Attendees recommended that before there can be economic development using information technologies, there needs to be greater connectivity and lower costs for telecommunications services. Small and medium size businesses and organizations that might use telemedicine and distance learning cannot afford to take advantage of the economic opportunities to do business internationally using the Internet until it is available and economical. Adding to the lack of affordable connectivity was the misunderstanding of MNet and its role in many communities for local government and public schools. Telecommunications providers and others felt that while MNet served its purpose at one time, state government should reevaluate current strategies, and let private telecommunications providers compete for the same customers. Training and education was

also stated as a significant barrier to economic development. Once again, people will not use information technology until they know how to use it and can apply it to their unique business and organizations's needs. Other concerns included the states' ability to keep businesses who are frustrated with connectivity capacity; attracting businesses from out of state; concern by providers in reference to depreciation schedules for technology investments; security on the Internet for performing business and financial transactions; and the cost of changing technologies. Overall the attendees believed that they could substantially improve their standard of living if they had more opportunity to leverage information technology for local economic development.

Universal Service Fund

While Universal Service was the third most chosen issue, it was not discussed directly at any length, and only referred to as one funding alternative. In Thief River Falls attendees noted that the services defined under Universal Service should be chosen with caution and allowed to evolve over a few years. In Owatonna the general sentiment was that telecommunications providers make a considerable profit, thus should bear the responsibility to pay for advanced services. A Universal Service Fund was also discussed as a funding option for general infrastructure development in communities of need.

Funding

Funding was discussed on four occasions. In Hibbing attendees felt it was important to ask first *what* exactly should be funded; equipment for schools, libraries and extension offices; training and education for government staff; or general telecommunications infrastructure improvements. When asked if they preferred funding through taxing providers, or through user fees, Hibbing attendees unanimously agreed that it should be both. Hibbing attendees said they are willing to pay for it and perhaps the highway system would prove a good model for a funding structure. They also encouraged schools to update their technology, but that it should be left up to the districts and should have a reasonable time-table for improvements. Marshall and Thief River Falls attendees also agreed that both telecommunications providers and users should pay for funding infrastructure. In addition, low cost loans should be offered to poorer providers and more grant programs should be established. At the Minneapolis meeting attendees identified three items to be funded: 1) bandwidth expansion; 2) public access sites; and, 3) education and training. They suggested that these be funded through general fund allocations.

Privacy and Public Information

Privacy and Public Information was discussed briefly at a few locations. In St. Paul there was the concern that the "culture" of privacy is disappearing, and with the advent of innovative communication technologies we are faced with a new set of challenges regarding the safety and accuracy of information on individuals and organizations. It was suggested that government focus on providing only public information that is already available and is most frequently requested. There was some discussion about whether personal data should be linked and shared among government units and that people should have the right to know when it is being traded. Moreover, information should not be provided to the public if the citizen has requested it not be. Finally, the government should rethink the Data Practices Act and access to criminal justice information.

Government Information and Services

Government Information and Services was brought up briefly at some of the meetings; at other locations it was discussed at some length. In St. Paul questions were asked concerning the amount of value should government add to raw data, what level of "service" should be provided, whether there should be fees for the citizen users, and whether there should be a franchise for resellers. Kansas was referred to as a state that sells much of their public information to heavy users like real estate agents, lawyers, and developers. In Wisconsin property taxes cover government information services funding. A majority agreed that government should not compete with the private providers but that government should focus on the taxpayer getting value. Whenever possible government should provide information that is demand driven and interactive such as interactive voice response phone services, public access television, and Internet. Other suggestions included setting minimum standards for providing government information electronically; furnishing all data on voting and campaign finance; easier transfer of government information between government units; and more information on the enormous amount of data the government holds.

Other Observations

There were a number of issues that were raised by attendees and participants that are worth noting but not directly related to the policy categories above.

The Internet Is Not Salvation: The computer and the Internet are not always the tool of choice. In Thief River Falls many acknowledged that traditional communication devices and other advanced communications tools will continue to be used. Some of these include, television and cable; the phone and integrated voice response systems; advanced faxing; public kiosks; and, satellite and cellular communications. It is likely that all of these technologies will used, and increasingly in an integrated manner.

Security and Authentication: Growth of the Internet, especially among the financial communities, will be delayed until there is a level of security at which transactions of information and payments can occur with the full confidence of the vendor and the consumer. It was said at many outreach meetings that until transactions on the Internet are safe and guaranteed, the Internet will remain an information intensive resource and less service orientated, rendering it considerably less useful.

Have Nots and Not for Profits: In Minneapolis a representative from the Latino community expressed his concern that the advent of communications technologies is systematically widening the gap between the technological elite and the have-nots. The speed at which information technology is out- pacing disadvantaged communities is far greater than, for example, the introduction of industrial and agricultural technology. A representative from the Urban Coalition agreed saying, "lower income communities are being unskilled out of the market."

Government, Inc: A fundamental question was raised at the St. Paul meeting regarding the amount of value a government should add to its public information and services: Are Minnesotans willing to pay more taxes to get packaged government information and advanced services, or would they prefer private firms to create and market them? Limited government resources for providing electronic government information and services should be dedicated to areas of demand and scaled accordingly.

Organizing the Outreach Campaign

In order to inform as many citizens as possible within two months, every possible communication alternative was exhausted. A press release was prepared and sent to all newspapers, television, and radio stations. In addition, a number of newsletters including, MN Telephone Association, Urban Coalition, League of MN Cities, League of Women Voters, U S WEST, State Chamber of Commerce, and others, published announcements about the meetings. The meetings were also posted on five leading e-mail listservs. Altogether circulation reached well over 250,000.

Presenting Organizations

The following organizations made presentations at the outreach sessions:

Itasca Development Corporation
Northeast Alliance for Telecommunications
Rural Connections
Bruce Lichty (independent consultant)
Fey Industries
Rice Memorial Hospital
Zytec Corporation
Southwest State University
Berkley Information Services
Nature's Fire, Inc.
Hormel Institute
Blue Earth Valley Telecommunications
Southern Minnesota Internet Group
Riverland Community College
Minneapolis Telecommunications Network
Hennepin County
University of Minnesota Telemedicine Project
Center for Urban and Regional Affairs (CURA)
Pioneer Press (Pioneer Planet)
U S WEST
Center for Students With Disabilities
Park Region Telephone Company Co.
Wheaton Community Project
Lake Region Hospital
Digikey Corporation
Thief River Falls Telecommunications Task Force
Red River Trade Corridor
U S WEST
Morrison County United Way
Comtech

Contributing Organizations

The following organizations were contributors:

Telecommunications Task Forces:

Telecommunications Information Policy Round table (TIPR)
Central Minnesota Telecommunity
Southeast Telecommunications Council

Red River Trade Corridor
West Central Telecommunications Committee
Southwest Telecommunications Council
South Central Technology Council
Northeastern Minnesota Telecommunity
Others:
House of Representatives
Senate
Department of Administration
League of Women Voters
League of MN Cities
MN Township Association
MN Rural Partners
MN Joint Media Committee
MN Internet Service Trade Association
Humphrey Institute
Carlson School of Management
Metronet
Urban Coalition
MN Telephone Association
Access Minnesota
MN Extension Offices
MN Technologies, Inc.
MN High Tech Council
MN Business Partnership
Association of MN Counties
Representative Collin Peterson's Office
State and Local Chambers of Commerce
MN Council on Non-Profits
MN Cable Communications Association
West Publishing
AT&T

Appendix E: *Information on the British Columbia Model for Independent Commissioner of Information and Privacy*

See Appendix F for a mailing address and phone and fax numbers.
This is a brief summary of what is available at the website at http://latte.cafe.net/gvc/foi/

Freedom of Information and Privacy Office   http://latte.cafe.net/gvc/foi/
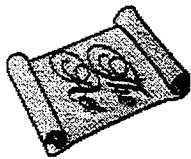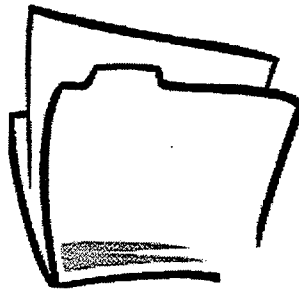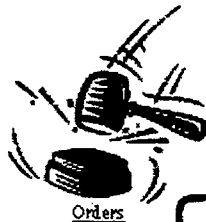
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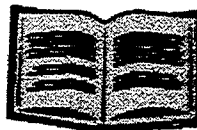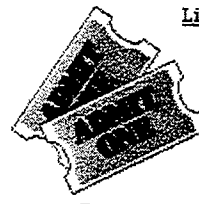### British Columbia

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This site is best viewed with a browser that supports tables and imagemaps.

Appendix F: *Sources and Resources: Reports, Directories and Sites of Interest*

Report on Minnesota Government Use of Copyright and Intellectual Property, Minnesota Government Information Access Council Report, Information Policy Office, Department of Administration, January 1996
Internet address: http://www.state.mn.us/ebranch/admin/ipo/giac/copyright/

A Guide to Intellectual Property Protection, a Collaborative effort including the Minnesota Department of Trade and Economic Development, and Merchant, Gould, Smith, Edell, Welter & Schmidt, P.A.

Office of the Information and Privacy Commissioner, British Columbia, address:
        Office of the Information and Privacy Commissioner
        4th Floor, 1675 Douglas St., Victoria, B.C.   V8V   1X4
                phone: 604.387.5629
                fax: 604.387.1696

NorthStar, State of Minnesota's Internet address: http://www.state.mn.us

Supporting Minnesota's Information Infrastructure, Report to Governor Arne H. Carlson
        Information Infrastructure Working Group, Department of Administration, State of Minnesota, June 1996

Minnesota E-Democracy, address: http://www.e-democracy.org

A Shared Vision for Minnesota
        Minnesota Rural Telecommunications Task Force Report, July-September, 1995

The State-Federal Partnership Technology Partnership Task Force Final Report
        In collaboration with Carnegie Commission on Science, Technology and Government, National Governor's Association, American Society of Mechanical Engineers, The White House Office of Science and Technology Policy and the National Conference of State Legislatures, September 5, 1995

Integrating the Telecomm Pieces
        Ronald Choura, 8th Annual Minnesota Telecommunications Conference for State Agencies, Local Governments, Education and Libraries, May 21, 1996

Telecommunication and Information Technology, Who's Doing What in Minnesota
        League of Women Voters in Minnesota, March 13, 1996

A Nation of Opportunity, Realizing the Promise of the Information Superhighway
        United States Advisory Council on the Information Infrastructure, January, 1996

Appendix G: *GIAC Member Additional Comments*

All GIAC members were given the opportunity to submit supplemental comments. The following are those received.

John Finnegan, President, Minnesota Joint Media Committee:
I believe strongly that the Priorities Work Group was wrong in the placement of the marginal costs issue well down in the list of things needing action. It is imperative that the legislature act during the 1997 session to strongly emphasize Principle #3 "Public access to government information shall be free, and any charge for copies shall not exceed marginal cost". This should be done to head off legislative approval of public/private partnerships which would turn collection, storage and dissemination of government information to a private corporation which would be given power to set access and copying standards with emphasis on providing new revenue sources. Public access under such arrangements would be severely restricted and government accountability for collection, storage and release of information would be virtually eliminated.

Jim Krautkremer, Executive Director, Intergovernmental Information Systems Advisory Council:
The Intergovernmental Information Systems Advisory Council (IISAC) was appointed to GIAC to represent Minnesota governments, particularly local governments. The dynamic nature of technology is of concern to many governments who want to begin providing information electronically to their citizens, wondering whether they should spend citizen dollars on projects that might have to be changed in the near future to react to new technology capabilities. We must be careful of creating mandates in a period of time where technology is changing so fast and funds are limited.

In general, local governments will react positively to the overall intent of the Principles advocated by GIAC. However, several principles appear to be in conflict with each other. Also, there are issues such as intellectual property, including copyright, the ability to market information and other issues that IISAC and other government organizations have commented on. We feel these issues need to be discussed further.

The Principles are important and IISAC is prepared to participate in further discussion to help make them more receptive to all governments in Minnesota. We are also ready to provide the necessary education to assist implementation of the Principles by government since this is one of our statutory responsibilities.

Appendix H: *Reader Comment/feedback Form*

Your comments, thoughts, questions and ideas are valuable to government in general, and the Government Information Access Council in particular. This report is framed in the rapidly changing field of information technology, and addresses some, but not all of the many topics affecting how, when, where and why information and services can be accessed by citizens at this point in time. Please take a few moments to let us know what issues reflected in this report are of interest to you.

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COMMENTS

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Comments about this report can be faxed to Julie Smith Zuidema, at 612. 297.7909 or Steven Clift at 612.215.3877, e-mailed to giac@state.mn.us., or land mailed to GIAC, Suite W1420, First National Bank Building, 332 Minnesota Street, St. Paul, Minnesota 55101-1314.

For more information on the Government Information Access Council, please see our homepage at http://www.state.mn.us/ebranch/admin/ipo/giac/, or for a citizen's perspective, contact Chairman Mark Lynch by E-Mail at marklynch@ktca.org, or call Steven Clift, Interim Director, at 612.297.5561.