

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Department for Libraries and Archives

Division of Library Services

(Amendment)

725 KAR 2:080. Interstate Library Compact.

RELATES TO: KRS 171.221

STATUTORY AUTHORITY: KRS 171.221

NECESSITY, FUNCTION, AND CONFORMITY: KRS 171.221 authorizes the Department for Libraries and Archives to enter into agreements with other states for the purpose of providing cooperative library services. The function of this administrative regulation is to establish such an agreement.

Section 1. "Compact administrator" means the state librarian as designated in KRS 171.130.

Section 2. Incorporation by Reference.

(1) "Interstate Library Compact" (1998), is incorporated by reference.

(2) It may be inspected, copied, or obtained at the Department for Libraries and Archives, 300 Coffee Tree Road, Frankfort, Kentucky 40601, telephone (502) 564-8300, Monday through Friday, ~~9[8]~~ a.m. to ~~4[30]~~ p.m.

TERRY MANUEL, Commissioner

APPROVED BY AGENCY: July 15, 2021

FILED WITH LRC: July 15, 2021 at 11:05 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on September 21, 2021, at 1:00 p.m. Eastern Time, at the Kentucky Department for Libraries and Archives Hearing Room, 300 Coffee Tree Road, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through September 30, 2021. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Beth Milburn, Deputy Commissioner, PO Box 537, 300 Coffee Tree Road, Frankfort, Kentucky 40602-0537, phone 502-564-8325, email beth.milburn@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Beth Milburn

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation (725 KAR 2:080) establishes the Interstate Library Compact.

(b) The necessity of this administrative regulation:

KRS 171.221 authorizes the Department for Libraries and Archives to enter into agreements with other states for the purpose of providing cooperative library services.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

The statute empowers the Department for Libraries and Archives to enter into an agreement with any state for the purpose of providing cooperative library services.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation provides the document that the contracting states may use to enter into agreements to provide cooperative library services.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

This amendment updates the times that the Department for Libraries and Archives is open to the public to allow for the viewing of the material incorporated by reference which is the Interstate Library Compact.

(b) The necessity of the amendment to this administrative regulation:

The amended regulation will help ensure accurate accessibility information to all.

(c) How the amendment conforms to the content of the authorizing statutes:

The amendments to this regulation reflect the actual times that the facility is open to the public.

(d) How the amendment will assist in the effective administration of the statutes:

Amended regulation reflects the actual times that the facility is open to the public. This provides transparency, improves public service, and allows staff time to perform non-public duties.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

The Kentucky Department for Libraries and Archives and the legally established public libraries in 119 counties.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

No action is necessary by any listed party.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

No cost is envisioned by this amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

Amended regulation reflects the actual times that the facility is open to the public. This provides transparency, improves public service, and allows staff time to perform non-public duties.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

No new costs will be incurred.

(b) On a continuing basis:

No new costs will be incurred by the department.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

General funds appropriated by the legislature.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

No required increase is projected.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees:

This regulation does not establish or increase, directly or indirectly, any fees.

(9) TIERING: Is tiering applied?

Tiering is not applied because the Interstate Library Compact is available to all legally established public libraries in Kentucky.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

No answer provided.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 171.221

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

Libraries entering into this agreement will provide for the allocation of costs and other financial responsibilities.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

This administrative regulation will not generate any revenue.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

This administrative regulation will not generate any revenue.

(c) How much will it cost to administer this program for the first year?

There will be minimal impact on the cost of administering this administrative regulation.

(d) How much will it cost to administer this program for subsequent years?

There will be minimal impact on the cost of administering this administrative regulation.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: