

STATE LIBRARY COUNCIL  
MINUTES  
December 12, 2007

Present:	<u>Council Members:</u> Steve Benetz Mercedes Clement Lannie L. Corbin James F. Donnelly Sharon Hartman Doris Lewis Carolyn McClendon	<u>Staff:</u> Judi Ring Loretta Flowers Jennifer Womble
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**Introductions**

Introductions were made and a quorum was announced.

**Approval of Minutes**

A motion to approve the minutes from the July 23 meeting was made, and they were approved unanimously.

**Next Meeting**

If the current budget allows, the next meeting will be held April 2 - 3 in Tallahassee. This meeting will be a joint council meeting with the Florida Arts Council, Florida Folklife Council, Florida Historical Commission, and the State Historical Records Advisory Board. There will be a separate meeting of the Council in conjunction with the joint meeting. Further information will be provided at a later date.

Lannie Corbin was asked to chair the joint council meeting; he agreed. The Division will assist Lannie in preparing information to bring forth at the meeting.

**ByLaws**

A motion to approve the ByLaws was made. They were approved with changes to include language for the council to make decisions via mail, electronic mail, or telephone, and correcting a typo in section III, "officers."

**Division Update**

Legislative Update

**SB82 and HB21 Public Library Grants/State Aid** – This legislation, which is consistent with last year's proposed legislation, changes the methodology on calculating State Aid. It revises the eligibility criteria for multicounty library grants; the determination for and the amount of base grants; and the eligibility criteria, calculation, and determination for equalization grants. It also limits equalization grants and amounts under specified conditions. This change will make the way State Aid is distributed more balanced.

The Department of State has had requests for fiscal notes to explain the impact of this proposed legislation.

The Department is uncertain as to whether or not the multitype library cooperatives will put forth an amendment to this legislation attaching a clause that would eliminate the cap on the MLC's state funds. The Department has not taken a position on this amendment.

**SB704 Open Government Act/Administrative Procedures** – This legislation, identical to last year's that was vetoed by the Governor, revises the guidelines for the construction of statutory language granting rulemaking authority; provides additional procedures for rule adoption hearings; authorizes the Administrative Procedures Committee to request from an agency information to examine unadopted agency statements; and requires that certain proceedings be terminated and subsequently reinstated under different provisions of law if a disputed issue of material fact arises.

Within this bill, there is a section that mandates revising the way the Division publishes the *Florida Administrative Weekly* by mandating the incorporation of rules by reference.

Unlike last year, this year there is an appropriation attached for \$345,000.

The Division will be taking a close look at this bill as it progresses.

#### Rulemaking

Last year's Real Property Electronic Recording Bill (SB2038) was signed into law by the Governor. This bill allows property transactions to be recorded electronically by county clerks of courts. As mandated by this passed legislation, the Department, as the state's records custodian, is in the initial rule drafting process to develop rules for real property electronic recording based on the Electronic Recording Advisory Committee's recommendations and findings.

Rule 1B26.003 – The Division is in the process of amending this rule to update the guidelines for managing public records created or maintained in electronic form. These updated guidelines will reflect current technologies and best practices in managing electronic records and ensuring their retention and accessibility in accordance with public records provisions.

#### SFY07-08 Budget

Recurring General Revenue for this fiscal year will not be sufficient to support appropriations. As a result, the Department's quarterly budget releases will be reduced from the usual 25% to 24%, for a total cut of 4% current year budget reduction. This reduction is impacting travel and the Division is also experiencing a hiring freeze. The Department is hopeful that there will be a reexamination of the Library Services Trust Fund, which holds the Division's federal dollars, for the full release of funds.

#### State of Public Libraries

Currently, public libraries across Florida are experiencing budget cuts due to Florida's economic shortfall, mandated tax reductions, and the proposed property tax reform. Many have lost positions, cut library materials budgets, and have had to decrease their hours of operation. If libraries

experience more cuts next year, the Division expects that some rural libraries may not be able to stay open.

Some libraries have also discontinued building projects based on the assumption that they will not be able to fund new libraries that open within the next few years.

### Federal Grants

The Institute of Museum and Library Services, the governing body who administers the Division's federal Library Services and Technology Act funds, has recently issued stricter guidelines and is tightening up on the oversight of the use of LSTA funds. The Division, along with other State Library agencies across the country, must review how their LSTA funds are spent and make sure that spending fits into their state agency's approved long range plan and the six federal goals for LSTA funding. The Division is presently assessing how it uses LSTA funds and how to make changes in order to fulfill obligations under the stricter guidelines. Changes may affect services and programs that the Division has offered in the past, as the Division has to rethink standard operating procedures. LSTA grants administered to the public library community and the Florida Electronic Library are within the scope of the stricter guidelines, so there is no risk to these essential services offered throughout state.

### SFY08-09 Budget

Governor Crist has allowed agency heads to make proposals for the SFY08-09 budget. Secretary Browning put forth the following:

- State Aid to Public Libraries: An increase of \$5,000,000 in non-recurring General Revenue
- Community Libraries in Caring: \$100,000 in non-recurring General Revenue
- Library Cooperative Grants: \$2,400,00 in non-recurring General Revenue as capped and allowed by statute
- ADA Compliance to Legislative Library: \$500,000

The Library Construction Grants ranked list is provided to the Legislature to decide on funding amounts; no budget request was put forth.

### Old Business

#### Long Range Program Plan

The Division's strategic plan for the period of July 1, 2007 through June 30, 2012, encompassing all the services provided by the agency, is completed and now in the Department's communications review process. This plan, *Lead...Develop...Innovate*, will guide where the Division will go in the future. The section on LSTA funding has been approved by IMLS.

#### E-Government

The Division has been involved in improving E-government and emergency management services in public libraries in Florida for some time. Through a grant from the Institute of Museum and Library Services, the Division is continuing its partnership with Florida State University to study "Enhancing E-government Services through Public Libraries."

The Division is currently surveying public libraries in Florida on the impact of E-government and hopes that the results will provide material that libraries can use to prove a case for funding.

### MLC Rulemaking Project

The draft rule has gone through the Department of State's rulemaking process. The Division has held public hearings and a vigorous comment period. During the public hearings and comment period, the Division received strong comments in regards to allowing for more flexibility. The Division has incorporated these comments into the draft rule.

The Division will next file the notice of rule change in the *Florida Administrative Weekly* and with the Joint Administrative Procedures Committee on December 14. On January 4, 2008, the rule will then be filed for adoption. The rule will then go into effect on January 25, 2008.

These revisions to the rule will provide for a focused use of state grant funds to enhance services to benefit all of the residents of Florida and increase accountability for the use of state funds to ensure that the state's interests are met.

### R.A. Gray Building HVAC Update

The Department of Management Services has planned to start work for a new HVAC system in January.

### Medical Database Collaboration

The Division is continuing its collaboration with Florida State University's Medical School Library to link FSU's health database, *RIO*, to the Florida Electronic Library. A grant has been received from the National Library of Medicine to begin an assessment of public libraries to investigate what good health information they offer to their communities.

The Agency for Health Care Administration has a new government health Web site, and the Division is collaborating with them to have their informational databases linked to the FEL Web site.

### **New Business**

#### PeDALS

The Division is participating in a grant project, through the Library of Congress' National Information Infrastructure and Preservation Program, to study the problem of how to manage and preserve the terabytes of digital information generated by state government each year.

The goal of the project, which is titled Persistent Digital Archives and Library System, is to develop a digital information system to collect, store, and preserve electronic records and publications from Florida and the other participating states of Arizona, New York, and Wisconsin.

When the system is operational, it will allow state government agencies to automatically retrieve and transfer massive quantities of electronic records into the storage system. Digital copies of these records will be stored across the nation at different points in the network, which will protect them in case of a catastrophic disaster in one state. The preservation of these records, ordinarily something too large and time consuming to do manually, will be done automatically.

## Legislation

Legislation was recently passed that mandates a Sunset Review of state agencies. This legislation forces agencies to prove their worth and existence. The Department of State has hired the consulting firm MAXIMUS to develop the document that will be presented to the Sunset Review Committee. The Division has been working with MAXIMUS for several months reviewing performance measures, statutory functions, budget, and ideas for future improvements.

## ROI

As part of Florida's return on investment study, the Division is very close to releasing a value calculator for public libraries to use to calculate their individual return on investment.

The meeting adjourned at 4:30 p.m.