

Notice of Proposed Rule

DEPARTMENT OF STATE

Division of Library and Information Services

RULE NO.: RULE TITLE:

1B-2.011 Library Grant Programs

PURPOSE AND EFFECT: The purpose of this amendment is to modify Library Cooperative Grant, the Library Services and Technology Act ("LSTA") Grant, and Library Construction Grant rules. The Library Cooperative Grant guidelines will be updated to reflect changes to the funding formula, application deadline, application and reporting forms and grant payments. All program guidelines will be updated to incorporate new statutory requirements.

SUMMARY: Modifications to the guidelines and applications will incorporate new statutory requirements, including definitions of deliverables and scope of work.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The amendments to the application and guidelines of the subject programs will not have a direct or indirect adverse financial impact on small businesses. It has been determined that a SERC was not necessary and that these rule amendments will not require ratification by the legislature.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 257.14, 257.191, 257.192, 257.24, 257.41(2) FS.

LAW IMPLEMENTED: 257.12, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.191, 257.192, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25, 257.40, 257.41, 257.42 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: May 16, 2014, 9:00 a.m.

PLACE: 500 S. Bronough Street, Room 307, R.A. Gray Building, Tallahassee, FL 32301

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Marian Deeney by mail at R.A. Gray Building, 500 South Bronough St., Tallahassee, FL 32399-0250 or by email at Marian.Deeney@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marian Deeney by mail at R.A. Gray Building, 500 South Bronough St., Tallahassee, FL 32399-0250 or by email at Marian.Deeney@dos.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

1B-2.011 Library Grant Programs.

(1) This rule provides procedures for library grant programs administered by the Division of Library and Information Services (Division). Each program shall be governed by guidelines which contain information on eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures, if applicable, and application forms. All grant awards shall be subject to final approval by the Secretary of State.

(2) Applicants for grants shall meet the eligibility and application requirements as set forth in the following guidelines for each grant program:

(a) The State Aid to Libraries Grant Guidelines, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03264>, effective 12-25-13, which contain guidelines, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03265>; Grant Agreement, effective 4-10-12; Certification of Credentials – Single Library Administrative Head, effective 4-1-10.

(b) The Library Construction Grant Guidelines and Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01116>, effective ~~xx-xx-xx~~ 4-10-12; which contain instructions, grant application (Form DLIS/PLC01), effective ~~xx-xx-xxxx~~ 1-9-03; Payment Request #1 (Form DLIS/PLC02) effective ~~xx-xx-xx~~ 1-9-03; Payment Request #2 (Form DLIS/PLC03) effective ~~xx-xx-xx~~ 1-9-03; Payment Request #3 (Form DLIS/PLC04) effective ~~xx-xx-xxxx~~ 1-9-03; Payment Request #4 (Form DLIS/PLC05) effective ~~xx-xx-xxxx~~ 1-9-03; and Closeout Report (Form DLIS/PLC06) effective ~~xx-xx-xxxx~~ 1-9-03; and Grant Agreement, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01117>, effective 4-10-12.

(c) The Library Cooperative Grant Guidelines and Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01118>, effective ~~xx-xx-xx~~ 4-10-12; which contain instructions and application (Form DLIS/LCG01), effective ~~xx-xx-xx~~ 1-24-08; Mid-Year Report (Form DLIS/LCG02) effective ~~xx-xx-xx~~ 1-24-08; Annual Report Form (Form DLIS/LCG03) effective ~~xx-xx-xx~~ 1-24-08; Annual Statistical Report Form for Multiple Library Cooperatives (Form DLIS/LCG04), effective ~~xx-xx-xx~~ 4-10-12; Grant Agreement (Form DLIS/LCG05), <http://www.flrules.org/Gateway/reference.asp?No=Ref-01119>, effective ~~xx-xx-xx~~ 4-10-12; and the FLIN Manual, effective ~~xx-xx-xx~~ 1-24-08.

(d) The Library Services and Technology Act Grant Guidelines, effective ~~xx-xx-xx~~ 4-21-10, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01120>, amended ~~xx-xx-xx~~ 4-10-12; which contain instructions and Grant Agreement, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01121>, effective ~~xx-xx-xx~~ 4-10-12.

(e) The Community Libraries in Caring Program Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01122>, effective 4-10-12; which contains instructions and application (Form DLIS/CLIC01), effective 11-16-04; Annual Report (Form DLIS/CLIC02), effective 11-16-04; and Grant Agreement (Form DLIS/CLIC03), <http://www.flrules.org/Gateway/reference.asp?No=Ref-01123>, effective 4-10-12.

(3) Guidelines and forms in this rule are incorporated by reference and may be obtained from the Director of the Division, Florida Department of State, Division of Library and Information Services, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250.

(4) The Division of Library and Information Services will waive the financial matching requirements on grants for rural communities that have been designated in accordance with Sections 288.0656 and 288.06561, F.S. Eligible communities applying for Library Services and Technology Act grants and Library Construction grants must request waiver of matching requirements at the time of grant application.

(5) This section supersedes Chapters 1B-3 and 1B-5, F.A.C.

Rulemaking Authority 257.14, 257.191, 257.192, 257.24, 257.41(2) FS. Law Implemented 257.12, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.191, 257.192, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25, 257.40, 257.41, 257.42 FS. History—New 1-25-93, Amended 7-17-96, 4-1-98, 2-14-99, 4-4-00, 12-18-00, 11-20-01, 3-20-02, 1-9-03, 12-28-03, 11-16-04, 2-21-06, 2-21-07, 1-24-08, 4-1-10, 4-21-10, 4-10-12, 12-25-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Carlos A. Rey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Detzner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 11, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 19, 2014