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Eager contestants and program assistants are still needed for QUIZ/DOC, the exciting game show to be held on Tuesday, June 20, from 3-4:30 pm at the Reno Convention. We need nine contestants, one or two scorers, and as many question developers and testers as we can get.

To volunteer, please contact Cheryl Nyberg at the University of Illinois Law Library, 504 E. Pennsylvania, Champaign, IL 61820. You can call her at (217) 333-8985 or 244-3044 if you have any qualms or questions.

You have heard it before: the show can’t go without you. Please volunteer today.
LETTER FROM THE PRESIDENT

The convention is coming up fast, and planning for our programs is well underway. Gordon Russell and Neil Campbell, two excellent Canadian law librarians, will be talking about Canadian government documents and legal research in connection with the Charter of Rights and Freedoms. Katie Nachod’s program on the depository program and law libraries after ten years promises to be informative and stimulating. Cheryl Nyberg’s program, "QUIZ/DOC", depends on you, our members, to make it entertaining as well as educational. Cheryl’s aim is to offer something quite different from our traditional panel presentations, but she needs your help. If you have questions to submit or want to nominate someone (including yourself) to be a contestant, please get in touch with Cheryl Nyberg at the University of Illinois Law Library as soon as possible.

Our SIS is quite healthy financially. According to our December 31, 1988 statement we have a balance of $6,902.41, of which $1,559.43 is directly due to the sales of the Occasional Papers Series. We have finally gotten our agreement with Headquarters straightened out. We receive two-thirds (66 2/3%) of the profits from the sales of these publications, profits which are due to your efforts. Thanks to everyone who has compiled a state bibliography in the past and to those members who are working on them this year. These publications are the primary reason we have the money to support the publication of Jurisdocs and underwrite other projects. If you would like to do a new bibliography, or update a current bibliography, please don’t be shy. The California bibliography would be a good title for someone to update, since it originally appeared in 1979. Contact either me or Cheryl Nyberg for more information.

On the subject of publications, our state bibliographies series is coming along nicely and our series on Canadian provinces is off to a good start. We will have two state bibliographies (Vermont and an updated edition of Louisiana) and three provincial bibliographies (Manitoba, Alberta and Ontario) to present to you at this year’s convention. If you have ideas on other publication projects that the SIS should pursue, or activities that the SIS should be involved in, please call Cheryl or me or drop us a note.

Margie Axtmann, current Chair of the Nominations Committee, has indicated that all Special Interest Sections should establish a formal procedure to nominate candidates for AALL officers. Therefore, unless you have objections, Cheryl and I suggest that our formal procedure be as follows: fill out the "proposed candidate for AALL election" form, which will appear in an appropriate issue of Jurisdocs, and return it to the Chair, Government Documents SIS. The Chair will forward all nominations to the Nominations Committee by the agreed upon date.

Christine Corcos

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LETTER FROM THE EDITOR

This issue of Jurisdocs contains a mixture of items. Susan Tulis, Chair of ALA/GODORT has submitted a report on the activities of GODORT at their midwinter meeting. Some of the items mentioned in her report were the topic of discussions at the Spring Depository Library Council meeting which was held in Pittsburg, March 8-10. The next issue of Jurisdocs will contain a full report on Spring Depository Library Council activities.

The United Nations and its units have recently produced some interesting and informative publications and Veronica Maclay provides ordering information for these publications.

I have included a listing of the titles in our state bibliography series. Be sure to check your collections to see if you are missing any states. Perhaps you would be interested in authoring a bibliography for a state that has no representation.

Susan Dow

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ALA MIDWINTER GODORT REPORT

Despite the cold, light snow and threats of major snow, I was kept very busy at the ALA midwinter meeting held in Washington, D.C., January 6-10, 1989. The highlights of this meeting are as follows.

Joseph Jenifer, Acting Public Printer, did speak at the Federal Documents Task Force Information Update session. He commented on our being in a period of transition - there is a new President, a new Congress and a new method of disseminating government information. He has been involved in composition transition and is concerned with the manner in which the United States Government Printing Office (GPO) distributes to depositories. He recently created a task force to look at all of GPO’s efforts in the area of electronic dissemination. Bonnie Trivizas has been appointed to this task force. Mark Scully, Library Programs Service, (LPS) reported on the solid organization and leadership of LPS. He was pleased to report that LPS is fully staffed, the cataloging backlog is down, the Monthly Catalog is being issued on time, paper claims are down, but microfiche claims are up. Bernadine Hoduski, U.S. Joint Committee on Printing (JCP) said that JCP’s efforts to get a paper specification for acid free paper are moving along nicely. She also addressed the hold-up in the Congressional Record. JCP is looking at putting one session of the Congressional Record on CD-ROM, sending it to all libraries, and then testing and evaluating the product. Other than paper, a decision has not been reached as to alternative formats for the final Congressional Record.

Representatives from the Environmental Protection Agency (EPA) and the National Library of Medicine (NLM) talked about the EPA TRI (Toxic Chemical Release Inventory) database. The database will contain information on the annual estimated releases of toxic chemicals into the environment. Based upon data collected by the EPA, the file will become part of the National Library of Medicine’s Toxicology Data
Network (TOXNET) and will be available online for public access in April of 1989. The CD-ROM version of this product is one of the pilot projects that JCP has proposed for distribution to depository libraries. If you are interested in additional details and/or would like your library to be a test site for the online version, contact Robin Heisler, EPA Project Manager, TRI Online Public Database, at 202-382-3613.

The Office of Management and Budget (OMB) has issued an "Advance Notice of Further Policy Development on Dissemination of Information." This is OMB Circular A-130 again - this time incorporating A-3 and covering selected aspects of information dissemination, including electronic dissemination of information. It appeared in the Federal Register, January 4, 1989, v. 54, pp. 214-220. The deadline for comments was March 6th. [Ed. note: The deadline for comments has been extended until April 10th.]

Senator Wendell Ford, Acting Chair of the Joint Committee on Printing, has asked for a list of questions to ask potential nominees for Public Printer. If you have suggestions, please send them to him at Senate Russell Office Building, Room 173A Washington, D.C. 20510.

Legislation passing the 100th Congress was reviewed by Pennsylvania State University to identify any exceptions to 44 U.S.C. 501. The Territorial Sea Commission, the National Oceans Policy Commission, the Commission on the Bicentennial of the United States Constitution, and the research institutes of the National Institutes of Health have been granted exceptions. The first two agencies have an exception to all of Title 44; whereas the last two are excepted from Section 501 only. The last two agencies are not excepted from the Depository Library Program.

As part of a marketing proposal, the Census Bureau has suggested changing the name of the Statistical Abstract of the United States. The Federal Documents Task Force presented a resolution recommending that Census not do this, but rather develop a marketing and educational campaign to increase usage and recognition of the Statistical Abstract under its current name.

Trudy Peterson, National Archives and Records Administration (NARA), told about the recent change in responsibility for the SuDocs Collection. The Collection was under the Library and Printed Archives Branch, but has been moved to the Center for Legislative Archives. She assured that there have not been any changes in the policies or procedures for handling the documents. A suggestion was made that NARA include as a supplement to their listing of microfilm products, a list of the commercial producers of microfilm and what they have produced.

Senator Pell introduced S.J. Res. 394 (to establish a national policy on permanent papers) at the end of the 100th Congress. It has been reintroduced as S.J. Res. 57 in the 101st Congress. Contact your Senators and ask them to co-sponsor it.

GODORT's main program at the Annual Meeting in Dallas is entitled, "Government Information Futures: Depository Libraries in the Marketplace." It will be a
panel discussion on June 26th, from 9:30 am - 12:30 pm. Panelists include Ron Abler, Pru Adler, Nancy Cline, Peyton Neal, Jim Nelson and John Richardson, with Bruce Morton as the moderator. The State and Local Documents Task Force is co-sponsoring a program with ASCLA/SLAS entitled, "Information Leadership: the Library's Role with State and Local Governments." Speakers are Jim Nelson, Amy Owen and Caroline Stark. This meeting is June 24th, 2-4 pm.

Susan E. Tulis

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1988 CONVENTION PROGRAM REVIEW
PART 2: CREATIVE APPROACHES TO RESEARCHING STATE LEGISLATIVE HISTORY

Nancy Johnson, Law Librarian at Georgia State University and moderator of this program sponsored by the Government Documents Special Interest Section and the Readers Services Special Interest Section, mentioned that the practice of using legislative history to document the intent behind the passage of a statute has arisen because of the lack of clearly written statutes. Many statutes are ambiguous and therefore judges and lawyers attempt to determine a statute's intent by referring to the minutes and transcripts of committee hearings, reports, records and other materials that document the full life of the statute.

As many law librarians are aware, compiling a state legislative history can be a frustrating process because of the lack of available materials and because of differences in publication patterns among the fifty states. The variety and differences in publication were demonstrated by the use of three Southeastern states: Georgia, Florida and Virginia.

State legislative materials for Georgia, as explained by Ms. Johnson include the following: Journals of the House and Senate, and the various versions of a bill from introduction through passage into law. The Journals do not include floor remarks, debates, committee reports or statements of intent. The Georgia courts have heavily used the language of bills and amendments as they were proposed, amended, or rejected to determine legislative intent. The courts may look at cases involving similar statutes. Contact with legislative committee staffs is essential since they may have information on legislation which is not found in any printed source.

The Georgia State University Law Review provides "peach sheets" which are analyses of selected bills using a variety of sources for information. Some of these sources are: personal interviews, prior statutory and case law involving the subject of the bill, and an analysis of the various revisions of the bill.

Carol Roehrenbeck of Nova University Center for the Study of Law, and author of Florida Legislative Histories: A Practical Guide to Their Preparation and Use published in 1987 provided information on materials available in Florida.

The 1968 Florida Constitution changed the meeting session of the Florida Legislature from every two years to annually. This
change generated the establishment of permanent committee staffs, who began to collect legislative materials. Prior to 1968, almost nothing exists if one is trying to collect materials relating to legislative intent. The committee staffs are the most important source for locating materials related to the legislative intent of a statute.

Florida’s The History of Legislation, more popularly known as the “bill history book” contains a complete record of bills and their history from introduction through closure of the session.

Florida has several types of documents which are available for those researching legislative intent. The actual bill and its various amendments are available from the Clerk’s Office in the House and from the Secretary of the Senate. Legislative committees maintain ‘bill history files’ which are collections of documents related to the subject area of the bill.

‘Bill history files’ are available during the session from the Clerk’s Office in the House or the Secretary of the Senate. The Legislative committees retain the files for two years and then the files are sent to the State Legislative Library which keeps them for several years. The files are then sent to the State Archives.

Committee hearings are available in audio cassette tape format only and they vary in quality. The hearings are not transcribed and the requester must send a blank tape. The cassettes are retained by the committee for two years, sent to the State Legislative Library which houses them for several years and then the cassettes are sent to the State Archives. If requesting a copy of a committee hearing, one needs to supply the bill number, the committee name, and the date and title of the hearing. It should be noted that in Florida the courts have not cited committee hearings with any degree of frequency.

Committee reports are a one page procedural form. Often the courts will use the terminology ‘committee report’ when what they are referring to is the ‘staff analysis’. The ‘staff analysis’ is prepared by a committee staff and details the present situation in Florida regarding the subject area of the bill, the probable effects of any proposed changes brought about by the bill and a comment on the future effect of the bill. The committee retains the ‘staff analysis’ for two years, it is then sent to the Legislative Library and after several years is sent to the State Archives.

Floor debates for a bill are taped and are not considered official, nor are they transcribed. The Journal of the Senate and the Journal of the House detail the procedural action of a bill and are used by the courts as official records relating to the passage of a bill into law. Florida has ‘Governor’s Veto Messages’, which are objections on a bill written by the Governor and transmitted to the originating House. After a legislative session they are transferred to the Secretary of State and later published in the House and Senate Journals.

Other sources to consult in Florida include: Summary of General Legislation, Fiscal Notes which is issued by the
legislative committee staff and the ‘Economic Impact Statement’ which is supposed to be attached to all bills. One may also wish to consider using a private search service. When the Florida Legislature is in session one may call the bill hotline by dialing 800-342-1827.

Sally Wiant, Law Librarian at Washington and Lee Law School in Virginia, detailed materials available for researching the intent behind Virginia statutes.

In Virginia, a Delegate introduces legislation on behalf of a citizen. The staff attorneys in the Division of Legislative Services are responsible for the actual drafting of the legislation. The staff attorneys are assigned to one of nine functional teams divided according to jurisdictional and subject concerns. The text of the proposed legislation is keyed into a computer system by Legislative Automated Services. At this point, the legislation is not available to the public unless the sponsoring Delegate requests that the bill be read by an ‘outsider’. The introducing Delegate signs a paper copy of the bill. The bill is sent to the clerk who assigns a number to it and refers it to the appropriate committee. The committee may hold hearings but they are not taped or recorded, although a committee staff attorney usually takes notes at the hearings. In some instances lobbying groups may have prepared ‘white papers’ or position statements. There are no House or Senate reports available. It should be noted that all bills are introduced in the House in Virginia.

If the committee reports the bill out favorably, it is assigned to the House or Senate calendar where the title of the bill is printed and this is considered the bill’s ‘first reading’. On the ‘second reading’, amendments to the bill (printed on gold paper) may be offered. A positive vote on the bill will cause it to become an engrossed bill (printed on green paper) and it will be considered for a ‘third reading’. If the bill passes the ‘third reading’, where a recorded vote is taken, it is an enrolled bill and the bill is sent to the Senate for consideration. A bill passed by both the House and the Senate is sent to the Governor for consideration.

All bills, their amendments and the House of Delegates and Senate Calendars are available from the Legislature. There are no texts of floor debates.

Virginia also has a Cumulative Index of Bills and Joint Resolutions Introduced and a Summary of the Legislative Session of the Virginia General Assembly, both of which are available from the Virginia Division of Legislative Services. The Journals detail the procedural history of a bill.

Occasionally the Legislature will request by resolution that an interim session report be done. These reports are studies that are done on a subject area of concern. There are typically 20 of these reports done annually. They are bound with the title House and Senate Reports.

Other sources to consult include: the White Paper, which is published three to four times a week during the legislative session by the Virginia Chamber of Commerce;
the Richmond Times Dispatch, a local Richmond newspaper, and the Virginia section of the Washington Post.

The Virginia bill status number is: 804-786-6530.

Thomas Stallard, Director of the Legislative Intent Service, a California based legislative search service, began his presentation by remarking that lawyers are looking for documentary evidence when they seek legislative intent. Lawyers do not speak with individual legislators to determine legislative intent since the courts have not favored a legislator speaking as a representative of the whole legislature.

It is necessary before starting a legislative history to determine why the history is being asked for and to become familiar with the subject area of the legislation. One should develop a road map or research sheet that details all the steps taken. These sheets are often helpful because another client may need the same search performed. A file of searches should always be updated to reflect any additional sources of information that may now be available that were not available at the time of the original search.

It is also necessary, before starting the actual task of pulling together documents, to determine what kinds of legislative materials have been considered authoritative by the court the lawyer will be appearing in.

Mr. Stallard ended his presentation by stating that a recent search in the California cases file on LEXIS which includes cases from the California Supreme Court from 1895 and from the California Appeals Court since 1955 netted approximately 8,000 opinions which discussed legislative intent. He also mentioned that he could be reached by dialing 916-666-1917.

Susan Dow

INTERNATIONAL DOCUMENTS

These publications may be purchased from the United Nations Sales Section in New York. Send orders to United Nations Publications Sales Section, United Nations, Room DC2-0853, New York, New York 10017. Telephone (212) 963-8302.

UNITED NATIONS PUBLICATIONS

Recent releases include:


UNITED NATIONS INSTITUTE FOR DISARMAMENT RESEARCH (UNIDIR)

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UNITED NATIONS CENTRE ON TRANSNATIONAL CORPORATIONS (UNCTC)

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UNITED NATIONS INSTITUTE FOR TRAINING AND RESEARCH (UNITAR)

Recent releases include:


Veronica Maclay

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STATE BIBLIOGRAPHIES SERIES

The bibliographies listed below are available for $10.00 each. Send requests to American Association of Law Libraries, 53 West Jackson Boulevard, Chicago, Illinois 60604.

Alaska


Arizona

Survey of Arizona State Legal and Law-related Documents, by Richard Teenstra, Susan Armstrong and Beth Schneider. 1984. (Occasional paper no. 3-12)

Arkansas


California

The State of California: An Introduction to its Government Publications and Related Information, by Kathryn Ranharter. 1979. (Occasional paper no. 3-1)
Colorado

Colorado Legal Resources: An Annotated Bibliography, by Gary Alexander. 1987. (Occasional paper no. 3-20)

Connecticut


District of Columbia


Selected Information Sources for the District of Columbia, by Carolyn P. Ahearn, Alice Bell, Barbara Fisher and Mike Welsh. 2nd ed. 1985. (Occasional paper no. 3-25)

Illinois

Illinois, by Cheryl Nyberg, Joyce Olin and Peter Young. 1986. (Occasional paper no. 3-26)

Indiana

An Introduction to Indiana State Publications for the Law Librarian, by Linda K. Fariss and Keith A. Buckley. 1982. (Occasional paper no. 3-7)

Kansas


Louisiana

Louisiana Legal Documents and Related Publications: a Selected Annotated Bibliography, by Charlotte Corneil and Madeline Hebert. 1984. (Occasional paper no. 3-14)

Maryland


Massachusetts

Massachusetts, by Leo McAuliffe and Susan Z. Steinway. 1985. (Occasional paper no. 3-20)
Michigan

(Occasional paper no. 3-6)

Minnesota

(Occasional paper no. 3-24)

Mississippi

(Occasional paper no. 3-28)

Missouri

A Law Librarians's Introduction to Missouri State Publications, by Patricia Aldrich, Kit Kreilick and Anne Maloney. 1980. (Occasional paper no. 3-2)

Nebraska

(Occasional paper no. 3-36)

Nevada

Nevada State Documents Bibliography, by Katherine Henderson. 1984. (Occasional paper no. 3-15)

New Jersey


New Mexico


New York

(Occasional paper no. 3-21)
North Carolina

Survey of North Carolina State Legal and Law-related Documents, by Thomas M. Steele and Donna Diprisco. 1987. (Occasional paper no. 3-29)

Ohio

Ohio State Legal Documents and Related Publications: A Selected, Annotated Bibliography, by Christine A. Corcos. 1986. (Occasional paper no. 3-27)

Oklahoma

Oklahoma Legal and Law-related Documents and Publications: A Selected Bibliography, by Christine Corcos. 1983. (Occasional paper no. 3-9)

Oregon


Pennsylvania

An Introduction to Pennsylvania State Publications for the Law Librarian, by Joel Fishman. 1985. (Occasional paper no. 3-22)

South Dakota

South Dakota Legal Documents, a Selective Bibliography, by Delores A. Jorgensen. 1988. (Occasional paper no. 3-34)

Tennessee


Texas

Texas State Documents for Law Libraries, by Malinda Allison and Kay Schleuter. 1983. (Occasional paper no. 3-10)

Virginia

A Law Librarian's Introduction to Virginia State Publications, by Margaret Aycock, Jacqueline Lichtman and Judy Stinson. 1981. (Occasional paper no. 3-5)

Washington


Wisconsin


Wyoming

Wyoming State Legal Documents: An Annotated Bibliography, by Nancy S. Greene. 1985. (Occasional paper no. 3-23)

Susan Dow

NEWSWORTHY NOTES

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WANTED

Jurisdocs will be looking for a new editor beginning with the Fall 1989 issue. If anyone is interested in the editorship, or would like information before making a decision, please contact Cheryl Nyberg at the University of Illinois Law Library, or Chris Corcos at the Case Western Reserve Law Library.

SIS

The annual business meeting of the Government Documents Special Interest Section will be a luncheon meeting on June 18, 1989 from 11:30 - 1:00 p.m. at Bally's Reno in Reno, Nevada.

OMB CIRCULAR ADVANCE
NOTICE OF FURTHER POLICY
DEVELOPMENT ON DISSEMINATION
OF INFORMATION


Some key points in the proposed policy include the following:

1. The definition of periodical, as currently found in OMB Circular A-3, is being revised to include items which are 90% or more statistical in nature, subjecting them to OMB reporting requirements.

2. The term "information dissemination products" is being revised to include "periodicals, nonrecurring publications, machine-readable data files,"
software files, online database services, and electronic bulletin boards, issued or disseminated by agencies to the public; the term includes media such as magnetic tape and compact disks..."

3. Agencies are required to notify the public, "when initiating or terminating significant information dissemination products."

Another area of concern is the dissemination of materials in electronic formats. OMB indicates that several questions need to be addressed before an agency decides to disseminate information in electronic formats. These questions are:

1. Does the agency already maintain the information in electronic form for its own purpose?

2. Will the agency incur substantial new costs in disseminating the information electronically?

3. Is there a documented public demand for the information in electronic format?

4. Will benefits be derived to the government and/or the public by electronic dissemination of information, such as more timely use of information?

5. Has the agency determined that the information dissemination products will not cause unfair competition with the private sector?

OMB states in the explanation to the Notice that "while electronic dissemination is generally desirable, agencies must observe certain boundaries on such activities. As a rule of thumb, Federal agencies should take it as a rebuttable presumption that they are to concentrate dissemination activities on supplying basic information, the provision of which is unique to the government and to avoid offering value-added products to end users.... In effect, agencies should prefer to 'wholesale' government information and leave 'retail', value-added functions to the private sector, especially when they know that the private sector is ready and able to perform the value-added functions."

Please take a few minutes to read the 'Notice'. Send any comments to:

Mr. J. Timothy Sprehe
Office of Information and Regulatory Affairs
Room 3235
New Executive Office Building
Office of Management & Budget
Washington, D.C. 20503
(202) 395-4814
Contributions

Contributions, comments, news items or inquiries about or for publication in the next issue of Jurisdocs should be sent to:

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Buffalo, NY 14260

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