

STATE LIBRARY COUNCIL
MINUTES
March 24, 2008

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
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Introductions

Introductions were made and a quorum was announced.

Approval of Minutes

A motion to approve the minutes from the December 12, 2007 meeting was made, and they were approved unanimously.

Next Meeting

There will be another conference call later this summer. Further information on this meeting will be provided at a later date.

If the current budget allows, another meeting will be held during the Library Directors' Meeting, which will be held October 15-17 in Delray Beach.

Early next week, there will be a joint council meeting of the Florida Arts Council, Florida Folklife Council, Florida Historical Commission, and the State Historical Records Advisory Board. Due to budget cuts, the Division is unable to support participation of the State Library Council as it has in the past. However, Steve Benetz, who is the Chair of the State Historical Records Advisory Board, will attend along with Sharon Hartman on behalf of the Council.

Vote - Council Chair

A motion to nominate Steve Benetz as Council Chair was made, and was approved unanimously.

Recommendations for Vacancies

The terms of Alan Miller, Carolyn McClendon, and Sharon Hartman have all expired; Alan Miller has served the maximum of two consecutive terms.

A motion to recommend the appointment of Sharon Hartman and Carolyn McClendon to a second term was made, and approved unanimously. Both Sharon and Carolyn accepted the recommended appointments.

No other recommendations were given.

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.

Both the Senate and House bills have moved through their respective committees. The Department expects that both bills will be presented on the floor sometime next week.

No amendments have been added to either bill.

SB1996 and HB411 Public Library Internet Safety Education – This legislation encourages public libraries to implement an Internet safety education program for children and adults, and amends section 257.192, *Florida Statutes*, Program Grants.

This legislation came about due to an innovative computer-based training program called *NetSmartz*. *NetSmartz*, which is currently being used and promoted by the Hillsborough County Library System, is an online Internet safety course which promotes the use of good Internet habits and broadens awareness of the dangers presented by online predators.

This proposed legislation adds language to the statute to encourage public libraries to use this computer-based education program. It also awards extra credit, or 10 percent of the total points available in the Division’s Library Services and Technology Act grant application program, to public libraries that are in compliance and report to the Division annually the number of users that complete the program beginning SFY2010-2011.

NetSmartz software is free, but there may be underlying costs for training in public libraries.

SB704 Open Government Act/Administrative Procedures – This legislation, identical to the legislation that was vetoed by the governor last year, 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 electronically. It also mandates chapter view of code.

In order to raise funds for the implementation of these proposed automation projects, the Division will have to increase line charges for agencies advertising in the *Florida Administrative Weekly* from \$0.99 a line to \$1.50 a line over a period of time.

No House companion bill has been filed, but the Division anticipates that an identical bill will come forth soon.

SB2008 Information Technology – This legislation revises the duties of the Legislative Budget Commission with respect to its review of information technology policies and plans; revises the duties of the Agency for Enterprise Information Technology and specifies additional qualifications for the executive director; and creates the Office of Open Government within the Executive Office of the Governor.

As part of the Agency for Enterprise Information Technology, the Information Technology Coordinators Council will be developed. This Council is made up of the Chief Information Officer for each state agency, the Director of the Office of Open Government, the Director of the Agency for Enterprise Information Technology, and the Director of the Division of Library and Information Services. Among other things, this Council will assist the AEIT in helping agencies comply with access standards for public records, and with record retention and archiving standards.

This legislation also creates the Office of Open Government. The Division has been working closely with this office and has provided them with records retention training and schedules.

SB2448 Sexual Offenders – This Legislation, which is consistent with last year’s proposed legislation, prohibits certain specified sexual offenders whose victims were under the age of 18 from entering a public library without immediately notifying a library employee of their presence and intent to use the resources of the library; and prohibits the sex offender from entering the library until the employee acknowledges the presence of the sex offender.

There are liability questions from the library community on this bill.

SFY07-08 Budget Reductions

During the first couple of weeks of the legislative session, bills passed that permanently reduced the Division’s General Revenue fund by four percent. These reductions include:

- Salaries and Benefits – recurring funding reduced by \$101,672, or two positions
- Other Personal Services – recurring funding reduced by \$6,797
- Expenses – recurring funding, which covers building rent, reduced by \$75,121
- Grants and Aid to Library Cooperatives – non-recurring funding reduced by \$96,001; each multitype library cooperative will now receive \$383,999
- Grants and Aid to Public Libraries – recurring funding reduced by \$1,279,987; remaining balance of \$30,719,246 for distribution by formula to public libraries
- Grants and Aid for Community Libraries in Caring – non-recurring funding reduced by \$4,000; remaining balance of \$96,000 for distribution to grant recipients
- Operating Capital Outlay – recurring funding for purchase of computer equipment and hardware over \$1,000, reduced by \$1,040
- Contracted Services – non-recurring funding, which allows the Division to contract with outside vendors for services and rentals, reduced by \$7,300
- Library Resources – recurring funding, which allows the State Library to purchase materials to meet its mission to serve state employees, reduced by \$23,104

SFY08-09 Budget Reductions

The Department of State has been asked to prepare to reduce General Revenue funding by 10 percent, which is an additional six percent plus the four percent reduction from SFY07-08.

Based on the Divisions' recommendation to the Secretary of State, grants and aid to public libraries will be further reduced by \$2,500,000, which leaves a balance of \$28,219,246. This amount still allows the Department to meet its maintenance of effort to receive Library Services and Technology Act funding from the federal government to support public libraries.

Also, in order to meet the requested reductions, the Department recommended a reduction in salaries and benefits of \$1,174,566. Department-wide, 23 positions will be eliminated (16 filled and seven vacant). The Division will lose 2.5 positions.

These recommendations are being reviewed by respective legislative committees.

ROI

Division staff recently participated in further training regarding the return on investment to local economies provided by public libraries. Dr. Donald W. King and research assistant Songphan Choemprayong taught staff to use software and procedures for calculating libraries' ROI for the public dollars invested in them.

The Division is now seeking public library partners to participate in further local study using these research tools.

Rulemaking

Rule 1B31.001, Real Property Electronic Recording, is now in its final stages. This rule, as mandated by statute, directs the Division 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.

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 the Division is now in the process of implementing it. This plan, *Lead...Develop...Innovate*, will guide the Division's future direction. The section on LSTA funding has been approved by the Institute of Museum and Library Services.

R.A. Gray Building HVAC Update

The Department of Management Services has started work on a new HVAC system.

Sunset Review

The Division continues to work with MAXIMUS, the consulting firm hired to develop the document that the Department will present to the Legislative Sunset Review Committee, supplying them with information on performance measures, statutory functions, budget, and ideas for future improvements.

PeDALS

The Division continues to participate 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.

In January, two Division staff members participated in an intensive five-day training program in Phoenix, Arizona, on the logistics of implementing this project. Computer equipment to support this project is expected to arrive in mid-April, and project administrators are aiming for a July 1, 2008 startup date.

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. 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 also.

MLC Rulemaking Project

The MLC rule went into effect on January 25, 2008, but due to controversy in the MLC community, a House representative is seeking to nullify the rule.

Despite informational meetings with the Department's Legislative Affairs Director and the Division Director, House Representative Evers attached proviso language to the SFY07-08 budget implementation bill nullifying the rule. However, higher ranking House members determined that adding proviso language of this nature to a budget implementing bill is highly irregular. Representative Evers was asked to remove the language, and he did.

Although the proviso language was removed, we expect this same language to be put forth on the SFY08-09 budget implementing bill.

New Business

National Library Legislative Day

The Division will not be able to send staff or Council members to National Library Legislative Day in Washington D.C., as it has in the past.

The Division plans to organize a Virtual Library Legislative Day; it will send out information to libraries in the state and ask them to phone, fax, and e-mail Congress.

This Virtual Library Legislative Day will communicate the needs of libraries to Congress and increase the impact of the National Library Legislative Day in Washington, D.C.

Members recapped what is happening in libraries, archives, or records centers in their areas.

The meeting adjourned at 4:15 p.m.